## CHANCERY COURT OF DAVIDSON COUNTY, TENNESSEE

STEPHEN MICHAEL WEST and BILLY RAY IRICK

Plaintiffs

v,

GAYLE RAY, in her official capacity as \* Tennessee's Commissioner of Correction, \* et al RICKY BELL, in his official \* capacity as Warden of Riverbend \* Maximum Security Institution; REUBEN \* HODGE, in his official capacity as \* Deputy Commissioner of Tennessee \* Department of Correction; JOHN DOE \* EXECUTIONERS 1-100; and JOHN \* DOES 1-100 \*

' No. 10-1675-I

\* DEATH PENALTY CASE

- \*
- \*

Defendants

## RESPONSE OF BILLY RAY IRICK TO DEFENDANTS' MOTION TO AMEND FINDINGS OF FACT AND TO ALTER OR AMEND JUDGMENT

Comes the plaintiff, Billy Ray Irick, and for his response to the defendants' motion to amend

findings of fact and to alter or amend judgment, and pursuant to this court's scheduling order of

December 2, 2010 requiring a response to be filed by the plaintiffs on or before January 18, 2011,

states that he adopts in its entirety the response of Stephen Michael West and would rely on all

arguments and defenses stated therein.

SPEARS, MOORE, REBMAN & WILLIAMS By:

C. Eugene Shiles, Jr., BPR #011678 P. O. Box 1749 Chattanooga, TN 37401-1749 (423) 756-7000

11 Jali 18 FH 1: 22

Howell G. Clements, BPR# 00157 1010 Market Street, Suite 404 Chattanooga, TN 37402 (423) 757-5003

Attorneys for Plaintiff Billy Ray Irick

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and exact copy of this pleading has been served on counsel for all parties at interest in this cause addressed as follows:

Mark Hudson Senior Counsel Office of Attorney General P. O. Box 20207 Nashville, TN 37202 Stephen M. Kissinger Assistant Federal Community Defenders 800 S. Gay St. Suite 2400 Knoxville, TN 37929

SPEARS, MOORE, REBMAN & WILLIAMS

By: M. Willon

F:\Library\users\CLIENTS\129555\0001\CHANCERY\response.wpd