

IN THE COURT OF CRIMINAL APPEALS
FOR THE WESTERN DISTRICT OF TENNESSEE
AT JACKSON

FILED
AUG 10 2001
Clerk of the Court
Rec'd By: [Signature]

PHILIP R. WORKMAN,

Petitioner,

CCA No

v.

Shelby County No. D81209

STATE OF TENNESSEE.

Respondent.

MOTION FOR STAY OF TRIAL COURT PROCEEDINGS
PENDING RESOLUTION OF PETITIONER'S APPLICATION FOR A RULE 10
APPEAL

Pursuant to Tenn.R.App.P. 10(a) and 7, Petitioner Philip Workman respectfully requests that this Court stay proceedings in the Trial Court pending resolution of Mr. Workman's Rule 10 application pending before this Court. In support thereof, Mr. Workman shows:

1. Mr. Workman has pending before this Court an application for an appeal pursuant to Tenn.R.App.P. 10. That application asserts that immediate review is required of the Trial Court's order that Mr. Workman present proof August 13, 2001, because (1) the Trial Court has not afforded Mr. Workman his right to engage in discovery prior to presenting proof; and (2) for reasons beyond Mr. Workman's control, evidence Mr. Workman intends to present at an evidentiary hearing is not available on August 13, 2001.

2. If this Court does not stay the proceedings, the Trial Court will force Mr. Workman to present limited proof, and Mr. Workman will lose forever his rights (1) to

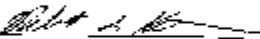
engage in discovery prior to presenting any proof, and (2) to present proof in the manner that his lawyers deem is in his best interest. To avoid the loss of those rights, this Court should stay proceedings in the Trial Court pending resolution of Mr. Workman's Rule 10 application.

WHEREFORE, Mr. Workman respectfully requests that this Court:

1. Stay proceedings in the Trial Court pending resolution of Mr. Workman's pending application for a Rule 10 appeal; and
2. Order such other relief as this Court deems just.

Respectfully Submitted,

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By: 
Robert L. Hutton #15496

CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing by U.S. Mail upon Paul Summers, Jr., Office of the Attorney General Criminal Division, 425 Fifth Avenue North Cordell Hull Building, Nashville, TN 37243-0493 this 10 day of August, 2001.

