

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

**ZACHARY RYE ADAMS
PETITIONER**

VS.

STATE OF TENNESSEE

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FILED 11 DAY OF April, 2024 AT _____ AM PM
TAMMIE WOLFE, CLERK
BY Steve Wujcik Deputy CLERK

NO. 17-CR-10-PC

AMENDMENT TO PETITION FOR WRIT OF ERROR CORAM NOBIS

Comes now the Defendant/Petitioner¹, with the assistance of the undersigned Counsel,
and files the following amendment to his Writ of Error Coram Nobis.

I.

Incorporation

1. All facts alleged and legal theories asserted in the original Petition and supporting exhibits are incorporated herein by reference.

II.

Equitable Tolling

2. The Petitioner submits the following regarding equitable tolling:
 - a. First, the recanting of Mr. Jason Autry occurred for the first time to anyone's knowledge, including the Petitioner, on December 19th, 2023. These facts occurred well outside the normal one-year statute of limitation.
 - b. The Petitioner had no knowledge that Mr. Autry was recanting completely his testimony.

¹ Counsel will refer to Mr. Adams as either Defendant when referring to him in the trial level proceedings and Petitioner in context of this writ.

- c. Pursuant to the Exhibit 4, the statement of Ms. Jennifer Thompson, my attorney was diligent in trying to discuss with Mr. Autry directly his potential testimony. She was chastised for even recording Mr. Autry's attorneys when they talked with her.
- d. Ms. Thompson stayed on my case through the appeal from 2018 through its decision in 2022. She failed to file a permission to appeal. At not time did she advise me that Mr. Autry was recanting his testimony (because he only did it in December of 2023).
- e. Pursuant to the incorporated by reference pre sentencing report of Jason Autry, as late as October of 2023 (exhibit 1 to the State's Motion to Strike or Seal), Mr. Autry was still maintaining his perjured testimony was correct. Thus, his recanting of course took place well after the statute of limitations had otherwise run on this writ.
- f. Second, strict application of this statute of limitations would effectively deny the Petitioner/prisoner a reasonable opportunity to present his claim on this new evidence. Specifically, the recanting occurred in 2023 and within 31-days, this writ was filed.
- g. There has been no strategic reason whatsoever for this delay.
- h. Upon information and reasonable well founded belief, the State of Tennessee did not plea Mr. Autry out until well after my statute of limitations ran on this writ of error.

3. For the reasons cited throughout, these issues are not non-meritorious. I submit I am actually innocent of the charges for which I am convicted and this new evidence proves it or at least that I may have received a different result.

WEREFORE, PRESUMES CONSIDERED, DEFENDANT PRAYS UPON THIS COURT TO:

1. For the Court to grant this writ of error *coram nobis* and set aside the Defendant's every conviction in the above style cause of action.
2. For the Court to work with Counsel for Defense and the State on scheduling this matter within a reasonable time frame in light of the voluminous record and transcript the Court must read.
3. For the Court to allow the Defendant to use the subpoena powers of this Court prior to the hearing in this matter.
4. For the Court to allow all prosecutors involved to stand for cross examination and to be compelled to produce requested documents under the subpoena powers of this Court.
5. For such further and general relief to which the Defendant is entitled.

I, Zachary Rye Adams, hereby swear and affirm under threat of penalty of perjury that the information submitted above is true to the best belief and information I have available as indicated or upon my factual knowledge and belief of the same.

Zach Adams 4-10-24
ZACHARY RYE ADAMS DATE

State of TN]
County of Hickman]

Sworn to me and subscribed this 10th day of April, 2024.



Christie Rena Moss 12-5-26
NOTARY PUBLIC Comm. Expires

RESPECTFULLY SUBMITTED:

DTB
DOUGLAS THOMPSON BATES, IV (#027089)
ATTORNEY FOR ZACHARY RYE ADAMS
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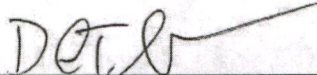
CERTIFICATE OF SERVICE

The undersigned certifies that he has on the 11 day of APRIL 2024, 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):

ADA Jennifer Nichols
District Attorney General
18th Judicial District

113 West Main Street, 3rd Floor
Gallatin, TN 37066
jsnichols@tndagc.org

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



DOUGLAS THOMPSON BATES, IV

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

ZACHARY RYE ADAMS,

Petitioner,

v.

STATE OF TENNESSEE,

Respondent.

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No. 17-CR-10-PC

AFFIDAVIT OF ATTORNEY JENNIFER LYNN THOMPSON

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

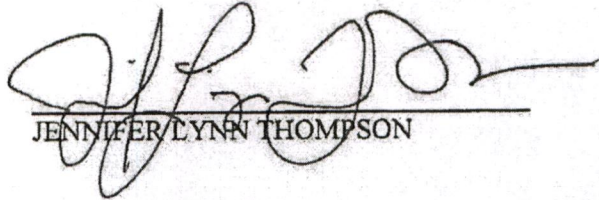
1. My name is Jennifer Lynn Thompson and I am a licensed attorney in the State of Tennessee.
2. My place of business is at 810 Broadway Suite 305 Nashville, TN 37203.
3. I am an adult over the age of eighteen, and I am not suffering from any disability that would prevent me from making this Affidavit.
4. I was appointment to represent Zachary Rye Adams in Mr. Adams' first-degree murder, kidnapping, and rape trial concerning the death of Holly Bobo.
5. On January 21, 2017, I received a call from Attorney James Simmons. Mr. Simmons informed me that Jason Autry, a co-defendant in Mr. Adams' case, had reached an agreement to cooperate with the State of Tennessee against my client, Zachary Rye Adams.
6. Mr. Simmons had spoken with Michael Scholl, attorney for Jason Autry.
7. On January 27, 2017, Attorney Michael Scholl called me and we spoke for an hour by telephone.
8. Mr. Scholl outlined the same basic facts that Jason Autry testified to at trial.

9. Mr. Scholl did not include many details in the information that he provided to me.
10. Mr. Scholl told me that Jason Autry would be testifying that he had seen Mr. Adams shoot Holly Bobo with a gun while under the I-40 bridge crossing the Tennessee River.
11. Mr. Scholl told me that in exchange for his testimony, Jason Autry expected to receive no additional prison time beyond the federal sentence that he was already serving.
12. Mr. Scholl explained that there were no Law Enforcement agents at the meeting, only attorneys for Mr. Autry and the State of Tennessee.
13. The significance of having no "outside witnesses" was that Mr. Autry's three-day interview with the prosecutors had been constructed such that there would be no discoverable reports produced by the state to the defense.
14. By not including any law enforcement agents in the meeting, the entirety of Mr. Autry's interview (including any notes or recordings) would be considered the district attorneys' "work product" and be forever off limits to me.
15. One of the best ways to have impeached Mr. Autry's testimony at trial would have been to compare his trial testimony to his statement to prosecutors to show inconsistencies, lies, or omissions. The jury could then use these discrepancies to determine that Mr. Autry was fabricating his version of events.
16. Under typical conditions, there would have been a Tennessee Bureau of Investigation (TBI) agent in the meeting to make notes and generate a report.
17. Under typical conditions, the TBI would have made a recording of Jason Autry's statement.
18. On January 27, 2017, during the telephone call, I asked Mr. Scholl if he would allow me to interview Mr. Autry.
19. Mr. Scholl flat out refused to allow me to have any contact with Mr. Autry.
20. Under the Tennessee Attorney Rules of Ethics, I was forbidden to speak directly Jason Autry without permission from his attorney.

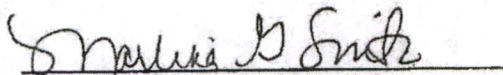
21. By keeping me from Jason Autry, Mr. Scholl knew that it would be exceedingly difficult, if not almost impossible, for me to impeach his client, given the very limited evidence against Mr. Adams other than Jason Autry's testimony.
22. The state did not provide me with any details regarding its three-day meeting with Mr. Autry.

The statements contained in this affidavit are true.

FURTHER AFFIANT SAITH NAUGHT.


JENNIFER LYNN THOMPSON

Sworn to and subscribed before me this the 9th day of April, 2024.


NOTARY PUBLIC

My commission expires: 5/3/27

