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IN THE SUPREME COURT OF THE STATE OF IDAHO

THE STATE OF IDAHO,	)	
	)	
Plaintiff-Respondent,	)	Docket No. 39941
	)	
vs.	)	
	)	
RICHARD A. LEAVITT,	)	<b>NOTICE OF INTENT TO</b>
	)	<b>RELY ON PREVIOUSLY</b>
Defendant-Appellant.	)	<b>SUBMITTED BRIEFS</b>
	)	
_____	)	

Appellant Richard A. Leavitt, through counsel, gives notice that he does not intend to present additional briefs in support of his Notice of Appeal, filed May 30, 2012 at 4:59 p.m., from the District Court's denial of his Motion to Quash Death Warrant. Instead, Mr. Leavitt will respectfully rely on the previously filed Opening Brief of appellant, filed

May 23, 2012, and Reply Brief of appellant, filed May 25, 2012, which address the same issues which are raised in the Notice of Appeal filed May 30, 2012.

DATED: May 31, 2012.



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David Z. Nevin  
Andrew Parnes  
Attorney for Appellant Richard A. Leavitt

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 31<sup>st</sup> day of May, 2012, I served the foregoing document on all interested parties as follows by facsimile:

LaMont Anderson  
Deputy Attorney General  
State of Idaho  
P.O. Box 83720  
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David Z. Nevin