DIVISION 1 COURT OF APPEALS STATE OF ARIZONA FILED MAY 2 1 2007

IN THE COURT OF APPEALS STATE OF ARIZONA DIVISION ONE

PHILIP G URRY, CLERK

HOWARD KEITH HENSON,

1 CA-SA 07-0110

Petitioner,

DEPARTMENT E

v.

Yavapai County Superior Court No. CV2007-0494

THE HONORABLE THOMAS B. LINDBERG, Judge of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of YAVAPAI,

ORDER

Respondent Judge,

STATE OF ARIZONA,

Real Party in Interest.

The court, Judges Patricia A. Orozco, Michael J. Brown and Diane M. Johnsen, has reviewed and considered the Petition for Special Action filed in this matter by Petitioner, Howard Keith Henson, and his request for an interlocutory stay of proceedings in the lower court. The court having heard the matter via telephone conference this date, and good cause appearing to this court;

IT IS ORDERED denying Petitioner's request for an interlocutory stay of proceedings in the lower court. While the time given to Petitioner to file the Petition for Writ of Habeas Corpus was exceedingly short, Petitioner has not shown prejudice.

IT IS FURTHER ORDERED the court declines to accept jurisdiction of the Petition for Special Action.

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IT IS ALSO ORDERED vacating this court's previous order requiring the filing and service of a Response on or before the 31st day of May 2007.

DATED this 215H day of May, 2007.

PATRICIA A. OROZCO, Presiding Judge

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