

IN THE CIRCUIT COURT OF HARDIN COUNTY
AT SAVANNAH, TENNESSEE

ZACHARY RYE ADAMS
PETITIONER

VS.

STATE OF TENNESSEE

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NO. 17-CR-10-PC

PETITIONER's MOTION TO COMPEL PRODUCTION OF PHOTOS and VIDEOS

Comes now the Petitioner, by and through Counsel, and moves this Court to order the immediate release of the following, either duplicate or allow for immediate copying:

1. The ATM video that the State argued both Defense Counsel and the State had that showed Zach Adams on film the morning of April 13th, 2011. While this evidence did not obviously come out at trial, it was never even referenced by the State and potentially presents a wholly inconsistent fact with the rest of the State's trial.
2. The still frame photo that General Boiano had on his computer screen at oral argument on January 16th, 2025. The photo was seen by Mr. Adams who recognized the truck as the one he was in at the ATM on the date of April 13th, 2011. The photo is crucial in this case.
3. Rule 16 clearly obligates that this material be provided by the State, which states:

(F) Documents and Objects. Upon a defendant's request, the state shall permit the defendant to inspect and copy or photograph books, papers, documents, photographs, tangible objects, buildings, or places, or copies or portions thereof, if the item is within the state's possession, custody, or control and:

- (i) the item is material to preparing the defense;
- (ii) the government intends to use the item in its case-in-chief at trial; or
- (iii) the item was obtained from or belongs to the defendant.

FILED 7 DAY OF March, 2025 AT 8:30 (AM/PM)

TAMMIE WOLFE, CLERK

BY

Tammie Wolfe

CLERK

4. Counsel for Petitioner sent both the following email to the State of Tennessee on February 14th, 2025:

Generals Weirich and Boiano,

On the motion to dismiss argument, General Boiano argued in response with his laptop that had a photo that my client recognized as the truck he was in the morning of April 13th, 2011. Would you be able to provide us with that photo directly?

Would the State agree further to voluntarily send us the investigatory subpoena sent to Mr. Mayfield/CB&S Bank?

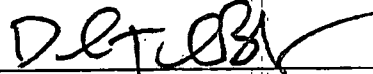
Very Truly Yours,

5. The State has not provided this discovery, which is somewhat perplexing considering the end of the State's "Discovery" Production letter, it states the following:

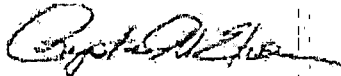
STATE'S RECIPROCAL DISCOVERY REQUEST: The State demands opportunity to inspect and copy all relevant documents and tangible objects over which the defendant exercises any possession, custody and control and/or which the defendant may attempt to introduce as evidence in this case. Likewise, the State requests opportunity to inspect and copy all reports of examinations and tests related to this case or the Defendant. Pursuant to law and professional courtesy, the State further requests to be informed of other relevant information and documentation of which the defendant or defense counsel is aware.

6. The Petitioner further requests the Petitioner be given leave if necessary to amend his pleading based on additional constitutional violations this photo and video could provide.

RESPECTFULLY SUBMITTED:



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NOTICE

**THIS MOTION IS SET TO BE HEARD ON MARCH 21ST, 2025 AT 9:00 AM IN THE
CIRCUIT COURT MOTION DOCKET HEARD AT THE HARDIN COUNTY
COURTHOUSE IN SAVANNAH, TENNESSEE.**

CERTIFICATE OF SERVICE

The undersigned certifies that he has on the 6 day of MARCH 2025,
sent a true and correct copy of the following to the person(s) listed below in compliance with the
Tennessee Rules of Civil Procedure, Rules 5 and/or 5A, by the following indicated method(s):

Amy Weirich: apweirich@tndagc.org
Christopher Boiano: cvboiano@tndagc.org

- ☐ U.S.P.S., first-class postage pre-paid
☒ Via Email
☐ Certified Mail, Return Receipt Requested


DOUGLAS THOMPSON BATES, IV