

IN THE SUPREME COURT OF TENNESSEE

FILED

2013 OCT 18 AM 10:38

AT NASHVILLE

APPELLATE COURT CLERK
NASHVILLE

STATE OF TENNESSEE,)	
)	
Movant,)	
)	
v.)	No. M1991-00018-SC-DPE-DD
)	
OLEN E. HUTCHISON,)	
)	
Defendant.)	

**RESPONSE TO REQUEST FOR TEMPORARY RELIEF
AND EXTENSION OF TIME TO RESPOND**

On October 3, 2013, the State filed a motion to reset the date of execution for the defendant Hutchison under Tenn. Sup. Ct. R. 12.4(E) after an earlier date passed by reason of a stay of execution by the United States District Court for the Eastern District of Tennessee during the pendency of post-judgment federal habeas corpus litigation. A response to the State’s motion was due within ten (10) days thereafter, or by October 14, 2013.

On October 14, 2010, Hutchison filed a request for temporary relief from the response deadline due to the impact of the October 1, 2013, federal government shutdown on operations of Federal Defender Services of Eastern Tennessee, Inc.

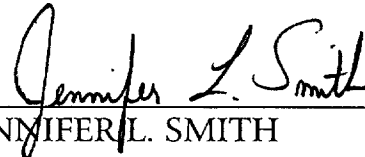
Hutchison requests an additional thirty (30) days following restoration of federal funding to respond to the State's motion.

The State of Tennessee does not object to Hutchison's request under these circumstances.

Respectfully submitted,

ROBERT E. COOPER, JR.
Attorney General & Reporter

WILLIAM E. YOUNG
Solicitor General

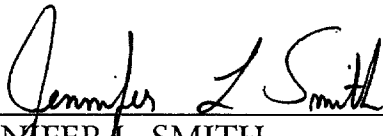


JENNIFER L. SMITH
Deputy Attorney General
500 Charlotte Avenue
P.O. Box 20207
Nashville, Tennessee 37202-0207
Jennifer.Smith@ag.tn.gov
Phone: (615) 741-3487
Fax: (615) 532-4892
B.P.R. No. 16514
Phone: (615) 741-3487
Fax: (615) 532-4892

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Motion has been forwarded via facsimile and U.S. mail, first-class postage prepaid, on the 18th day of October, 2013 to:

Dana C. Hansen Chavis
Susanne Bales
Federal Defender Services of Eastern Tennessee, Inc.
800 South Gay Street, Suite 2400
Knoxville, TN 37929
Phone: (865) 637-7979
Fax: (865) 637-7999



JENNIFER L. SMITH
Deputy Attorney General