

IN THE SUPREME COURT OF TENNESSEE

AT NASHVILLE

FILED
March 8, 2000
Cecil Crowson, Jr.
Appellate Court Clerk

ROBERT GLEN COE,)
)
 Petitioner/Appellant,)
)
 v.)
)
 STATE OF TENNESSEE,)
)
 Respondent/Appellee.)

SHELBY COUNTY
Capital Case
S.Ct. No. M1999-01313-SC-
DPE-PD

MOTION TO UNSEAL EXHIBITS

Comes the State, by and through undersigned counsel, and requests this Court to unseal the previously sealed mental health records in this case in anticipation of the filing of a federal action by the defendant/appellant. The State respectfully requests this Court set this motion for expedited disposition due to the impending execution date of March 23, 2000.

Respectfully submitted,

MICHAEL E. MOORE
Solicitor General

ERIK W. DAAB
Assistant Attorney General
Criminal Justice Division
425 Fifth Avenue North
Nashville, TN 37243-0493
(615) 741-5648
B.P.R. No. 19356

IN THE SUPREME COURT OF TENNESSEE

AT NASHVILLE

ROBERT GLEN COE,)	
)	
Petitioner/Appellant,)	
)	SHELBY COUNTY
v.)	<u>Capital Case</u>
)	S.Ct. No. M1999-01313-SC-
STATE OF TENNESSEE,)	DPE-PD
)	
Respondent/Appellee.)	

AFFIDAVIT

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Comes now, ERIK W. DAAB, Assistant Attorney General for the State of Tennessee, having been duly sworn, and attests as follows:

1. The appellant, Robert Glen Coe, has indicated an intent to file a federal action concerning his competency to be executed.
2. Because this is a capital case, the federal court will require the State to provide it with the complete record of all state court proceedings.
3. Therefore, I am requesting that the previously sealed mental health records be unsealed for use in preparation of this case.
4. Necessary documents will be copied, and the complete exhibits will be returned within one day from pick-up.

FURTHER AFFIANT SAITH NOT.

ERIK W. DAAB.
Assistant Attorney General

Sworn to and subscribed before
me this ____ day of March, 2000.

NOTARY PUBLIC
My Commission Expires: _____.

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Petitioner/Appellant,)	
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STATE OF TENNESSEE,)	DPE-PD
)	
Respondent/Appellee.)	

ORDER

For good cause shown, the previously sealed mental health records in the above captioned case shall be unsealed, and the State shall be permitted to provide a copy to the appropriate federal court. Thereafter, the records shall be immediately returned to the clerk of this Court.

Entered this the ____ day of _____, 2000.

JUSTICE

APPROVED FOR ENTRY:

ERIK W. DAAB
Assistant Attorney General
Criminal Justice Division
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