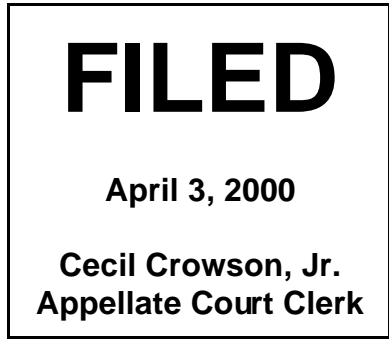


IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE



ROBERT GLEN COE,

Mov ant,

v.

No. M1999-01313-SC-DPE-PD

STATE OF TENNESSEE,

Respon dent.

AFFIDAVIT OF ROBERT L. HUTTON

STATE OF TENNESSEE

COUNTY OF DAVIDSON

COMES NOW your Affiant and states under oath as follows:

1. I am counsel of record for Robert Glen Coe.
2. On Monday, April 03, 2000, I contacted Warden Ricky Bell to obtain permission to have a mental health professional obtain access to my client for the purpose of determining whether there has been a substantial change in Robert Coe's mental health condition since the previous determination of competency was made, in accordance with *Van Tran v. State*, 6 S.W.3d 257 (Tenn. 1999).
3. I was informed by Warden Bell that Tennessee Department of Correction Policy would not allow me to have Mr. Coe evaluated by a mental health professional absent a court order.

FURTHER, AFFIANT SAITH NOT.

-----  
Robert Hutton

SWORN TO and SUBSCRIBED before me this \_\_\_\_\_ day of April, 2000.

-----  
Notary Public