

Exhibit 2

**IN THE COURT OF CRIMINAL APPEALS
NASHVILLE DIVISION**

OSCAR SMITH)	
)	
Petitioner-Appellant)	No. _____
)	Criminal Court No. 89-F-1773
v.)	Capital Case
)	Execution Date: April 21, 2022
STATE OF TENNESSEE)	
)	
Respondent-Appellee)	

MOTION FOR EXPEDITED BRIEFING SCHEDULE

Petitioner-Appellant Oscar Smith, by counsel, pursuant to Rule 2 of the Tennessee Rules of Appellate Procedure moves for an expedited briefing in this capital case. In support of his motion, Mr. Smith states as follows:

1. Oscar Smith faces execution on April 21, 2022. This appeal raises important issues as to whether Mr. Smith is eligible for execution under federal and state statutory and constitutional law.
2. On April 11, 2022, the post-conviction court denied Mr. Smith’s motion to reopen and his petition for relief under the DNA Act.
3. On April 11, 2022, Mr. Smith filed a motion to reconsider in the post-conviction court.

4. On April 12, 2022, the post-conviction court denied Mr. Smith's motion to reconsider.
5. On April 12, 2022, Mr. Smith filed a notice of appeal as to his action under the DNA Act, along with a notice of no transcript.
6. Mr. Smith has alerted the Davidson County Criminal Court Clerk's office of the need to expedite the record in this matter. The record is not voluminous and consists of Mr. Smith's motion and its accompanying exhibits and the post-conviction court's orders.
7. Appellant will file his Rule 3 Appellant Brief by April 13, 2022.
8. Mr. Smith will also file his Rule 28 Application for Permission to Appeal (from the denial of his 40-30-117(c) motion to reopen) by April 13, 2022.
9. To facilitate the Court's review of this matter in a timely, yet expeditious manner, Mr. Smith requests that the Court set expedited briefing.
10. Mr. Smith requests oral argument on his Rule 3 appeal.
11. Undersigned counsel has spoken with Asst. Attorney General Samantha Simpson who takes no position on this motion.

Respectfully submitted this 12th day of April, 2022.

AMY D. HARWELL, BPR #18691
Asst. Chief, Capital Habeas Unit

KATHERINE M. DIX, BPR #22778
Asst. Federal Public Defender

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BY: /s/ Amy D. Harwell
Counsel for Oscar Smith

CERTIFICATE OF SERVICE

I, Amy D. Harwell, certify that a true and correct copy of the foregoing was served via email and electronic filing to opposing counsel, Samantha Simpson, Assistant Attorney General, P.O. Box 20207, Nashville, Tennessee, 37202.

BY: /s/ Amy D. Harwell
Counsel for Oscar Smith