

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

March 1, 2000

Cecil Crowson, Jr.
Appellate Court Clerk

PHILIP R. WORKMAN,
Movant,

V.

STATE OF TENNESSEE,
Respondent,

)
)
)
) No.M1999-01314-SC-DPE-PD
) DEATH PENALTY CASE
) **Execution date: April 6, 2000**
)
) ***EXPEDITED ACTION REQUESTED***

MOTION FOR A STAY OF EXECUTION

Petitioner respectfully moves this honorable Court to grant a stay of execution pending the outcome of State v. Morris (Sup. Ct. W1998-00679-SC-DDT-DD). Petitioner refused to sign a form presented to him on March 1, 2000 by the Tennessee Department of Corrections which would allow him to be executed by lethal injection. Attached form dated March 1, 2000. His refusal to sign was based solely on his sincerely held religious conviction that to do so would be to violate the sanctity of life by participating in a killing. Workman Affidavit. He is, therefore, scheduled to be executed on April 6, 2000 by electrocution. See Tenn. Code Ann. § 40-23-114.

This Court requested briefing from Mr. Morris' on the issue of whether electrocution constitutes cruel and unusual punishment. Order dated January 10, 2000. That case is currently docketed for oral argument before this Court in April. Order dated February 11, 2000.

Petitioner has moved to intervene as a party in the Morris case on the issue of electrocution. He now asks that this Court grant him a Stay of Execution pending the Court's determination of that issue regardless of whether he is permitted to intervene. See Memorandum

in Support of Philip R. Workman's Motion to Intervene for further argument, State v. Morris,
(W1998-00679-SC-DDT-DD).

Justice demands that this Court grant Mr. Workman a Stay of Execution pending resolution of that issue. It would be unthinkable for this Court to allow him to be executed by means of electrocution when the issue of whether electrocution constitutes cruel and unusual punishment is pending before the Court.

Respectfully submitted on this _____ day of March 2000,

Marjorie A. Bristol, BPR# 19998
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CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing motion was served by prepaid postage U.S. Mail on this _____ day of _____ 2000 to Attorney General Paul G. Summers, 425 Fifth Ave. N, 2nd FL, Nashville, TN 37243.

Marjorie A. Bristol