

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED 08/13/2018 Clerk of the Appellate Courts
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ABU-ALI ABDUR'RAHMAN ET AL. v. TONY PARKER ET AL.

**Chancery Court for Davidson County
No. 18-183-III**

No. M2018-01385-SC-RDO-CV

ORDER

On February 20, 2018, the plaintiffs¹ – thirty-three death row inmates – filed a declaratory judgment action in the Davidson County Chancery Court challenging the constitutionality of the State’s newly adopted three-drug lethal injection protocol. The trial court dismissed the plaintiffs’ complaint on July 26, 2018, after a trial on the merits. On July 30, 2018, the plaintiffs² filed a notice of appeal in the Tennessee Court of Appeals.

The State has filed a motion, pursuant to Tennessee Code Annotated section 16-3-201(d) and Tennessee Supreme Court Rule 48. On August 13, 2018, however, this Court entered an order, sua sponte, assuming jurisdiction over the appeal pursuant to Tennessee Code Annotated section 16-3-201(d)(3). Accordingly, the State’s motion is denied as moot.

PER CURIAM

¹ Plaintiff-appellant Billy Ray Irick was executed on August 9, 2018.

² All of the original plaintiffs except Larry McKay, David Earl Miller, Nicholas Todd Sutton, and Stephen Michael West participated in the notice of appeal filed in the Court of Appeals on July 30, 2018.