

ORIGINAL

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

2010 AUG 16 PM 1:33  
APPELLATE COURT CLERK  
NASHVILLE

IN RE EDMUND ZAGORSKI                    )  
  ) No. M1996-00110-SC-DPE-DD  
  )

REQUEST FOR ORAL ARGUMENT  
ON MOTION TO SET EXECUTION DATE

As fully explained in Ed Zagorski’s response to the state’s motion to set an execution date, an execution date should not be set, because Zagorski’s trial and sentencing were tainted by three serious constitutional violations. As this Court has not fully address such issues previously, this Court should hold oral argument on the state’s motion and Zagorski’s response.

Counsel has been informed by the Appellate Court Clerk’s Office in Knoxville that this Court is already hearing oral arguments on September 2, 2010. That would be an appropriate time for oral argument in this matter, as would any other time the Court deems appropriate. Given the serious constitutional violations which occurred at Zagorski’s trial and sentencing, this Court should exercise its “inherent supervisory authority over Tennessee’s judicial system,” State v. Harrison, 270 S.W.3d 21, 25 (Tenn. 2008), grant oral argument, and afterwards, grant Zagorski relief, and deny the state’s motion.

Respectfully Submitted,

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/s/ Paul R. Bottei

CERTIFICATE OF SERVICE

I verify that I have served a copy of the foregoing upon Jennifer Smith, Office of the Attorney General, 425 Fifth Avenue North, Nashville, Tennessee 37243 this 16<sup>th</sup> day of August, 2010.



/s/ Paul R. Bottei