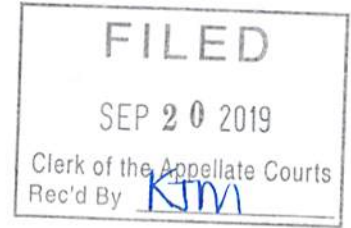


IN THE SUPREME COURT OF TENNESSEE

AT NASHVILLE



STATE OF TENNESSEE, )  
)  
Movant, )  
)  
v. )  
)  
HENRY EUGENE HODGES, )  
)  
Defendant. )

Case No. M1999-00516-SC R11-PD  
Davidson County  
90-5-1418

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MOTION TO SET EXECUTION DATE

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As Tenn. Sup. Ct. R. 12.4(A) requires the State to do when a death-row prisoner has completed the standard three-tier appeals process, the State of Tennessee moves this Court to set an execution date for Henry Eugene Hodges. In support of this motion, the State relies on the following:

1. Hodges entered pleas of guilty in the Davidson County Criminal Court to the 1990 first-degree premeditated murder and especially aggravated robbery of Ronald Bassett. Following a sentencing hearing and jury verdict, the court sentenced him to death. The trial court later imposed a consecutive forty-year sentence for aggravated robbery. This Court affirmed the judgment, and the United

States Supreme Court denied a petition for writ of certiorari. *State v. Hodges*, 944 S.W.2d 346 (Tenn. 1997), *cert. denied*, 522 U.S. 999 (1997).

2. Hodges filed a petition for post-conviction relief in the trial court in December 1997. Following a hearing, the trial court denied relief. The Court of Criminal Appeals affirmed the judgment, and this Court denied a discretionary appeal. *Hodges v. State*, No. M1999-00516-CCA-R3-PD, 2000 WL 1562865 (Tenn. Crim. App. Oct. 20, 2000), *perm. app. denied* (Tenn. Mar. 26, 2001).

3. Hodges filed a petition for writ of habeas corpus in the United States District Court for the Middle District of Tennessee in July 2001. On March 28, 2008, the district court denied the habeas petition and dismissed the action with prejudice. The United States Court of Appeals for the Sixth Circuit affirmed the district court's judgment denying habeas relief. *Hodges v. Colson*, 727 F.3d 517 (6th Cir. 2013) (reh'g denied, Aug. 14, 2013). The United States Supreme Court denied a petition for writ of certiorari on March 23, 2015, and denied a petition for rehearing on May 18, 2015. *Hodges v. Carpenter*, 135 S.Ct. 1545 (2015); *Hodges v. Carpenter*, 135 S.Ct. 2345 (2015).

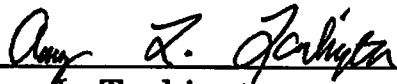
4. Hodges has completed the standard three-tier appeals process, making the setting of an execution date appropriate. See Rule 12.4(A). There are no current judicial or executive orders staying defendant's execution or granting a reprieve.

This Court should set an execution date in accordance with the judgment of the Criminal Court of Davidson County, Tennessee.

Respectfully submitted,

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Attorney General & Reporter

ANDRÉE SOPHIA BLUMSTEIN  
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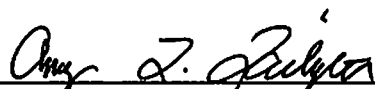
## CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Motion was forwarded by United States mail, first-class postage prepaid, on the 20<sup>th</sup> day of September, 2019, to the following:

Kelley J. Henry, Assistant Federal Public Defender  
Office of the Federal Public Defender  
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Nashville, TN 37203

Glenn R. Funk  
District Attorney General  
20th Judicial District  
222 2nd Ave. N, Suite 500  
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The undersigned attorney of record prefers to be notified of any orders or opinions of the Court by e-mail at [Amy.Tarkington@ag.tn.gov](mailto:Amy.Tarkington@ag.tn.gov).

  
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Amy L. Tarkington  
Associate Solicitor General