

IN THE SUPREME COURT OF TENNESSEE

STEPHEN MICHAEL WEST,)	
)	No. _____
Plaintiff -Appellants)	Davidson County Chancery Court
)	No.10-1675-I
)	
v.)	
)	
GAYLE RAY, in her official capacity as)	DEATH PENALTY CASE
Tennessee's Commissioner of)	EXECUTION SCHEDULED:
Correction, et al)	November 9, 2010 at 10 p.m.
)	
Defendants-Appellees)	

MOTION TO ACCEPT FILING IN ALTERNATE METHOD

Plaintiff-Appellant, Stephen Michael West comes before this Court and respectfully requests this Court to accept the filing of his Request for Assumption of Jurisdiction of Undecided Case Pursuant to Rule 48, Rules of the Supreme Court of the State of Tennessee (hereafter "Request") in an alternate method from the method dictated by the rules of this Court, to-wit: Plaintiff requests permission to file his Appendix to his Rule 48 Request on a disk in searchable PDF format, together with one hard copy.

1. Plaintiff's execution is scheduled for November 9, 2010, at 10:00 p.m.
2. Plaintiff has contemporaneously filed an original and ten copies of his Rule 48 Request.
3. Plaintiff asserts that the Appendix to his Rule 48 Request is more than one thousand pages.
4. Plaintiff has included his Rule 48 Request and other contemporaneous filings on

the same disk in searchable PDF format.

THEREFORE, Plaintiff moves this Court for an order allowing him to file his Appendix to his Rule 48 Request in searchable PDF format on a disk, together with one hard copy thereof.

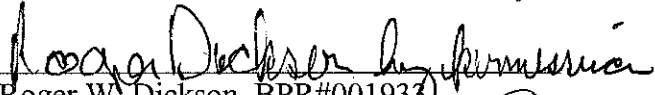

Respectfully submitted,

FEDERAL DEFENDER SERVICES
OF EASTERN TENNESSEE, INC.

BY: 

Stephen M. Kissinger, *Pro Hac Vice*
Stephen A. Ferrell, BPR# 25170
Assistant Federal Community Defenders
800 S. Gay Street, Suite 2400
Knoxville, TN 37929
(865) 637-7979
Fax: (865) 637-7999
Stephen_Ferrell@fd.org
Stephen_Kissinger@fd.org

MILLER & MARTIN

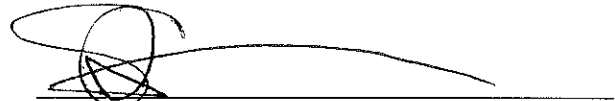

Roger W. Dickson, BPR#001937
832 Georgia Avenue, Suite 1000 
Chattanooga, TN 37402
(423) 756-6600
Fax: (423) 785-8480
rdickson@millermartin.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to Accept Filing in Alternate Method was sent via email and hand delivery in accordance with TENN. R. APP. P. 20 to:

Mark A. Hudson
Senior Counsel
Office of Attorney General
425 Fifth Avenue North
P. O. Box 20207
Nashville, TN 37243
Mark.A.Hudson@state.tn.us

this the 2nd day of November, 2010.



Stephen M. Kissinger