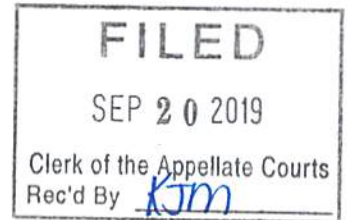


IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

STATE OF TENNESSEE, )  
)  
Movant, )  
)  
v. )  
)  
FARRIS GENNER MORRIS, )  
)  
Defendant. )



Case No. *W1998-00679-SC-DDT-DD*  
*Madison County*  
*94-1481*

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MOTION TO SET EXECUTION DATE

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As Tenn. Sup. Ct. R. 12.4(A) requires the State to do when a death-row prisoner has completed the standard three-tier appeals process, the State of Tennessee moves this Court to set an execution date for Farris Morris. In support of this motion, the State relies on the following:

1. Morris was convicted by a Madison County jury in 1997 of two counts of premeditated first-degree murder and one count of aggravated rape arising from the deaths of Erica Hurd and James Ragland. The jury imposed the death penalty for the murder of Erica Hurd. On the remaining convictions, Morris received consecutive sentences of life without the possibility of parole for the murder of Charles Ragland and twenty-five years in prison for the aggravated rape of Angela Ragland. This Court affirmed the judgment, and the

United States Supreme Court denied a petition for writ of certiorari. *State v. Morris*, 24 S.W.3d 788 (Tenn. 2000), *cert. denied*, 531 U.S. 1082 (2001).

2. Morris filed a petition for post-conviction relief in the trial court in February 2001. Following a hearing, the trial court denied relief. The Court of Criminal Appeals affirmed the judgment, and this Court denied a discretionary appeal. *Morris v. State*, No. W2005-00426-CCA-R3-PD, 2006 WL 2872870 (Tenn. Crim. App. Oct. 10, 2006), *perm. app. denied* (Tenn. Feb. 26, 2007).

3. Morris filed a petition for writ of habeas corpus in the United States District Court for the Western District of Tennessee in April 2007. On September 29, 2011, the district court granted habeas relief, in part, directing that the State initiate new penalty phase proceedings within 120 days or impose a life sentence. The court stayed its decision pending appeal. On September 23, 2015, the United States Court of Appeals for the Sixth Circuit reversed and remanded the case to the district court for the denial of the writ of habeas corpus. *Morris v. Carpenter*, 803 F.3d 825 (6th Cir. 2015). The United States Supreme Court denied a petition for writ of certiorari on October 3, 2016, and denied a petition for rehearing on November 28, 2016. *Morris v. Westbrooks*, 137 S.Ct. 44 (2016); *Morris v. Westbrooks*, 137 S.Ct. 540 (2016).

4. Morris has completed the standard three-tier appeals process, making the setting of an execution date appropriate. See Rule

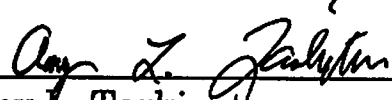
12.4(A). There are no current judicial or executive orders staying defendant's execution or granting a reprieve.

This Court should set an execution date in accordance with the April 1, 1997, judgment of the Circuit Court of Madison County, Tennessee.

Respectfully submitted,

HERBERT H. SLATERY III  
Attorney General & Reporter

ANDRÉE SOPHIA BLUMSTEIN  
Solicitor General

  
\_\_\_\_\_  
Amy L. Tarkington  
Associate Solicitor General  
Counsel of Record  
P. O. Box 20207  
Nashville, Tennessee 37202  
Phone: (615) 741-2216  
Fax: (615) 741-2009  
[Amy.Tarkington@ag.tn.gov](mailto:Amy.Tarkington@ag.tn.gov)

## CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Motion was forwarded by United States mail, first-class postage prepaid, on the 20th day of September, 2019, to the following:

Kelley J. Henry, Assistant Federal Public Defender  
Office of the Federal Public Defender  
810 Broadway, Suite 200  
Nashville, TN 37203

Jody S. Pickens  
District Attorney General  
26th Judicial District  
P.O. Box 2825  
225 Martin Luther King Dr.  
Jackson, TN 38302-2825

The undersigned attorney of record prefers to be notified of any orders or opinions of the Court by e-mail at [Amy.Tarkington@ag.tn.gov](mailto:Amy.Tarkington@ag.tn.gov).

  
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Amy L. Tarkington  
Associate Solicitor General