

IN THE CIRCUIT COURT OF HARDIN COUNTY
AT SAVANNAH, TENNESSEE

ZACHARY RYE ADAMS
PETITIONER

VS.

STATE OF TENNESSEE

NO. 17-CR-10-PC

PETITIONER's MOTION TO COMPEL THE STATE TO COMPLY WITH RULE 28,
§5(G)

Comes now the Petitioner, by and through Counsel, and moves the Court to comply with Rule 28, § 5(G). For cause, the Petitioner would show unto the Court that that State filed a Motion to Dismiss, and reinforced it in its Response, to certain allegations in the second amended petition for post conviction relief. The Court took such motion under advisement. The State, respectfully, failed to comply with Rule 28, §5(G) of the Rule of the Supreme Court which states that, "the state shall file a motion to dismiss which includes facts relied upon to support the motion to raise as a defense.."

The State has failed to cite any facts in its motion to dismiss upon which the Court can dismiss at any time without evidence the requested allegations. The State should not be able to skirt this obligation, even though the Court is taking this under advisement.

FILED 7 DAY OF March, 2025 AT 8:30 (AM/PM)

TAMMIE WOLFE, CLERK

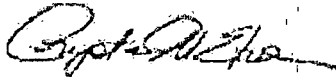
BY Tammie Wolfe

(CLERK)

RESPECTFULLY SUBMITTED:



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NOTICE

**THIS MOTION IS SET TO BE HEARD ON MARCH 21ST, 2025 AT 9:00 AM IN THE
CIRCUIT COURT MOTION DOCKET HEARD AT THE HARDIN COUNTY
COURTHOUSE IN SAVANNAH, TENNESSEE.**

CERTIFICATE OF SERVICE

The undersigned certifies that he has on the 6 day of MARCH 2025,
sent a true and correct copy of the following to the person(s) listed below in compliance with the
Tennessee Rules of Civil Procedure, Rules 5 and/or 5A, by the following indicated method(s):

Amy Weirich: apweirich@tndagc.org
Christopher Boiano: cvboiano@tndagc.org

- ☐ U.S.P.S., first-class postage pre-paid
☒ Via Email
☐ Certified Mail, Return Receipt Requested



DOUGLAS THOMPSON BATES, IV