

October TERM, 20 25, CRIMINAL COURT

STATE OF TENNESSEE

VS.

NO. 2025-D-3137

MARK SCOTT EATHERLY, II

PROSECUTOR: [REDACTED]

CHARGE: Ct. 1 Theft of Property
Ct. 2 Official Misconduct
Ct. 3 Money Laundering

[REDACTED]

The above witness(es) appeared; was/were duly sworn by me, the foreperson, and gave testimony before the Grand Jury in the above-styled cause this 13th day of November, 20 25.

FILED
Davidson County
Criminal Court Clerk

NOV 19 2025

TK
Deputy Clerk



A TRUE BILL



A NO TRUE BILL

Nana Hand

Foreperson
Davidson County Grand Jury

SUBPOENA THE FOLLOWING WITNESSES FOR THE STATE OF TENNESSEE:

COMPLAINT NO(s): 2025-0606212

[REDACTED] c/o Comptroller of Treasury, 425 Rep. John Lewis Way N., Nashville, TN
37243

I hereby certify that this is a true and exact copy of the original

Indictment
This 1 day of December, 20 25
CRIMINAL COURT CLERK
BY SSN, D.C.





INDICTMENT

State of Tennessee, Davidson County

COUNT 1

THE GRAND JURORS of Davidson County, Tennessee, duly impaneled and sworn, upon their oath, present that:

MARK SCOTT EATHERLY, II

on divers days between the 9th day of October, 2019, and the 28th day of June, 2023, in Davidson County, Tennessee and before the finding of this indictment, knowingly did obtain or exercise control over certain property, to wit: **money**, of the value of **\$60,000 or more but less than \$250,000**, the property of **Metropolitan Government of Nashville and Davidson County**, without the effective consent of **Metropolitan Government of Nashville and Davidson County**, with the intent to deprive **Metropolitan Government of Nashville and Davidson County** of the property, in violation of Tennessee Code Annotated §39-14-103, and against the peace and dignity of the State of Tennessee.

COUNT 2

THE GRAND JURORS of Davidson County, Tennessee, duly impaneled and sworn, upon their oath, present that:

MARK SCOTT EATHERLY, II

on divers days between the 1st day of **December, 2023**, and the 15th day of **March, 2024**, in Davidson County, Tennessee and before the finding of this indictment, while being a public servant, to wit: **Deputy Executive Director of the Metropolitan Human Relations Commission**, with intent to obtain a benefit: to wit, **money**, intentionally or knowingly did commit acts relating to the public servant's office or employment that constitute an unauthorized exercise of official power, to wit: approve his own reimbursements for **Nashville Entrepreneur Center** that served no purpose of **Metropolitan Human Relations Commission**, in violation of Tennessee Code Annotated §39-16-402, and against the peace and dignity of the State of Tennessee.

COUNT 3

THE GRAND JURORS of Davidson County, Tennessee, duly impaneled and sworn, upon their oath, present that:

MARK SCOTT EATHERLY, II

on divers days between the 1st day of July, 2023, and the 9th day of May, 2025, in Davidson County, Tennessee and before the finding of this indictment, did knowingly use proceeds derived directly or indirectly from specified unlawful activities, to wit: **Theft of Property and Official Misconduct**, with the intent to conceal or disguise the nature, location, source, ownership or control of the criminally derived proceeds, to wit: **the said Mark Scott Eatherly, II initiated three payments totaling \$101,500 of Metro funds to an account in the name of Celebrate Nashville**, an organization he controlled, thereby concealing that the funds remained under his direction, and subsequently authorized three payments totaling \$14,500 from the account to a PayPal account registered to "TN Social Innovation Fund," a nonprofit entity created and controlled by **Mark Scott Eatherly, II**, from which he derived personal benefit, all in violation of Tennessee Code Annotated §39-14-903 (a)(1), and against the peace and dignity of the State of Tennessee.



GLENN R. FUNK
DISTRICT ATTORNEY GENERAL
TWENTIETH JUDICIAL DISTRICT