

CROCKETT COUNTY
CIRCUIT COURT
ALAMO, TENNESSEE

PLEA OF GUILTY & WAIVER OF
JURY TRIAL AND APPEAL

5267

STATE OF TENNESSEE V. ASHLEY HAWORTH

I have received and read a copy of the indictment and discussed it with my attorney. My attorney has informed me as to the nature of the charges against me and I understand the nature of the charges. My attorney has further advised me as to the possible punishment for the crime charged against me. I desire to voluntarily enter a plea of guilty to the following:

JUDICIAL DIVERSION

Count:	Offense pleading to:	Punishment:
1	ATT. FRAUDULENT USE OF CREDIT CARD	A MSDR= 11/29 @ 75%
	OVER \$1,000	

PLACE OF CONFINEMENT: ALL SUSPENDED

TYPE OF PROBATION: SUPERVISED BY TCSW

OTHER CONDITIONS: _____

It has been explained to me and I understand that I may plead not guilty to any offense charged and that I have a right to a speedy and public trial by jury. I further understand that by pleading guilty I will not be receiving a jury trial or any other trial of any kind. As to a fine, if any, I waive my right to have the jury fix the fine.

I further understand my right to have my case appealed to an appellate court, but I hereby waive my right to have my case appealed due to my guilty plea and acceptance of punishment as set forth above.

I, therefore, voluntarily and of my own free will and choice and without any threats made upon me or without any promises being made to me, and being fully aware of the action I am taking do hereby request the court to accept my plea of GUILTY to the charges set forth above. Furthermore, I waive my right to trial by jury and submit my case to the Trial Judge for full and final determination. I further waive my right to an appeal. These actions are concurred in by the District Attorney General.

I agree to pay: court costs, fines and/or restitution (if applicable) in reasonable monthly payments of \$ _____.


Date: 8/27/24

Defendant: Ashley Haworth

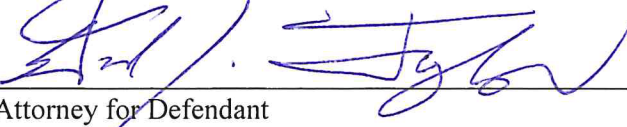
DOB: _____ SSN: _____

ADDRESS: _____

Approved, Attested and Concurred by:




District Attorney General



Attorney for Defendant

Approved by Court:



Circuit Court Judge

Entered on Minute Book _____ Page _____
Circuit Court Clerk

IN THE CRIMINAL/CIRCUIT COURT FOR CROCKETT COUNTY, TENNESSEE

Case Number: 5267 Count: 1 Counsel for the State: FREDERICK H. AGEE
 Judicial District: 28th Judicial Division: _____ Counsel for the Defendant: DANIEL J. TAYLOR
State of Tennessee Retained Pub Def Appt Private Atty Appt
 vs. Counsel Waived Pro Se
 Defendant: ASHLEY DAWN HAWORTH Alias: _____ 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: _____ Indictment Filing Date: _____

ORDER OF DEFERRAL (JUDICIAL DIVERSION) Original Amended Corrected

On the 27th day of August, 2024, the defendant:

<input checked="" type="checkbox"/> Pled Guilty <input type="checkbox"/> Pled Nolo Contendere Was Found Guilty By: <input type="checkbox"/> Jury Verdict <input type="checkbox"/> Bench Trial	Indictment: Class (circle one) 1 st <input checked="" type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> <input checked="" type="checkbox"/> Misdemeanor Indicted Offense Name <u>AND TCA §: 39-14-118 ~ FRAUDULENT USE OF CREDIT OR DEBIT CARD \$1,000-\$2,500-ATT</u> Amended Offense Name <u>AND TCA §: _____</u> Offense Date: <u>08/29/2022</u> County of Offense: <u>Crockett</u> Deferred Offense Name <u>AND TCA §: 39-14-118 ~ FRAUDULENT USE OF CREDIT OR DEBIT CARD \$1,000-\$2,500-ATT</u> Deferred Offense: Class (circle one) <input checked="" type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> Felony <input checked="" 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 11 months 29 days Beginning Date 08/27/2024 Ending Date 08/26/2025 Supervised Unsupervised

Supervising Entity (unless otherwise provided to the defendant by the court): Name: Tennessee Correctional Services West

Phone Number: _____ Address: _____

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

Address: _____

Special Conditions: All Suspended. Supervised Probation By TCSW.

Costs	Concurrent with:	Restitution	Pretrial Jail Credit Period(s):
\$ _____ Sex Offender Tax (39-13-709)		Victim Name: _____	From _____ to _____
\$ _____ Sex Offender Fine (40-24-108)		Address: _____	From _____ to _____
\$ _____ Drug Testing Fee (39-17-420)	Consecutive to:	_____	From _____ to _____
\$ _____ Treatment Expenses (40-35-313)		Total Amount \$ _____	From _____ to _____
\$ _____ Supervision Fees (40-35-313)		Per Month \$ _____	
\$ _____ Other: _____			

Defendant _____

CLAYBURN L. PEEPLES
 JUDGE'S NAME

Counsel for the Defendant

ENTER this the 27th day of August, 2024.

JUDGE'S SIGNATURE

Counsel for the State of Tennessee

APPLICATION FOR CERTIFICATION OF ELIGIBILITY FOR DIVERSION

COUNTY Gibson	COURT CIRCUIT	DISTRICT Twenty-eight	JUDGE PEEPLES
DEFENDANT'S NAME ASHLEY HAWORTH		DOCKET # 5267	COURT DATE 08/27/2024
DATE OF BIRTH [REDACTED]	SEX/RACE F/W	SOCIAL SECURITY NUMBER [REDACTED]	TYPE OF DIVERSION Judicial

OFFENSES TO BE DIVERTED
attempted fraudulent use of credit card - DOA: 08/27/2024 - Misdemeanor

NAME AND PHONE NUMBER OF DISTRICT ATTORNEY OR ASSISTANT DISTRICT ATTORNEY TO WHOM RESPONSE SHOULD BE SENT
DANIEL J. TAYLOR 7312654126

FAX NUMBER **7314240562** EMAIL **rml@spraginslaw.com**

NAME AND PHONE NUMBER OF DEFENSE ATTORNEY OR PRO SE DEFENDANT TO WHOM RESPONSE SHOULD BE SENT
DANIEL J. TAYLOR 7314240461 rml@spraginslaw.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:

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.	The defendant has not had a prior disqualifying felony or misdemeanor conviction NO RECORD
2. <input checked="" type="checkbox"/> The defendant has not previously been granted diversion. <input type="checkbox"/> The defendant has been granted diversion before.	
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).	

Heather Hurley TBI Criminal Records - Diversions TBI.Diversions@tbi.tn.gov 615-744-4617	<u>08/27/2024</u> 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 27 day of August, 2024

OFFENSE INDICTED ATT Fraudulent use credit card	OFFENSE CLASS Am
OFFENSE DIVERTED ATT Fraudulent use credit card	OFFENSE CLASS Am

The defendant is sentenced to pretrial diversion judicial diversion for the following period:
 _____ years, 11 months, 29 days. Effective: 8-27-24

<u>Clayborn Peoples</u> JUDGE (Printed)	<u>[Signature]</u> JUDGE (Signature)	<u>Aug 27, 2024</u> ENTRY OF JUDGEMENT DATE
<u>[Signature]</u> DISTRICT ATTORNEY	<u>[Signature]</u> ATTORNEY FOR DEFENDANT	

STATE OF TENNESSEE) CASE NO. 5267
)
VS.) IN THE CIRCUIT COURT
) OF CROCKETT COUNTY AT
ASHLEY DAWN HAWORTH) ALAMO, TENNESSEE

INFORMATION CHARGING VIOLATION OF
§39-14-118 TENNESSEE CODE ANNOTATED

COUNT ONE

Comes the District Attorney General, Frederick H. Agee, on this the 27th day of August, 2024, who charges and upon his oath presents that ASHLEY DAWN HAWORTH, between August 29, 2022 and January 26, 2023, before the filing of this Information, in the County of Crockett and State of Tennessee, did attempt to use or allowed to be used, a credit or debit card or information from that card, for the purpose of obtaining property, credit, services or anything else of value, in an amount of \$1,000 but less than \$2,500, with knowledge that the use of the card is unauthorized by either the issuer or the person to whom the credit or debit card is issued, in violation of T.C.A. 39-14-118(b), all of which is against the peace and dignity of the State of Tennessee;

Respectfully submitted,



FREDERICK H. AGEE BPR#033083
District Attorney General
28th Judicial District, State of Tennessee
P.O. Box 145
Trenton, TN 38382
(731) 855-7813

STATE OF TENNESSEE) CASE NO. 5267
)
VS.) IN THE CIRCUIT COURT
) OF CROCKETT COUNTY AT
ASHLEY DAWN HAWORTH) ALAMO, TENNESSEE

STATE OF TENNESSEE)
COUNTY OF CROCKETT)

I, Frederick H. Agee, being duly sworn, make oath that the statements contained in the above Information are true to the best of my knowledge, information, and belief.

Frederick H. Agee
Frederick H. Agee
District Attorney General

Sworn to and subscribed before me, this 26th day of August, 2024.

Amy Bynum
Notary Public

My Commission Expires: 1-14-25



STATE OF TENNESSEE)
)
VS.)
)
ASHLEY DAWN HAWORTH) CASE NO. 5267
)
) IN THE CIRCUIT COURT
) OF CROCKETT COUNTY AT
) ALAMO, TENNESSEE

WAIVER OF INDICTMENT OR PRESENTMENT

I, ASHLEY DAWN HAWORTH, after having been informed that I have the right to be charged by a Grand Jury indictment or presentment with an offense before being brought into Circuit Court for trial, do hereby waive that right and agree to prosecution by Information rather than by indictment or presentment.


It is my understanding that I am to be charged with the State offenses of **FRAUDULENT USE OF CREDIT OR DEBIT CARD \$1,000-\$2,500-ATT**, in violation of T.C.A. §39-14-118.

DATE: 8-27-24

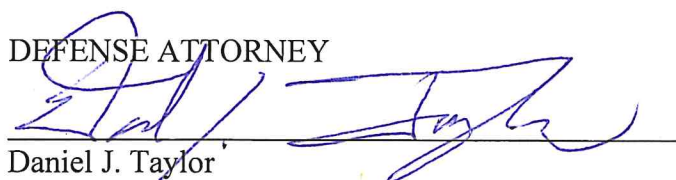

ASHLEY DAWN HAWORTH

APPROVED:

Respectfully submitted,


FREDERICK H. AGEE
District Attorney General
28th Judicial District, State of Tennessee
P.O. Box 145
Trenton, TN 38382
731-855-7813

DEFENSE ATTORNEY


Daniel J. Taylor
Attorney for Defendant