

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MAR 27 2001

PHILIP RAY WORKMAN)
)
 Plaintiff,)
)
 v.)
)
 PAUL SUMMERS,)
 Attorney General Of The State Of)
 Tennessee, In His Official)
 Capacity;)
)
 JOHN CAMPBELL,)
 Assistant District Attorney For)
 The 30th Judicial District Of Tennessee,)
 In His Official Capacity;)
)
)
)
 RAY MAPLES,)
)
 Member, Tennessee Board)
 Of Probation And Parole, In His)
 Official Capacity;)
)
)
 CHARLES TRANGHER,)
 Chairperson, Tennessee Board of)
 Probation And Parole, In His)
 Official Capacity;)
)
)
 BILL DALTON,)
 Board Member, Tennessee Board)
 Of Probation And Parole, In His)
 Official Capacity;)
)
)
 DON DILLS,)
 Board Member, Tennessee Board)
 Of Probation And Parole, In His)
 Official Capacity;)
)
)

9 - 0 1 0 2 9 0
No. _____
JURY DEMAND JUDGE ECHOLS
CAPITAL CASE
EXECUTION DATE
1 A.M. MARCH 30, 2001

MOTION
FOR TEMPORARY
RESTRAINING ORDER
AND PRELIMINARY
INJUNCTION

TOWNSEND ANDERSON,)
 Board Member, Tennessee Board)
 Of Probation And Parole, In His)
 Official Capacity;)
 SHELLA SWEARINGEN)
 Board Member, Tennessee Board)
 Of Probation And Parole, In Her)
 Official Capacity,)
 LARRY HASSELL,)
 Board Member, Tennessee Board)
 Of Probation And Parole, In His)
 Official Capacity;)
 RICKY BELL,)
 Warden, Riverbend Maximum)
 Security Institution, In His Official)
 Capacity; and)
 JOHN DOES 1-100)
 Defendants)

MOTION FOR TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION

Plaintiff Philip Workman hereby respectfully moves the Court under Fed. R. Civ. P. 65 to enter a Temporary Restraining Order in this case to preserve the status quo, staying and prohibiting his execution scheduled for 1 a.m. on March 20, 2001 until final determination of the merits of the issues in this case, the resolution of all appeals therefrom, and, if the action is successful, complete relief is granted.

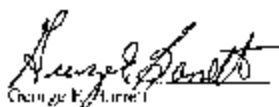
As grounds for this Motion, Plaintiff relies on the Complaint, on the accompanying

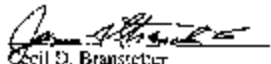
Memorandum in Support of this Motion, on the Declarations and Sworn Affidavits and sworn testimony and other exhibits contemporaneously filed in the accompanying Appendix and other filings, on the entire record, and on the argument of counsel. Plaintiff further asks the Court, pursuant to Rule 65, Fed. R. Civ. P., to set a hearing on a forthcoming necessary Motion for Preliminary Injunction to extend the stay of his execution pendente lite, and to set the security required by Rule 65 at zero due to Plaintiff's incarcerated circumstances and indigent status.

Undersigned counsel certify by their signatures that one of them has contacted responsible counsel within the Attorney General's office to advise them of the filing of this Motion prior to its filing.

March 27, 2001

Respectfully submitted,


George F. Lurie
Edmund L. Carey, Jr.
Bartlett, Johnston & Parsley
217 Second Avenue North
Nashville, TN 37201
(615) 244-2262

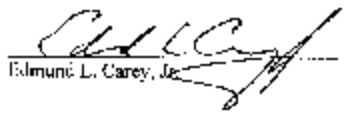

Cecil D. Branstetter
James G. Strach, III
Branstetter, Kilgore, Strach & Jennings
227 Second Ave. North
Nashville, TN 37201
(615) 254-8861


Donald E. Dawson
Christopher M. Minton
Post Conviction Defender Of/For
State of Tennessee
530 Church Street - Suite 600
Nashville, TN 37243
(615) 741-9031

Counsel for Plaintiff Philip Ray Workman

Certificate of Service

I hereby certify that a copy of the foregoing Motion for Temporary Restraining Order and Preliminary Injunction was served by hand on Paul Summers or his designee, Attorney General, State of Tennessee, 500 Charlotte Avenue, Nashville, TN 37243, this 27th day of March, 2001.


Edmund L. Carey, Jr.