

OPINIONS OF INDIVIDUAL JUSTICES
IN CHAMBERS

WILLIAMS v. MISSOURI

ON APPLICATION FOR STAY

No. 2-107. Decided July 6, 1956.

REPORTER'S NOTE

The next page is purposely numbered 1301. The numbers between 1251 and 1301 were intentionally omitted, in order to make it possible to publish in-chambers opinions with *permanent* page numbers, thus making the official citations available upon publication of the preliminary prints of the United States Reports.

On June 20, the Missouri Supreme Court denied applicant's timely motion for rehearing, and his motion requesting the court to stay issuance of its mandate pending final disposition of a petition for certiorari in this Court. Under the rules of this Court, applicant has until August 20, 1956, to refile a petition for certiorari. He has applied to me for a stay of execution pending timely filing and disposition of that petition. The application is granted.

"Direct appeal is the primary avenue for review of a conviction or sentence." *Barclay v. Estelle*, *ante*, at 807. If a federal question is involved, the process of direct review includes the right to petition this Court for a writ of certiorari. *Ibid.* - A stay of execution obviously is essential to protection of this right if the execution otherwise would occur prior to the expiration of a defendant's time to petition this Court for direct review. The defendant must have at least the opportunity to present to the full Court his claims that

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