

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

STATE OF TENNESSEE V. BILLY RAY IRICK

FILED
MAY 17 2010
Clerk of the Courts

No. M1987-00131-SC-DPE-DD - Filed: May 17, 2010

ORDER

On May 10, 2010, the State filed a Motion to Set Execution Date for Billy Ray Irick. The motion stated that Mr. Irick had completed the standard three-tier appeals process and that an execution date should therefore be set under Tennessee Supreme Court Rule 12.4(A). Under Rule 12.4(A) Mr. Irick has until Thursday, May 20, 2010, to file a response to such motion.

On May 14, 2010, Mr. Irick filed an Unopposed Motion for Additional Time to File Response to State's Motion to Set Execution Date, in which he requested an additional fourteen (14) days in which to file a response to the State's Motion. As grounds for the extension, Mr. Irick stated that his case is complicated and that he will assert that he is presently incompetent to be executed and that "extenuating circumstances" support a certificate of commutation pursuant to Tennessee Code Annotated section 40-27-106. The State does not object to the extension.

Upon due consideration of the Motion for Additional Time, it is hereby ORDERED that the Motion is GRANTED. Billy Ray Irick shall have until Thursday, June 3, 2010, to file a response to the State's Motion to Set Execution Date.

PER CURIAM