

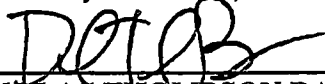
- b. The State feels it can regulate who an agent of the Defendant Dr. Katie Spirko can retain to quash a subpoena.¹
- c. The State has still failed to simply provide the Defendant the ATM video, the screenshot of Mr. Adams General Boiano referenced in Court in January, and the investigative subpoena for the referenced ATM video.
- d. The sole reason we are having Mr. Autry even appear on zoom is because the State refused to request the Court to transport Mr. Autry from his federal facility. This is hard to reconcile with the enormous efforts that went into securing Mr. Autry's pre trial work with TBI (the Petitioner does thank the State for its filing of Joe Walker's federal testimony that not only confirms this, but also reveals *Brady* material that was not disclosed in that Mr. Autry was not emotional at all when telling Agent Walker the events of April 13th, 2011. Mr Autry's flat affect was in stark contrast to recorded interviews by federal agents with Mr. Autry about gun charges pre indictment in this case in which Mr. Autry cried openly about the situation he was in). In other words, when the State needed Mr. Autry's testimony, they took him from Nashville to Memphis to Decatur County and then to Hardin County to testify. When they do not need him, he is "too dangerous." A question the Court might want to pose to the

¹ The State seems to complain most about the podcast of Dr. Spirko while it is seemingly quiet on the publicity that the very able and popular local journalist Burton Staggs posts about this case—while stating he is close to the Bobo family (which is absolutely his right). Mr. Staggs is obviously an independent investigative journalist who has had his own videos and news appearances in this case, pre during and post conviction. He recently posted many of the exhibits the State provided in support of their motions on his facebook page. Because this is a bench trial, Petitioner's Counsel is not concerned at all with any pre-hearing publicity effecting this Court's decision as it is anticipated the Court will pay zero attention to any of it.

State—was he too dangerous to be “the icing on the cake” in Agent Walker’s words in the prosecution of Mr. Adams?

- e. To recap: deny signing the 10-point letter for Autry’s physical attendance, request the appointment of an attorney for him without his knowledge (at one hearing the State requested Mr. Scholl be re-appointed), request that an attorney (Petitioner’s Counsel) not meet with this witness before the hearing—all to make it as difficult as possible for the Court to examine Mr. Autry.
- f. Perhaps the words of Justice Sutherland should be cited in *Berger v. United States*, 295 U.S. 78, 79 L. Ed. 1314, 55 S. Ct. 629 (1935) that said a prosecutor’s role, “in a criminal prosecution is not that it shall win a case, but that justice shall be done.” The Petitioner submits that justice this case is for Mr. Autry to appear and if he so chooses to waive his V Amendment right, testify and face the full brunt of State’s anticipated passionate and forceful cross examination against him and then this Court can render an opinion.

Respectfully Submitted,



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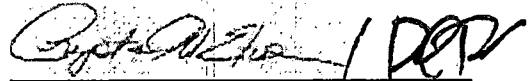
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CERTIFICATE OF SERVICE

I, CRYSTAL ETUE, hereby certify that a true and exact copy of the foregoing *Motion for Leave to Speak with Jason Autry* has been served by electronic mail on this to all parties and/or their attorneys in this case in accordance with Rule 5.02 of the Tennessee Rules of Civil Procedure on this the 7th day of March, 2024, to the following address:

ADA Amy Weirich – apweirich@tndagc.org

ADA Christopher Boiano – cvboiano@tndagc.org



CRYSTAL M. ETUE / DOUGLAS BATE 11