

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**FILED**  
**March 30, 2000**  
**Cecil Crowson, Jr.**  
**Appellate Court Clerk**

ROBERT GLEN COE, )  
 )  
Appellant, )  
 )  
v. )  
 )  
STATE OF TENNESSEE, )  
 )  
Appellee. )

NO. M1999-01313-SC-DPE-PD

DISSENT

I cannot agree to set a date for execution in this case for reasons I have heretofore expressed in a dissenting opinion and several orders filed in this case. They are:

1. \_\_\_ the opinion filed in Coe v. State, No. M1999-01313-SC-DPE-PD, 2000 WL 246425 (Tenn. Mar. 6, 2000) (Birch, J., dissenting),
2. the order denying Coe's request to recall the mandate and enter an order staying his execution (filed Mar. 10, 2000)(Birch, J., dissenting),
3. the order denying Coe's motion requesting a stay of execution (filed Mar. 15, 2000) (Birch, J., dissenting),
4. the order denying Coe's motion for stay of execution (filed Mar. 20, 2000) (Birch, J., concurring separately), and
5. the order denying Coe's motion to issue a certificate of commutation pursuant to Tenn. Code Ann. § 40-27-106 (filed Mar. 21, 2000) (Birch, J., dissenting).

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ADOLPHO A. BIRCH, JR., Justice