

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
09/27/2018
Clerk of the
Appellate Courts

**FRATERNAL ORDER OF POLICE ET AL. v. METROPOLITAN
GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY,
TENNESSEE ET AL.**

**Circuit Court for Davidson County
No. 18C2158**

No. M2018-01717-SC-RDM-CV

ORDER

On September 20, 2018, the petitioners, Fraternal Order of Police (Andrew Jackson Lodge No. 5), Mathew Dean Boguskie, Noble Taylor, Harold Milton Burke, III, Robert Alan Young, and James Anthony Gafford, filed in this Court a Motion to Assume Jurisdiction pursuant to Rule 48 of the Rules of the Tennessee Supreme Court and Tennessee Code Annotated section 16-3-201(d). As justification for this request, the motion asserts that this case is of unusual public importance because it involves the procedure for amending the Metropolitan Charter and the procedures for a referendum under the Charter, which according to the motion raise issues of constitutional law. Tenn. Code Ann. § 16-3-201(d)(2)(C). As further justification, the motion asserts that this is a case of compelling public interest because the proposed amendment to the Charter which is the subject of the referendum impacts public safety. Tenn. Code Ann. § 16-3-201(d)(3). Pursuant to this Court’s Order filed on September 21, 2018, on September 26, 2018, respondents Metropolitan Government of Nashville and Davidson County, Tennessee, et. al., and intervening respondent Community Oversight Now filed responses to the petitioners’ motion. On September 27, 2018, the petitioners filed a reply.

Upon due consideration, the Court concludes that this case does not raise issues warranting the Court’s exercise of its authority to assume jurisdiction and the motion is DENIED.

PER CURIAM