

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY

ASSOCIATED PRESS, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 25-1513-III
	)	
KENNETH NELSEN, in his official	)	Chancellor Myles
capacity as Warden of Riverbend	)	
Maximum Security Institution, and	)	
	)	
FRANK STRADA, in his official capacity	)	
as Commissioner of the Tennessee	)	
Department of Correction,	)	
	)	
Defendants.	)	

DEFENDANTS' MOTION TO DISMISS

Kenneth Nelsen, Warden of Riverbend Maximum Security Institution, and Frank Strada, Commissioner of the Tennessee Department of Correction, move to dismiss Plaintiffs' Complaint. As described in the accompanying memorandum of law, Plaintiffs' asserted entitlement to observe every phase of the execution process, including procedures occurring before and after a death sentence is carried out, finds no support in the text of Tenn. Code Ann. § 40-23-116(a), the First Amendment, or the Tennessee Constitution. Because the facts alleged do not state a violation of any statute or constitutional provision, Plaintiffs' Complaint fails to state a claim upon which relief can be granted and should be dismissed.

Respectfully submitted,

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/s/ Samantha P. Morris
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NOTICE OF HEARING

Defendants give notice pursuant to Local Rule 26.05(b) that their Motion to Dismiss will be heard on **Friday, February 13, 2026, at 9:00 a.m.** Failure to file and serve a timely written response to the motion will result in the motion being granted without further hearing.

CERTIFICATE OF SERVICE

I certify that a true and exact copy of the foregoing was electronically filed with the Court and served via email on December 31, 2025, upon:

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