

JAN 12 2012

**IN THE COURT OF CRIMINAL APPEALS OF THE STATE OF OKLAHOMA**

MICHAEL S. RICHIE  
CLERK

GARRY THOMAS ALLEN,	)	
	)	
Appellant,	)	NOT FOR PUBLICATION
	)	
v.	)	Case No. DC-1988-37
	)	PCD-2010-1175
THE STATE OF OKLAHOMA,	)	
	)	
Appellee.	)	

**ORDER SETTING EXECUTION DATE**

On December 8, 2011, this Court handed down its Opinion Dismissing Appeal in *Garry Thomas Allen v. State*, Court of Criminal Appeal's case number PCD-2010-1175, regarding sanity to be executed. Previously, this Court set an execution date for May 19, 2005, because Allen's state and federal appeals had been exhausted. Allen's execution date was stayed by the district court of Pittsburg County, so that his sanity could be determined pursuant to 22 O.S.2001, § 1005.

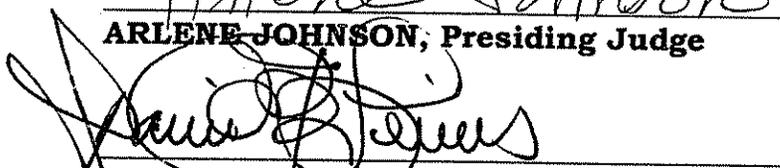
The district court of Pittsburg County vacated its stay of execution on December 28, 2011. Therefore, pursuant to 22 O.S.Supp.2004, § 1001.1(E) and (F), the execution must be set thirty (30) days after the dissolution of the stay.

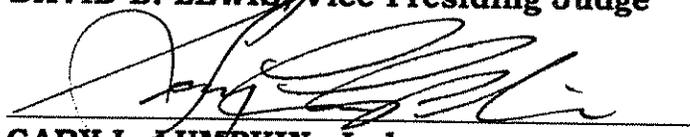
Therefore, we hereby order the execution of the judgment and sentence of death be carried out. The execution date of Garry Thomas Allen shall be set for Thursday, February 16, 2012.

**IT IS SO ORDERED.**

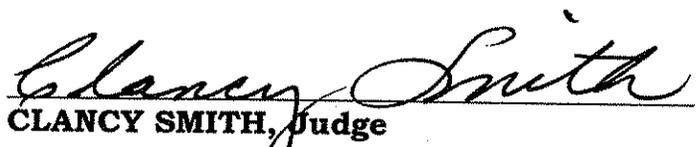
WITNESS OUR HANDS AND THE SEAL OF THIS COURT this 12<sup>th</sup> day of January, 2012.

  
ARLENE JOHNSON, Presiding Judge

  
DAVID B. LEWIS, Vice Presiding Judge

  
GARY L. LUMPKIN, Judge

  
CHARLES A. JOHNSON, Judge

  
CLANCY SMITH, Judge

ATTEST:

  
Clerk