

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**FILED**  
09/29/2021  
Clerk of the  
Appellate Courts

**STATE OF TENNESSEE v. HENRY EUGENE HODGES**

**Criminal Court for Davidson County  
No. 90S1418**

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**No. M1999-00516-SC-R11-PD**

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**ORDER**

On September 15, 2021, the defendant, Henry Eugene Hodges, filed a pleading the Court has construed as a *pro se* motion to set his execution date. In response, counsel of record for Mr. Hodges filed a motion to strike the *pro se* motion, asserting that counsel did not authorize the motion. Because Mr. Hodges continues to be represented by counsel, he may not simultaneously proceed *pro se*. See *State v. Burkhart*, 541 S.W.2d 365, 371 (Tenn. 1976); *State v. Cole*, 629 S.W.2d 915, 917 (Tenn. Crim. App. 1981). Accordingly, Mr. Hodges' *pro se* motion to set an execution date is dismissed, and counsel's motion to strike the *pro se* motion is denied as moot.

PER CURIAM