

XXXI No 90

IN THE CRIMINAL COURT FOR SEVIER COUNTY

AT SEVIERVILLE, TENNESSEE

STATE OF TENNESSEE,

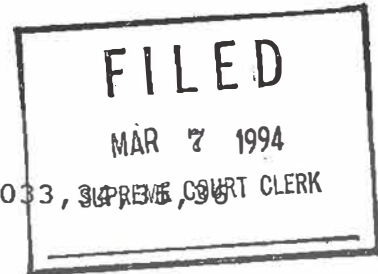
Plaintiff,

-VS-

GARY WAYNE SUTTON, and
JAMES ANDERSON DELLINGER,

Defendant.

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CASE #5033, SUPREME COURT CLERK

TRANSCRIPT OF THE EVIDENCE:

Suppression Hearing

November 13, 1992

Volume 3

BEFORE THE HONORABLE REX HENRY OGLE, PRESIDING JUDGE,

APPEARANCES:

FOR THE STATE

GEN. AL SCHMUTZER, JR., D.A.

GEN. G. SCOTT GREEN, A.D.A.

Fourth Judicial District
Sevier County Courthouse
Sevierville, Tennessee

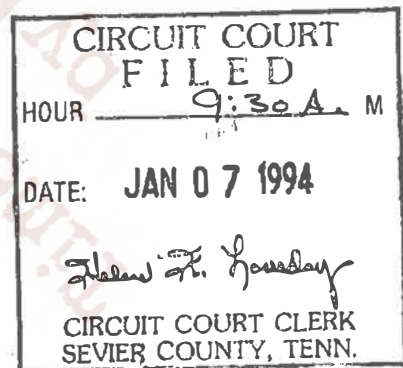
FOR THE DEFENDANT

MR. JAMES W. GREENLEE, JR.

Court Avenue
Sevierville, Tennessee

MR. DAVID W. WEBB

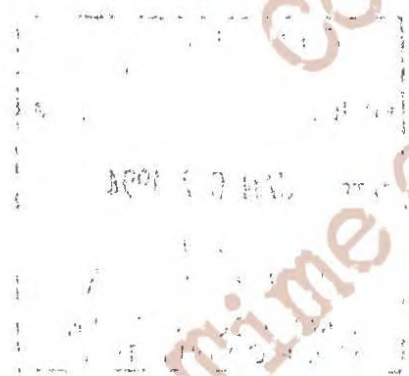
Court Avenue
Sevierville, Tennessee



HOUR 9:30 A. M

DATE: JAN 07 1994

CIRCUIT COURT CLERK
SEVIER COUNTY, TENN.



Courtesy of
Time of Death Podcast
by Beth Braden

1 was not coerced by the factors. We submit to the Court -
2 -
3 obviously, we have just done that.

4 We have Shepardized this case, Your Honor. It's
5 a supreme court case, and it has not been overruled, and it's
6 been cited in Ravens.

7 MR. MILLER: Your Honor, I'm not sure what the law
8 is on this, but typically it goes to the weight of their
9 evidence, I guess, but if the State proceeds on the consent to
10 search, they obtained signatures to consent, and that would
11 certainly go at least towards their weight, showing clear and
12 convincing that consent was given voluntarily, and there may be
13 some law that says it must be done.

14 THE COURT: I don't think there's any law that I'm
15 aware of as to requiring it to be in writing, just as statements
16 of defendants are never required to be in writing. It goes to
17 the weight of them, but I've never been aware of any writing
18 requirement.

19 GENERAL SCHMUTZER: And in the case I handed you,
20 Your Honor...

21 THE COURT: It obviously wasn't -- I would assume
22 that.

23 GENERAL SCHMUTZER: I would submit that case is
24 practically on all fours.

25 THE COURT: But I would give you an opportunity to

1 brief the Court on the issue of the search warrant, and anything
2 you want to raise on the issue of consent, and we will address
3 that next Friday. Are there any other of these other motions
4 that we can take up in a fairly brief period of time? Next week
5 we will deal -- oh, if you will provide -- I would like to have
6 a copy of some of the statements -- some of the statements that
7 were copied. The record, I think, is still at the court of
8 criminal appeals from the first appeal on the court's bond
9 hearing, so what I would like the State to do is to provide my
10 office, at least by Monday, if you can, a copy of all the
11 statements that the Court has ruled on today.

12 MR. GREENLEE: Your Honor, would you add that to
13 that all statements that the State intends to introduce into
14 evidence? There was one statement made by Mr. Dellinger that
15 we are aware of, and it probably would go to intent or
16 premeditation or something of that nature, that only in the last
17 couple of days we became aware of. That's why we suggest --
18 just so the Court can evaluate it.

19 THE COURT: Just provide that to me then.

20 MR. GREENLEE: Every statement.

21 THE COURT: Okay.

22 GENERAL SCHMUTZER: Made to law enforcement
23 officers.

24 THE COURT: Okay. And I will look at those, and...

25 MR. GREENLEE: Well, the General just said, "Made

1 to law enforcement officers," and that's true. Those are the
2 kinds of things that you would suppress, but we're talking about
3 a broader scope. The Court, in all truth, is going to have to
4 evaluate prejudicial effect versus probative value over and over
5 again in motions to consolidate, especially defendants and
6 offenses, and at the center of that, especially when you are
7 talking about consolidating defendants, the Court will have to
8 know what statements Mr. Dellinger made to evaluate whether or
9 not a fair trial can be obtained for Mr. Sutton. For that
10 reason, if the Court is looking for, in advance, information so
11 that it can be...

12 GENERAL SCHMUTZER: We said we're going to furnish
13 them.

14 GREENLEE: But every single statement...

15 THE COURT: Any statement that you intend to use,
16 provide that to me.

17 GENERAL SCHMUTZER: By the defendants?

18 THE COURT: Yes.

19 GENERAL SCHMUTZER: You don't want anything -- none
20 of those witnesses?

21 THE COURT: No, I don't think...

22 MR. GREENLEE: A statement, even though not made
23 to law enforcement could...

24 THE COURT: Statements by the defendants that you
25 intend to use, include those in your...

1 GENERAL SCHMUTZER: Now, Your Honor, we have
2 statements made by the defendants that witnesses testified to,
3 not inculpatory type statements, but just -- you know, when they
4 were at various places, like at a bar or something, and things
5 like that. I'm sure you don't want all those. You are talking
6 about...

7 MR. GREENLEE: This particular statement is a
8 statement that was made, as I understand it, that Dellinger made
9 a threat against the Griffins.

10 GENERAL SCHMUTZER: I'm going to include that.
11 We've already said we were. That was made to a law enforcement
12 officer.

13 MR. GREENLEE: That would be used to support some
14 of the elements of first degree murder; information,
15 opportunity, etcetera.

16 THE COURT: Okay. Anything we can take up briefly
17 -- short motions? The motion for pretrial written notice of any
18 impeaching conviction relating to the accused, that's covered
19 by the rule.

20 MR. GREENLEE: Your Honor, I can go down, and maybe
21 in 15 or 20 minutes cover some things that we know have to be
22 handled...

23 THE COURT: Okay, let's do that.

24 MR. GREENLEE: Forgive me, Your Honor, but the only
25 way I'm going to be able to go through this is with that Order

1 that...

2 THE COURT: Yeah, I've got it right here.

3 MR. GREENLEE: I don't know that that's anywhere
4 close to the order in the record, or anything else. The first
5 one that is listed that I guess you could rule on pretty quickly
6 is #7, Motion for Investigator's notes. We want the hand
7 written notes of the investigators preserved, and not destroyed
8 in the event that sometime during the course of this trial, like
9 today, it becomes relevant, we don't want to have to say -- have
10 to hear that they have been destroyed, and thrown away.

11 THE COURT: Granted.

12 MR. GREENLEE: That's not to say they need to
13 provide them, but...

14 THE COURT: Right, granted, and I've so noted on
15 the pre-trial order.

16 MR. GREENLEE: I think that motion #9, Motion for
17 Pre-Trial Written Notice of Impeaching Conviction Relating to
18 the Accused has been provided, and I think that is perfunctory,
19 and I think they are entitled to that.

20 THE COURT: Right.

21 MR. GREENLEE: So that's complied with, as far as
22 we know.

23 THE COURT: So is #10.

24 MR. GREENLEE: Written notice of any impeaching
25 conduct related to the accused. I think that's...

1 THE COURT: Right, it says convictions. Nine and
2 10 say convictions.

3 MR. GREENLEE: Convictions, that's right. Okay.

4 THE COURT: Granted.

5 MR. GREENLEE: #12, Motion to Compel Discovery.
6 We would probably be in a better position to talk about that
7 later, but...

8 THE COURT: Okay.

9 MR. GREENLEE: ...for example, we need to know if
10 they are going to rely upon consent, or -- and I think we've
11 gotten all of the lab exhibits back that you...

12 GENERAL GREEN: I think I've given everything at
13 least two or three times on those lab reports. There's a
14 multitude of it.

15 MR. GREENLEE: I think that's an on going...

16 THE COURT: Well, sure, it's on going. As soon as
17 they get them, they should provide them.

18 MR. MILLER: I noticed some dirt samples were
19 taken, and we have no reports on those.

20 GENERAL GREEN: I don't think, and don't hold me
21 to it, but my recollection is those were never submitted.

22 MR. GREENLEE: The motion -- I believe that the
23 Court has signed a motion -- we filed a motion to preserve
24 evidence, and the Court signed an order about preserving
25 evidence...

1 THE COURT: I believe I did.

2 MR. GREENLEE: ...for a period of time.

3 THE COURT: That's granted.

4 MR. GREENLEE: And we need to examine it.

5 THE COURT: All evidence shall be preserved, yes.

6 MR. GREENLEE: I think we want to be sure that the
7 discovery -- everything that's within the State's possession as
8 of now that is discoverable should be ordered turned over, and
9 anything that they have in their possession now, and not turned
10 over, can't be used unless they can give a showing why it didn't
11 come to their attention as being discoverable.

12 THE COURT: As of right now?

13 MR. GREENLEE: As of right now.

14 THE COURT: I'm not going to order it since no
15 trial date has been set. I might consider something after a
16 trial date is set on both sides, subject to those items that are
17 discoverable. I will consider that at a later date, but I will
18 not rule on that now, insomuch as no trial date has been set,
19 and insomuch as we've not even completed the motion hearings.
20 So at this point, I have no idea what is still out there.

21 MR. GREENLEE: #14 complements our motion for
22 discovery, and I think that goes along - that's an on going --
23 we feel that has been complied with at this point, and we'll
24 bring a problem to the Court's attention if we discover it.

25 THE COURT: Okay.

1 MR. GREENLEE: The same goes for #15 and #16.

2 THE COURT: Now, as to their intention to use
3 evidence...

4 MR. GREENLEE: We want it to be clear that
5 everything they intend to introduce in their case in chief has
6 been provided to us, that is, Gary Sutton. Everything they are
7 going to introduce...

8 THE COURT: Everything subject to disclosure has
9 been provided.

10 MR. GREENLEE: That's right.

11 THE COURT: Yeah, there's a difference there,
12 right?

13 MR. GREENLEE: I realize we're not entitled to
14 statements of witnesses, but all physical evidence is
15 discoverable.

16 THE COURT: All that is discoverable under the rule
17 -- I don't know that they have to tell you which piece or item
18 of evidence that they intend to use. They have to disclose to
19 you the evidence subject to the rule, so...okay.

20 MR. GREENLEE: We had filed a motion to require the
21 State to reveal any prior convictions of prosecution witnesses.
22 There is some authority because of the unique position the State
23 is in, and their access to the NCIC and FBI files -- NCIC
24 computer. We don't have any access to previous records of
25 prosecution witnesses, and if either at the time, and now, I

1 think the Court has the discretion with the heightened standard
2 of due process to order it now, or at the very least, at the
3 time the witness testifies.

4 THE COURT: What do you say about that, General?

5 GENERAL SCHMUTZER: Your Honor...

6 THE COURT: Do you have a problem with that?

7 GENERAL SCHMUTZER: There's no case at all that
8 says the State has to -- has a duty to go out, and start looking
9 for prior convictions on its own witnesses. I think there is
10 a cases that states just to the opposite.

11 THE COURT: I understand that you have no
12 obligation to investigate it.

13 GENERAL SCHMUTZER: Right.

14 THE COURT: I understand that.

15 GENERAL SCHMUTZER: I don't have any question, but
16 in Brady, if we have a conviction that we're aware of, and we
17 don't furnish it because that goes to credibility.

18 THE COURT: Right.

19 GENERAL SCHMUTZER: And so we would furnish that.

20 THE COURT: If you have that knowledge or that
21 information, so provide that.

22 GENERAL SCHMUTZER: Right. I think what he's
23 saying, though, is that we have an obligation to go further.

24 THE COURT: I'm not aware of that, in all candor
25 with you.

1 MR. GREENLEE: Okay. We filed a motion for a bill
2 of particulars, #20, and I think counsel and I have talked about
3 it, and they filed a response to it, and more than one response
4 on bills of particular, and we were concerned about the time of
5 death, the manner of her death, what was the cause she died, and
6 I don't know that we've been supplied with the information on
7 manner of death.

8 THE COURT: Isn't that included in the autopsy
9 report?

10 GENERAL SCHMUTZER: Your Honor, we furnished them
11 everything that we have with regard to this woman's death, and
12 everything that we've found, and it's all -- everything that we
13 have is circumstantial, and they want us to -- a bill of
14 particulars doesn't provide -- it's not a means of discovery;
15 it's only to put them on notice of...

16 THE COURT: As to the elements and the time.

17 GENERAL SCHMUTZER: We gave them the best we could
18 of the time frame, but...

19 THE COURT: But have they been given a copy of the
20 autopsy report?

21 GENERAL SCHMUTZER: Yes, they've been given copies
22 of all that.

23 THE COURT: And I take it that would be the
24 strongest evidence that you have as to her cause of death,
25 wouldn't it?

1 **GENERAL SCHMUTZER:** No, Your Honor, the strongest
2 that we have would be a spent 303 cartridge shell that was found
3 in the floor of her car.

4 **THE COURT:** Okay.

5 **MR. GREENLEE:** Along with an opinion that there's
6 no one that can say she was shot.

7 **GENERAL SCHMUTZER:** Well, that would be for the
8 jury to decide, Your Honor, how she met her death, how she was
9 burned up in her car, and things like this. That's something
10 we'll have to argue -- we don't need to argue to the Court, but
11 as far as everything that we know about it...

12 **THE COURT:** Okay, that's fine.

13 **MR. GREENLEE:** Your Honor, Motion #26, Motion to
14 Permit the Defendant to Argue Last, because it's a capital
15 murder case.

16 **THE COURT:** Okay. The rule provides for the order
17 of closing arguments. I didn't necessarily agree with it as a
18 defense counsel, but I had to abide by it.

19 **GENERAL SCHMUTZER:** When they change the burden of
20 proof to where they are presumed guilty until proven innocent,
21 then I think they ought to have the last argument, but whoever
22 carries the burden of proof, obviously...

23 **THE COURT:** Okay.

24 **MR. GREENLEE:** #27, a Motion for Allocution -- I'm
25 not pronouncing it right -- he wants to speak. Defendant wants

1 to be able to speak if we get into a sentencing hearing without
2 being cross examined -- just to speak to the jury. If we get
3 to a death penalty phase, that he be permitted to just speak...

4 GENERAL SCHMUTZER: I'm not aware of any such...

5 THE COURT: Any witness who testifies under oath,
6 I'm assuming, is subject to cross examination by the other side.
7 I doubt I would allow any other witness for the State without
8 giving the defendant the opportunity to cross examine.

9 MR. GREENLEE: Your Honor, #31, Motion Prohibiting
10 Evidence to Elicit Passion. We would ask that in some way the
11 Court review photographs, or have the State identify whatever
12 photographs it is going to introduce, and there's a video tape
13 in this case that may be introduced; it's listed, and we would
14 object to the use of these photographs, as well as the video
15 tape.

16 THE COURT: I would obviously look at them before
17 they go in. If that's something we can take care of next
18 Friday, if we have time to do it then, and if it's something you
19 all want to do it would probably save some time at trial in
20 keeping jurors out.

21 MR. GREENLEE: #37 is a Motion Strike Alias.

22 THE COURT: Any objection to that?

23 GENERAL SCHMUTZER: No.

24 MR. GREENLEE: #38 is a motion concerning the
25 defendant's court appearance, and that he not be brought in as

1 he was today, in shackles.

2 THE COURT: Well, I would not want him brought into
3 the presence of the jury, either of them, in shackles or
4 handcuffs if they -- of course, also, if they have their own
5 clothes, obviously, their family can provide them clothes that
6 they may wear other than the jail uniform, sure.

7 MR. GREENLEE: And would the jail be required to
8 accommodate them so that they can come properly groomed, that
9 is, a haircut, and such thing that...

10 THE COURT: I would allow a barber to go to the
11 jail to -- yes, sure will.

12 MR. GREENLEE: We have a -- #39 is a Motion to
13 Charge Penalties.

14 THE COURT: Sure.

15 MR. GREENLEE: I want to talk about it, and we'll
16 talk about it again next week, but #40 is a Motion to Allow a
17 Jury Questionnaire. There should be in the record an exhibit
18 attached, but basically, we would like to have -- to be able to
19 submit a questionnaire to the jury panel to obtain some basic
20 background information to cut short the perfunctory questions
21 that would have to be asked about the potential -- or the jury
22 panel.

23 THE COURT: Of course, a lot of that information
24 is provided. What is the State's position on that? You know --
25 - I don't...

1 GENERAL SCHMUTZER: The State's position is that
2 their questionnaire goes far beyond the basic questions...

3 THE COURT: I haven't seen it.

4 GENERAL SCHMUTZER: It's fairly lengthy, and goes
5 into a lot of things that's not perfunctory, and I would...

6 THE COURT: It is my -- insomuch as most of our
7 panels, by the time -- I would imagine that this would not be
8 the first case that the jury panel would hear on this, and
9 absent some real showing, I don't see a whole lot of reason to
10 do that. The Court -- I understand, given the number of
11 challenges, that this case will take longer to try, but I think
12 I would rather give you all the opportunity ask those questions
13 during voir dire here, and take the time necessary to develop
14 it, if it is necessary, than make each of our jurors take the
15 time to sit down at home, and write the answers out. So if the
16 time frame is the problem, that won't be a problem. If I --
17 well, I have a lot of shortcomings as a Judge, but I don't think
18 one of them is cutting counsel off.

19 MR. GREENLEE: #41 and #42 are...

20 THE COURT: ...as evidence of this hearing.

21 MR. GREENLEE: #41 and #42 are basically...

22 THE COURT: And next Friday's hearing.

23 MR. GREENLEE: Pardon?

24 THE COURT: And next Friday's hearing.

25 MR. GREENLEE: #41 and #42 are complementary, and

1 they probably duplicate somewhat. It's a Motion for Individual
2 and Sequestered Voir Dire Examination. This is a capital case,
3 and I'm aware that most of the time the practice is that if the
4 voice of the juror says he's heard something about it -- about
5 the case through some source, then we separate the jury, and
6 question him. We would ask permission to have individual
7 sequestered voir dire from the very beginning.

8 THE COURT: I'll think on that. I will listen to
9 you all on that on Friday.

10 MR. GREENLEE: #45 is a Motion for a Stuck
11 Selection System.

12 THE COURT: Say again?

13 MR. GREENLEE: We're asking the Court that no
14 peremptory challenges be made until most of all the prospective
15 jurors have been questioned, and qualified for service. This
16 is basically trying to save some time. I've seen this done
17 before, and they brought down much more than the number needed,
18 and everybody got questioned. It took a little longer to do the
19 questioning, but the challenging went quicker because if they
20 weren't challenged down there to get below -- you would have the
21 first 12...

22 THE COURT: I would -- I believe I'll just sort of
23 stick with the same process I've had for two years. We'll just
24 call 12 down, and start.

25 MR. GREENLEE: Motion for Access to the Jury Forms

1 that the State has. The State, I understand, has a library or
2 a file index on jurors.

3 THE COURT: I never heard of that.

4 GENERAL GREEN: Where is it?

5 MR. GREENLEE: If they've got it we'd like to...

6 GENERAL SCHMUTZER: If we did, it would be a work
7 product, and they certainly wouldn't be entitled to it, but we
8 wish we did.

9 THE COURT: That's a novel motion, but it's denied,
10 respectfully.

11 MR. GREENLEE: #51 and #52, basically, are motions
12 for speedy trial.

13 THE COURT: Okay.

14 MR. GREENLEE: The Court just needs to make note
15 they are filed, and are requesting a speedy trial.

16 THE COURT: Okay.

17 MR. GREENLEE: #53 is a Motion to Dismiss
18 Indictment due to the illegality and unconstitutionality of the
19 imposition of the death penalty.

20 THE COURT: Denied.

21 MR. GREENLEE: #54 is...

22 THE COURT: Motion to reveal the deal?

23 MR. GREENLEE: To reveal any deals.

24 THE COURT: Ordered, granted.

25 MR. GREENLEE: And I think #54 -- they are about

1 the same.

2 THE COURT: I'm sorry, #55, you mean?

3 MR. GREENLEE: #54 and #55 are about the same.

4 THE COURT: Right. Granted. Motion to Strike
5 Anticipated Jury Charge?

6 MR. GREENLEE: I'll permit Mr. Webb to argue that.

7 MR. WEBB: I'd have to look at that, Judge.

8 MR. MILLER: Your Honor, I think that's based on
9 a case of Snaffle...

10 THE COURT: On the premeditation?

11 MR. MILLER: No, the sympathy - have no sympathy...

12 MR. GREENLEE: Here it is. To strike an
13 anticipated jury charge that says, "The jury in no case should
14 have any sympathy or prejudice, or allow anything but the law
15 and the evidence to have any influence upon them in determining
16 their verdict."

17 In Snaffle v. Parks that sentence was reversed
18 where the trial judge charged the jury that they were not to
19 consider sympathy for the defendant arriving at their verdict.

20 THE COURT: Was that a Tennessee case?

21 MR. MILLER: No, out in the mid-west somewhere.

22 THE COURT: Well, I'll tell you, fellows, I'm going
23 to charge the charges provided to me by -- on the T.P.I.
24 charges, and if the supreme court wants to say those are
25 unconstitutional, they can have at it.

1 MR. GREENLEE: #58 is a request - a specific
2 request to put on the record that we would like a hearing on the
3 jury instructions the Court intends to use.

4 THE COURT: I will provide you access, as I always
5 do, the opportunity to review, before argument, any charges that
6 the Court intends to use. You will have that opportunity.

7 MR. GREENLEE: #59 is a Motion to Limit the
8 Instruction to the Jury in the sentencing phase to the single
9 aggravating factor that has been filed by the State, as well to
10 limit the proof to the single aggravating factor.

11 THE COURT: They will be limited to the issues they
12 raise on the sentencing, if it goes that far.

13 MR. GREENLEE: That's #60 -- to make sure that they
14 only talk about that aggravating factor they've filed.

15 THE COURT: As to their proof, and then any other
16 facts in the record they can talk about.

17 MRS. THOMAS: I didn't quite understand what you
18 meant by that comment. Are you talking about during the
19 sentencing phase?

20 THE COURT: As to the proof adduced at trial, as
21 far as the circumstances of the event, and everything, but as
22 to the...

23 MRS. THOMAS: But it's what it relates to that...

24 THE COURT: Right, right.

25 MR. GREENLEE: In other words, Your Honor, there

1 are, I think, 12 aggravating factors.

2 THE COURT: Right.

3 MR. GREENLEE: They can't go into some factor that
4 they have not given notice of.

5 THE COURT: That's right; the law is clear on that.

6 MR. GREENLEE: #64 is a notice of heightened
7 standard of due process. That's filed more to make the Court
8 aware that a death penalty case's standard is changed somewhat.

9 THE COURT: Okay.

10 MR. GREENLEE: To favor the defendant. #63 is a
11 motion for change of venue. We would like permission to
12 supplement that motion to additional newspaper articles that
13 have been published since the motion was filed. We realize that
14 the State will argue, and probably the Court will not rule on
15 that motion until after we get into the jury selection. If we
16 can't get a jury, or it appears that there is a problem with
17 getting a fair jury -- we would like to be able to supplement
18 that motion because we feel that in this particular case, the
19 amount of publicity needs to be documented.

20 THE COURT: Insomuch as the Court will not rule on
21 that until the jury selection process, I will allow you to
22 supplement the record of any later newspaper articles.

23 MR. GREENLEE: There's probably others, but that's
24 about all we can do on short notice.

25 THE COURT: Okay.

1 MR. GREENLEE: There are some things I did not
2 bring up that I feel like we need to argue in more detail, but
3 it's past 5:30 or 6:00.

4 THE COURT: Okay. Any motions on the -- I'm sorry,
5 Mr. Miller.

6 MR. MILLER: Your Honor, just to state our
7 position, we are adopting all those motions for the record, in
8 lieu of arguing them ourselves.

9 THE COURT: Very well. Any matters for the State
10 at this time?

11 GENERAL SCHMUTZER: Your Honor, I don't think
12 there's any at this point that we can take up that would be
13 short.

14 THE COURT: Okay. Well, counsel, we've had a long
15 day here at the plant, and I appreciate the efforts of counsel
16 on both sides. I know this case is important to everybody
17 involved, and I appreciate the way all of you handled your
18 cases. Thank you. The Court stands adjourned.

19 (END OF MOTIONS HEARD THIS DATE)

CERTIFICATE

I, the undersigned, **JENNY S. BROOKSHIRE-NOE**, Official Court Reporter for the Fourth Judicial District of the State of Tennessee, do hereby certify that the foregoing is a true, accurate, and complete Transcript of the Evidence, or portion thereof as the case applies, of the proceedings had and evidence introduced in the trial of the captioned cause, relative to appeal, in the Circuit Court for the captioned county on the 23rd day of July, 1993.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

This 11th day of November, 1993.

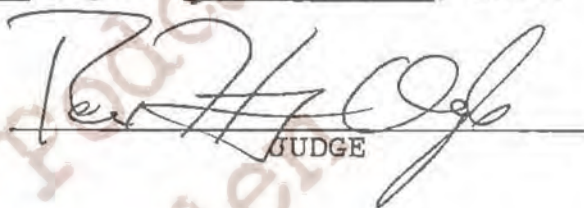

JENNY S. BROOKSHIRE-NOE
Official Court Reporter
Fourth Judicial District
State of Tennessee

CERTIFICATE OF THE COURT

This is to certify that the Transcript of the Evidence adduced at the trial of this case has been filed with the Clerk on _____, 1993, in accordance with Rule 24 of the Tennessee Rules of Appellate Procedure.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED that the Transcript of the Evidence is hereby approved by the Court, and the Clerk is hereby ordered to make the Transcript of the Evidence part of the Record on Appeal in this case.

Entered this 7 day of JULY, 1994.


JUDGE

Courtesy of
Time of Death Project
by Beth Braden