

RECEIVED BY FAX
DATE: 3-1-04

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

STATE OF TENNESSEE,

VS.

GREGORY THOMPSON.

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No. M1987-00067-SC-DPE-DD

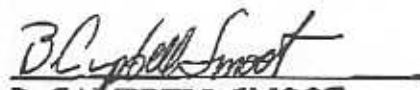
MOTION TO WITHDRAW AS COUNSEL

FILED
MAR - 3 2004
Clerk of the Courts

COMES the undersigned District Public Defender, B. Campbell Smoot, and moves this Honorable Court for an ORDER allowing him to withdraw as counsel of record for the Petitioner, GREGORY THOMPSON, due to a conflict of interest in that the Investigator for the 14th Judicial District Public Defender's Office, Mr. Jimmy Dale Conn, served as a lead investigator with the Coffee County Sheriff's Department during the investigation and trial of Gregory Thompson. Mr. Conn was a State's witness and testified during the trial of Gregory Thompson in 1985¹.

WHEREFORE, for the foregoing reason, the District Public Defender moves to be relieved of the appointment to represent the Petitioner and be allowed to withdraw as counsel.

Respectfully submitted,


B. CAMPBELL SMOOT
District Public Defender
14th Judicial District

¹ Affidavit of Jimmy Dale Conn.

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

STATE OF TENNESSEE,)
)
VS.) No. M1987-00067-SC-DPE-DD
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GREGORY THOMPSON.)

AFFIDAVIT OF JIMMY DALE CONN

STATE OF TENNESSEE)
)
COUNTY OF COFFEE)

Comes now Jimmy Dale Conn, after being duly sworn according to law, and affirms as follows:

1. My name is Jimmy Dale Conn. I am the investigator for the 14th Judicial District Public Defender's Office. I have been employed in this position since 1989 to date.
2. During the 1980's, I was employed at the Coffee County Sheriff's Department as a Criminal Investigator.
3. I worked as a Criminal Investigator during the investigation of Gregory Thompson and spent many hours following leads in the case, including travel to Atlanta, Georgia for 3-4 days. I also testified as a State's witness during the trial of Gregory Thompson.

FURTHER AFFIANT SAITH NOT.


Jimmy Dale Conn

Sworn to and subscribed before me this 1ST day of MARCH, 2004.


NOTARY PUBLIC

My Commission Expires:

12 July 2005