

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**STATE OF TENNESSEE v. PAUL DENNIS REID, JR.**

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**No. M1999-00803-SC-DDT-DD - Filed April 23, 2003**

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**DISSENTING ORDER**

I dissented from the denial of the motion to stay the execution of Mr. Reid because I concluded that the motion raised a genuine issue as to Mr. Reid's capacity to appreciate his legal options and make a rational choice with respect to continuing or abandoning further litigation. Accordingly, I now dissent from the denial of the appointment of the Office of the Post-Conviction Defender ("PCDO") to represent Mr. Reid for the limited purpose of pursuing a determination of competency. See Rees v. Peyton, 384 U.S. 312, 314, 86 S. Ct. 1505, 1506, 16 L. Ed. 2d 583 (1966).

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ADOLPHO A. BIRCH, JR.