

---

IN THE  
SUPREME COURT OF THE UNITED STATES  
OCTOBER TERM, 2014

---

ROBERT CHARLES LADD,

Petitioner,

v.

STATE OF TEXAS,

Respondent.

---

**MOTION FOR A STAY OF EXECUTION  
SCHEDULED FOR JANUARY 29, 2015, AT 7:00 PM EST**

---

Petitioner prays that an Order be entered staying the execution of his sentence of death sentence until further Order of this Court, and in support of his application, respectfully states as follows:

1. Accompanying this motion is a Petition for a Writ of Certiorari, requesting that this Court grant review of the Texas Court of Criminal Appeals' denial of relief as to his claim of intellectual disability under *Atkins v. Virginia*, 536 U.S. 304 (2002) and *Hall v. Florida*, 134 S. Ct. 1986 (2014).

Texas has now scheduled Petitioner's execution for January 29, 2015, at 6:00 pm, Central Standard Time, or 7:00 pm, Eastern Standard Time.

2. Petitioner requests that the execution be stayed by this Court until the Petition for Writ of Certiorari is considered and finally acted upon.
3. As set forth more fully in the accompanying Petition, a stay of execution is justified on the grounds that Petitioner faces imminent execution despite his intellectual disability. Texas ignores Petitioner's Eighth Amendment protections required under *Atkins* and *Hall*, and instead relies on the non-scientific and non-medical rule of *Ex parte Briseño*, 135 S.W.3d 1, 8 (Tex. Crim. App. 2004), to conclude that he is not intellectually disabled and therefore not deserving of *Atkins* protection.
4. Petitioner is detained at the Polunsky Unit, in Livingston, Texas, under a sentence of death. Several hours before his execution, he will be transferred to the Huntsville Unit in Huntsville, Texas. A stay of execution will not prejudice the State of Texas or interfere with Petitioner's custodial status.
5. A stay of execution is necessary to ensure that Petitioner is not executed before this Court is able to resolve the significant issues set forth in the Petition for Writ of Certiorari. The execution of Petitioner would obviously inflict irreparable harm.

WHEREFORE, Petitioner respectfully requests an Order staying Petitioner's execution, pending resolution of the proceedings and further Order of this Court.

Respectfully submitted,



---

Brian W. Stull

*(Counsel of Record)*

Cassandra Stubbs

American Civil Liberties Union Foundation

201 W. Main St. Suite 402

Durham, NC 27701

(919) 682-9469

bstull@aclu.org

*COUNSEL FOR PETITIONER*

January 28, 2015