

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT PADUCAH
(Filed Electronically)**

CRIMINAL ACTION NO. 5:06CR-19-R

UNITED STATES OF AMERICA,

PLAINTIFF,

vs.

STEVEN DALE GREEN,

DEFENDANT.

ORDER

Defendant having moved the Court to declare the Federal Death Penalty Act (FDPA) unconstitutional, dismiss the statutory aggravators herein, and strike the government's notice of intent to seek the death penalty; the United States having responded thereto; and the Court being sufficiently advised,

IT IS ORDERED AND ADJUDGED that the Federal Death Penalty Act be, and the same hereby is, declared unconstitutional.

IT IS FURTHER ORDERED AND ADJUDGED that the statutory aggravators herein be, and the same hereby are, dismissed.

IT IS FURTHER ORDERED AND ADJUDGED that the government's notice of intent to seek the death penalty herein be, and the same hereby is, stricken.