



**IN THE COURT OF CRIMINAL APPEALS
OF TEXAS**

WR-57,256-02

DERRICK SONNIER

**STAY OF EXECUTION
IN CAUSE NO. 648,197 FROM THE
179TH DISTRICT COURT OF HARRIS COUNTY**

Per Curiam.

ORDER

These are an application for writ of habeas corpus, a motion for leave to file a writ of prohibition, and a motion to stay execution. Applicant/relator asserts his execution will violate his Eighth Amendment right against cruel and unusual punishment.

Applicant was convicted of capital murder on February 17, 1993. We affirmed the conviction and sentence on direct appeal. *Sonnier v. State*, 913 S.W.2d 511 (Tex. Crim. App. 1995). On August 18, 1997, applicant filed his initial application for writ of habeas corpus pursuant to Article 11.071. We denied relief. *Ex parte Sonnier*, No. WR-57,256-

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corpus pursuant to Article 11.071. We denied relief. *Ex parte Sonnier*, No. WR-57,256-01 (Tex. Crim. App. November 5, 2003). He now claims that the chemicals used by Texas during execution by lethal injection would violate his Eighth Amendment right against cruel and unusual punishment.

Applicant's motion for stay of execution is granted.

IT IS SO ORDERED THIS THE 3RD DAY OF JUNE, 2008.

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