

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
11/03/2021
Clerk of the
Appellate Courts

STATE OF TENNESSEE v. OSCAR FRANKLIN SMITH

**Criminal Court for Davidson County
No. 89-F-1773**

No. M2016-01869-SC-R11-PD

ORDER

On September 20, 2019, the State of Tennessee moved to set an execution date for Oscar Franklin Smith. The Court originally set the execution for June 4, 2020. Upon motions of Mr. Smith, the Court reset the execution for February 4, 2021, and ultimately stayed the execution due to the COVID-19 pandemic. Pursuant to Tennessee Supreme Court Rule 12(4)(E), it is hereby ORDERED that the stay is lifted and the execution of Mr. Smith is reset for April 21, 2022. The Warden of the Riverbend Maximum Security Institution, or his designee, shall notify Mr. Smith no later than April 7, 2022, of the method the Tennessee Department of Correction (TDOC) will use to carry out the execution and any decision by the Commissioner of TDOC to rely upon the Capital Punishment Enforcement Act. *See* Tenn. Code Ann. § 40-23-114. Counsel for Mr. Smith 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