FILED
04/17/2020
Clerk of the
Appellate Courts

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

STATE OF TENNESSEE v. OSCAR FRANKLIN SMITH

Criminal Court for Davidson County
No. 89-F-1773

No. M2016-01869-SC-R11-PD

ORDER

On January 15, 2020, this Court set the execution of Oscar Franklin Smith for June 4, 2020. Mr. Smith has filed a motion to stay his execution due to the COVID-19 pandemic. Having reviewed Mr. Smith's motion, the State's response, and Mr. Smith's reply and supplement to the motion, it is hereby ORDERED that the motion is GRANTED. Accordingly, the execution is reset for February 4, 2021. The Warden or his designees shall notify Mr. Smith no later than January 20, 2021, of the method the Tennessee Department of Correction (TDOC) will use to carry out the execution and any decision by the Commissioner of TDOC to rely upon the Capital Punishment Enforcement Act. Counsel for Mr. Smith shall provide a copy of any order staying execution of this order to the Office of the Clerk of the Appellate Court in Nashville. The Clerk shall expeditiously furnish a copy of any order of stay to the Warden of the Riverbend Maximum Security Institution.

PER CURIAM