

Serial: 249523

IN THE SUPREME COURT OF MISSISSIPPI

**FILED**

No. 95-DP-00066-SCT

NOV 30 2023

&

No. 2023-DR-01076-SCT

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SUPREME COURT  
COURT OF APPEALS

*WILLIE JEROME MANNING A/K/A  
“FLY”*

*Appellant*

v.

*STATE OF MISSISSIPPI*

*Appellee*

**EN BANC ORDER**

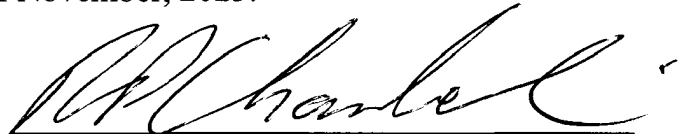
Before the Court are: (1) Willie Manning’s Motion for Leave to File Successive Petition for Post-Conviction Relief, filed on September 29, 2023; (2) the State of Mississippi’s Motion to Lift Stay of Execution, Set Execution Date, and Dismiss Second Successive PCR Motion, filed on November 9, 2023; and (3) Willie Manning’s Response to Motion to Lift Stay of Execution, Set Execution Date, and Dismiss Second Successive Petition for Post-Conviction Relief, filed on November 13, 2023.

On November 3, 2023, the State of Mississippi sought an extension of time until December 29, 2023, to respond to Manning’s Motion for Leave. On November 7, 2023, the Court granted the extension of time. Thus, the State of Mississippi’s response to Manning’s Motion for Leave is due on or before Friday, December 29, 2023. Under Mississippi Rule of Appellate Procedure 22(c)(5)(ii), Manning’s reply is due within fifteen days “following the date [Manning] receives notice of filing of the response.” After due consideration, the

Court finds that the parties shall file their respective response and reply briefs within these set forth deadlines. Based upon the State's representation that it is prepared for the Court to set Manning's execution date, no extensions will be granted absent exigent circumstances.

Upon further consideration, the Court finds the State of Mississippi's Motion to Lift Stay of Execution, Set Execution Date, and Dismiss Second Successive PCR Motion, should be held in abeyance until the Court rules upon Manning's Motion for Leave to File Successive Petition for Post-Conviction Relief.

SO ORDERED, this the 30 day of November, 2023.

A handwritten signature in black ink, appearing to read "R. Chamberlin", written over a horizontal line.

ROBERT P. CHAMBERLIN,  
JUSTICE

ALL JUSTICES AGREE.