

FILED

JUN 26 2025

Clerk of the Appellate Courts
REc'd By _____

**IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE**

**CERTIFIED
REGISTERED MAIL**
6/23/25

BYRON LEWIS BLACK,)	
Appellant,)	
vs.)	DAVIDSON COUNTY
)	
STATE OF TENNESSEE,)	No. M2000-00641-SC-DPE-CD
Appellee.)	
)	

**MOTION FOR LEAVE TO FILE BRIEF AS AMICUS CURIAE
BY TENNESSEE ASSOCIATION OF CRIMINAL DEFENSE
LAWYERS IN SUPPORT OF APPELLANT**

MELANIE BEAN (BPR # 22674)

President

JONATHAN HARWELL (BPR # 22834)

Chairperson, Amicus Committee

MARTHA DINWIDDIE (BPR # 040354)

Tennessee Association of

Criminal Defense Lawyers

2 International Plaza, Suite 406

Nashville, Tennessee 37214

615.329.1338

jpharwell@gmail.com

Counsel for Amicus Curiae

June 2025

MOTION FOR LEAVE TO FILE BRIEF AS *AMICUS*
***CURIAE* BY TENNESSEE ASSOCIATION OF CRIMINAL**
DEFENSE LAWYERS IN SUPPORT OF APPELLANT

Pursuant to Tennessee Rule of Appellate Procedure 31(a), the Tennessee Association of Criminal Defense Lawyers (TACDL) respectfully moves this Honorable Court to grant leave to file the contemporaneously lodged *amicus curiae* brief in support of the Appellant, Byron Black.

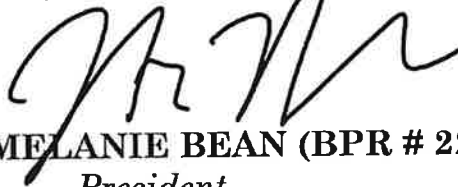
Interest of TACDL

The Tennessee Association of Criminal Defense Lawyers (“TACDL”) is a non-profit corporation chartered in Tennessee in 1973. It has over 750 members statewide, mostly lawyers actively representing citizens accused of criminal offenses. TACDL is committed to advocating the fair and effective administration of criminal justice. Its mission includes education, training, and support to criminal defense lawyers, as well as advocacy before courts and the legislature supporting reforms calculated to improve the administration of criminal justice in Tennessee. As part of this mission, TACDL files *amicus curiae* briefs regarding issues of significant import to TACDL’s members and to the criminal defendants that TACDL attorneys represent. TACDL has frequently filed *amicus* briefs in capital cases. *See, e.g., Dotson v. State*, 673 S.W.3d 204 (Tenn. 2023); *Abdur’Rahman v. State*, 648 S.W.3d 178 (Tenn. Crim. App. 2020); *State v. Pruitt*, 415 S.W.3d 180 (Tenn. 2013); *Coleman v. State*, 341 S.W.3d 221 (Tenn. 2011); *Pike v. State*, 164 S.W.3d 257 (Tenn. 2005); *State v. Workman*, 111 S.W.3d 10 (Tenn. Crim. App. 2002); *State v.*

Dellinger, 79 S.W.3d 458 (Tenn. 2002); *Miller v. State*, 54 S.W.3d 743 (Tenn. 2001). The instant case deals with issues of recurring interest to TACDL members. Imposition of the death penalty is the gravest action taken by our judicial system and TACDL has a significant interest in seeing it imposed (if at all) in a manner that is consistent with governing law, constitutional principles, and fundamental fairness. Failure to do so will have an impact on the legitimacy of the system as a whole. Of particular interest in this case is the fact that, during earlier litigation, the elected DA stipulated that Mr. Black was intellectually disabled. The rejection of this stipulation by the courts and the continued efforts to execute Mr. Black raise issues as to the extent to which the State should be held to agreements or concessions made by its lawful representatives in court proceedings. As set out in the brief, TACDL members are acutely aware that any action they take may bind the rights of their clients, often adversely; fairness requires that the same principles be applied to the other side as well.

WHEREFORE, the Tennessee Association of Criminal Defense Lawyers respectfully moves this Court to accept the contemporaneously-lodged brief.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Bean', written over the printed name.

MELANIE BEAN (BPR # 22674)

President

JONATHAN HARWELL (BPR # 22834)

Chairperson, Amicus Committee

MARTHA DINWIDDIE (BPR # 040354)

Tennessee Association of

Criminal Defense Lawyers

2 International Plaza, Suite 406

Nashville, Tennessee 37214

615.329.1338

jpharwell@gmail.com

Counsel for Amicus Curiae

Certificate of Service

I, Jonathan Harwell, hereby certify that a true and exact copy of this Motion, and the attached brief, has been electronically provided to counsel for the Appellee, Edwin Allen Groves, at Alan.Groves@ag.tn.gov, and counsel for the Appellant, Marshall Jensen, at Marshall_Jensen@fd.org.


JONATHAN HARWELL