

IN THE SUPREME COURT OF TENNESSEE

FILED
March 20, 2000
Cecil Crowson, Jr.
Appellate Court Clerk

ROBERT GLEN COE)
)
 Movant,)
)
 v.)
)
 STATE OF TENNESSEE)
)
 Respondent.)

NO. M1999-01313-SC-DPE-PD

ORDER

The movant, Robert Glen Coe, has filed a motion asking this Court to stay his execution scheduled for March 23, 2000. In support of his motion, Coe asserts that he has filed an application for executive clemency and that there is “simply insufficient time to engage in meaningful clemency proceedings with the little remaining time before his execution date.”

Tennessee Constitution Article III, § 6 provides that the Governor “shall have power to grant reprieves and pardons, after conviction, except in cases of impeachment.” Black’s Law Dictionary 1302 (6th ed. 1990) defines “reprieve” as a

[t]emporary relief from or postponement of criminal punishment or sentence. It does no more than stay the execution of sentence for a time, and it is ordinarily an act of clemency extended to a prisoner to afford him an opportunity to procure some amelioration of the sentence imposed. It differs from a commutation which is a reduction of a sentence and from a pardon which is a permanent cancellation of a sentence.

Therefore, the motion asking this Court to enter a stay of execution is DENIED. The proper authority to consider whether additional time is needed to consider Coe’s application for executive clemency is the Governor.

FOR THE COURT:

FRANK F. DROWOTA, III,
JUSTICE

Concur:
Anderson, C.J.
Holder and Barker, JJ.

Birch, J. - See Separate Concurring Order