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THE SUPREME COURT OF TENNESSEE
APPELLATE COURT CLERK
MEMPHIS

PHILIP R. WORKMAN,

Petitioner,

vs

Case No. _____
Trial Court Numbers 881209, P9908

STATE OF TENNESSEE,

Respondent.

MOTION FOR SUPREME COURT TO IMMEDIATELY EXERCISE
JURISDICTION OVER APPEAL

Come now your Appellant Philip R. Workman, through his undersigned counsel of record, and moves this court pursuant to T.C.A. §16-3-201 (d)(2) to immediately assume jurisdiction over the appeal of this case. In support of this motion your Appellant would state unto the court as follows:

1. Philip R. Workman is scheduled to be executed in less than 5 hours.
2. On Wednesday March 28, Petitioner filed in the Court of Criminal Appeals of Shelby County a (1) "Motion to Reopen Post Conviction Petition, Motion for Stay of Execution," (2) "Memorandum in Support of Motion to Reopen Post Conviction Petition," (3) "Petition for Writ of Error Coram Nobis, Supplement to Original Petition for Post Conviction Relief, Petition for Declaratory Judgment, Motion for Stay of Execution."
3. In this petition, Mr. Workman raises several claims of error. Specifically raised *inter alia* is a claim that it violates the Tennessee Constitution to execute a person who makes a credible showing of innocence.
4. These issues were argued at the Honorable John Collier, who just entered his

"Amended Findings of Facts and Conclusions of Law and Petition for Writ of Habeas Corpus, Motion to Reopen Post Conviction Petition and Motion for a Stay of Execution." In said Order, Judge Colton denied relief.

5. A timely Notice of Appeal was filed to the Court of Criminal Appeals.

6. Mr. Workman's petitions raise several important issues of State Constitutional Law, including whether or not it violates the State Constitution to execute someone who makes a credible showing of innocence.

7. Under T.C.A. §16-3-261 (d), this Honorable Court may assume immediate jurisdiction of the case if there is a "special need for expedited decision," and in a case which concerns issues of constitutional law. Because of the brevity of time, which would make it difficult for two appellate courts to render a decision with careful thought, and further because its ultimately only appropriate for this court as final arbiter of the Tennessee Constitution to rule upon Constitutional issues under the Tennessee Constitution, Mr. Workman prays that this court assume immediate jurisdiction of this case; to allow ample time for his appeal to be considered by this Court.

Respectfully submitted,

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