

1 Jon M. Sands  
2 Federal Public Defender  
3 Dale A. Baich, OH Bar No. 0025070  
4 Robin C. Konrad, AL Bar No. 2194-N76K  
5 Cary Sandman, AZ Bar No. 004779  
6 850 West Adams Street, Suite 201  
7 Phoenix, Arizona 85007  
8 Telephone: 602-382-2816  
9 dale\_baich@fd.org  
10 robin\_konrad@fd.org  
11 cary\_sandman@fd.org

12 David J. Sepanik, CA Bar No. 221527  
13 Flora F. Vigo, CA Bar No. 239643  
14 Amanda R. Conley, CA Bar No. 281270  
15 O'Melveny & Myers LLP  
16 Two Embarcadero Center, 28th Floor  
17 San Francisco, California 94111  
18 Telephone: 415-984-8963  
19 dsepanik@omm.com  
20 fvigo@omm.com  
21 aconley@omm.com

22 Counsel for Plaintiffs Pete Rogovich,  
23 Milo Stanley, Daniel Cook, and  
24 Richard Stokley

Denise I. Young, AZ Bar No. 007146  
2930 N. Santa Rosa Place  
Tucson, Arizona 85712  
Telephone: 520-322-5344  
dyoung3@mindspring.com

Henry A. Martin  
Federal Public Defender  
Kelley J. Henry  
Assistant Federal Public Defender  
Missouri State Bar No. 38849  
810 Broadway, Suite 200  
Nashville, TN 37203-3805  
(615) 736-5047 (t)  
(615) 736-5265 (f)  
kelley\_henry@fd.org

Counsel for Plaintiff Samuel Lopez

15 **IN THE UNITED STATES DISTRICT COURT**  
16 **FOR THE DISTRICT OF ARIZONA**

17 Towery, et al.,  
18 Plaintiffs,  
19 v.  
20 Brewer, et al.,  
21 Defendants.

Case No. 2:12-CV-00245-NVW

NOTICE OF PRELIMINARY  
INJUNCTION APPEAL

**DEATH-PENALTY CASE**

**Execution Scheduled**  
**May 16, 2012 at 10 a.m.**

24 Plaintiff Samuel Lopez hereby gives notice of his appeal to the Ninth Circuit Court  
25 of Appeals from the order entered in this action on May 7, 2012. (Dkt. No. 66.)

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Respectfully submitted this 7th day of May, 2012.

Jon M. Sands  
Federal Public Defender  
Dale A. Baich  
Robin C. Konrad  
Cary Sandman

David J. Sepanik  
Flora F. Vigo  
Amanda R. Conley  
O'Melveny & Myers LLP

By: s/Dale A. Baich  
Counsel for Plaintiffs Rogovich,  
Stanley, Cook, and Stokley

Kelley J. Henry  
Denise I. Young

By: s/Kelley J. Henry (with permission)  
Counsel for Plaintiff Lopez

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**Certificate of Service**

I hereby certify that on May 1, 2012, I electronically transmitted the foregoing Notice of Preliminary Injunction Appeal to the Clerk’s office using the CM/ECF System for filing.

I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

s/Michelle Young  
Legal Assistant  
Capital Habeas Unit