

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

STATE OF TENNESSEE v. GREGORY THOMPSON

No. M1987-00067-SC-DPE-DD - Filed September 27, 2005

ORDER

On February 25, 2004, upon motion of the State, this Court set August 19, 2004, as the execution date for Gregory Thompson. In the same order, the Court remanded the case to the Coffee County Circuit Court for a determination of Thompson's competency to be executed. Upon consideration of the matter, the circuit court determined that Thompson had not made a threshold showing sufficient to warrant a competency hearing. After this Court affirmed the judgment of the circuit court, see Thompson v. State, 134 S.W.3d 168 (Tenn. 2004), Thompson sought habeas corpus relief in the United States District Court for the Eastern District of Tennessee on the ground that he was presently incompetent to be executed. On June 21, 2004, the district court granted a stay of execution in order that it might consider Thompson's petition.

On September 16, 2005, the district court entered an order lifting the stay of execution. On September 19, 2005, the State filed in this Court a Notice of Order Lifting Stay of Execution and a Motion to Re-Set Execution Date.

After due consideration, the State's Motion is GRANTED. It is hereby ORDERED, ADJUDGED and DECREED by this Court that the Warden of the Riverbend Maximum Security Institution, or his designee, shall execute the sentence of death as provided by law on the 7th day of February, 2006, unless otherwise ordered by this Court or other appropriate authority.

Counsel for Gregory Thompson shall provide a copy of any order staying execution of this order to the Office of the Clerk of the Appellate Court in Nashville. The Clerk shall expeditiously furnish a copy of any order of stay to the Warden of the Riverbend Maximum Security Institution.

PER CURIAM