

**IN THE CRIMINAL COURT FOR DAVIDSON COUNTY, TENNESSEE  
DIVISION III**

<b>PAUL DENNIS REID, JR.</b>	)	
	)	
	)	<b>No. 97-C-1834</b>
	)	<b>(Capital Case)</b>
<b>vs.</b>	)	<b>(Post-Conviction)</b>
	)	<b>(Captain D's)</b>
	)	
	)	
<b>STATE OF TENNESSEE</b>	)	

**ORDER DENYING MOTION TO KEEP PETITIONER IN NASHVILLE**

Counsel for petitioner has filed a motion requesting that this Court order the Tennessee Department of Correction (TDOC) to house petitioner at Riverbend Maximum Security Institution. For the reasons discussed below, the Court denies the motion.

Counsel first argues that having contact with her client is an important part of her preparation in this post-conviction proceeding. Next, counsel asserts that requiring petitioner to return to Brushy Mountain Prison will have a negative effect on his mental health. In support of the latter, counsel has attached the affidavit of Dr. Pamela Auble.

Counsel has not established that this Court has the authority to control a prisoner's placement after he is transferred to the physical custody of TDOC. Assuming arguendo that it has that authority, the Court declines to exercise it. TDOC's internal rules and regulations are designed to create an environment in which the inmates and

staff can peacefully and safely coexist. That department is in a much better position than this Court to determine the most efficient and effective manner in which to meet that goal. Consequently, the Court orders counsel to direct her request to TDOC.

ENTERED this the \_\_\_\_ day of May, 2003.

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Cheryl Blackburn,  
Judge

cc: The Honorable Tom Thurman,  
Deputy District Attorney General &  
The Honorable Roger Moore,  
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