

2009 WY 144

IN THE SUPREME COURT, STATE OF WYOMING

October Term, A.D. 2009

November 24, 2009

DALE WAYNE EATON,

Petitioner,

v.

S-09-0220

THE STATE OF WYOMING,

Respondent.

ORDER DENYING PETITION FOR WRIT OF CERTIORARI/REVIEW

[¶1] **This matter** came before the Court upon a “Petition for a Writ of Certiorari or Writ of Review,” filed herein October 30, 2009. In his petition, Mr. Eaton seeks review of the district court’s denial of post-conviction relief. Now, after a careful review of the petition, the materials attached thereto, the “Response to Petition for a Writ of Certiorari or Writ of Review,” and the file, this Court finds that the petition should be denied. It is, therefore,

[¶2] **ORDERED** that the petitioner, Dale Wayne Eaton, be allowed to proceed in this matter *in forma pauperis*; and it is further

[¶3] **ORDERED** that the Petition for a Writ of Certiorari or Writ of Review, filed herein October 30, 2009, be, and hereby is, denied; and it is further

[¶4] **ORDERED** that this case is remanded to the district court for issuance of a new warrant directed to the director of the department of corrections to carry out the execution of the sentence as provided by law; and it is further

[¶5] **ORDERED** that this order be published in Pacific Reporter Third.

DATED this 24th day of November, 2009.

BY THE COURT:

/s/ Barton R. Voigt

BARTON R. VOIGT

Chief Justice