

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE  
AT KNOXVILLE

**BILLY RAY IRICK v. STATE OF TENNESSEE**

**Criminal Court for Knox County**  
**No. 24527**

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**No. E2010-02385-CCA-R3-PD - Filed November 19, 2010**

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**ORDER**

The capital Petitioner, Billy Ray Irick, has filed a Notice of Appeal from the order of the Criminal Court for Knox County denying his petition for writ of error coram nobis. The Petitioner is scheduled to be executed on December 7, 2010. The trial court entered its order denying relief on November 10, 2010. The Notice of Appeal was filed with the trial court clerk on November 16, 2010. The Notice of Appeal was not received by the appellate court clerk until November 19, 2010. The court has determined that this cause should be expedited in order to protect the Petitioner's right to due process and ensure meaningful appellate review of the issues raised in the proceedings below.

Accordingly, on the court's own motion, it is ORDERED that appellate review in this cause shall be EXPEDITED in accordance with the following schedule:

(1) The trial court clerk shall prepare and transmit the record for this appeal no later than 3:00 p.m., EST, on Monday, November 22, 2010. The record shall include the petition for writ of error coram nobis filed by the Petitioner, any response thereto, the trial court's order denying relief, and a transcript of any hearing held by the trial court.

(2) The parties shall simultaneously file briefs in this cause no later than 4:30 p.m., EST, on Wednesday, November 24, 2010. A reply brief will not be permitted. The appellee's brief will not be in response to the appellant's brief as a result of the time constraints imposed by the Petitioner's pending execution date.

(3) The court will determine whether to grant oral argument in this cause, if requested. The court will notify the parties, no later than November 29, 2010, of its decision regarding oral argument and the date and time set aside for said argument, if oral argument is requested and determined to be necessary by the court.

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JAMES CURWOOD WITT, JR., JUDGE