

SUPREME COURT OF TENNESSEE

Thompson v. State

134 S.W.3d 168 (Tenn. 2004) · Decided May 12, 2004

SUMMARY

The Supreme Court of Tennessee affirmed the denial of Gregory Thompson’s request for an evidentiary hearing on his competency to be executed. The court held that Thompson’s submissions, including mental-health records and expert opinions, did not make the required threshold showing of a genuine disputed issue concerning his present ability to understand the fact of his impending execution and the reason for it. The court also rejected related motions concerning counsel withdrawal, judicial recusal, and a stay based on proceedings before the Inter-American Commission on Human Rights.

CASE DETAILS

COURT	Supreme Court of Tennessee
WRITING FOR THE COURT	Frank F. Drowota III, C.J.; Adolpho A. Birch, Jr., J.; E. Riley Anderson, J.; Janice M. Holder, J.; William M. Barker, J.
JURISDICTION	Tennessee
DECIDED	May 12, 2004
DISPOSITION	affirmed
PROCEDURAL POSTURE	Death-row inmate appealed the Coffee County Circuit Court's denial of his petition for a competency-to-be-executed hearing. The Tennessee Supreme Court reviewed the threshold determination de novo and also considered motions concerning counsel withdrawal, judicial recusal, and a requested stay based on proceedings before the Inter-American Commission on Human Rights.
STANDARD OF REVIEW	De novo, with no presumption of correctness, because the threshold determination was based on written submissions and involved whether a genuine disputed issue existed regarding present competency.
PRECEDENTIAL VALUE	Published Tennessee Supreme Court opinion; majority opinion is precedential, with a separate dissent.
PARTIES	Gregory Thompson v. State of Tennessee

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QUESTIONS PRESENTED

1. Whether Thompson made the threshold showing required for an evidentiary hearing on present competency to be executed.
2. Whether the threshold determination should be reviewed de novo without a presumption of correctness.
3. Whether Thompson's competency proceeding was independent of his prior post-conviction proceeding, such that the prior recusal of the trial judge did not disqualify the judge from presiding over the competency proceeding.
4. Whether the trial court erred by ruling on the competency petition before deciding the Public Defender's motion to withdraw.
5. Whether a request for precautionary measures by the Inter-American Commission on Human Rights required a stay of execution.
6. Whether the trial court was required to include detailed findings of fact when denying a competency petition because the written submissions failed to satisfy the threshold.

HOLDINGS

1. A prisoner seeking a competency-to-be-executed hearing must make a threshold showing that a genuine disputed issue exists concerning the prisoner's present mental capacity to understand the fact of the impending execution and the reason for it. Thompson's evidence did not satisfy that threshold because it showed mental illness and delusions but also showed that he understood his death sentence, the murder for which it was imposed, and the impending execution.
2. A trial court's threshold determination regarding whether a genuine issue exists as to present competency is reviewed de novo, without a presumption of correctness, when the determination is based on affidavits and other written submissions rather than witness credibility findings.
3. A judge's recusal in a prior post-conviction proceeding does not disqualify the judge from presiding over a later, independent competency-to-be-executed proceeding absent a separate disqualifying factor.
4. The trial court did not err by ruling on the competency petition before deciding the Public Defender's motion to withdraw, and the asserted investigator involvement and co-defendant representation did not establish a conflict or appearance of impropriety requiring withdrawal.
5. A request or precautionary measure from the Inter-American Commission on Human Rights did not require Tennessee courts to stay the execution because the American Declaration created no judicially enforceable individual rights and the Commission's recommendations were nonbinding.

6. When a trial court denies a competency petition because the prisoner's written submissions fail to satisfy the threshold showing, the court need not include detailed findings of fact unless it actually makes factual findings.

KEY QUOTATIONS

“Under Tennessee law, a prisoner is not competent to be executed if the prisoner lacks the mental capacity to understand the fact of the impending execution and the reason for it.” (134 S.W.3d 176)

“Finally, this Court will review de novo the trial court's determination that Thompson failed to establish a genuine issue regarding his present competency.” (134 S.W.3d 177)

“Where as here the trial court concludes that the prisoner's written submissions fail to meet the threshold showing required for a hearing, findings of fact are not necessary.” (134 S.W.3d 178)

“Simply put, a prisoner need only be aware of “the fact of his or her impending execution and the reason for it” to satisfy the competency required for execution of the death sentence.” (134 S.W.3d 185)

FACTUAL BACKGROUND

In 1985, Thompson was convicted of first-degree murder and sentenced to death for killing Brenda Lane. He had a long history of mental illness and submitted recent reports from three mental-health professionals opining that he was incompetent to be executed, along with affidavits describing delusional beliefs. The reports and records also showed that Thompson knew he had been sentenced to death for Lane's murder and knew an execution was impending. The trial court denied a competency hearing, and the Tennessee Supreme Court affirmed.

PROCEDURAL HISTORY

A Coffee County jury convicted Thompson of first-degree murder and imposed a death sentence in 1985; the conviction and sentence were affirmed on direct appeal. State post-conviction relief was denied, and federal habeas relief was also denied. After the Tennessee Supreme Court scheduled Thompson's execution, it remanded the competency issue to the Coffee County Circuit Court, which denied a hearing because Thompson had not made the required threshold showing. The Supreme Court affirmed that ruling and denied the related motions.

DISPOSITION

affirmed

CASES CITED

- State v. Thompson, 768 S.W.2d 239 (Tenn. 1989)
- Thompson v. Tennessee, 497 U.S. 1031 (1990)
- Thompson v. State, 958 S.W.2d 156 (Tenn. Crim. App. 1997)
- Thompson v. Bell, 315 F.3d 566 (6th Cir. 2003)
- Van Tran v. State, 6 S.W.3d 257 (Tenn. 1999)
- Coe v. State, 17 S.W.3d 193 (Tenn. 2000)

- State v. White, 114 S.W.3d 469 (Tenn. 2003)
- State v. Thornton, 10 S.W.3d 229 (Tenn. Crim. App. 1999)
- United States v. Emuegbunam, 268 F.3d 377 (6th Cir. 2001)
- Garza v. Lappin, 253 F.3d 918 (7th Cir. 2001)
- Roach v. Aiken, 781 F.2d 379 (4th Cir. 1986)
- Jamison v. Collins, 100 F. Supp. 2d 647 (S.D. Ohio 2000)
- Buell v. Mitchell, 274 F.3d 337 (6th Cir. 2001)
- Atkins v. Virginia, 536 U.S. 304 (2002)
- Jordan v. State, 124 Tenn. 81, 135 S.W. 327 (1911)

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