

DEATH PENALTY CASE
Case No. W1997-00097-SC-DDT-DD

IN THE TENNESSEE SUPREME COURT
AT NASHVILLE

TONY VON CARRUTHERS,
Movant,

v.

STATE OF TENNESSEE,
Respondent.

EMERGENCY MOTION FOR A STAY OF EXECUTION

FEDERAL PUBLIC DEFENDER
MIDDLE DIST. OF TENNESSEE
CAPITAL HABEAS UNIT

AMY D. HARWELL, BPR#18691
First Asst. Federal Public Defender

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1. The Tennessee Department of Correction (TDOC) has been unable to obtain intravenous access to administer lethal injection to Mr. Carruthers.
2. Repeated attempts to obtain access at alternate IV sites has been unsuccessful.
3. The 2025 Tennessee Execution Protocol provides that if the executioners are unable to obtain peripheral venous access, the physician is charged with establishing a central line.
4. On information and belief, TDOC's contracted physician is not qualified to establish a central line.
5. Pursuant to the Eighth Amendment and the Tennessee Constitution continuous attempts to obtain venous access constitute cruel and unusual punishment.
6. Attempting to obtain venous access through a central line placed by an unqualified physician creates a grievous risk of suffering in violation of the Eighth Amendment and the Tennessee Constitution.
7. Mr. Carruthers respectfully prays that this Court will stay Mr. Carruthers's execution.

Respectfully submitted this the 21st day of May, 2026.

Amy D. Harwell, BPR #18691
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Defender

Marshall Jensen, BPR # 36062
Asst. Federal Public Defender

FEDERAL PUBLIC DEFENDER
MIDDLE DISTRICT OF
TENNESSEE

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BY: /s/ Amy D. Harwell
Counsel for Tony Von Carruthers

CERTIFICATE OF SERVICE

I, Amy Harwell, certify that on May 21, 2026, a true and correct copy of the foregoing was served via electronic filing to opposing counsel, Nicholas Spangler, Sarah Stone, and John Bledsoe, Asst. Attorneys General, P.O. Box 20207, Nashville, Tennessee 37202.

BY: /s/ Amy Harwell
Counsel for Tony Von Carruthers