

IN THE CRIMINAL COURT OF TENNESSEE FOR THE
THIRTIETH JUDICIAL DISTRICT AT MEMPHIS
DIVISION 3

STATE OF TENNESSEE,

Plaintiff

v.

TADARRIUS BEAN,
DEMETRIUS HALEY,
EMMITT MARTIN,
JUSTIN SMITH

Defendant

BY 

2024 MAR -7 P 3:55

CRIMINAL CLERK
INDICTMENT NO: 23-00241

8/8/24

AG FILE: BD0415

JOINT MOTION TO REMOVE CASE FROM TRIAL DOCKET PENDING
RESOLUTION OF FEDERAL CASE IN DISTRICT COURT

Come now the defendants, Tadarrius Bean, Demetrius Haley, Emmitt Martin, and Justin Smith, by and through their respective counsel of record, and jointly move this Honorable Court to remove this matter from the trial docket pending resolution of United States v. Martin, Bean, Haley, Smith, W.D. Tenn. No. 23-20191 in the district court. In support thereof, these defendants would show:

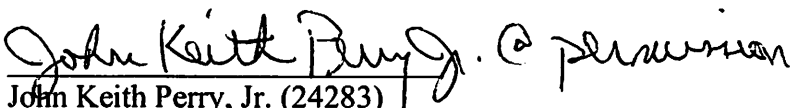
1. This prosecution arises from the identical factual circumstances as the federal charges each faces in United States v. Martin, Bean, Haley, Smith, W.D. Tenn. No. 23-20191, set for trial on September 9, 2024.
2. The parallel prosecutions create friction and have a chilling effect on the defendants' ability to exercise their constitutional rights in defending both cases. The federal charges carry significantly more serious potential punishment. Accordingly, they seek to settle their Hobson's choice by proceeding to trial first on the federal charges they face as scheduled on September 9, 2024.
3. The defendants jointly submit that judicial economy and the ends of justice are best

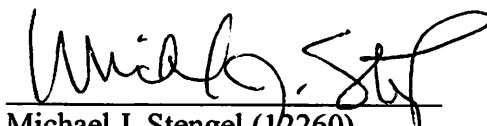
served by conducting the federal trial first.

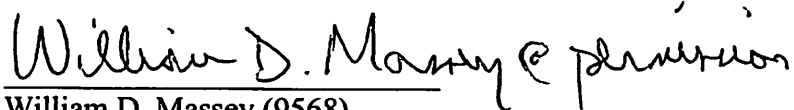
4. The defendants have consulted with the prosecution and learned that it has no objection to this matter being removed from the trial docket until after their pending federal case is concluded in the district court as long as that matter is tried as scheduled. They understand that the State may change its position and seek a trial in this cause prior to the federal trial if that matter is reset and not tried commencing September 9, 2024.

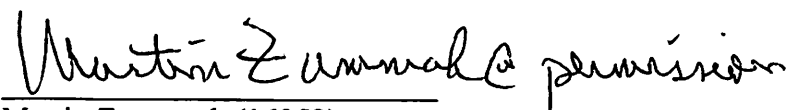
WHEREFORE, the Defendants respectfully moves this Honorable Court to grant this motion and remove the matter from the trial docket pending the federal case resolution.

Respectfully submitted,


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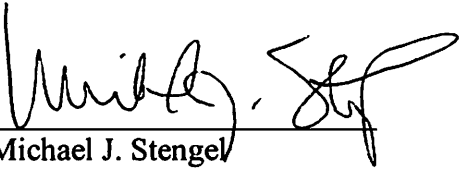

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CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that a true and exact copy of the foregoing Motion to Remove from the Trial Docket has been served upon ADA's Paul Hagerman, via email to Paul.Hagerman@scdag.com and Melanie Headley, via email to Melanie.Headley@scdag.com this 7th day of March, 2024.


Michael J. Stengel