

**IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE**

<b>JAMES LEE JONES,</b>	)	
<b>(NOW KNOWN AS ABU-ALI</b>	)	
<b>ABDUR'RAHMAN</b>	)	
	)	
<b>Respondent/Defendant,</b>	)	
	)	
<b>v.</b>	)	<b>S.Ct. No. _____</b>
	)	<b>C.C.A. No. 01C01-9402-CR-00079</b>
<b>STATE OF TENNESSEE,</b>	)	
	)	
<b>_____ Movant.</b>	)	

**MOTION TO RE-SET EXECUTION DATE**

Respondent/Defendant was convicted on 15 July 1987 of the first degree murder of Patrick Daniels, which occurred on 17 February 1986, and sentenced to death for that crime. (He was also convicted of assault with the intent to commit murder of Norma Norman and armed robbery, receiving consecutive life sentences for these convictions.) His convictions and sentences were affirmed on direct appeal. *State v. Jones*, 789 S.W.2d 545 (Tenn.), *cert. denied*, 498 U.S. 908 (1990). He sought and was denied post-conviction relief in the trial court. That judgment was affirmed by the Court of Criminal Appeals. *Jones v. State*, 1995 WL 75427 (Tenn.Crim.App. 1995), *perm. to appeal denied, cert. denied*, 516 U.S. 1122 (1996).

Respondent next sought federal habeas corpus relief in the United States District Court for the Middle District of Tennessee on 23 April 1996. Accordingly, Judge Campbell entered a stay of execution on 28 May 1996. *Rahman v. Bell*, 927 F.Supp. 262 (M.D.Tenn. 1996). The district court granted the writ, reversing his death sentence on 8 April 1998. All of respondent's convictions and his two life sentences were affirmed. *Rahman v. Bell*, 999 F.Supp. 1073 (M.D.Tenn. 1998). In an opinion filed today, the United States Court of Appeals for the Sixth Circuit reversed and vacated

the district court's grant of the writ with regard to respondent's death sentence, but affirmed the remainder of the district court's judgment denying habeas relief as to the convictions. *Rahman v. Bell*, \_\_\_ F.3d \_\_\_, 2000 FED App. 0319P (6<sup>th</sup> Cir.) (copy attached).

The validity and constitutionality of Rahman's first degree murder conviction and death sentence have been reviewed and approved by this Court on two occasions over a nearly thirteen-year period. If any stay is to be granted at this juncture in the capital appellate process, it should only come from the appropriate federal court. The state courts have fully validated the judgment against Rahman and should take no action that needlessly delays its lawful execution.

WHEREFORE, the State of Tennessee respectfully requests that this Court promptly re-set the date of execution for Abu-Ali Abdur'Rahman (formerly known as James Lee Jones), and further order such execution to proceed except upon further order of this Court, a federal court of competent jurisdiction, or the Governor of the State of Tennessee.

Respectfully submitted,

---

PAUL G. SUMMERS  
Attorney General & Reporter

---

MICHAEL E. MOORE  
Solicitor General

---

GLENN R. PRUDEN  
Senior Counsel  
425 Fifth Avenue, North  
Nashville, Tennessee 37243  
(615) 741-3487  
B.P.R. No. 015333

**CERTIFICATE OF SERVICE**

I hereby certify that true and exact copies of the foregoing have been forwarded by first-class mail, postage prepaid, to William Redick, Jr., P.O. Box 187, Whites Creek, Tennessee 37189 and Bradley A. MacLean, Farris, Warfield & Kanaday, PLC, SunTrust Center, 424 Church Street, Suite 1800, Nashville, Tennessee 37219-2327 on this the \_\_\_ day of September, 2000.

---

GLENN R. PRUDEN  
Senior Counsel

**IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE**

**JAMES LEE JONES,** )  
**(NOW KNOWN AS ABU-ALI** )  
**ABDUR'RAHMAN** )

**Respondent/Defendant,** )

**v.** )

**S.Ct. No.** \_\_\_\_\_  
**C.C.A. No. 01C01-9402-CR-00079**

**STATE OF TENNESSEE,** )

**Movant.** )

**AFFIDAVIT**

I, Glenn R. Pruden, Senior Counsel, do hereby swear and affirm that the facts contained in the attached Motion to Re-Set Execution Date are true and accurate to the best of my knowledge and belief.

\_\_\_\_\_  
GLENN R. PRUDEN  
Senior Counsel

Sworn to and subscribed before me  
this \_\_\_\_\_ day of September, 2000.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires \_\_\_\_\_