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**ATTORNEY GENERAL
OFFICE**

**IN THE
UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

PHILIP R. WORKMAN,)	
)	
Petitioner-Appellant,)	
)	
v.)	No. 96-6656
)	
RICKY BELL, Warden,)	
)	
Respondent-Appellee.)	
)	
In re: PHILIP R. WORKMAN,)	
)	
Movant.)	No. 00-5367
)	
)	

**NOTICE OF FILING
SECOND DECLARATION FROM DR. KRIS SPERRY**

EXECUTION DATE: 4/6/2000 AT 1.A.M.

Christopher M. Minton
Office of the Post-Conviction Defender
460 James Robertson Parkway
Nashville, Tennessee 37243
(615) 253-1986

Counsel for Philip Ray Workman

On April 3, 2000, Workman filed a motion requesting that the panel and the en banc Court consider a second Declaration of Dr. Kris Sperry. Given the short time-frame, Workman filed a faxed copy of the Sperry Declaration with that motion. Workman attaches to this notice the original Sperry Declaration.

Respectfully submitted,



Christopher M. Minton
OFFICE OF THE POST-CONVICTION
DEFENDER
460 James Robertson Parkway
Nashville, Tennessee 37243
(615) 253-1986

CERTIFICATE OF SERVICE

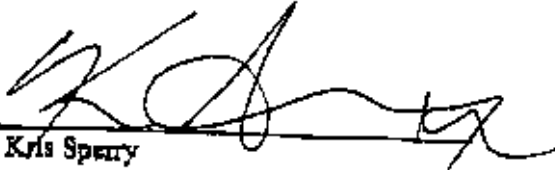
I certify that on April 3, 2000, I hand-delivered a copy of the foregoing to:

Gordon W. Smith
Deputy State Attorney General
ATTORNEY GENERAL'S OFFICE
500 Charlotte Avenue
Nashville, Tennessee 37243-0493



DECLARATION OF DR. KRIS SPERRY

1. I am the Chief Medical Examiner for the State of Georgia.
2. I have reviewed the chest x-ray depicted by Exhibit 1 to my March 4, 2000, Declaration. That x-ray establishes that the bullet that killed the victim did not fragment inside the victim's body. That x-ray establishes that the bullet that killed the victim emerged from his body intact.
3. Because the x-ray establishes that the bullet that killed the victim did not fragment, and because the x-ray establishes that the bullet that killed the victim emerged from his body intact, I believe to a reasonable degree of medical certainty that the bullet that killed the victim was not a .45 caliber Silver-Tip hollow-point bullet.
4. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 1, 2000.



Dr. Kris Sperry