

COURT OF CRIMINAL APPEALS

STATE OF TENNESSEE

JACKSON 38301

PRESIDING JUDGE
MARK A. WALKER

JEWEL REDDEN, CLERK

ASSOCIATE JUDGES
W. WAYNE OLIVER
CHARLES GALBREATH
JOHN A. MITCHELL
ROBERT K. DWYER
WILLIAM S. RUSSELL
CHARLES H. O'BRIEN

March 3, 1972

Honorable David M. Pack
Attorney General of Tennessee
Supreme Court Building
Nashville, Tennessee

Dear General:

Allow me to intrude and commend a member of your staff, General Durham.

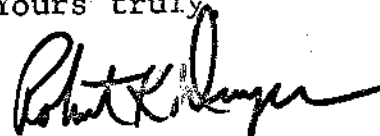
He wrote a vigorous and comprehensive reply to a stay order motion recently in the Denver D. Burlison v. State case, released September 10, 1971, at Nashville, certiorari denied February 22, 1972.

His reply was far removed from the position that had customarily been taken; that is, "if this court doesn't grant the stay, the Supreme Court will".

It is indeed encouraging that perhaps we are moving away from ex parte hearings in motions of this kind.

In conclusion, I find your young and new staff to be admirably assiduous.

Yours truly,



Robert K. Dwyer

RKD:cm

