IN THE SUPREME COURT OF TENNESSEE AT NASHVILLE

No. M1999-00803-SC-DDT-DD - Filed April 23, 2003

ORDER

The Office of the Post-Conviction Defender ("PCDO") has filed a motion requesting that this Court appoint the PCDO to represent Mr. Reid, "if this Court remands this case to the trial court for an evidentiary hearing under <u>Rees v. Peyton</u>, 384 U.S. 312 (1966)."

This Court has previously denied the motion requesting a stay and a remand. Therefore PCDO's motion is denied as moot.

PER CURIAM

Adolpho A. Birch, Jr., J., - Dissenting by Separate Order