

Nos. 04-6037/6038

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

**FILED**

SEP 20 2004

PHILIP RAY WORKMAN,  
Petitioner - Appellee

v.

RICKY BELL, Warden  
Respondent - Appellant

LEONARD GREEN, Clerk

**O R D E R**

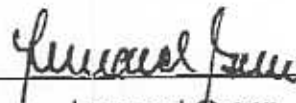
Before: SILER, COLE, and SUTTON, Circuit Judges

Less than a majority of the active judges of the court having favored the motion of the petitioner - appellee that the court initially consider this matter *en banc*, the motion of the respondent to vacate the stay of execution is referred to the panel.

The court DENIES the motion of respondent Ricky Bell to vacate the stay of execution, without prejudice to renewal of the motion after issuance of the decision of this court in Nos. 02-6547, *In re: Abu-All AbdurRahman*, and No. 02-6548, *Abu-All AbdurRahman v. Ricky Bell, Warden*.

IT IS SO ORDERED.

ENTERED BY ORDER OF THE COURT



Leonard Green, Clerk