

IN THE SUPREME COURT OF TENNESSEE

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AT NASHVILLE

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ROBERT GLEN COLE,

Respondent/Defendant,

v.

STATE OF TENNESSEE,

Movant.


S.Ct. No. M1999-01313-SC-DPE-PD

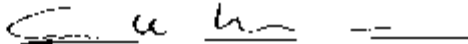
**MOTION TO AMEND ORDER OF DECEMBER 15, 1999,
SETTING EXECUTION DATE**

The State of Tennessee moves this Court to modify the execution date previously set for the respondent, Robert Glen Cole. On December 15, 1999, this Court set the respondent's execution date for March 23, 2000. On March 22, 2000, the United States District Court for the Middle District of Tennessee, issued an indefinite stay to review the procedures this Court established to determine competency to be executed. (Copy attached).

As the stay can be lifted at any time, the State respectfully requests this Court to amend its Order of December 15, 1999, to authorize the execution to occur on "the 23rd day of March 2000 unless stayed by this Court or other appropriate authority, and, in that event or in the event that any other additional stays of execution are issued, within 24 hours of the time any such stay expires or is otherwise dissolved." The State respectfully requests this Court set this motion for expedited disposition as the stay may be lifted at any time.

Respectfully submitted,


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