

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

DAN ROSS, :  
 :  
 Plaintiff, :  
 :  
 V. : No. 05-CV-130(RNC)  
 :  
 M. JODI RELL, et al., :  
 :  
 Defendants. :

RULING AND ORDER

On January 25, 2005, plaintiff brought this action for declaratory and injunctive relief pursuant to 42 U.S.C. § 1983 seeking to prevent the execution of his son, Michael B. Ross, who had "volunteered" to be executed, on the ground that his son was not competent to make a knowing, intelligent and voluntary decision. Pursuant to an order of the Connecticut Supreme Court, the execution has been stayed indefinitely and the issue of Michael B. Ross's competency to "volunteer" to be executed will soon be heard in the Connecticut Superior Court. Accordingly, the complaint is hereby dismissed without prejudice. The Clerk may close the file.

It is so ordered this 3rd day of February 2005.

\_\_\_\_\_/s/\_\_\_\_\_  
Robert N. Chatigny  
United States District Judge