

MINUTES, 16<sup>th</sup> day of October 2019

**PRESENTMENT**

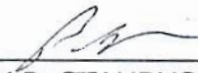
CASE NO. 172251

STATE OF TENNESSEE  
COUNTY OF SULLIVAN:

CRIMINAL COURT  
CHARGE: **FORGERY OF \$10,000 OR MORE BUT LESS THAN \$60,000**

COUNT 1


The Grand Jurors for Sullivan County, Tennessee, being duly empaneled and sworn, upon their oath present and say that **DONNA G. GALLOWAY**, from on or about June 19, 2014 to on or about August 17, 2017, in the State and County aforesaid and before the finding of this Presentment did unlawfully, feloniously and with the intent to defraud or harm another, make a false entry in a book or record, to wit: Theodore Roosevelt Elementary School Parent Teacher Association annual financial reports, valued at \$10,000 or more but less than \$60,000, contrary to Tennessee Code Annotated § 39-14-114, a Class C felony, and against the peace and dignity of the State of Tennessee.

  
\_\_\_\_\_  
BARRY P. STAUBUS  
DISTRICT ATTORNEY GENERAL

CHARGE: **THEFT OF \$2,500 OR MORE, BUT LESS THAN \$10,000**

COUNT 2

The Grand Jurors for Sullivan County, Tennessee, being duly empaneled and sworn, upon their oath present and say that **DONNA G. GALLOWAY**, from on or about November 7, 2014 to on or about October 13, 2017, in the State and County aforesaid and before the finding of this Presentment did unlawfully, feloniously, intentionally, and knowingly obtain or exercise control over property, to wit: U.S. Currency, valued at \$2,500 or more, but less than \$10,000 and owned by Theodore Roosevelt Elementary School Parent Teacher Association, without the effective consent of the said owner and with the intent to deprive the said owner thereof, contrary to Tennessee Code Annotated § 39-14-103, a Class D felony, and against the peace and dignity of the State of Tennessee.

  
\_\_\_\_\_  
BARRY P. STAUBUS  
DISTRICT ATTORNEY GENERAL **COPY**

CHARGE: FORGERY OF \$2,500 OR MORE BUT LESS THAN \$10,000

COUNT 3

*The Grand Jurors* for Sullivan County, Tennessee, being duly empaneled and sworn, upon their oath present and say that **DONNA G. GALLOWAY**, on or about June 10, 2016, in the State and County aforesaid and before the finding of this Presentment did unlawfully, feloniously and with the intent to defraud another, forge the signature of [REDACTED], so that it purported to be the act of [REDACTED], the said forgery being without the authorization of [REDACTED], valued at \$2,500 or more but less than \$10,000, contrary to Tennessee Code Annotated § 39-14-114, a Class D felony, and against the peace and dignity of the State of Tennessee.

  
\_\_\_\_\_  
BARRY P. STAUBUS  
DISTRICT ATTORNEY GENERAL

**IN THE CRIMINAL/CIRCUIT COURT FOR SULLIVAN COUNTY, TENNESSEE**

Case Number: S72251 Count: 1 Counsel for the State: EMILY B HUTCHINS  
 Judicial District: 2<sup>nd</sup> Judicial Division: 1 Counsel for the Defendant: J. MATTHEW KING  
**State of Tennessee**  Retained  Pub Def Appt  Private Atty Appt  
 vs.  Counsel Waived  Pro Se  
 Defendant: DONNA GALLOWAY Alia \_\_\_\_\_ Date of Birth:                      Sex: Female  
 Race: White SSN:                      Relationship to Victim: \_\_\_\_\_ Victim's Age: \_\_\_\_\_  
 State ID #: \_\_\_\_\_ County Offender ID # (if applicable): \_\_\_\_\_ State Control #: \_\_\_\_\_  
 Arrest Date: 11/15/2019 Indictment Filing Date: 10/16/2019

**ORDER OF DEFERRAL (JUDICIAL DIVERSION)**  Original  Amended  Corrected

On the 12<sup>th</sup> day of November, 2020, the defendant:

|                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Pled Guilty <input checked="" type="checkbox"/> Pled Nolo Contendere<br><br>Was Found Guilty By:<br><input type="checkbox"/> Jury Verdict<br><input type="checkbox"/> Bench Trial | Indictment: Class (circle one) 1 <sup>st</sup> A B <u>C</u> D E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor<br>Indicted Offense Name <u>AND TCA §: 39-14-114 ~ FORGERY - \$10,000-\$60,000</u><br>Amended Offense Name <u>AND TCA §: 39-14-114 ~ FORGERY OVER \$1000, BUT LESS THAN \$2500</u><br>Offense Date: <u>06/19/2014-08/17/2017</u> County of Offense: <u>Sullivan</u><br>Deferred Offense Name <u>AND TCA §: 39-14-114 ~ FORGERY OVER \$1000, BUT LESS THAN \$2500</u><br>Deferred Offense: Class (circle one) A B C D <u>E</u> <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Upon review of the case, the court finds the facts stated above as well as the following (For Item 3, Check ONE Of The Two Boxes):

- The defendant is eligible for deferral of the prosecution pursuant to Tennessee Code Annotated section (T.C.A.) 40-35-313;
- The Tennessee Bureau of Investigation has certified (per attached certificate) that the defendant does not have a prior felony or Class A misdemeanor conviction;
- The defendant was not charged with a violation of a criminal statute the elements of which constitute abuse, neglect or misappropriation of the property of a vulnerable person as defined in Title 68, Chapter 11, Part 10; **OR**  
 The defendant agrees without contest or any further notice or hearing that the defendant's name shall be permanently placed on the registry governed by Title 68, Chapter 11, Part 10, whereupon a copy of this order shall be forwarded by the clerk to the department of health;
- The defendant consents to T.C.A. 40-35-313 deferral, as evidenced by the defendant's signature below; AND
- The defendant should be granted a deferral of charges pursuant to T.C.A. 40-35-313.

It is, therefore, **ORDERED** that the prosecution in this case is deferred pursuant to T.C.A. 40-35-313, and the defendant is placed on probation. The terms and conditions ordered by this court apply to the defendant's probation and are incorporated herein by reference thereto.

Probation Term: Total Length 1 year Beginning Date 11/12/2020 Ending Date 11/12/2021  Supervised  Unsupervised

Supervising Entity (unless otherwise provided to the defendant by the court): Name: TN Board of Probation and Parole

Phone Number: 423-249-3200 Address: Blountville, TN

Defendant's Contact Information (unless otherwise provided to the probation officer by the court): Phone Number \_\_\_\_\_

Address: \_\_\_\_\_

| Costs                                   | Concurrent with:<br>Count 3 herein. | Restitution           | Pretrial Jail Credit Period(s):             |
|-----------------------------------------|-------------------------------------|-----------------------|---------------------------------------------|
| \$ _____ Sex Offender Tax (39-13-709)   |                                     | Victim Name: _____    | From <u>11/15/2019</u> to <u>11/15/2019</u> |
| \$ _____ Sex Offender Fine (40-24-108)  |                                     | Address: _____        | From _____ to _____                         |
| \$ _____ Drug Testing Fee (39-17-420)   |                                     |                       | From _____ to _____                         |
| \$ _____ Treatment Expenses (40-35-313) |                                     |                       | From _____ to _____                         |
| \$ _____ Supervision Fees (40-35-313)   |                                     |                       | From _____ to _____                         |
| \$ <u>100.00</u> Other: <u>Fine</u>     | Consecutive to:                     | Total Amount \$ _____ |                                             |
| _____                                   |                                     | Per Month \$ _____    |                                             |

Donna Galloway  
 Defendant

ENTER this the 30 day of Nov, 2020.

\_\_\_\_\_  
 JUDGE'S SIGNATURE

Emily Hutchins  
 Counsel for the State of Tennessee

\_\_\_\_\_  
 Counsel for the Defendant

**IN THE CRIMINAL/CIRCUIT COURT FOR SULLIVAN COUNTY, TENNESSEE**

Case Number: S72251 Count#: 2 Counsel for the State: EMILY B HUTCHINS  
 Judicial District: 2nd Judicial Division: Criminal I Counsel for the Defendant: J. MATTHEW KING  
 Co-Counsel for the Defendant: \_\_\_\_\_

Retained  Pub Def Appt  Private Atty Appt  
 Counsel Waived  Pro Se

**State of Tennessee**

vs.

**Defendant:** DONNA GALLOWAY Alias: \_\_\_\_\_ Date of Birth: ██████████ Sex: Female  
 Race: White SSN: ██████████ Driver License #: \_\_\_\_\_ Issuing State: \_\_\_\_\_  
 State ID #: \_\_\_\_\_ County Offender ID # (if applicable): \_\_\_\_\_ TDOC \_\_\_\_\_  
 Relationship to Victim: \_\_\_\_\_ Victim's Age: \_\_\_\_\_  
 State Control #: \_\_\_\_\_ Arrest Date: 11/15/2019 Indictment Filing Date: 10/16/2019

**JUDGMENT**  Original  Amended  Corrected

**Come the parties for entry of judgment.**

On the 12th day of November, 20 20, The defendant:

- Pled Guilty
- Pled Nolo Contendere
- Pled Guilty - Certified Question Findings  
Incorporated by Reference
- Dismissed
- Nolle Prosequi with costs
- Nolle Prosequi without costs
- Is found:  Guilty  Not Guilty  
 Not Guilty by Reason of Insanity
- Jury Verdict
- Bench Trial Merged with Count: \_\_\_\_\_

**Indictment:** Class (circle one) 1<sup>st</sup> A B C D E  Felony  Misdemeanor  
 Indicted Offense Name: THEFT OVER \$2500, BUT LESS THAN \$10,000  
 Indicted Offense TCA §: 39-14-103  
 Amended Offense Name: \_\_\_\_\_  
 Amended Offense TCA §: \_\_\_\_\_  
 Offense Date: 11/07/2014 - 10/13/2017 County of Offense: SULLIVAN  
 Conviction Offense Name: \_\_\_\_\_  
 Conviction Offense TCA §: \_\_\_\_\_  
**Conviction:** Class (circle one) 1<sup>st</sup> A B C D E  Felony  Misdemeanor  
 Sentence Imposed Date: \_\_\_\_\_

After considering the evidence, the entire record, and in the case of sentencing, all factors in Tennessee Code Annotated Title 40, Chapter 35, all of which are incorporated by reference herein, it is ORDERED and ADJUDGED that the conviction described above is imposed hereby and that a sentence and costs are imposed as follows:

| Offender Status (Check One)         | Release Eligibility for Felony Offense (Check One) |                                               |                                                                   |                                                     |                                                                                                                                                                                                                                                |  |
|-------------------------------------|----------------------------------------------------|-----------------------------------------------|-------------------------------------------------------------------|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <input type="checkbox"/> Mitigated  | <input type="checkbox"/> Mitigated 20%             | <input type="checkbox"/> § 40-35-501(i) 100%  | <input type="checkbox"/> Agg Rob 85%                              | <input type="checkbox"/> Agg Child Neg/En 70%       | <input type="checkbox"/> 1 <sup>st</sup> Degree Murder<br><input type="checkbox"/> Pre-1989 Reform Act 1989<br><input type="checkbox"/> Drug Free Zone<br><input type="checkbox"/> Gang Related<br><input type="checkbox"/> Repeat Violent Off |  |
| <input type="checkbox"/> Standard   | <input type="checkbox"/> Mitigated 30%             | <input type="checkbox"/> Multiple Rapist 100% | <input type="checkbox"/> Agg Rob w/Prior 100%                     | <input type="checkbox"/> Agg Child Neg/En 85%       |                                                                                                                                                                                                                                                |  |
| <input type="checkbox"/> Multiple   | <input type="checkbox"/> Standard 30%              | <input type="checkbox"/> Child Rapist 100%    | <input type="checkbox"/> § 39-17-1324(a), (b) 100%                | <input type="checkbox"/> Agg Vehicular Homicide 60% |                                                                                                                                                                                                                                                |  |
| <input type="checkbox"/> Persistent | <input type="checkbox"/> Multiple 35%              | <input type="checkbox"/> Agg Rapist 100%      | <input type="checkbox"/> Mult § 39-17-1324(j) 100%                | <input type="checkbox"/> Carjacking 75%             |                                                                                                                                                                                                                                                |  |
| <input type="checkbox"/> Career     | <input type="checkbox"/> Persistent 45%            | <input type="checkbox"/> Child Predator 100%  | <input type="checkbox"/> Agg Assault w/Death 75%                  | <input type="checkbox"/> §40-35-501(u) 85%          |                                                                                                                                                                                                                                                |  |
|                                     | <input type="checkbox"/> Career 60%                | <input type="checkbox"/> § 39-13-518 100%     | <input type="checkbox"/> Att 1 <sup>st</sup> Deg Murder w/SBI 85% |                                                     |                                                                                                                                                                                                                                                |  |

**Concurrent with:** \_\_\_\_\_  
**Consecutive to:** \_\_\_\_\_

**Pretrial Jail Credit Period(s):**  
 From \_\_\_\_\_ to \_\_\_\_\_ From \_\_\_\_\_ to \_\_\_\_\_  
 From \_\_\_\_\_ to \_\_\_\_\_ From \_\_\_\_\_ to \_\_\_\_\_  
**It is not the intent of the court for duplication of Jail Credit to be applied to consecutive sentences**

**Sentenced To:**  TDOC  County Jail  Workhouse  
**Sentence Length:** \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days \_\_\_\_\_ Hours  Life  Life w/out Parole  Death  
 Mandatory Minimum Sentence Length: \_\_\_\_\_ §§ 39-17-417, 39-13-513, 39-13-514, or 39-17-432 in Prohibited Zone  
 \_\_\_\_\_ § 55-10-401 DUI 4<sup>th</sup> Offense  
 \_\_\_\_\_ § 39-17-1324 Possession/Employment of Firearm  
 \_\_\_\_\_ §§ 40-39-208, -211 Violation of Sex Offender Registry  
 \_\_\_\_\_ Meth §§ (39-17-434, -417, -418)  
 Period of incarceration to be served prior to release on probation or Community Corrections: \_\_\_\_\_ Months \_\_\_\_\_ Days \_\_\_\_\_ Hours  
 Minimum service prior to eligibility for work release, furlough, trusty status and rehabilitative programs: \_\_\_\_\_% (Misdemeanor Only)  
**Alternative Sentence:**  Sup Prob  Unsup Prob  Comm Corr  Prob Sup By Comm. Corr (CHECK ONE BOX)  
 \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days Effective: \_\_\_\_\_  
 WAS DRUG/RECOVERY COURT ORDERED AS A CONDITION OF THE ALTERNATIVE SENTENCE?  Yes  No  
 \_\_\_\_\_  
 JAMES F. GOODWIN  
 Judge's Name \_\_\_\_\_  
Judge's Signature



**IN THE CRIMINAL/CIRCUIT COURT FOR SULLIVAN COUNTY, TENNESSEE**

Case Number: S72251 Count#: 2  
Judicial District: 2<sup>nd</sup> Judicial Division: Criminal I

**State of Tennessee**

**vs.**

**Defendant:** DONNA GALLOWAY Alias: \_\_\_\_\_ Date of Birth:                      Sex: Female  
Race: White SSN:                     

**CONTINUATION OF JUDGMENT**     Original     Amended     Corrected

|                                                          |                                                                              |
|----------------------------------------------------------|------------------------------------------------------------------------------|
| <b>Court Ordered Fees and Fines:</b>                     | <b>Costs to be Paid by</b>                                                   |
| \$ _____ Court Costs                                     | <input type="checkbox"/> Defendant <input checked="" type="checkbox"/> State |
| \$ _____ Fine Assessed                                   |                                                                              |
| \$ _____ Traumatic Brain Injury Fund (68-55-301 et seq.) |                                                                              |
| \$ _____ Drug Testing Fund (TN Drug Control Act)         |                                                                              |
| \$ _____ CICF                                            |                                                                              |
| \$ _____ Sex Offender Tax                                |                                                                              |
| \$ _____ Other: _____                                    |                                                                              |

|                     |                                          |
|---------------------|------------------------------------------|
| <b>Restitution:</b> | Victim Name _____                        |
|                     | Address _____                            |
|                     | _____                                    |
|                     | Total Amount \$ _____ Per Month \$ _____ |

|                                                    |
|----------------------------------------------------|
| <input type="checkbox"/> Unpaid Community Service: |
| _____ Hours _____ Days _____ Weeks _____ Months    |

- The Defendant having been found guilty is rendered infamous and ordered to provide a biological specimen for the purpose of DNA analysis.
- Pursuant to 39-13-521, the defendant is ordered to provide a biological specimen for the purpose of HIV testing.
- Pursuant to 39-13-524 or 39-13-518, the defendant is sentenced to community supervision for life following sentence expiration.
- Pursuant to Title 68, Chapter 11, Part 10, 71-6-117, or 71-6-119, the clerk shall forward this judgment to the Department of Health.

**Special Conditions:**

JAMES F. GOODWIN

Judge's Name



Judge's Signature

Date of Entry of Judgment

Em B Hutson  
Counsel for State/Signature (optional)

\_\_\_\_\_  
Defendant/Defendant's Counsel/Signature (optional)

I                     , clerk, hereby certify that, before entry by the court, a copy of this judgment was made available to the party or parties who did not provide a signature above.

**IN THE CRIMINAL/CIRCUIT COURT FOR SULLIVAN COUNTY, TENNESSEE**

Case Number: S72251 Count: 3 Counsel for the State: EMILY B HUTCHINS  
 Judicial District: 2<sup>nd</sup> Judicial Division: \_\_\_\_\_ Counsel for the Defendant: J. MATTHEW KING  
 State of Tennessee  Retained  Pub Def Appt  Private Atty Appt  
 vs.  Counsel Waived  Pro Se  
 Defendant: DONNA GALLOWAY Alia \_\_\_\_\_ Date of Birth: [REDACTED] Sex: Female  
 Race: White SSN: [REDACTED] Relationship to Victim: \_\_\_\_\_ Victim's Age: \_\_\_\_\_  
 State ID #: \_\_\_\_\_ County Offender ID # (if applicable): \_\_\_\_\_ State Control #: \_\_\_\_\_  
 Arrest Date: 11/15/2019 Indictment Filing Date: 10/16/2019

**ORDER OF DEFERRAL (JUDICIAL DIVERSION)**  Original  Amended  Corrected

On the 12<sup>th</sup> day of November, 2020, the defendant:

|                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Pled Guilty <input checked="" type="checkbox"/> Pled Nolo Contendere<br><br>Was Found Guilty By:<br><input type="checkbox"/> Jury Verdict<br><input type="checkbox"/> Bench Trial | Indictment: Class (circle one) 1 <sup>st</sup> A B C <u>D</u> E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor<br>Indicted Offense Name AND TCA §: <u>39-14-114 ~ FORGERY \$2500 OR MORE, BUT LESS THAN \$10,000</u><br>Amended Offense Name AND TCA §: <u>39-14-114 ~ FORGERY OVER \$1000, BUT LESS THAN \$2500</u><br>Offense Date: <u>06/10/2016</u> County of Offense: <u>Sullivan</u><br>Deferred Offense Name AND TCA §: <u>39-14-114 ~ FORGERY OVER \$1000, BUT LESS THAN \$2500</u><br>Deferred Offense: Class (circle one) A B C D <u>E</u> <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Upon review of the case, the court finds the facts stated above as well as the following (For Item 3, Check ONE Of The Two Boxes):

- The defendant is eligible for deferral of the prosecution pursuant to Tennessee Code Annotated section (T.C.A.) 40-35-313;
- The Tennessee Bureau of Investigation has certified (per attached certificate) that the defendant does not have a prior felony or Class A misdemeanor conviction;
- The defendant was not charged with a violation of a criminal statute the elements of which constitute abuse, neglect or misappropriation of the property of a vulnerable person as defined in Title 68, Chapter 11, Part 10; OR  
 The defendant agrees without contest or any further notice or hearing that the defendant's name shall be permanently placed on the registry governed by Title 68, Chapter 11, Part 10, whereupon a copy of this order shall be forwarded by the clerk to the department of health;
- The defendant consents to T.C.A. 40-35-313 deferral, as evidenced by the defendant's signature below; AND
- The defendant should be granted a deferral of charges pursuant to T.C.A. 40-35-313.

It is, therefore, **ORDERED** that the prosecution in this case is deferred pursuant to T.C.A. 40-35-313, and the defendant is placed on probation. The terms and conditions ordered by this court apply to the defendant's probation and are incorporated herein by reference thereto.

Probation Term: Total Length 1 year Beginning Date 11/12/2020 Ending Date 11/12/2021  Supervised  Unsupervised

Supervising Entity (unless otherwise provided to the defendant by the court): Name: TN Board of Probation and Parole

Phone Number: 423-279-3200 Address: Blountville, TN

Defendant's Contact Information (unless otherwise provided to the probation officer by the court): Phone Number \_\_\_\_\_

Address: \_\_\_\_\_

2020 NOV 13 11:15 AM

|                                                                                                                                                                                                                                                       |                                            |                                                                                                           |                                                                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|-----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Costs</b><br>\$ _____ Sex Offender Tax (39-13-709)<br>\$ _____ Sex Offender Fine (40-24-108)<br>\$ _____ Drug Testing Fee (39-17-420)<br>\$ _____ Treatment Expenses (40-35-313)<br>\$ _____ Supervision Fees (40-35-313)<br>\$ _____ Other: _____ | <b>Concurrent with:</b><br>Count 1 herein. | <b>Restitution</b><br>Victim Name: _____<br>Address: _____<br>Total Amount \$ _____<br>Per Month \$ _____ | <b>Pretrial Jail Credit Period(s):</b><br>From <u>11/15/2019</u> to <u>11/15/2019</u><br>From _____ to _____<br>From _____ to _____<br>From _____ to _____ |
|                                                                                                                                                                                                                                                       | <b>Consecutive to:</b>                     |                                                                                                           |                                                                                                                                                            |

Donna Galloway  
 Defendant

ENTER this the 30 day of Nov, 2020.

JAMES F. GOODWIN  
 JUDGE'S NAME

Emily B Hutchins  
 JUDGE'S SIGNATURE

[Signature]  
 Counsel for the Defendant

Emily B Hutchins  
 Counsel for the State of Tennessee