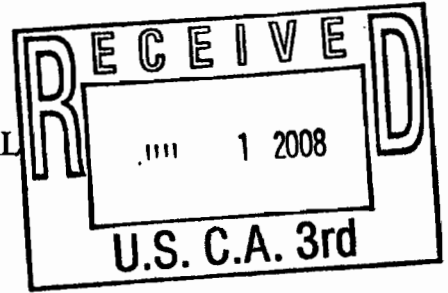


IN THE UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT



MUMIA ABU-JAMAL, )  
 )  
 Appellee/Cross-Appellant, )  
 )  
 vs. )  
 )  
 MARTIN HORN, Director, Pennsylvania De- )  
 partment of Corrections; CONNER BLAINE, )  
 Superintendent, SCI Greene, )  
 )  
 Appellants/Cross-Appellees. )  
 )

No. 02-9001

**E-Transmission  
Signature to follow**

No. 01-9014

*Death Penalty Case*

**MOTION TO REPLACE PETITION FOR REHEARING AND  
REHEARING EN BANC WITH CORRECTED PETITION**

COMES Mumia Abu-Jamal, Appellee and Cross-Appellant in the above-referenced matter, through counsel who moves for leave to replace the Petition for Rehearing and Rehearing En Banc submitted on June 27, 2008, with a corrected Petition which is submitted herewith. In support of this motion, the following is submitted:

1. It has been discovered that the Petition for Rehearing and Rehearing En Banc submitted electronically on June 27, 2008, contained an error. It was supposed to have been changed in what was submitted, but somehow that did not occur.
2. The mistake is on Page 1 (Statement of Case). The first sentence incorrectly began: "In Mr. Abu-Jamal . . ." Even though the error does not affect the sub-

stance of the petition, it has now been corrected to read:

“Mumia Abu-Jamal was convicted of first-degree murder in 1982 in the Court of Common Pleas, First Judicial District, Philadelphia (Sabo, J., presiding), and sentenced to death the following year.”

3. It is requested that the corrected Petition submitted herewith replace that which was electronically submitted on June 27, and that only the corrected version be filed. It is further asked that the initial Petition be discarded.

4. Corrected hard copies of the Petition are being mailed to the Court, to replace what was previously sent. Further, the hard copies of the first Petition should also be discarded.

WHEREFORE, the Court is moved to granted the relief sought herein.

Dated: July 1, 2008

Respectfully submitted,



ROBERT R. BRYAN  
Law Offices of Robert R. Bryan  
2088 Union Street, Suite 4  
San Francisco, California 94123-4117  
Telephone: (415) 292-2400

Lead counsel for Appellee and Cross-Appellant, Mumia Abu-Jamal

CERTIFICATE OF SERVICE

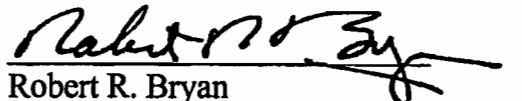
I hereby certify that on this date I caused a true and correct copy of the **foregoing Motion To Replace Petition for Rehearing and Rehearing En Banc With Corrected Petition** to be served by U.S. Mail, first class postage prepaid, and electronically, upon the following:

Hugh J. Burns, Jr., Esquire  
Assistant District Attorney  
District Attorney's Office  
1421 Arch Street  
Philadelphia, PA 19102

Christina Swarns, Esq.  
Assistant Counsel  
NAACP Legal Defense & Educational Fund  
99 Hudson Street, 16<sup>th</sup> Floor  
New York, New York 10013

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this the 1<sup>st</sup> day of July, 2008, at San Francisco, California.

  
Robert R. Bryan  
Law Offices of Robert R. Bryan  
2088 Union Street, Suite 4  
San Francisco, California 94123-4117

Lead counsel for Appellee and Cross-Appellant, Mumia Abu-Jamal