

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

PHILIP RAY WORKMAN)
)
Plaintiff,)
)
v.)
)
PAUL SUMMERS,)
Attorney General Of The State Of)
Tennessee, In His Official)
Capacity;)
)
JOHN CAMPBELL,)
Assistant District Attorney For)
The 30th Judicial District Of Tennessee,)
in His Official Capacity;)
)
)
)
RAY MAPLES,)
)
Member, Tennessee Board)
Of Probation And Parole, In His)
Official Capacity;)
)
)
)
CHARLES TRAUGHBER,)
Chairperson, Tennessee Board of)
Probation And Parole, In His)
Official Capacity;)
)
)
BILL DALTON,)
Board Member, Tennessee Board)
Of Probation And Parole, In His)
Official Capacity;)
)
)
DON DILLS,)
Board Member, Tennessee Board)
Of Probation And Parole, In His)
Official Capacity;)
)
)
TOWNSEND ANDERSON,)
Board Member, Tennessee Board)

No. 3:01-290

JURY DEMAND

**CAPITAL CASE
EXECUTION DATE
1 A.M. MARCH 30, 2001**

MOTION TO REASSIGN
CASE

Of Probation And Parole, In His)
Official Capacity;)
)
SHEILA SWEARINGEN)
Board Member, Tennessee Board)
Of Probation And Parole, In Her)
Official Capacity;)
)
LARRY HASSELL,)
Board Member, Tennessee Board)
Of Probation And Parole, In His)
Official Capacity;)
)
)
RICKY BELL,)
Warden, Riverbend Maximum)
Security Institution, In His Official)
Capacity; and)
)
JOHN DOES 1-100)
)
Defendants)

MOTION TO REASSIGN CASE

Plaintiff hereby moves the Court to reassign this case. This case appears to have been assigned pursuant to Administrative Order No. 158 (“the Order), which by its own terms, applies to Capital Habeas Corpus petitions. This case, by contrast, is a civil action pursuant to 42 U.S.C. 1983 and 1985(3) and pendent state civil claims.

Counsel for Plaintiff orally advised the Clerk of the Court, Mr. Milam, of Plaintiff’s position as described above, and requested to “be heard” by the Court immediately on the incorrect assignment issue, because this case is so time-sensitive and there is an outstanding request for emergency TRO. Mr. Milam advised that he would carry this request to the Chief Judge, and shortly returned to report that the Judge could not hear this issue until the morning, at least.

Plaintiff respectfully seeks both an immediate hearing on this issue, tonight if possible,
and once resolved on the Motion for a TRO.

March 27, 2001

Respectfully submitted,

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Counsel for Plaintiff Philip Ray Workman

Certificate of Service

I hereby certify that a copy of the foregoing Motion to Reassign Case was served by hand

on Paul Summers or his designee, Attorney General, State of Tennessee, 500 Charlotte Avenue, Nashville, TN 37243, this 27th day of March, 2001.

Edmund L. Carey, Jr.