

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: GREGORY THOMPSON)
) COFFEE COUNTY
) ORIGINAL APPEAL NO.
) M1987-00027-SC-MWR-DD

SUPPLEMENTAL AFFIDAVIT OF FAYE SULTAN, Ph.D.

Comes now Faye Sultan, Ph.D., after being duly sworn according to law, and says as follows:

1. My name is Faye Sultan. I am an expert in clinical and forensic psychology. Since 1998 I have monitored Gregory Thompson's mental health by reviewing the prison's medical health records as they are generated and periodically evaluating Mr. Thompson at the prison. On September 29, 2005, I provided an affidavit about Mr. Thompson's current mental health status.

2. I have reviewed pages 4-7 of a document titled "Response to the State of Tennessee to Motion for Stay of Execution, Petition for Reconsideration of the Order Scheduling Execution Date, Notice of Change in Mental Health Status, Insanity and Incompetency to be Executed and Request for Certificate of Commutation." I am providing this supplemental affidavit to correct the mis-interpretations of my report in that document and my expert opinion regarding Mr. Thompson's mental capacity to understand the fact of the impending execution and the reason for it.

3. To be clear, it is my opinion that Gregory Thomson is not presently competent to be executed. He is not competent to be executed because he lacks the mental capacity to understand the fact of the impending execution and the reason for it. He also does not have the ability to meaningfully prepare for his own death or assist in his defense. The basis for this opinion is set out below.

4. Attached is my psychological report of February 27, 2004. That report sets out the historic and contemporary observations that formed the basis of my opinion that Gregory Thompson was incompetent to be executed at that time. In that report, I concluded that Mr. Thompson suffers from a severe psychotic mental illness. I concluded that a regular regimen of anti-psychotic, anti-depressant, and mood stabilizing medication relieved some but not all of Mr. Thompson's most severe symptoms. The symptoms which remained in February 2004, and continue to remain as of

July 28, 2005, prevent Mr. Thompson from having the capacity to understand the fact of his pending execution or the reason for it. Mr. Thompson's psychotic illness also prevented him in February 2004 and as of July 28, 2005, from having the capacity to assist in his defense or to prepare himself for his death. Mr. Thompson's mental state has been consistently severely impaired and continues to deteriorate substantially as time goes on.

5. In my affidavit of September 29, 2005, I concluded from my clinical interview of Mr. Thompson on July 28, 2005 that it was clear that his psychological condition had deteriorated. Whether I described his psychological condition as "somewhat" deteriorated, deteriorated or clearly changed, the extent of deterioration in Mr. Thompson's mental health condition is psychologically significant. In layman's terms, Mr. Thompson's mental health has changed and become substantially worse.

6. My opinion that Mr. Thompson's mental health has substantially changed is based upon several factors. Mr. Thompson's delusional belief system regarding the impossibility of his execution has changed and expanded to include a new set of irrational beliefs. Mr. Thompson has experienced a substantial change in his mental health which includes more expansive thoughts. This means that his delusional beliefs are currently less likely to be contained or subdued as compared to my report of his mental health condition in February 2004 because he now has more, not less, expansive thoughts and delusional beliefs. Some of these additional delusional beliefs are described in paragraph five of my September 29, 2005 affidavit. In addition to an increase in expansive thoughts and delusional beliefs, Mr. Thompson's mental health status has substantially changed from February 2004 to include more recent "breakthrough" hallucinations and an increase in severe suicidal thoughts. This change is occurring while Mr. Thompson is being medicated, indicating a substantial change in his condition and a decrease in the effectiveness of the medication.

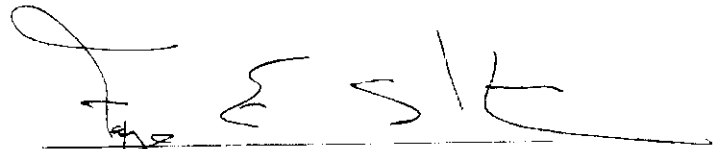
7. Because his mental health condition has worsened, Mr. Thompson has requested help in the form of additional medication. Apparently Mr. Thompson's deteriorated condition was confirmed by the prison psychiatrist because he has been given additional medication. The fact that Mr. Thompson has the ability to ask for help in dealing with his mental illness only means he has some insight into his condition. It does not mean that Mr. Thompson has an understanding of his impending execution. He does not. Mr. Thompson's ability to ask for help does not diminish the very real and increasing psychotic and mood symptoms Mr. Thompson is experiencing.

8. Mr. Thompson continues to believe his execution is impossible. This belief has become more rigid or entrenched since my report of February 27, 2004. Since I began evaluating Mr. Thompson in 1998 his understanding is that it is impossible for him to be executed. As of July 28,

2005, Mr. Thompson's understanding about his own execution has not improved. Since 1998, Mr. Thompson's mental health status has been in flux but overall can be characterized as deteriorating. Specifically, on July 28, 2005, it was clear that his psychological condition had deteriorated and substantially changed. Mr. Thompson now holds additional irrational reasons for his understanding that he will not be executed. Mr. Thompson's irrational and delusional beliefs that it is impossible for him to be executed result from his severe psychotic mental illness. Although Mr. Thompson will sometimes acknowledge his involvement in the murder of Brenda Lane, as he did on July 28, 2005, he simultaneously and irrationally believes that Ms. Lane is still alive and that he has paid her family money. Mr. Thompson can also acknowledge that there is an execution date scheduled but his psychotic mental illness prevents him from understanding that his execution is actually impending. Because Mr. Thompson does not believe, due to his delusional belief system, that it is possible for him to be executed he does not have the ability to meaningfully prepare himself for his own death. As I reported on September 29, 2005 Mr. Thompson cannot rationally talk about or understand his own impending death.

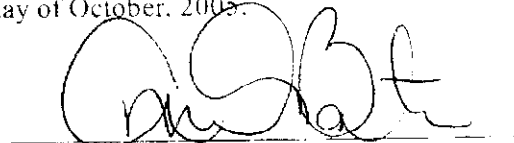
9. My opinion, to a reasonable degree of medical certainty, is that Gregory Thompson is not competent to be executed at this time. He lacks the mental capacity to understand the fact of the impending execution and the reason for it and he does not have the ability to assist in his defense or meaningfully prepare for his own death.

FURTHER AFFIANT SAITH NOT.


 Faye E. Sultan, Ph.D.

STATE OF NORTH CAROLINA
 COUNTY OF MECKLENBURG

Sworn to and subscribed before me this 1st day of October, 2005.


 Notary Public

My Commission Expires:

3/25/2008