

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT NASHVILLE

FILED

08/11/2025

Clerk of the
Appellate Courts

STATE OF TENNESSEE v. CRAIG KITT

Circuit Court for Williamson County
No. J-CR250359

No. M2025-01116-CCA-R8-CO

ORDER

The Defendant, Craig Kitt, has filed a motion seeking review of the trial court's order granting the State's motion to continue the hearing on his motion to reduce bail. The Defendant seeks relief pursuant to Rule of Appellate Procedure 8. The State has filed a response in opposition. For the reasons stated below, the Defendant's motion is denied.

The Defendant is charged with three counts of aggravated rape and five counts of rape. The Defendant's pretrial bond is currently set at \$500,000. On July 18, 2025, he filed a motion to reduce that amount, and a hearing was scheduled for July 28, 2025. The State filed a motion to continue that hearing. The trial court granted the State's motion and continued the hearing until August 11, 2025. The Defendant now seeks review, pursuant to Rule 8, of the trial court's decision to grant the State's motion to continue.

Rule 8 provides the procedural framework for obtaining appellate review of the trial court's actions regarding a defendant's release. Tenn. Code Ann. § 40-11-144. That rule states: "Before or after conviction the prosecution or defendant may obtain review of an order entered by a trial court from which an appeal lies to the Supreme Court or Court of Criminal Appeals *granting, denying, setting or altering conditions of defendant's release.*" Tenn. R. App. P. 8(a) (emphasis added). By its plain language, Rule 8 does not govern the challenge presented by the Defendant here. This Court agrees with the State that review of the trial court's continuance order must be sought under Rule of Appellate Procedure 9 or 10.

Accordingly, the Defendant's Rule 8 motion is hereby denied. Because the Defendant is indigent, costs are taxed to the State.

Ayers, J., Wedemeyer, P.J., Holloway, J.