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THIS IS A CAPITAL CASE

No. 16-6496

In the Supreme Court of the United States

STACEY JOHNSON, JASON McGEHEE, BRUCE WARD,
TERRICK NOONER, JACK JONES, MARCEL WILLIAMS,
KENNETH WILLIAMS, DON DAVIS, and LEDELL LEE

Petitioners

v.

WENDY KELLEY, in her official capacity
as Director, Arkansas Department of Correction,
and ARKANSAS DEPARTMENT OF CORRECTION

Respondents

On Petition for a Writ of Certiorari to the
Supreme Court of Arkansas

AMENDMENT TO FEBRUARY 14, 2017 SUPPLEMENTAL BRIEF
IN SUPPORT OF PETITION FOR A WRIT OF CERTIORARI

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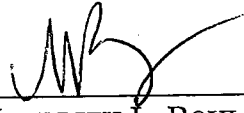
Counsel for Petitioner Davis

AMENDMENT TO FEBRUARY 14, 2017 SUPPLEMENTAL BRIEF

In Petitioners' February 14, 2017 Supplemental Brief, filed earlier today, Petitioners informed the Court that the United States District Court for the Southern District of Ohio has determined, at the preliminary-injunction stage, that Ohio's midazolam-based protocol likely violates the Eighth Amendment. Petitioners also informed the Court that an expedited appeal from the district court's order would be argued at the Sixth Circuit on February 21, 2017. Shortly after filing the Supplemental Brief, Petitioners' counsel learned the oral argument has been rescheduled for March 7, 2017. *See* Order, ECF No. 39, *In re Ohio Execution Protocol Litigation*, No. 17-3076 (6th Cir. Feb. 14, 2017). Petitioners now write to inform the Court of the new date for oral argument.

FEBRUARY 14, 2017

Respectfully submitted,



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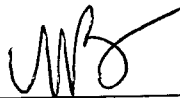
WENDY KELLEY, in her official capacity
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CERTIFICATE OF SERVICE

I hereby certify that I have served all parties required to be served with the Petitioners' Amendment to February 14, 2017 Supplemental Brief in Support of Petition for a Writ of Certiorari. Specifically, in compliance with S. Ct. R. 29.3, I emailed and hand-delivered a copy of these documents to below-listed counsel on February 14, 2017:

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