

**IN THE CRIMINAL COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE, DIVISION I**

JOSEPH WEBSTER,

Petitioner,

v.

STATE OF TENNESSEE

Respondent,

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Case No. 2005-B-1384

Judge Steve Dozier

**STATE'S RESPONSE TO PETITIONER'S MOTION FOR
WRIT OF ERROR CORAM NOBIS**

Comes the State of Tennessee, by and through the undersigned Assistant District Attorney General, and moves the Court to grant the Petition for Writ of Error Coram Nobis.

In support thereof the State would show the following:

1. The State agrees Due Process requires the Statute of Limitations applicable to the Writ of Error Coram Nobis should be tolled, thereby vesting this Court with jurisdiction in this matter.
2. The State would incorporate by reference its Notice of Intent filing, dated October 29, 2020, signed by District Attorney General Glenn Funk.
3. Based upon the previously filed Conviction Review Unit report, the State no longer has confidence in the conviction of Mr. Webster in this matter and agrees Coram Nobis relief is appropriate.

4. The State submits the appropriate remedy in this matter is for the Court to grant the Writ of Error Coram Nobis, thereby vacating the conviction and re-instating Mr. Webster to pre-trial status.


Respectfully Submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been forwarded to Daniel Horwitz, Attorney for Joseph Webster on this the 6th day of November, 2020.


Sunny M. Eaton