

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

GREGORY THOMPSON V. STATE OF TENNESSEE

Circuit Court for Coffee County
No. 20,014

No. M1987-00067-SC-DPE-DD - Filed May 12, 2004

JUDGMENT

This cause came on to be heard upon the record on appeal from the Circuit Court for Coffee County, briefs and argument of counsel; and having carefully reviewed de novo the issues raised by the appellant, Gregory Thompson, a majority of this Court concludes that the trial court correctly held that Thompson failed to make a threshold showing sufficient to warrant a hearing on his competence for execution.

In accordance with the opinion filed herein, it is, therefore, ORDERED AND ADJUDGED by this Court that the judgment of the Circuit Court is AFFIRMED. This opinion is not subject to rehearing under Tennessee Rule of Appellate Procedure 39, and the Clerk is directed to certify this opinion as final and immediately issue the mandate. As provided by this Court's order of February 25, 2004, the Warden of the Riverbend Maximum Security Institution, or his designee, shall carry out the appellant's execution in accordance with Tennessee law on the 19th day of August, 2004, unless a stay is entered by this Court or by a federal court. Counsel for Gregory Thompson shall provide to the Office of the Appellate Court Clerk in Nashville a copy of any order of stay. The Clerk shall expeditiously furnish a copy of any stay order to the Warden of the Riverbend Maximum Security Institution.

It appearing that the appellant is indigent, costs of this appeal are taxed to the State of Tennessee, for which execution may issue if necessary.