

IN THE CIRCUIT COURT OF TENNESSEE
FOR THE TWENTY-FOURTH JUDICIAL DISTRICT
AT SAVANNAH

ZACHARY RYE ADAMS,
Petitioner,

V.

STATE OF TENNESSEE,
Respondent.

No. 17-CR-10-PC

FILED 3 DAY OF Feb. 2025 AT 11:45 AM
TAMMIE WOLFE, CLERK
BY Tammie Wolfe, Deputy Clerk

ORDER ON JANUARY 16, 2025, HEARING

This matter came before the Court on January 16, 2025, for a hearing on the State's Motion to Dismiss Post-Conviction Claims and the State's Motion to Inspect All Documents and Exhibits Filed Under Seal Prior to the Post-Conviction Filing. At the hearing, the Petitioner indicated no opposition to the State's Motion to Inspect All Documents and Exhibits Filed Under Seal Prior to the Post-Conviction Filing. Accordingly, this Court orally GRANTED the State's motion and directed the State to prepare a separate order for the Court on this motion.

During the hearing, the parties presented arguments related to the State's Motion to Dismiss Post-Conviction Claims. Both in his response and argument, the Petitioner conceded paragraph 36 of the Second Amended Petition was a writ of error coram nobis claim not available for post-conviction relief in these proceedings. Accordingly, the State's Motion to Dismiss is GRANTED IN PART without objection as to paragraph 36 of the Second Amended Petition.

The remainder of the State's Motion to Dismiss Post-Conviction Claims, however, contains substantive claims mixed with either claims of ineffective assistance of counsel and/or state misconduct. Accordingly, this Court will take the remainder of the State's Motion to Dismiss UNDER ADVISEMENT until after the evidentiary hearings in this matter.

Also at the hearing, the Petitioner's counsel clarified that the Second Amended Petition superseded the (First) Amended Petition, but it did not supersede the Pro Se Petition originally filed. Accordingly, this Court orally ordered the State to file an answer to the issues raised in the Pro Se Petition and the Second Amended Petition within thirty days of the hearing. However, thirty days from the hearing date falls on a Saturday; therefore, the State is ORDERED to file its answer by February 18, 2025.

The Clerk shall file this order and provide a filed copy to all counsel of record.

IT IS SO ORDERED on this the 3rd day of February 2025.

/s/ J. Brent Bradberry

J. BRENT BRADBERRY, Judge