

**CAPITAL CASE  
EXECUTION DATE 4/29/03**

No. \_\_\_\_\_

October Term, 2002

---

**PAUL DENNIS REID, JR.**

Petitioner,

v.

**STATE OF TENNESSEE,**

Respondent.

---

**ON PETITION FOR WRIT OF CERTIORARI  
TO THE TENNESSEE SUPREME COURT**

---

**REPLY TO RESPONSE IN OPPOSITION TO MOTION FOR ORDER  
RECOGNIZING IN FORMA PAUPERIS STATUS WITHOUT THE FILING OF  
AN AFFIDAVIT OF INDIGENCY**

Jeffrey Allen DeVasher  
1202 Stahlman Building  
Nashville, Tennessee  
(615) 862-5730

Counsel for Petitioner

Counsel for Petitioner submits this Reply to the Response In Opposition To The Motion For Order Recognizing *In Forma Pauperis* Status Without The Filing Of An Affidavit Of Indigency.

The Response avers that the information set forth in the Motion "provides no evidence that [Petitioner] is presently incompetent." Response at p. 2. As indicated in the Motion, evidence was presented at the penalty phase of the trial in this case, and in two subsequent cases where Petitioner also received death sentences, that Petitioner believes that he has been under constant government/military surveillance since 1985, that he believes that the government/military has used "scientific technology" on his brain since 1985, and that he believes that every person who has had contact with Petitioner since 1985 has been under the control of the government/military. Counsel for Petitioner met with Petitioner on March 18, 2003, for the purpose of discussing Petitioner's asserted reasons for wishing to abandon further litigation. During that meeting, Petitioner reasserted the aforementioned beliefs. Moreover, Petitioner stated reasons for wishing to abandon further litigation, all of which are entirely and directly related to the aforementioned beliefs.

In addition, Dr. Pamela Auble, a clinical neuropsychologist who testified at the trial in this case, has reviewed recent letters written by Petitioner to counsel wherein Petitioner expresses his reasons for wishing to abandon further litigation. Dr. Auble has advised counsel that in her opinion, Petitioner is unable to rationally choose among his options with respect to pursuing or abandoning further litigation because of his mental disease.

For these reasons, and for the reasons expressed in the Motion For Order Recognizing *In Forma Pauperis* Status Without The Filing Of An Affidavit Of Indigency, counsel respectfully requests that an order be entered allowing the Petition For Writ Of Certiorari to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner.

In addition, counsel brings this Court's attention to two matters set forth in the previously-filed Motion For Order Recognizing *In Forma Pauperis* Status Without The Filing Of An Affidavit Of Indigency that warrant clarification and amendment. Paragraph 5(a) on page 2 of the Motion For Order Recognizing *In Forma Pauperis* Status Without The Filing Of An Affidavit Of Indigency should read as follows, with the amended language in bold:


- (a) at approximately six years of age another child hit Petitioner in the back of the head with a brick. Petitioner started suffering dizzy spells after this injury, and his behavior changed for the worse. (Exhibit 1, 1/15/99 Report of Xavier Amador, Ph.D., at 10, prepared for State v. Paul Dennis Reid, Jr., Montgomery County Circuit Court, Division Three, No. 38887).

Paragraph 7 on page 3 of the Motion should read as follows, with the amended language in bold:

7. At the trial in a case tried subsequently to the case from which the Petition For Writ Of Certiorari results, State v. Paul Dennis Reid, Jr., Davidson County Criminal Court, Division Three, No. 97-C-1836, experts (including one the court appointed for itself) found that Petitioner was incompetent to stand trial. Despite conflicting evidence respecting Petitioner's competency, he was eventually found competent to stand trial. The evidence presented in this motion demonstrates that serious questions exist concerning Petitioner's capacity to

appreciate his position and make a rational choice with respect to continuing or abandoning further litigation.

Respectfully submitted,

  
Jeffrey Allen DeVasher  
Counsel for Petitioner  
1202 Stahman Building  
Nashville, Tennessee 37201  
Phone: (615) 862-5730