

IN THE CIRCUIT COURT OF HARDIN COUNTY  
AT SAVANNAH, TENNESSEE

ZACHARY RYE ADAMS  
PETITIONER

VS.

STATE OF TENNESSEE

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NO. 17-CR-10-PC

FILED 13 DAY OF Feb 2025 AT 2:40 AM PM  
TAMMIE WOLFE, CLERK  
BY Terrell Wright, Deputy CLERK

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PETITIONER'S RESPONSE TO MOTION TO ISSUE SUBPOENA DUCES TECUM

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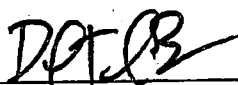
Comes now the Defendant/Petitioner, by and through Counsel, and responds to the Motion to Issue Subpoena as follows:

1. Counsel for Petitioner does not represent any of the four individuals subject to the subpoena. Thus any subpoena that is issued by either party would be subject to any and all objections from the party sought to be subpoenaed in addition to the grounds the Petitioner may assert in such a subpoena.
2. Counsel does object to the issuance of any subpoena to witnesses who are not going to be witnesses, which in this case is Dr. Katie Spirko. Petitioner is not calling her as a witness. The State is not either as they did not include her on their discovery list as a witness. Further, there are privileges and protections that bar the subpoena being granted that Dr. Spirko will submit to the Court if necessary. Finally, the subpoena violates Rule 16 of the TN Rules of Criminal Procedure and is not permissible under Rule 28, § 6 and 7 of the Rules of the TN Supreme Court.
3. Further, Counsel for Petitioner requests that neither Mr. Simmons nor Ms. Thompson be required to produce any document they relinquished in its entirety to Counsel as Counsel opened his entire office to the State to copy virtually everything but the sparse

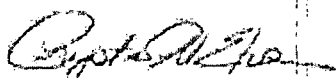
amount of its own current work product in this case. Counsel believes the subpoena means only to cover what was not relinquished to Counsel, but just wishes to be sure.

4. Counsel further requests the ability to utilize a date both before the March 18<sup>th</sup>, 2025, date and after the March 18<sup>th</sup>, 2025, date for the same reasons for Petitioner's witnesses, the list of which will be provided once the State answers the Petition. All of the issued subpoenas would be subject to a Motion to Quash and the availability of the witnesses.

RESPECTFULLY SUBMITTED:



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### CERTIFICATE OF SERVICE

The undersigned certifies that he has on the 13 day of FEBRUARY 2025, sent a true and correct copy of the following to the person(s) listed below in compliance with the Tennessee Rules of Civil Procedure, Rules 5 and/or 5A, by the following indicated method(s):

ADA Weirich—via Email only  
ADA Boiano—via Email only

- U.S.P.S., first-class postage pre-paid
- Via Fax
- Via Email
- Hand-delivery by:
- Certified Mail, Return Receipt Requested

*DET/PA*

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DOUGLAS THOMPSON BATES, IV