

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

STATE OF TENNESSEE v. PAUL DENNIS REID, JR.

No. M2001-02753-SC-DDT-DD - Filed: June 26, 2006

ORDER

On May 24, 2005, this Court affirmed the two convictions of first degree murder and two sentences of death Paul Dennis Reid, Jr., received for murders he committed in Montgomery County. State v. Reid, 164 S.W.3d 286 (Tenn. 2005). Pursuant to Tennessee Code Annotated section 40-30-120(a) (2003), this Court set an execution date of October 5, 2005. By order filed September 26, 2005, this Court reset the execution for June 28, 2006.

On June 23, 2006, Linda Martiniano, as putative next friend for Paul Dennis Reid, Jr., filed a motion requesting this Court to exercise its “inherent supervisory authority over the judicial system of this State to stay Mr. Reid’s execution and remand this matter to the Montgomery Circuit Court for a determination of whether he is competent to be executed under the principles announced in Ford v. Wainwright, 477 U.S. 399, 106 S.Ct. 2595, 91 L.Ed. 2d 335 (1986) and Van Tran v. State, 6 S.W.3d 257 (Tenn. 1999).”

The State filed a response in opposition to the motions, challenging standing and asserting that the affidavit in support of the motions is insufficient to meet the threshold showing of incompetency, and that the present request for stay of execution comes too late.

On June 26, 2006, the putative next friend filed a reply to the State’s response, reiterating arguments contained in the original motion and responding to the State’s arguments.

The Court has considered the allegations contained in the motion, the response, and the reply to the response and hereby denies the motions for remand and for stay.

IT IS SO ORDERED.

PER CURIAM

Justice Adolpho A. Birch, Jr. - Dissenting.