

SI: 15

Bond: \$10,000⁰⁰ Each Δ *JS*

(Sealed as to all Defendants)

CASE NO. 90154

INDICTMENT

Disc _____

Plea 10/9/23

FILED

AUG 07 2023

Melissa Warren
DEPUTY CLERK

STATE OF TENNESSEE

vs.

AUSTIN 'ANDY' SMOTHERS (Sealed)

JOHN THOMAS FARMER (Sealed)

GREGORY DEANGELO MCCALL (Sealed)

PROSECUTOR

WITNESSES

Here duly summoned as witnesses and sworn by me, and testified before the Grand Jury on this indictment

AH. THEFT (F - E)
FORGERY - \$2,500-\$10,000 (F - D)
CRIMINAL SIMULATION - \$2,500-10K (F - D)
TAMPERING WITH GOV'T RECORDS (F - E)

Karen V. Dush

GRAND JURY FOREMAN

THE CLERK will issue summons for the following State Witnesses:

A TRUE BILL

Karen V. Dush

GRAND JURY FOREMAN

JENNINGS H. JONES
DISTRICT ATTORNEY GENERAL

STATE OF TENNESSEE, RUTHERFORD COUNTY
AUGUST SESSION OF THE CRIMINAL COURT, 2023

THE GRAND JURORS of Rutherford County, Tennessee, duly empanelled and sworn upon their oath present that in Rutherford County, Tennessee, and before the finding of this indictment, AUGUST 1, 2020 TO MARCH 1, 2021

AUSTIN 'ANDY' SMOTHERS (A), JOHN THOMAS FARMER (B), GREGORY DEANGELO MCCALL (C)

did unlawfully and knowingly ATTEMPT TO obtain or exercise control over the property of MIDDLE TENNESSEE STATE UNIVERSITY the said property including but not limited to U.S. CURRENCY and being of the value of \$2500-10,000 with the intent to deprive the true owner thereof, and without the owner's effective consent, in violation of T.C.A. 39-14-103

and against the peace and dignity of the State of Tennessee.

AH

COUNT TWO

STATE OF TENNESSEE, RUTHERFORD COUNTY

AUGUST SESSION OF THE CRIMINAL COURT, 2023

THE GRAND JURORS of Rutherford County, Tennessee, duly empanelled and sworn upon their oath present that in Rutherford County, Tennessee, and before the finding of this indictment, AUGUST 1, 2020 TO MARCH 1, 2021

AUSTIN 'ANDY' SMOTHERS (A), JOHN THOMAS FARMER (B), GREGORY DEANGELO MCCALL (C)

did unlawfully and knowing forge a writing with intent to defraud or harm another, to wit: MIDDLE TENNESSEE STATE UNIVERSITY, in violation of T.C.A. 39-14-114(a)

and against the peace and dignity of the State of Tennessee.

COUNT THREE

STATE OF TENNESSEE, RUTHERFORD COUNTY

AUGUST SESSION OF THE CRIMINAL COURT, 2023

THE GRAND JURORS of Rutherford County, Tennessee, duly empanelled and sworn upon their oath present that in Rutherford County, Tennessee, and before the finding of this indictment, AUGUST 1, 2020 TO MARCH 1, 2021

AUSTIN 'ANDY' SMOTHERS (A), JOHN THOMAS FARMER (B), GREGORY DEANGELO MCCALL (C)

did unlawfully and with intent to defraud or harm another sell, cause to be sold, or to be used for profit through public performance, by knowingly transferring, by any means, any sounds or images recorded on a phonograph record, disc, wire, tape, film or other recording article to another such recording article, and without consent of the owner of the master recording, in violation of T.C.A. 39-14-115

and against the peace and dignity of the State of Tennessee.

COUNT FOUR

STATE OF TENNESSEE, RUTHERFORD COUNTY

AUGUST SESSION OF THE CRIMINAL COURT, 2023

THE GRAND JURORS of Rutherford County, Tennessee, duly empanelled and sworn upon their oath present that in Rutherford County, Tennessee, and before the finding of this indictment, AUGUST 1, 2020 TO MARCH 1, 2021

AUSTIN 'ANDY' SMOTHERS (A), JOHN THOMAS FARMER (B), GREGORY DEANGELO MCCALL (C)

did unlawfully and intentionally (1) and knowingly make a false entry in , or false alteration of, a governmental record; or (2) make, present, or use any record, document or thing with knowledge of its falsity and with intent that it will be taken as a genuine governmental record, or (3) destroy, conceal, remove, or otherwise impair the verity, legibility, or availability of a governmental record, in violation of T.C.A. 39-16-504

and against the peace and dignity of the State of Tennessee.


DISTRICT ATTORNEY GENERAL

FILED

IN THE CIRCUIT COURT OF RUTHERFORD COUNTY, TENNESSEE
16TH JUDICIAL DISTRICT AT MURFREESBORO DIVISION II

MAR 14 2024

STATE OF TENNESSEE)
)
vs)
Austin Smothers)
Defendant)

Case # 90154-A O'CLOCK
MELISSA HARRELL
DEPUTY CLERK
Offense(s) Attempt Theft

AGREED ORDER OF RETIREMENT

Upon agreement by the District Attorney General and the Defendant, appearing in court () PRO SE
() With Counsel John C. Taylor, it is hereby ordered that this case be retired for a period of:
() 11 Months 29 Days () 6 Months () 120 Days () 90 Days () 60 Days () _____

If no action is taken in this matter and all conditions are complete the defense may petition the Court to dismiss this case and expunge the pertinent records as provided by law. By entering this agreement the Defendant hereby agrees to waive any right to speedy trial in this matter. The conditions of retirement include:

- (X) **Good & Lawful Conduct** () Pay Court Costs _____
- () Pay Court Costs through County Probation () Services Fee () Retire Without Court Costs
- () Report to County Probation ___ per _____ until Conditions Met () Telephonic Reporting
- () Pay Restitution \$ _____ () Restitution to be Determined by County Probation
- () Perform _____ Hours of Public Service Work () _____ AA/NA Meetings _____
- () Stay Away/No Contact with Victim or Victim's Family Except through Court Orders/Judicial Proceedings
- () Other 20 public service hours at a rate of 8 hrs per month

FAILURE TO COMPLY WITH THE CONDITIONS OF THIS AGREEMENT MAY RESULT IN THE REINSTATEMENT OF THE PROSECUTION OF THIS CASE

This 14 day of March, 2024.

Assistant District Attorney General

Prosecuting Witness/Victim (Optional)

Circuit Court Judge, Division II

Attorney for Defendant
Austin Smothers
Defendant

WAIVER OF ATTORNEY

Comes now the defendant in the above referenced matter and would show unto the Court the following:
(1) I have been informed that I have the absolute right to be represented, at every stage in this proceeding, by an attorney of my choosing, or, if I am indigent and cannot afford an attorney, I may apply for the Public Defender. (2) After being so informed, it is my desire to waive my rights and proceed in this matter without legal representation. (3) Being of sound mind, I am competent to make this decision and do so without fear, threat, or coercion of any kind and that I am not under the influence of any intoxicant.

Defendant

IN THE CRIMINAL/CIRCUIT COURT FOR RUTHERFORD COUNTY, TENNESSEE

Case Number: 90154B Count # I Counsel for the State: A. Hazley
 Judicial District: 16TH Judicial Division: II Counsel for the Defendant: P. Strouse
 State of Tennessee Retained Pub Def Appt Private Atty Appt
 vs. Counsel Waived Pro Se
 Defendant: John T. Farmer Alias: _____ Date of Birth: _____ Sex: Male
 Race: White SSN: _____ Relationship to Victim: _____ Victim's Age: _____
 State ID #: _____ County Offender ID # (if applicable): _____ State Control #: _____
 Arrest Date: _____ Indictment Filing Date: _____

ORDER OF DEFERRAL (JUDICIAL DIVERSION)

Original Amended Corrected

FILED

On the 25 day of July, 2024, the defendant:

JUL 25 2024

Pled Guilty Pled Nolo Contendere
 Was Found Guilty By:
 Jury Verdict
 Bench Trial

Indictment: Class (circle one) 1st A B C D E Felony Misdemeanor
 Indicted Offense Name AND TCA §: Att. Theft Over \$1,000
 Amended Offense Name AND TCA §: _____
 Offense Date: 8-9-2023 County of Offense: RUTHERFORD
 Deferred Offense Name AND TCA §: Att. Theft Under \$1,000
 Deferred Offense: Class (circle one) A B C D E Felony Misdemeanor

O'CLOCK
 MELISSA HARRRELL
 DEPUTY CLERK

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 6 months Beginning Date 7/25/24 Ending Date 1/24/25 Supervised Unsupervised

Supervising Entity (unless otherwise provided to the defendant by the court): Name Rutherford County Probation

Phone Number _____ Address _____

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

Address _____

SEE CONDITIONS OF PROBATION ORDER

Dismiss remaining counts w/o costs

<p align="center">Costs</p> <p>\$ _____ Sex Offender Tax (39-13-709)</p> <p>\$ _____ Sex Offender Fine (40-24-108)</p> <p>\$ _____ Drug Testing Fee (39-17-420)</p> <p>\$ _____ Treatment Expenses (40-35-313)</p> <p>\$ _____ Supervision Fees (40-35-313)</p> <p>\$ _____ Other: _____</p>	<p align="center">Concurrent with:</p> <p>_____</p> <p align="center">Consecutive to:</p> <p>_____</p>	<p align="center">Restitution</p> <p>Victim Name <u>MT34</u></p> <p>Address <u>No Rest.</u></p> <p>Total Amount \$ _____</p> <p>Per Month \$ _____</p>	<p align="center">Pretrial Jail Credit Period(s):</p> <p>From _____ to _____</p> <p>From _____ to _____</p> <p>From _____ to _____</p> <p>From _____ to _____</p>
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Defendant J. Turner
 JUDGE'S NAME _____
 Counsel for the Defendant _____

ENTER this the 25 day of July, 2024
 JUDGE'S SIGNATURE _____
 Counsel for the State of Tennessee _____

IN THE CIRCUIT COURT FOR RUTHERFORD COUNTY, TENNESSEE
16TH JUDICIAL DISTRICT AT MURFREESBORO, DIVISION II

FILED

STATE OF TENNESSEE)
vs. John T. Farmer)
Defendant)

CASE # 90154B JUL 25 2024
O'CLOCK MELISSA HARRELL DEPUTY CLERK

SUSPENDED SENTENCE / CONDITIONS OF SUPERVISION ORDER

This cause came to be heard on the 25 day of July, 2024, upon the defendant's (Plea Agreement () Application for Suspended Sentence. The defendant appeared in court () Pro Se, by waiver, (With Counsel P. Stranise. After considering all the proof this Court finds as follows:

- Suspended sentence is denied based on the grounds stated on the record.
- Suspended sentence is granted with these conditions: **Defendant shall**
 - Serve Year(s) Months Days Hours () Time Served
 - Report to () RCADC () RCCWC ()
 - Receive jail credit from
 - Supervision for Year(s) 6 Months Days (Effective Today)
 - Supervision through State Supervised Community Corrections
 - Intensive State Supervised County Supervised Unsupervised
 - [] Until all conditions met
 - Maintain good & lawful behavior
 - Attempt to obtain & maintain lawful work unless disabled or a fulltime student
 - Not use or associate with anyone using illegally obtained controlled substances
 - Abide by all rules and conditions of probation as set by the probation officer
 - Report at a minimum of once per month, in person, unless additional reporting required by probation officer
 - Pay court cost, fine, restitution, & probation fees as directed by probation officer
 - Submit to Drug and Alcohol Assessment and follow all recommendations
 - Not associate with convicted felons
 - Submit a D.N.A. sample
 - Any arrest/citation for any Class A Misdemeanor or any Felony, **SHALL** result in a violation of Probation
 - Forfeit all seized property, weapons, & assets
 - Drug/alcohol test monthly unless additional testing requested by probation officer
 - Follow all rules and regulations of MTSU
 - Driver's license revoked for years OR As determined by Dept. of Safety
 - Stay away from Victim () Victim's Family () Premises of Offense
 - Defendant agrees to serve sentence and waive application for a suspended sentence if violates probation. (Unless basis is inability to pay)

ADDITIONAL RULES: Complete 20 public service hours at a rate of at least 8 hours per month Completed

This the 25 day of July, 2024

X [Signature]
Defendant

Peter J. Stranise
Attorney for Defendant

[Signature]
Circuit Court Judge, Division II
[Signature]
Attorney for the State



APPLICATION FOR CERTIFICATION OF ELIGIBILITY FOR DIVERSION



COUNTY Rutherford	COURT CRIMINAL	DISTRICT Sixteen	JUDGE JAMES TURNER
DEFENDANT'S NAME FARMER THOMAS JOHN		DOCKET # 75CC1-2023-CR-90154	COURT DATE 07/25/2024
DATE OF BIRTH [REDACTED]	SEX/RACE M/W	SOCIAL SECURITY NUMBER [REDACTED]	TYPE OF DIVERSION Pretrial

OFFENSES TO BE DIVERTED
Attempted theft - DOA: 08/09/2023 - Felony
Forgery - DOA: 08/09/2023 - Felony
Criminal simulation - DOA: 08/09/2023 - Felony
Tampering with government records - DOA: 08/09/2023 - Felony

FILED
JUL 25 2024
 O'CLOCK
 MELISSA HARRELL
 DEPUTY CLERK

NAME AND PHONE NUMBER OF DISTRICT ATTORNEY OR ASSISTANT DISTRICT ATTORNEY TO WHOM RESPONSE SHOULD BE SENT
ANDREW HAZLEY [REDACTED]

FAX NUMBER **6158988039 6158988039** EMAIL **Ajhazley@tndagc.org**

NAME AND PHONE NUMBER OF DEFENSE ATTORNEY OR PRO SE DEFENDANT TO WHOM RESPONSE SHOULD BE SENT
PETER STRIANSE 6154000814 Pstrianse@tewlawfirm.com

CERTIFICATION OF ELIGIBILITY FOR DIVERSION

I hereby certify that, pursuant to Tenn. Code Ann. 38-6-118(b), a query of the TBI Expunged Criminal Offender and Pretrial Diversion Database has been conducted pursuant to the above authorized request, and based upon the results of that query:

<p>1. <input checked="" type="checkbox"/> The defendant has not had a prior disqualifying felony or misdemeanor conviction. <input type="checkbox"/> The defendant has a prior disqualifying felony or misdemeanor conviction. <input type="checkbox"/> The defendant has a prior arrest for which no disposition has been entered.</p> <p>2. <input checked="" type="checkbox"/> The defendant has not previously been granted diversion. <input type="checkbox"/> The defendant has been granted diversion before.</p> <p>3. <input type="checkbox"/> The defendant has a prior expunction due to a diversion. <input type="checkbox"/> The defendant has a prior expunction due to 40-32-101 (g).</p>	<p>The defendant has not had a prior disqualifying felony or misdemeanor conviction This application requests a diversion determination regarding a crime(s) which appears to be ineligible for diversion under TN statute(s). However, during the course of criminal proceedings charges may be reduced and may then become eligible for diversion. The certificate produced by the TBI in no way endorses the listed charges as eligible crimes for diversion and should not be produced to the court as evidence of TBI's approval for diversion of a crime. The certificate only states that an individual is eligible for diversion, not whether the charge listed on the application is eligible</p>
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Heather Hurley TBI Criminal Records - Diversions TBI.Diversions@tbi.tn.gov 615-744-4617	07/25/2024 Date
--	---------------------------

PLEASE NOTE THAT THIS DOES NOT CONSTITUTE A CERTIFICATION THAT THE DEFENDANT IS ELIGIBLE OR INELIGIBLE FOR DIVERSION UNDER TCA 40-35-313 OR TCA 40-15-105. THIS IS ONLY A CERTIFICATION THAT A RECORDS CHECK OF THE TBI EXPUNGED CRIMINAL OFFENDER AND PRETRIAL DIVERSION DATABASE HAS REVEALED QUALIFYING OR DISQUALIFYING INFORMATION UNDER THE CRITERIA SET OUT IN THE DIVERSION STATUTES REFERENCED ABOVE.

JUDGEMENT OF PRETRIAL DIVERSION OR JUDICIAL DIVERSION

Comes now the District Attorney General for the State and Defendant with counsel of record for entry of judgement.

On the 25 day of July, 2024

OFFENSE INDICTED Attempt Theft > \$2,500	OFFENSE CLASS E-Felony
OFFENSE DIVERTED Att. Theft < \$1,000	OFFENSE CLASS B-Misdemeanor

[Signature] **6 months Probation**

IN THE CRIMINAL/CIRCUIT COURT FOR RUTHERFORD COUNTY, TENNESSEE

Case Number: 90154C Count: 1 Counsel for the State: ANDREW HAZLEY
 Judicial District: 16th Judicial Division: II Counsel for the Defendant: A. Gentry
 State of Tennessee Retained Pub Def Appt Private Atty Appt
 vs. Counsel Waived Pro Se
 Defendant: GREGORY DEANGELO MCCALL Alias: _____ Date of Birth: _____ Sex: Male
 Race: Black SSN: _____ Relationship to Victim: _____ Victim's Age: _____
 State ID #: _____ County Offender ID # (if applicable): _____ State Control #: **FILED**
 Arrest Date: _____ Indictment Filing Date: _____

ORDER OF DEFERRAL (JUDICIAL DIVERSION) Original Amended Corrected

On the 5 day of May, 2024, the defendant:

<input checked="" type="checkbox"/> Pled Guilty <input type="checkbox"/> Pled Nolo Contendere	Indictment: Class (circle one) 1 st A B C D E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Indicted Offense Name AND TCA §: <u>39-14-103 ~ THEFT</u> Amended Offense Name AND TCA §: _____ Offense Date: <u>02/24/2021</u> County of Offense: <u>Rutherford</u> Deferred Offense Name AND TCA §: <u>39-14-103: Attempt Theft Under \$1,000</u> Deferred Offense: Class (circle one) <u>B</u> C D <input type="checkbox"/> Felony <input checked="" type="checkbox"/> Misdemeanor
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- 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 6 months Beginning Date 6/5/24 Ending Date 12/15/24 Supervised Unsupervised

Supervising Entity (unless otherwise provided to the defendant by the court): Name: Rutherford County Probation

Phone Number: _____ Address: _____

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

Address: _____

Dismiss remaining counts w/o costs

Costs	Concurrent with:	Restitution	Pretrial Jail Credit Period(s):
\$ _____ Sex Offender Tax (39-13-709)		Victim Name: <u>MSU</u>	From _____ to _____
\$ _____ Sex Offender Fine (40-24-108)		Address: _____	From _____ to _____
\$ _____ Drug Testing Fee (39-17-420)	Consecutive to:	<u>No Rest.</u>	From _____ to _____
\$ _____ Treatment Expenses (40-35-313)		Total Amount \$ _____	From _____ to _____
\$ _____ Supervision Fees (40-35-313)		Per Month \$ _____	From _____ to _____
\$ _____ Other: _____			

[Signature]
Defendant

JAMES TURNER
JUDGE'S NAME

[Signature]
Counsel for the Defendant

ENTER this the 27 day of June, 2024

[Signature]
JUDGE'S SIGNATURE

[Signature]
Counsel for the State of Tennessee

IN THE CIRCUIT COURT FOR RUTHERFORD COUNTY, TENNESSEE
16TH JUDICIAL DISTRICT AT MURFREESBORO, DIVISION II **FILED**

STATE OF TENNESSEE)
vs.)
Gregory D. McCall)
Defendant)

CASE # 90154C JUN 07 2024

O'CLOCK
MELISSA HARRELL
DEPUTY CLERK

SUSPENDED SENTENCE / CONDITIONS OF PROBATION/ COMM. CORR. ORDER

This cause came to be heard on the 5 day of JUNE, 2024, upon the defendant's Plea Agreement. The defendant appeared in court () Pro Se, by waiver,

() With Counsel A. Gentry

After considering all the proof this Court finds as follows:

Suspended sentence _____ Community Corrections is ordered with these conditions:

_____ Serve _____ Year(s) _____ Months _____ Days _____ Hours () Time Served

_____ Report to () RCADC () RCCWC () TDOC () _____

_____ Receive jail credit from _____

Sentence Length _____ Year(s) 6 Months _____ Days (Effective Today)

_____ State Supervised _____ Comm. Corr. _____ Supervised by Comm. Corr.

County Unsupervised

Abide by all rules and conditions as set by the Supervising Officer.

Submit to random drug/alcohol screens at the direction of the Supervising Officer.

If restitution is ordered, it shall be paid before any fines, costs, and/or fees.

Obtain and maintain lawful employment, unless disabled or fulltime student.

Not associate with convicted felons.

Forfeit any seized money, property, and weapons.

Submit to a Drug and Alcohol Assessment, within 30 days of release, and follow all recommendations.

Report at least once per month, in person, unless ordered otherwise by the Court.

Any arrest/citation for any Class A Misdemeanor or any Felony, shall result in a Violation Warrant being issued.

Not use alcohol _____; Not associate with anyone using alcohol in excess

Complete 20 public service hours - Completed

Stay away from _____ Victim and Victim's Family. _____ Premises of Offense.

No contact with _____ Victim and Victim's Family.

Defendant may be subject to an additional year of mandatory reentry supervision pursuant to § 40-35-506 if, at the time of release, the defendant is not an eligible inmate as defined in § 40-35-506.

Defendant agrees to serve this sentence and waive application for a suspended sentence if he/she violates. (except nonpayment only).

ADDITIONAL RULES: Follow all rules & orders of MTSU

THIS THE 7 DAY OF June, 2024.

G. McCall
Defendant

[Signature]
Circuit Court Judge, Division II



APPLICATION FOR CERTIFICATION OF ELIGIBILITY FOR DIVERSION



COUNTY Rutherford	COURT CIRCUIT	DISTRICT Sixteen	JUDGE JAMES TURNER
DEFENDANT'S NAME GREGORY MCCALL		DOCKET # 75CC1-2023-CR-90154	COURT DATE 06/05/2024
DATE OF BIRTH [REDACTED]	SEX/RACE M/B	SOCIAL SECURITY NUMBER [REDACTED]	TYPE OF DIVERSION Judicial

OFFENSES TO BE DIVERTED:
THEFT OF PROPERTY - \$2,500 TO < \$10,000 - ATTEMPT - DOA: 08/07/2023 - Felony
FORGERY - \$2,500 TO < \$10,000 - DOA: 08/07/2023 - Felony
CRIMINAL SIMULATION - \$2,500 TO < \$10,000 - DOA: 08/07/2023 - Felony
DESTRUC & TAMPER W/GOVERNMENTAL RECORDS - DOA: 08/07/2023 - Felony

NAME AND PHONE NUMBER OF DISTRICT ATTORNEY OR ASSISTANT DISTRICT ATTORNEY TO WHOM RESPONSE SHOULD BE SENT:
AMANDA J. GENTRY 6156046263

FAX NUMBER **6156046263** EMAIL: **gentrylawoffice@gmail.com**

NAME AND PHONE NUMBER OF DEFENSE ATTORNEY OR PRO SE DEFENDANT TO WHOM RESPONSE SHOULD BE SENT:
AMANDA J. GENTRY 6156046263 gentrylawoffice@gmail.com

CERTIFICATION OF ELIGIBILITY FOR DIVERSION

I hereby certify that, pursuant to Tenn. Code Ann. 38-6-118(b), a query of the TBI Expunged Criminal Offender and Pretrial Diversion Database has been conducted pursuant to the above authorized request, and based upon the results of that query:

<p>1. <input checked="" type="checkbox"/> The defendant has not had a prior disqualifying felony or misdemeanor conviction. <input type="checkbox"/> The defendant has a prior disqualifying felony or misdemeanor conviction. <input type="checkbox"/> The defendant has a prior arrest for which no disposition has been entered.</p> <p>2. <input checked="" type="checkbox"/> The defendant has not previously been granted diversion. <input type="checkbox"/> The defendant has been granted diversion before.</p> <p>3. <input type="checkbox"/> The defendant has a prior expunction due to a diversion. <input type="checkbox"/> The defendant has a prior expunction due to 40-32-101(g).</p>	<p>The defendant has not had a prior disqualifying felony or misdemeanor conviction</p>
---	---

Heather Hurley 06/05/2024
 TBI Criminal Records - Diversions Date
 TBI.Diversions@tbi.tn.gov | 615-744-4617

PLEASE NOTE THAT THIS DOES NOT CONSTITUTE A CERTIFICATION THAT THE DEFENDANT IS ELIGIBLE OR INELIGIBLE FOR DIVERSION UNDER TCA 40-35-313 OR TCA 40-15-105. THIS IS ONLY A CERTIFICATION THAT A RECORDS CHECK OF THE TBI EXPUNGED CRIMINAL OFFENDER AND PRETRIAL DIVERSION DATABASE HAS REVEALED QUALIFYING OR DISQUALIFYING INFORMATION UNDER THE CRITERIA SET OUT IN THE DIVERSION STATUTES REFERENCED ABOVE.

JUDGEMENT OF PRETRIAL DIVERSION OR JUDICIAL DIVERSION

Comes now the District Attorney General for the State and Defendant with counsel of record for entry of judgement.

On the 5 day of JUNE, 2024

OFFENSE INDICTED <i>Att. Theft 750, Forger, Crim Sim., Tamper w/ Evidence</i>	OFFENSE CLASS <i>E-Felony x2, D-Felony x2</i>
OFFENSE DIVERTED <i>Att. Theft under \$1,000</i>	OFFENSE CLASS <i>B-Misd.</i>

FILED

JUN 07 2024

O'CLOCK
 MELISSA HARRELL
 DEPUTY CLERK

The defendant is sentenced to pretrial diversion judicial diversion for the following period:

_____ years, 6 months, _____ days. Effective: Today

J. Turner
 JUDGE (Printed)

[Signature]
 JUDGE (Signature)

6/5/24
 ENTRY OF JUDGEMENT DATE

[Signature]
 DISTRICT ATTORNEY

[Signature]
 ATTORNEY FOR DEFENDANT

BI-0200 (REV 1/2023)

RDA 11383

Processed
 6/5/2024
 11:54 AM
 24V007333

FILED

JUN 07 2024

 O'CLOCK
 MELISSA HARRELL
 DEPUTY CLERK