

IN THE CIRCUIT COURT OF TENNESSEE
FOR THE TWENTY-FOURTH JUDICIAL DISTRICT
AT SAVANNAH

ZACHARY RYE ADAMS,
Petitioner,

V.

No. 17-CR-10-PC

STATE OF TENNESSEE,
Respondent.

ORDER ON MARCH 21, 2025, HEARING

This matter came before the Court on March 21, 2025, for a hearing on various motions filed by the parties. At the hearing, this Court made the following rulings based upon the record, the applicable law, and arguments of counsel:

1. **The State's Motion Requesting the Court to Appoint Counsel for Jason Autry** was DENIED as MOOT.
2. **Petitioner's Motion to Conduct Zoom/In person Hearing with Jason Autry to Determine If He Waives Attorney Client Privilege** is not ripe at this time.
3. **Petitioner's Motion to Set Expedited Hearing Via Zoom on Prehearing matters before March 21, 2025, that includes Petitioner's Motion to Enter Order Approving Communication with Jason Autry** was DENIED as MOOT.
4. **Petitioner's Motion for a Court Order Approving Communication with Jason Autry** is GRANTED to the extent that Mr. Autry's counsel, Ben Harmon, is informed, and to the extent that Mr. Autry is compliant.
5. **Petitioner's Motion for Amended Writ of Habeas Corpus Ad Testificandum and To Compel the State of Tennessee** is not ripe at this time.
6. **Petitioner's Renewed Motion to Subpoena and Depose if Necessary and Schedule Testimony From Attorneys and Private Investigators** is not ripe as to Mr. Autry's trial counsel and investigator. The motion is GRANTED as to ADA Paul Hagerman

FILED 3 DAY OF April, 2025 AT 11 (AM/PM)
TAMMIE WOLFE, CLERK
BY Jamie Wolfe (CLERK)

and the Court directed Attorney Bates to issue any necessary subpoena. If opposition to the subpoena is filed, the Court will act accordingly.

7. Several motions were filed related to the representation of Dr. Katie Spirko.
 - a. The Court GRANTED the **Motion For Substitution of Counsel** for Dr. Spirko. While it originally appeared that the State had some opposition to the substitution of counsel for Dr. Spirko, the State represented at the hearing there was no opposition to the substitution of counsel. The Court directed Attorney Turrin to submit the appropriate order.
 - b. The Court heard from the parties concerning the **Supplemental Motion For Substitution of Counsel and Declaration of Dana McClendon III**. The Court informed Attorney McClendon that collateral matters he wished to raise were not before this Court, and the request for substitution of counsel had been granted.
 - c. **The State's Motion To Clarify Record Relative To Representation Of Katie Spirko** was DENIED as MOOT.
8. The Court next addressed the issue of compliance with subpoenas.
 - a. The parties represented that Attorney Jim Simmons had complied with his subpoena.
 - b. The Court then heard the **Motion to Quash Subpoena and Objection to Subpoena of Jennifer Thompson and Jerry Gonzalez**. The parties addressed the issues with the Court and the State agreed to submit a separate order on the motion to quash by attorneys Thompson and Gonzalez.
 - c. Next, the Court heard arguments on the **Motion to Quash Dr. Katie Spirko's Subpoena** filed by both Attorney Turrin on behalf of Dr. Spirko and by Petitioner. The Court finds that these motions are not ripe at this time. The Court ORDERS that no compliance is required unless later ordered by the Court.
9. Next, this Court addressed several discovery related issues filed by Petitioner.
 - a. Relative to **Petitioner's Motion to Determine Validity of State's Discovery Rule 16 Obligations**, the Court ORDERED the State to file a notice pursuant to *Johnson v. State*, 2018 WL 2203241 (Tenn. Crim. App. May 14, 2018),

upon compliance with the discovery obligations as set forth in the *Johnson* opinion.

- b. The Court took Petitioner's **Motion To Compel The State To Comply With Rule 28 §5(G)**, under advisement. After careful consideration, the State is ORDERED to file the requested information as it relates to Paragraphs 35(a) and 35 (b) of the Second Amended Petition as requested by Petitioner's counsel at the hearing.
 - c. Relative to **Petitioner's Motion to Show Good Cause to Release the Investigative Subpoena and Affidavit under 40-17-123** and **Petitioner's Motion to Compel Production of Photos and Videos**, the State indicated that there was no affidavit but agreed to provide the investigative subpoena to Petitioner. As to the photos and videos, the State indicated it had provided the information to Petitioner's counsel, and if there was any issue in gaining access, it would be provided again.
10. The Court lastly addressed the **State's Motion Regarding Information Filed Under Seal By The Trial Court**. The Court DENIED this motion and advised the State to file a more particularized motion.

This matter is set for a Zoom status hearing on April 25, 2025, at 9:00 a.m. CST.

The Clerk shall file this order and provide a filed copy to all counsel of record.

IT IS SO ORDERED on this 31st day of March 2025.



J. BRENT BRADBERRY, Judge