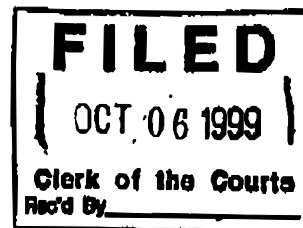


IN THE SUPREME COURT OF TENNESSEE
AT JACKSON



PHILIP RAY WORKMAN)
 Petitioner,)
v.)
)
STATE OF TENNESSEE)
 Respondent.)

No. 02-C-01-9210-CR-00232

MOTION TO SET DATE FOR EXECUTION

The State of Tennessee moves this Court to set a date of execution for the defendant, Philip Ray Workman ("Workman"). On March 10, 1997, this Court stayed the defendant's execution pending final resolution of his petition for federal habeas corpus relief. On October 30, 1998, the United States Court of Appeals for the Sixth Circuit affirmed the district court's order denying Workman habeas corpus relief and granting summary judgment in favor of the State on all of Workman's claims. *Workman v. Bell*, 178 F.3d 759 (6th Cir. 1998). The defendant petitioned the United States Supreme Court for a writ of certiorari to review the Sixth Circuit's judgment, and, on today's date, October 4th, 1999, the Supreme Court denied certiorari.

WHEREFORE, the State of Tennessee respectfully requests that this Court enter an order setting a prompt date of execution for Philip Ray Workman.

Respectfully submitted,

PAUL G. SUMMERS
Attorney General & Reporter
B.P.R. No. 6285

Alice B. Lustre
Assistant Attorney General
425 Fifth Avenue North
Nashville, Tennessee 37243
(615) 741-4349
B.P.R. No. 11232

IN THE SUPREME COURT OF TENNESSEE
AT JACKSON

PHILIP RAY WORKMAN)
 Petitioner,)
v.) No. 02-C-01-9210-CR-00232
)
STATE OF TENNESSEE)
 Respondent.)

AFFIDAVIT

I, Alice B. Lustre, do hereby swear and affirm that the facts contained in the attached Motion to Set Date for Execution are true and accurate.

Alice B. Lustre

Sworn to and subscribed before me
this _____ day of October, 1999.

NOTARY PUBLIC

My Commission Expires _____

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Motion to Set Date for Execution, with attachment, was served on the petitioner by mailing same, first-class, postage prepaid, to his counsel: Christopher M. Minton, Esq., 460 James Robertson Parkway, Second Floor, Nashville, Tennessee, 37243, and Saul Belz, Waring Cox, 1300 Morgan Keegan Tower, 50 North Front Street, Memphis, Tennessee, 38103, on this the 4th day of October, 1999.

Alice B. Lustre