

**ORIGINAL**

**FILED**  
**IN COURT OF CRIMINAL APPEALS**  
**STATE OF OKLAHOMA**  
OCT - 4 2017

**IN THE COURT OF CRIMINAL APPEALS FOR THE STATE OF OKLAHOMA**

JULIUS DARIUS JONES, )  
)  
Petitioner, )  
)  
-vs- )  
)  
STATE OF OKLAHOMA, )  
)  
Respondent. )



NOT FOR PUBLICATION

No. PCD-2017-654

**ORDER DENYING MOTION TO FILE PETITION FOR REHEARING**

Appellant Jones filed a Motion to File Petition for Rehearing in his second Capital Post-Conviction appeal following this Court’s denial of that appeal in an unpublished order issued September 5, 2017. *See Jones v. State*, Case No. PCD-2017-654 (unpublished). Under Rule 3.14(E)(1), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch. 18, App. (2017), a Petition for Rehearing may be filed only in regular appeals as defined by Rule 1.2. Post-conviction appeals do not fall within the regular appeals identified in Rule 1.2. Furthermore, Rule 5.5 provides:

Once this Court has rendered its decision on a post-conviction appeal, that decision shall constitute a final order and the petitioner’s state remedies will be deemed exhausted on all issues raised in the petition in error, brief and any prior appeals. A petition for rehearing is not allowed and these issues may not be raised in any subsequent proceeding in a court of this State. The Clerk of this Court shall return to the movant any petitions for rehearing tendered for filing.

This Court does not allow petitions for rehearing in post-conviction appeals.

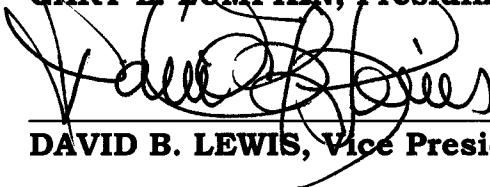
**THEREFORE IT IS THE ORDER OF THIS COURT** that the Motion to File  
Petition for Rehearing is **DENIED**.

**IT IS SO ORDERED.**

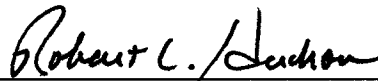
**WITNESS OUR HANDS AND THE SEAL OF THIS COURT** this 11<sup>th</sup> day  
of October, 2017.



**GARY L. LUMPKIN, Presiding Judge**



**DAVID B. LEWIS, Vice Presiding Judge**



**ROBERT L. HUDSON, Judge**

ATTEST:

John D. Hadden  
Clerk