

**IN THE CIRCUIT COURT OF HARDIN COUNTY  
AT SAVANNAH, TENNESSEE**

**ZACHARY RYE ADAMS,  
PETITIONER,**

**vs.**

**STATE OF TENNESSEE,  
RESPONDENT.**

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)  
)  
)  
)  
)  
)

**No. 17-CR-10-PC**

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**STATE'S MOTION TO CLARIFY RECORD RELATIVE TO  
REPRESENTATION OF KATIE SPIRKO**

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Comes now the State of Tennessee by and through the undersigned attorneys and submits the following motion to clarify the record in this cause relative to the representation of Katie Spirko and in support thereof submits the following:

1. Katie Spirko filed a declaration with this Court along with her *curriculum vitae* on January 22, 2024. In said declaration, Spirko outlined her work in neuropsychology and false confessions and advised that Attorney Douglas Bates discussed retaining her to "review any particular evidence regarding Inmate Autry's testimony and provide appropriate perspective." (*See Exhibit A*)
2. This filing came shortly after Spirko-working on behalf of Petitioner and Petitioner's attorney, video-recorded a conversation in a federal prison with

FILED 7 DAY OF March, 2025 AT 4:30 AM (PM)  
BY Tammie Wolfe TAMMIE WOLFE, CLERK  
Tammie Wolfe (CLERK)

Inmate Autry about his testimony during Petitioner's trial that was provided by Spirko to ABC News 20/20. The date of this video recording was **December 22, 2023.**

3. On **April 1, 2024,** Spirko emailed the Tennessee Department of Corrections to schedule a "non-recorded" video conference meeting with Petitioner and "through Attorney Dana McClendon." Attorney McClendon was copied on this email. Upon information and belief, to accommodate Spirko's request, TDOC required the Tennessee bar number of Attorney McClendon and that was provided by Spirko. Attorney Bates, counsel of record for Petitioner, was not included in these communications. (*See Exhibit B*).
4. On **April 5, 2024,** Spirko conducted and recorded her requested video conference with Petitioner. Upon information and belief, ABC News 20/20 participated in said video conference.
5. Also on **April 5, 2024,** Spirko emailed former Assistant District Attorney General Jennifer Nichols advising her that Attorney McClendon represented Spirko. Attorney McClendon was copied on this email. (*See Exhibit C*)
6. On **April 8, 2024,** Spirko attempted to schedule another meeting with Inmate Autry at the same federal facility. She did this via an email on which Attorney McClendon was copied. She inquired whether the prison had a notary on site or whether she should bring one along. It is the State's belief that Spirko

intended to obtain an affidavit from Inmate Autry casting doubt on his trial testimony. Prison officials declined her request to meet with Inmate Autry. Neither Inmate Autry's attorney of record nor Petitioner's attorney were copied on her email. (*See Exhibit D*).

7. On **April 12, 2024**, the State of Tennessee requested this Court issue a subpoena for Spirko to appear in court with certain information. (*See Exhibit E*).
8. On **April 15, 2024**, Attorney McClendon filed with this Court notice of representation of Spirko. (*See Exhibit F*).
9. The State's motion referenced in paragraph 7 above was removed from the docket by the State on **June 14, 2024**.
10. On **February 9, 2025**, Spirko and Attorney McClendon began advertising their upcoming podcast regarding the case at bar on various social media sites. These promotions continue as of the date of this filing.
11. On Friday, **February 14, 2025**, the State of Tennessee issued a Subpoena Duces Tecum for Spirko to provide documents and other information to this Court. (*See Exhibit G*)
12. On **February 20, 2025**, Attorney Cayley Turrin filed a "Motion to Quash" the subpoena issued to Spirko. (*See Exhibit H*).

13. On **February 25, 2025**, Attorney McClendon filed an “Agreed Order of Substitution of Counsel” relative to Katie Spirko. (*See Exhibit I*)
14. On **February 26, 2025**, Attorney McClendon filed another “Agreed Order of Substitution of Counsel” relative to Katie Spirko (*See Exhibit J*)
15. On **March 3, 2025**, Attorney McClendon filed a “Supplemental Motion for Substitution of Counsel and Declaration of Dana McClendon.” (*See Exhibit K*)
16. Based upon information and emails the State has been provided by TDOC and the US Marshal Service, we take issue with paragraphs 9 and 10 in Attorney McClendon’s declaration and ask that the record be made clear.

Respectfully Submitted:

/s/ Amy P. Weirich /

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Amy P. Weirich, BPR (#014441)  
Special Counsel  
25th Judicial District  
P.O. Box 38  
Somerville, Tennessee 38068  
(901) 465-7351  
apweirich@tndagc.org

/s/ Christopher V. Boiano /

---

Christopher V. Boiano, BPR (#030076)  
Assistant Attorney General  
18th Judicial District  
113 West Main Street  
Cordell Hull Building, 3rd Floor.

Gallatin, Tennessee 37066  
(615) 451-5810  
[cvboiano@tndagc.org](mailto:cvboiano@tndagc.org)

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing has been emailed and mailed to Douglas Bates IV and Crystal Etue, attorneys for Petitioner Adams, on this 7<sup>th</sup> day of March, 2025.

Douglas Thompson Bates, IV  
Bates & Bates Law Office  
406 W. Public Sq., 2<sup>nd</sup> Floor,  
Bates Building  
P.O. Box 1  
Centerville, TN 37033  
[dtbates4@bates.law](mailto:dtbates4@bates.law)

Crystal M. Etue  
Attorney at Law  
219 3<sup>rd</sup> Ave N.  
Franklin, TN 37064  
**Phone:** 615-721-7983  
**Email:** [crystal@etuelaw.com](mailto:crystal@etuelaw.com)  
[www.etuelaw.com](http://www.etuelaw.com)

**/s/ Amy P. Weirich /**

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Amy P. Weirich

# Exhibit A

IN THE CIRCUIT COURT OF HARDIN COUNTY  
AT SAVANNAH, TENNESSEE

ZACHARY RYE ADAMS  
PETITIONER

VS.

STATE OF TENNESSEE

NO. 17-CR-10-PC

FILED 17 DAY OF Jan 2024 AT 2:30 AM PM  
TAMMIE WOLFE, CLERK

BY [Signature] CLERK

DECLARATION OF DR. KATIE SPIRKO

I, Dr. Katie Spirko, do state under oath the following:

1. I am a licensed neuropsychologist who practices in TN. My CV is attached.
2. I have worked in civil and criminal cases ranging from parental evaluations, Rule 35 psychological assessments, family coordinator, and in other criminal cases ranging from diminished capacity and memory issues to forensic evaluations for defenses of NGRI (not guilty by reason of insanity) and potential mitigating circumstances related to a defendant's neuropsychological status.
3. I have worked with Douglas Bates IV in a variety of cases beginning in 2020. I have taken positions to which his client was bitterly opposed. I have taken positions congruent with his client's preferred outcomes.
4. In August of 2023, he contacted me to see if I was interested in possibly being retained in the Zach Adams case to review any particular evidence regarding Jason Autry's testimony and provide appropriate perspective.
5. I have watched the publicly available portions of Zack Adams' criminal trial on YouTube and have reviewed an abundance of evidence pertaining to this case.
6. I have interviewed multiple parties related to this case:



- a. I interviewed Zach Adams on December 1, 2023, in person where he is currently incarcerated.
- b. I have interviewed James and Rita Austin, parents of deceased co-defendant Shayne Austin.
- c. I have interviewed Lisa Carroll, a resident of the Parsons area in Tennessee, who advised me that on the morning of April 13<sup>th</sup>, 2011, at approximately 7:50am, she encountered Terry Britt driving an old brownish truck on Brick Church Road while Ms. Carroll was returning from her grandchildren's morning school drop-off and the two stopped at the same intersection. At the time, Ms. Carroll was not familiar with Mr. Britt, but the encounter stood out to her as suspicious because this man, who Ms. Carroll described as a White man in his late 40s or early 50s with wavy brown hair approximately shoulder length, was positioning his body in an odd manner, seemingly attempting to shield something he was hiding in the passenger seat of his truck. Ms. Carroll saw this man on two subsequent occasions. She recognized the man as Terry Britt when she later saw him during the televised criminal court proceedings for Zack Adams's case. Ms. Carroll noted she spoke with a friend about the encounter that day after returning home and learning of Holly Bobo's disappearance, and the friend called it into the Holly Bobo tip line on Ms. Carroll's behalf. This interview was recorded with Ms. Carroll's permission.
- d. I interviewed Janet Britt at her home in the Parsons area of TN on December 17, 2023, for approximately one hour.



- e. I have interviewed various other neighbors and local residents with first-hand knowledge and observations related to this case.
- f. I interviewed Jason Autry in person on December 22, 2023, where he is currently incarcerated. I recorded the interview with Mr. Autry's consent.
- g. During this interview with Mr. Autry, he admitted to falsifying the entire story that served the basis for his testimony at trial. He described in detail how he used TBI investigative reports, telephone records, and other evidence from the Holly Bobo case to fabricate a story implicating Zach Adams while staying consistent with existing evidence. Per Mr. Autry he telephone records and Mr. Autry's best recollection to recreate his activities and whereabouts on April 13, 2011, and "added Holly to it."
- h. Mr. Autry described being pressured by his attorney, Mr. Scholl, to take a plea deal in exchange for providing "testimony," relaying the State "needed a mouthpiece" and that "testifying" was Mr. Autry's only option to avoid imprisonment and a potential death sentence for a crime in which Mr. Autry was not involved and had no firsthand knowledge. Mr. Autry was reportedly given feedback that any juror would think the community is better off with Mr. Autry in prison regardless of his guilt or innocence in this crime, since he is a criminal drug user. Mr. Autry indicated he requested to go to trial but was informed by his defense counsel, Mr. Scholl, that his only option to avoid life imprisonment and potential death was to acquiesce and provide what Mr. Autry stated was false testimony. According to Mr. Autry, he was being told at the time Mr. Adams was also providing false testimony against him, and it would be a race to see who

between himself and Mr. Adams would be given a plea deal in exchange for falsely testifying against the other. At one point, Mr. Autry said "we put it together in 3 days," referring to how he developed his testimony with assistance from his legal counsel and added that General Nichols was the "boss of it all."

- i. I have interviewed multiple close acquaintances of Jason Autry, across several occasions, who attest to previous disclosures made by Autry regarding the pressure he was under to provide false testimony in support of the State's case against Zack Adams. One of these acquaintances described a confidential report regarding the analysis of some biological evidence in this case, which was shown to this acquaintance by Mr. Autry during a correctional center visit. Per the acquaintance, Mr. Autry brought the report with him to the visit from a box of evidence he was reportedly provided by his attorney. The description of this evidence was consistent with my review of the original documentation, which to my knowledge, was never made publicly available.
7. Mr. Autry's detailed account of his falsified testimony includes several additional details that I have independently verified through corroborating interviews and/or objective evidence related to this case.

Further declarant sayeth naught.

*Katie Abram Spirko, PsyD*

---

DR. KATIE SPIRKO

DATE

# Exhibit B

## Misty Wright

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**From:** Katie Spirko <katie.spirko@facts.care>  
**Sent:** Monday, April 1, 2024 2:32 PM  
**To:** Misty Wright  
**Cc:** Dana@danamclendonlaw.com  
**Subject:** [EXTERNAL] Inmate Zoom meeting request

\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. \*\*\*

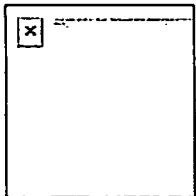
Hi Misty,

I am writing to request your assistance in setting up a nonrecorded virtual/videoconference meeting with inmate Zachary Adams (#426285) for this Friday, April 5th (anytime should work). If Friday is not possible for any reason, I could do Thursday, April 4th, at or after 2pm, as an alternate.

**HU-15/23**

The meeting will be with myself, Dr. Katie Spirko, through attorney Dana McLendon (cc'd). I believe you should already have my driver's license on file, but I'm happy to re-send it if needed. Please let me know if you require anything further to arrange this meeting, and thank you so much for the assistance.

Sincerely,




**Katie Osborn Spirko, PsyD**


Forensic & Clinical Neuropsychologist


FACTS

Family Support and Conflict Resolution Services

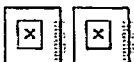
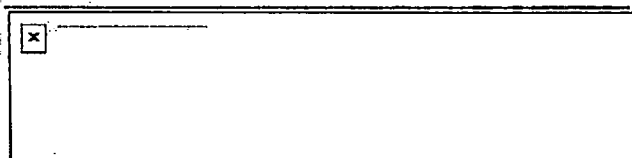
 katie.spirko@facts.care

 615-961-2349

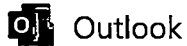
 402-680-4229

 2200 21st Ave. S., Suite 401, Nashville, TN 37212

 facts.care



# Exhibit C



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**Fwd: introduction**

---

**From** Jennifer S. Nichols <jsnichols@tndagc.org>

**Date** Fri 4/5/2024 1:10 PM

**To** Christopher V. Boiano <cvboiano@tndagc.org>

FYI-

Get [Outlook for iOS](#)

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**From:** Katie Spirko <katie.spirko@facts.care>

**Sent:** Friday, April 5, 2024 1:07:36 PM

**To:** Jennifer S. Nichols <jsnichols@tndagc.org>

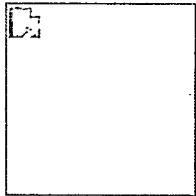
**Cc:** Dana McLendon <dana@danamclendonlaw.com>

**Subject:** introduction

Good Afternoon, Ms. Nichols,

I believe my name has come up in connection with Zach Adams's recent filings. I wanted to reach out directly to make sure you have my direct contact, as well as that of my attorney (cc'd) in case you would like to speak with me. Please do not hesitate to reach out at any point. If it would be helpful to you, I am happy to come meet with you in person.

Thank you,



**Katie Osborn Spirko, PsyD**

Forensic & Clinical Neuropsychologist

FACTS

Family Support and Conflict Resolution Services

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✉ katie.spirko@facts.care

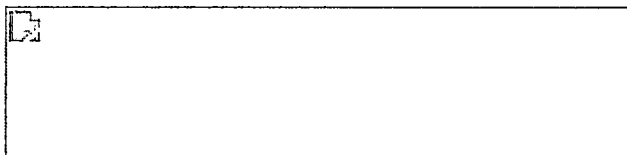
📞 615-961-2349

📠 402-680-4229

📍 2200 21st Ave. S., Suite 401, Nashville, TN 37212

🌐 facts.care

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**LEGAL CONFIDENTIAL:** The information in this e-mail and in any attachment may contain information that is privileged either legally or otherwise. It is intended only for the attention and use of the named recipient. If you are not the intended recipient, you are not authorized to retain, disclose, copy or distribute the message and/or any of its attachments. If you received this e-mail in error, please notify me and delete this message.

# Exhibit D



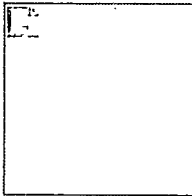
**From:** Clear, Deryl <[Deryl.Clear@shelbycountyttn.gov](mailto:Deryl.Clear@shelbycountyttn.gov)> **On Behalf Of** Visitation Office  
**Sent:** Monday, April 8, 2024 12:53 PM  
**To:** 'Katie Spirko' <[katie.spirko@facts.care](mailto:katie.spirko@facts.care)>; Visitation Office <[visitation.office@shelbycountyttn.gov](mailto:visitation.office@shelbycountyttn.gov)>  
**Cc:** Dana McLendon <[dana@danamclendonlaw.com](mailto:dana@danamclendonlaw.com)>  
**Subject:** RE: Inmate visitation question

We have a notary on staff. Please give us 48-72 hours and I will respond to this email. Thanks.

---

**From:** Katie Spirko <[katie.spirko@facts.care](mailto:katie.spirko@facts.care)>  
**Sent:** Monday, April 8, 2024 12:41 PM  
**To:** Visitation Office <[visitation.office@shelbycountyttn.gov](mailto:visitation.office@shelbycountyttn.gov)>  
**Cc:** Dana McLendon <[dana@danamclendonlaw.com](mailto:dana@danamclendonlaw.com)>  
**Subject:** Re: Inmate visitation question

Jason Autry



**Katie Osborn Spirko, PsyD**  
Forensic & Clinical Neuropsychologist

FACTS  
Family Support and Conflict Resolution Services

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✉ [katie.spirko@facts.care](mailto:katie.spirko@facts.care)

📞 [615-961-2349](tel:615-961-2349)

📠 [402-680-4229](tel:402-680-4229)

📍 2200 21st Ave. S., Suite 401, Nashville, TN 37212

🔗 [facts.care](https://facts.care)

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On Apr 8, 2024, at 12:26 PM, Visitation Office <[visitation.office@shelbycountyttn.gov](mailto:visitation.office@shelbycountyttn.gov)> wrote:

What is the name of the inmate?

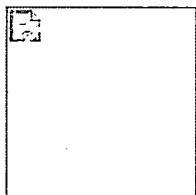
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**From:** Katie Spirko <[katie.spirko@facts.care](mailto:katie.spirko@facts.care)>  
**Sent:** Monday, April 8, 2024 11:26 AM  
**To:** Visitation Office <[visitation.office@shelbycountyttn.gov](mailto:visitation.office@shelbycountyttn.gov)>  
**Cc:** Dana McLendon <[dana@danamclendonlaw.com](mailto:dana@danamclendonlaw.com)>  
**Subject:** Inmate visitation question

Good Morning,

I am needing to set up a visitation with an inmate at the Shelby County Penal farm, and I am wondering whether you have a notary service available at the facility or if I would need to bring someone with me to the visit. I am hoping to be able to schedule the visit for this Wednesday at noon, in case that makes a difference.

Thank you,



**Katie Osborn Spirko, PsyD**  
Forensic & Clinical Neuropsychologist  
FACTS  
Family Support and Conflict Resolution Services

---

✉ [katie.spirko@facts.care](mailto:katie.spirko@facts.care)

📞 [615-961-2349](tel:615-961-2349)

📠 [402-680-4229](tel:402-680-4229)

📍 2200 21st Ave. S., Suite 401, Nashville, TN 37212

🔗 [facts.care](https://facts.care)

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# Exhibit E

IN THE CIRCUIT COURT OF HARDIN COUNTY  
AT SAVANNAH, TENNESSEE

ZACHARY RYE ADAMS,  
PETITIONER,

vs.

STATE OF TENNESSEE,  
RESPONDENT.

No. 17-CR-10-PC

FILED 12 DAY OF April, 2024 AT 4:30 AM PM

TAMMIE WOLFE, CLERK

BY

Tammie Wolfe

CLERK

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STATE OF TENNESSEE'S MOTION TO ISSUE SUBPOENA TO KATIE SPIRKO  
AND ISSUE PROTECTIVE ORDER

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COMES NOW the State of Tennessee, by and through the undersigned, and moves this Honorable Court to grant a Protective Order relative to any discovery materials made available to Petitioner Adams' investigator, Katie Spirko, during the time Petitioner's counsel employed her. As grounds therefore, the State of Tennessee would aver:

1. The state turned over three (3) terabytes of pretrial discovery to attorneys James Simmons and Jennifer Thompson prior to Petitioner Adams' trial in 2017.
2. Attorneys James Simmons and Jennifer Thompson were Petitioner Adams' lead counsel during Petitioner Adams' trial.
3. Petitioner Adams' current counsel, Mr. Douglas Bates, advised the undersigned that he received a copy of Ms. Thompson's case file prior to filing the Amended Petition for Post Conviction Relief and thus, did not desire nor need to review the State's copy of the file.
4. Due to the size and nature of the discovery, there are many instances where individuals' personal and confidential information was included.

# Exhibit F

**IN THE CIRCUIT COURT OF  
HARDIN COUNTY, TENNESSEE  
AT SAVANNAH**

**ZACHARY RYE ADAMS,  
Petitioner**

**v.**


**STATE OF TENNESSEE,  
Respondent**

**No. 17-CR-10-PC**

**NOTICE OF APPEARANCE**

Dana C. McLendon III enters an appearance on behalf of Katie Spirko.

The undersigned counsel requests that the pending motions filed by the State be set on a date and time convenient to the parties, but not on or before May 3, 2024.

  
Dana C. McLendon III (#016214)  
2020 Fieldstone Parkway  
Suite 900-217  
Franklin TN 37069  
(615) 310-3195 phone/text  
(615) 807-3790 fax  
dana@danamclendonlaw.com

**Certificate of Service**

I hereby certify that a true and exact copy of the foregoing has been emailed and mailed on this 15<sup>th</sup> day of April 2024 to:

Douglas Thompson Bates, IV  
Bates & Bates Law Office  
406 W. Public Sq., 2<sup>nd</sup> Floor, Bates Building  
P.O. Box 1  
Centerville TN 37033

Jennifer Nichols  
Christopher V. Boiano  
113 West Main Street  
Cordell Hull Building, 3<sup>rd</sup> Floor.  
Gallatin, Tennessee 37066  
(615) 451-5810

  
FILED 15 DAY OF April, 2024 AT \_\_\_\_\_ AM PM

BY Tammie Wolfe TAMMIE WOLFE, CLERK

(CLERK)

# Exhibit G



<b>Circuit Court</b> Hardin County, Savannah Tennessee	<b>SUBPOENA</b>	<b>Case Number</b> 17-CR-10-PC
<u>Zachary Rye Adams</u> vs. <u>State of Tennessee</u> [Plaintiff's Name] [Defendant's Name]		

To:

Katie Osborn Spirko  
 551 Bonerwood Drive, Nashville, TN 37201  
 Phone: (615) 961-2349 | Email: katie.spirko@facts.care

Under penalty prescribed by law, you are commanded:

- ☐ 1. Subpoena for Attendance at Hearing or Trial – to appear personally before the Circuit Court of Hardin County, 465 Main Street in Savannah Tennessee, on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m., and give testimony, pursuant to Rule 45.01 and 45.05 of the Tennessee Rules of Civil Procedure; when you arrive, you must remain at the court until the judge or a court officer allows you to leave;
- ☒ 2. Subpoena for Production of Documentary Evidence (Books, Papers, Documents, etc.) – to produce and permit inspection, copying, testing, or sampling of the following designated books, papers, documents, electronically stored information, or tangible things: Please see attached list "SUBPOENA DUCES TECUM ITEMS TO PRODUCE" and to swear or affirm that the things produced are authentic to the best of your knowledge, information, and belief, and to state whether all responsive things have been produced, pursuant to Rule 45.02 of the Tennessee Rules of Civil Procedure; the subpoenaed items must be produced at 406 W. Public Sq., 2nd Floor, Bates Building, on or before March 7, 2025 at 1:30 p.m. a.m./p.m.; Centerville, TN 37033 | Tel: 931-729-4085
- ☐ 3. Subpoena for Inspection of Premises – to permit inspection of the following premises: \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m., pursuant to Rule 45.02 of the Tennessee Rules of Civil Procedure; and/or
- ☐ 4. Subpoena for Deposition Testimony – to appear personally at \_\_\_\_\_ in \_\_\_\_\_ Tennessee, on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m., then and there to testify by deposition in this matter, and to bring the following items: \_\_\_\_\_, pursuant to Rule 45.04 of the Tennessee Rules of Civil Procedure.

Notice for a subpoena for production of documentary evidence (#2 above) or for a subpoena for deposition testimony (#4 above): The failure to serve an objection to this subpoena within twenty-one days after the day of service of the subpoena waives all objections to the subpoena, except the right to seek the reasonable cost for producing books, papers, documents, electronically stored information, or tangible things.

This subpoena is issued on behalf of ☐ Petitioner ☒ Respondent. The name, address, and telephone number of the issuing party's attorney are: Amy P. Weirich, Special Counsel, 25th Judicial District, P.O. Box 38, Somerville, TN 38068 | 901-465-7351 | aweirich@tndagc.org  
Christopher V. Bolano, ADA, 18th Judicial District, 113 West Main Street, Cordell Hull Building, 3rd Floor, Gallatin TN, 37066 | 615-451-5810 | cvbolano@tndagc.org  
 Signature of issuing party's attorney: [Signature], 812 H 9776

Date Issued: 2-14-25

[Signature]  
 Signature of Clerk/Deputy Clerk

For Americans With Disabilities Act (ADA) assistance only,  
 call: 731-925-8166

**NOTICE: YOU CAN BE FOUND IN CONTEMPT OF COURT FOR FAILING TO COMPLY WITH THIS SUBPOENA AND IF FOUND GUILTY OF CONTEMPT YOU MAY BE FINED, IMPRISONED, OR BOTH.**

(This is a general form subpoena. The party issuing the subpoena is responsible for complying with any provision of law imposing additional notice requirements that apply to the pending case or to the type of records being sought under this subpoena.)

FILED 14 DAY OF Feb., 2025 AT 14 AM (P)  
 BY TAMMIE WOLFE, CLERK  
[Signature] (CLERK)

<b>Circuit Court</b> Hardin County, Savannah Tennessee	<b>SUBPOENA</b>	Case Number <b>17-CR-10-PC</b>
Zachary Rye Adams vs. State of Tennessee [Plaintiff's Name] [Defendant's Name]		

<b>RETURN OF SERVICE</b>	
Check one of the following boxes: Box 1 or Box 2 is only for the return by an authorized officer, by an attorney, or by an attorney's agent; pursuant to Tenn. Code Ann. § 23-2-105, the return by an attorney or the attorney's agent must be sworn to. Box 3 is only for the person named in the subpoena (or the authorized representative of an organization named in the subpoena) who acknowledges service, and such person must sign in the signature box below.	
<input type="checkbox"/> 1. I certify that on the date indicated below I served a copy of this subpoena on (state the identity of the person served, and the place and manner of service): _____	
<input type="checkbox"/> 2. I was unable to serve a copy of this subpoena on the person named in the subpoena because _____	
<input type="checkbox"/> 3. I acknowledge being served with this subpoena on the date indicated below.	
<b>FOR RETURN BY ATTORNEY OR ATTORNEY'S AGENT:</b>  Sworn to and subscribed before me on this ____ day of _____, 20____.  <input type="checkbox"/> Notary Public or <input type="checkbox"/> Deputy Clerk:  My Commission Expires:	<b>DATE OF SERVICE:</b>  <b>SIGNATURE OF OFFICER, ATTORNEY OR ATTORNEY'S AGENT, OR PERSON ACKNOWLEDGING SERVICE:</b>

(This is a general form subpoena. The party issuing the subpoena is responsible for complying with any provision of law imposing additional notice requirements that apply to the pending case or to the type of records being sought under this subpoena.)

IN THE CIRCUIT COURT OF HARDIN COUNTY  
AT SAVANNAH, TENNESSEE

ZACHARY RYE ADAMS,  
PETITIONER,

vs.

STATE OF TENNESSEE,  
RESPONDENT.

No. 17-CR-10-PC

---

SUBPOENA DUCES TECUM ITEMS TO PRODUCE

---

TO: Katie Osborn Spirko  
551 Bonerwood Drive  
Nashville, TN 37201  
(615) 961-2349  
[katie.spirko@facts.care](mailto:katie.spirko@facts.care)

1. Please bring any and all documents and records (or true and correct copies thereof) provided to you or to any third party at your request or direction as part of your involvement with Zachary Rye Adams or any subject matter related to *State of Tennessee vs. Zachary Rye Adams*, Hardin County Circuit Court Case No. 17-CR-10, or these post-conviction proceedings.
2. Please bring a copy of the professional guidelines that you consider as governing you for your work in this post-conviction case. If more than one organization's guidelines apply, please bring all applicable.
3. Please provide a list of all cases in which you have given expert testimony either in-person or by deposition in the past five (5) years.
4. Please bring a copy of all papers submitted for publication or to fulfill academic requirements including, but not limited to, your dissertation.
5. Please bring a copy of the case file in your possession for *State of Tennessee vs. Zachary Rye Adams*, Hardin County Circuit Court Case No. 17-CR-10.
6. All computers, laptops, hard drives, backups, and computer information storage devices that you have in your possession, related to *State of Tennessee vs. Zachary Rye Adams* (Hardin County Circuit Court Case No. 17-CR-10) or the post-conviction proceedings (Hardin County Circuit Court Case No. 17-CR-10-PC).

7. All documents, tape recordings, other writings memorializing or in any way recording or reflecting any words, statements, declarations, conversations, or other communications with Jason Autry.
8. All documents, tape recordings, or other writings memorializing or in any way recording or reflecting any words, statements, declarations, conversations, or other communications with Zachary Rye Adams.
9. All documents, tape recordings, or other writings memorializing or in any way recording or reflecting any works, statements, declarations, conversations, or other communications between you and Jennifer Thompson.
10. Please provide a copy of any employment contract that you have with Zachary Rye Adams.

# Exhibit H

**ZACHARY RYE ADAMS**  
**PETITIONER,**

**VS.**

**STATE OF TENNESSEE**  
**RESPONDENT**

**NO. 17-CR-10-PC**

**MOTION TO QUASH OR STAY SUBPOENA ON DR. KATIE SPIRKO**

Comes now Counsel, Cayley J. Turrin, and in accordance with Rule 17 of Tennessee Rules of Criminal Procedure has filed this motion within the required time period of production.

We would request that the Court quash or in the alternative stay the subpoena due to T.C.A. § 24-1-208 and T.C.A. § 24-1-209.

T.C.A. § 24-1-208, Persons gathering information for publication or broadcast-Disclosure states:

“(a) A person engaged in gathering information for publication or broadcast connected with or employed by the news media or press, or who is independently engaged in gathering information for publication or broadcast, shall not be required by a court, a grand jury, the general assembly, or any administrative body, to disclose before the general assembly or any Tennessee court, grand jury, agency, department, or commission any information or the source of any information procured for publication or broadcast.

(b) Subsection (a) shall not apply with respect to the source of any allegedly defamatory information in any case where the defendant in a civil action for defamation asserts a defense based on the source of such information.

(c)(1) Any person seeking information or the source thereof protected under this section may apply for an order divesting such protection. Such application shall be made to the judge of the court having jurisdiction over the hearing, action or other proceeding in which the information sought is pending.

(2) The application shall be granted only if the court after hearing the party determines that the person seeking the information has shown by clear and convincing evidence that:

(A) There is probable cause to believe that the person from whom the information is sought has information which is clearly relevant to a specific probable violation of law;

(B) The person has demonstrated that the information sought cannot reasonably be obtained by alternative means; and

(C) The person has demonstrated a compelling and overriding public interest of the people of the state of Tennessee in the information.

(3)(A) Any order of the trial court may be appealed to the court of appeals in the same manner as other civil cases. The court of appeals shall make an independent determination of the applicability of the standards in this subsection (c) to the facts in the record and shall not accord a presumption of correctness to the trial court's findings.

(B) The execution of or any proceeding to enforce a judgment divesting the protection of this section shall be stayed pending appeal upon the timely filing of a notice of appeal in accordance with Rule 3 of the Tennessee Rules of Appellate Procedure, and the appeal shall be expedited upon the docket of the court of appeals upon the application of either party.

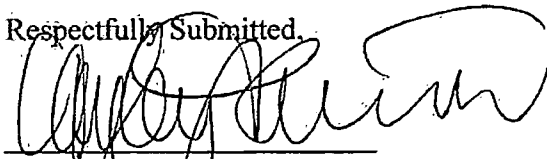
(C) Any order of the court of appeals may be appealed to the supreme court of Tennessee as provided by law.

Under T.C.A. § 24-1-209, Communication between attorney and private detective privileged states, "Communication between an attorney and a private detective or investigator hired by such attorney, while acting in their respective professional capacities shall be privileged communications."

The State has not proven that Dr. Spirko has any information that would not be covered under journalistic privilege or as an investigator in this matter.

THEREFORE, we would request that the Subpoena Duces Tecum that was requested on February 7, 2025, in the matters listed above be quashed or in the alternative stayed immediately.

Respectfully Submitted,



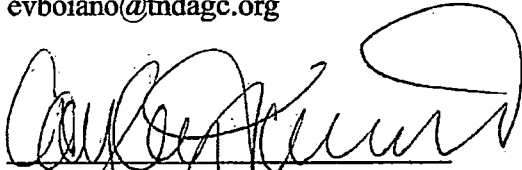
Cayley J. Turrin #35366  
Attorney for Dr. Katie Spirko  
219 3<sup>rd</sup> Ave N.  
Franklin, TN 37064  
(615) 480-3158  
[turrincavley@gmail.com](mailto:turrincavley@gmail.com)

**CERTIFICATE OF SERVICE**

I certify that the foregoing motion has been faxed to the following on this the 20<sup>th</sup> day of February 2025.

Amy Weirich  
Special Counsel  
25<sup>th</sup> Judicial District  
P.O. Box 38  
Somerville, TN 38068  
(901) 465-7351  
apweirich@tndagc.org

Christopher V. Boiano  
Assistant Attorney General  
18<sup>th</sup> Judicial District  
113 W Main St.  
Cordell Hull Building, 3<sup>rd</sup> Floor  
Gallatin, TN 37066  
(615) 451-5810  
evboiano@tndagc.org

A handwritten signature in black ink, appearing to read 'Cayley J. Turrin', is written over a horizontal line.

Cayley J. Turrin BPR #035366  
Attorney for Dr. Spirko  
219 3<sup>rd</sup> Ave. N.  
Franklin, TN 37064  
(615) 480-3158  
turrincayley@gmail.com

**THIS MATTER IS SET FOR HEARING ON ZOOM ON MARCH 7, 2025 AT 1:30 P.M.**



# Exhibit I

IN THE CIRCUIT COURT OF HARDIN COUNTY, TENNESSEE  
AT SAVANNAH

ZACHARY RYE ADAMS,

Petitioner

v.

STATE OF TENNESSEE,

Respondent

No. 17-CR-10-PC

AGREED ORDER OF SUBSTITUTION OF COUNSEL

At the request of Dr. Katie Spirko, the court approves the substitution of counsel for Dr. Spirko. By this order, Dana C. McLendon III is relieved as counsel for Dr. Spirko and Cayley J. Turrin enters an appearance on behalf of Dr. Spirko.

It is so ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
J. Brent Bradberry, Judge

Submitted for Entry:

/s/ Dana C. McLendon III

Dana C. McLendon III (#016214)  
2020 Fieldstone Parkway  
Suite 900-217  
Franklin TN 37069  
(615) 310-3195 phone/text  
(615) 807-3790 fax  
[dana@danamclendonlaw.com](mailto:dana@danamclendonlaw.com)

/s/ Cayley J. Turrin

Cayley J. Turrin (#35366)  
Attorney at Law  
(615) 480-3158  
(615) 807-3153 Fax  
219 3rd Ave N  
Franklin, TN 37064  
[turrincayley@gmail.com](mailto:turrincayley@gmail.com)

Certificate of Service

I hereby certify that a true and exact copy of the foregoing has been mailed on this \_\_\_\_ day of February 2025 to:

Douglas Thompson Bates, IV  
Bates & Bates Law Office  
406 W. Public Sq.,  
2<sup>nd</sup> Floor, Bates Building  
P.O. Box 1  
Centerville TN 37033

Christopher V. Boiano  
113 West Main Street  
Cordell Hull Building, 3<sup>rd</sup> Floor.  
Gallatin, Tennessee 37066  
(615) 451-5810

# Exhibit J

IN THE CIRCUIT COURT OF HARDIN COUNTY, TENNESSEE  
AT SAVANNAH

ZACHARY RYE ADAMS,  
Petitioner

v.

STATE OF TENNESSEE,  
Respondent

No. 17-CR-10-PC

AGREED ORDER OF SUBSTITUTION OF COUNSEL

Pursuant to Rule 1.16 of the Rules of Professional Conduct, and at the request of Dr. Katie Spirko, the undersigned counsel moves the court to relieve him as counsel for Dr. Spirko and to approve the substitution of counsel for Dr. Spirko of Cayley J. Turrin.

THIS MOTION IS EXPECTED TO BE HEARD ON 07 MARCH 2025 AT 1:30 PM ON THE COURT'S  
EXISTING MOTION DOCKET IN THE CAPTIONED CASE

/s/ Dana C. McLendon III  
Dana C. McLendon III (#016214)  
2020 Fieldstone Parkway  
Suite 900-217  
Franklin TN 37069  
(615) 310-3195 phone/text  
(615) 807-3790 fax  
[dana@danamclendonlaw.com](mailto:dana@danamclendonlaw.com)

Certificate of Service

I hereby certify that a true and exact copy of the foregoing has been emailed on this 25 day  
of February 2025 to:

Douglas Thompson Bates, IV  
Bates & Bates Law Office  
406 W. Public Sq.,  
2nd Floor, Bates Building  
P.O. Box 1  
Centerville TN 37033

Christopher V. Boiano  
113 West Main Street  
Cordell Hull Building, 3rd Floor.  
Gallatin, Tennessee 37066  
(615) 451-5810

Cayley J. Turrin (#35366)  
Attorney at Law  
(615) 480-3158  
(615) 807-3153 Fax  
219 3rd Ave N  
Franklin, TN 37064  
[turrincayley@gmail.com](mailto:turrincayley@gmail.com)



# Exhibit K

**IN THE CIRCUIT COURT OF HARDIN COUNTY, TENNESSEE  
AT SAVANNAH**

**ZACHARY RYE ADAMS,  
Petitioner**

**v.**

**STATE OF TENNESSEE,  
Respondent**

**No. 17-CR-10-PC**

**SUPPLEMENTAL MOTION FOR SUBSTITUTION OF COUNSEL**

**AND DECLARATION OF DANA C. MCLENDON III**

Pursuant to Rule 1.16 of the Rules of Professional Conduct, and at the request of Dr. Katie Spirko, the undersigned counsel moves the court to relieve him as counsel for Dr. Spirko and to approve the substitution of counsel for Dr. Spirko of Cayley J. Turrin.

Under penalty of perjury, the undersigned counsel states as follows in support of the motion to withdraw:

1. My name is Dana C. McLendon III. I am an attorney licensed to practice law in Tennessee. I have been an attorney in good standing in the state and federal courts of this state since 1993.

2. My initial involvement in this case arose because the state of Tennessee filed a motion on April 12, 2024 to subpoena Dr. Katie Spirko and subject her to a protective order.

3. I filed a notice of appearance on behalf of Dr. Spirko on April 15, 2024.

4. The state filed on June 20, 2024 a notice striking the motion to subpoena Dr. Spirko. That appeared to resolve any reason Dr. Spirko might need my assistance in this case.

5. Until I filed the agreed order to substitute counsel for Dr. Spirko in late February 2025, I had filed nothing else in this case.

6. It is my understanding some confusion has arisen about my role in this case.

7. I have NEVER spoken to Zach Adams.

8. I have NEVER participated in any electronic communication with Zach Adams.

9. I have NEVER represented to anyone that I represent Zach Adams.

10. It is my belief that Special Prosecutor Nichols was actually aware, not later than April 5, 2024, that my role in this case was limited to representing Dr. Spirko. I am aware of communications in early April 2024 from Mr. Bates and Dr. Spirko to Special Prosecutor Nichols and TDOC representatives resolving any such misunderstanding, if indeed any ever existed.

11. Specifically, I believe that not later than April 5, 2024 my role in this case as Dr. Spirko's attorney, and the fact of Mr. Bates' continuing representation of Zach Adams, and the difference between who represented Dr. Spirko and who represented Zach Adams, was made clear by electronic communication to Special Prosecutor Nichols and to officials with the Tennessee Department of Correction.

12. Dr. Spirko and I subsequently decided to produce a podcast covering the captioned case.

13. Mindful of my obligations under Rule 1.16 and 3.6 of the Rules of Professional Conduct, it is appropriate for me to withdraw as counsel for Dr. Spirko.

**THIS MOTION IS EXPECTED TO BE HEARD ON 07 MARCH 2025 AT 1:30 PM ON THE COURT'S  
EXISTING MOTION DOCKET IN THE CAPTIONED CASE**

*DCMclend III*

Dana C. McLendon III

Dana C. McLendon III (#016214)  
2020 Fieldstone Parkway  
Suite 900-217  
Franklin TN 37069  
(615) 310-3195 phone/text  
(615) 807-3790 fax  
[dana@danamclendonlaw.com](mailto:dana@danamclendonlaw.com)

Certificate of Service

I hereby certify that a true and exact copy of the foregoing has been emailed on this 03 day of March 2025 to:

Douglas Thompson Bates, IV  
Bates & Bates Law Office  
406 W. Public Sq.,  
2<sup>nd</sup> Floor, Bates Building  
P.O. Box 1  
Centerville TN 37033

Christopher V. Boiano  
113 West Main Street  
Cordell Hull Building, 3<sup>rd</sup> Floor.  
Gallatin, Tennessee 37066  
(615) 451-5810

Cayley J. Turrin (#35366)  
Attorney at Law  
(615) 480-3158  
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219 3rd Ave N  
Franklin, TN 37064  
[turrincayley@gmail.com](mailto:turrincayley@gmail.com)