

PRESENTMENT

CASE NO. 26307

**STATE OF TENNESSEE
VS.
JOYCE GRACE PARSONS**

THEFT OF PROPERTY (\$2,500.00 OR MORE, LESS THAN \$10,000.00)

INV. [REDACTED] TN COMPTROLLER OF THE TREASURY, PROSECUTOR

CLERK: Summon named witnesses
for the State of Tennessee.

Ken Baldwin
District Attorney General

Witnesses sworn by me in the presence
of the Grand Jury

July 16, 2021
[Signature]
Foreperson of the Grand Jury

Filed this 12th day of July, 2021.

[Signature]
Clerk SP.

Bond: \$5,000.00 (10)
[Signature]
Criminal Court Judge

A TRUE BILL

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

[Signature]
Foreperson of the Grand Jury
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

PRESENTMENT NUMBER 26307

STATE OF TENNESSEE, COUNTY OF CARTER

CRIMINAL COURT FOR CARTER COUNTY, TENNESSEE

CHARGE: THEFT OF PROPERTY (\$2,500.00 OR MORE, LESS THAN \$10,000.00)

The Grand Jurors for the State of Tennessee, upon their oaths, present that **JOYCE GRACE PARSONS**, between the 1st day of July, 2017 and the 30th day of January, 2020, in the State and County aforesaid, did commit the offense of theft of property by knowingly obtaining or exercising control over property, to wit; funds, valued in the amount of two thousand five hundred dollars (\$2,500.00) or more, but less than ten thousand dollars (\$10,000.00) the property of Carter County Head Start, without the owner's effective consent and with the intent to deprive the owner thereof; a class D felony, in violation of Section 39-14-103 of the Tennessee Code Annotated, and against the peace and dignity of the State of Tennessee.



DISTRICT ATTORNEY GENERAL

**STATE OF TENNESSEE
VS.
JOYCE GRACE PARSONS**

WITNESSES

INV. [REDACTED]
TN COMPTROLLER OF THE
TREASURY

IN THE CRIMINAL/CIRCUIT COURT FOR CARTER COUNTY, TENNESSEE

Case Number: 26307 Count: 1 Counsel for the State: Ryan S. Curtis
 Judicial District: 1st Judicial Division: II Counsel for the Defendant: Donna Bolton
State of Tennessee Retained Pub Def Appt Private Atty Appt
 vs. Counsel Waived Pro Se
 Defendant: JOYCE GRACE PARSONS Alias: _____ Date of Birth: [REDACTED] Sex: Female
 Race: White SSN: [REDACTED] Relationship to Victim: _____ Victims 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 10 day of June, 2022, 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 A B C D E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Indicted Offense Name AND TCA §: <u>39-14-103 ~ THEFT OF PROPERTY \$2500 OR MORE LESS THAN \$10,000.00</u> Amended Offense Name AND TCA §: _____ Offense Date: <u>07/01/2017</u> County of Offense: <u>Carter</u> Deferred Offense Name AND TCA §: <u>39-14-103 ~ THEFT OF PROPERTY \$2500 OR MORE LESS THAN \$10,000.00</u> Deferred Offense: Class (circle one) A B C D E <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**):

1. The defendant is eligible for deferral of the prosecution pursuant to Tennessee Code Annotated section (T.C.A.) 40-35-313;
2. The Tennessee Bureau of Investigation has certified (per attached certificate) that the defendant does not have a prior felony or Class A misdemeanor conviction;
3. 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;
4. The defendant consents to T.C.A. 40-35-313 deferral, as evidenced by the defendant's signature below; AND
5. 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 3 years Beginning Date 6/10/2022 Ending Date 6/09/2025 Supervised Unsupervised

Supervising Entity (unless otherwise provided to the defendant by the court): Name: TDOC

Phone Number: _____ Address: _____

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

Address: _____

| Costs | Concurrent with: | Restitution | Pretrial Jail Credit Period(s): |
|---|------------------|--|---------------------------------|
| \$ _____ Sex Offender Tax (39-13-709) | | Victim Name: <u>Carter County Head Start</u> | From _____ to _____ |
| \$ _____ Sex Offender Fine (40-24-108) | | Address: <u>205 Academy Street</u> | From _____ to _____ |
| \$ _____ Drug Testing Fee (39-17-420) | Consecutive to: | <u>Elizabethton, TN 37643</u> | From _____ to _____ |
| \$ _____ Treatment Expenses (40-35-313) | | Total Amount \$ <u>500.00</u> | From _____ to _____ |
| \$ _____ Supervision Fees (40-35-313) | | Per Month \$ <u>25.00</u> | |
| \$ <u>25.00</u> Other: <u>FINE</u> | | <u>7/1/2022</u> | |

Joyce Parsons
 Defendant

HON. STACY STREET
 JUDGE'S NAME

 Counsel for the Defendant

ENTER this the 11th day of JUNE 2022

[Signature]
 JUDGE'S SIGNATURE

[Signature]
 Counsel for the State of Tennessee



APPLICATION FOR CERTIFICATION OF ELIGIBILITY FOR DIVERSION



| | | | |
|--|--------------------------|--------------------------------------|--------------------------------------|
| COUNTY Carter | COURT CRIMINAL | DISTRICT One | JUDGE LISA RICE |
| DEFENDANT'S NAME JOYCE PARSONS | | DOCKET # 26307 | COURT DATE 06/10/2022 |
| DATE OF BIRTH [REDACTED] | SEX/RACE F/W | SOCIAL SECURITY NUMBER [REDACTED] | TYPE OF DIVERSION Judicial |

OFFENSES TO BE DIVERTED
Theft of property less than \$10,000 - DOA: 07/12/2021 - Felony

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

FAX NUMBER **NA 4236310944** ADDRESS

NAME AND PHONE NUMBER OF DEFENSE ATTORNEY OR PRO SE DEFENDANT TO WHOM RESPONSE SHOULD BE SENT

FAX NUMBER ADDRESS

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:

The defendant has not had a prior disqualifying felony or misdemeanor conviction

Shealton Hurley 06/02/2022
 Record Processing Unit, TBI Date

PLEASE NOTE THAT THIS DOES NOT CONSTITUTE A CERTIFICATION THAT THE DEFENDANT IS ELIGIBLE OF 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 10 day of June, 2022

| | |
|--|-----------------------------|
| OFFENSE INDICTED <u>Theft over \$2,500</u> | OFFENSE CLASS <u>D fel.</u> |
| OFFENSE DIVERTED <u>"</u> | OFFENSE CLASS <u>D fel</u> |

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

3 years, _____ months, _____ days. Effective: 6-10-2022

Hon Stacy Sheef JUDGE (Printed) [Signature] JUDGE (Signature) 6, 10, 2022 ENTRY OF JUDGEMENT DATE
[Signature] DISTRICT ATTORNEY [Signature] ATTORNEY FOR DEFENDANT

IN THE CRIMINAL COURT FOR CARTER COUNTY

Elizabethton, Tennessee

STATE OF TENNESSEE

vs.

Case No. _____

26307

Joyce Grace Person

Defendant

ORDER ACCEPTING PLEA OF GUILTY

After reviewing the Petition set out herein, the Court did then interrogate the Defendant personally as to the following matters:

1. The matter of the charge(s) against Defendant;
2. The minimum punishment of said charge(s);
3. The maximum punishment of said charge(s);
4. Prior convictions and other factors may be considered in determining his sentence;
5. The fact that no trial will follow this plea but only sentencing;
6. The fact that it is perjury for the Defendant while under oath to answer the Court's questions falsely;
7. That there must be facts to support the plea;
8. Any plea negotiations which may have taken place;
9. The fact that this conviction may be used to increase the punishment for any subsequent offenses.

Further the Court did interrogate the Defendant as to the intelligent and voluntarily waiver of the following rights..

1. The right to plead not guilty;
2. The right to assistance of counsel, if the Defendant is unrepresented, including the right to appointment of counsel if indigent;
3. The right to a jury trial;
4. The right to confront and cross-examine the witness against him;
5. The right to compulsory process to secure attendance of witnesses in his behalf;
6. The right not to be compelled to incriminate himself;
7. The right to indictment or presentment by the Grand Jury;
8. The right to appellate review after conviction by trial; except as to sentence imposed.

Based upon this personal interrogation, the Court concludes that the Defendant understands the nature of the charge(s) against him and the rights which he is giving up by this guilty plea.

The Court concludes that there is a factual basis for the Defendant's plea of guilty, and therefore the Defendant's plea is being entered freely, knowledgeable, and voluntarily after freely, knowledgeable and voluntarily waiving the above set-out rights..

Finally, the Court accepts the Defendant's plea of guilty.

IT IS THEREFORE ORDERED, ADJUDGE AND DEGREED that the Defendant's plea of guilty, heretofore entered, ought to be, and is hereby accepted by the Court. The Defendant is therefore found guilty of the offense(s) as set forth in the judgement for attached hereto.

ENTER, THIS the 10TH day of JUNE, 2022


Criminal Court Judge

IN THE CRIMINAL COURT FOR CARTER COUNTY

Elizabethton, Tennessee

STATE OF TENNESSEE

vs.

Joyce Grace Parsons

Defendant

Case No. _____

26307

PETITION FOR ACCEPTANCE OF PLEA OF GUILTY BY DEFENDANT AND WAIVER OF RIGHTS

Comes the defendant who states that he has been advised by the Court of the following rights which the Defendant fully understands that he is giving up by this guilty plea:

1. The right to plead not guilty.
2. If not represented by an attorney, that he has a right to be represented by an attorney at every stage of the proceeding against him, and if necessary, one will be appointed to represent him.
3. The right to a jury trial.
4. The right to confront and cross-examine the witnesses against him.
5. The right not to incriminate himself.
6. The right to indictment or presentment by the Grand Jury.
7. The right to compulsory process to secure attendance of witnesses in his behalf.
8. The right to appellate review if convicted by trial.

The Defendant further states that he fully understands and waives each and every one of these rights freely and voluntarily.

Further, the Defendant states that he has been fully advised by the Court and fully understands:

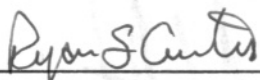
1. The nature of the charge(s) against him.
2. The minimum punishment for said charge(s).
3. The maximum punishment for said charge(s).
4. That prior convictions or other factors may be considered in determining his sentence.
5. That no trial will follow this plea but only sentencing.
6. That it is perjury to falsely answer questions while under oath.
7. That there must be facts to support the plea.
8. That this conviction may be used in the future to increase the punishment for subsequent offenses.


Further, the Defendant states that he is guilty of the charge(s) because the facts which he knows to exist equal the elements of the Charge(s) as those elements have been explained to him by the Court. The Defendant therefore states that there is a factual basis for his plea.

Further, the Defendant states that he is pleading guilty freely and voluntarily, and not as the result of force or threats or of promises apart from a plea agreement, wherein his willingness to plead guilty results from discussions between the District Attorney's office and the Defendant or his Attorney.

Further, the Defendant has been advised by the Court that the Judge is required to interrogate the Defendant personally concerning the facts and waivers herein set out and make a verbatim transcript of said interrogation. The Defendant having been fully advised of this requirement does not freely and voluntarily waive said interrogation and verbatim recording and petitions the Court to accept his plea of guilty without said interrogation and verbatim recording.

SUBMITTED, APPROVED AND CONCURRED IN:


Assistant District Attorney


Attorney for Defendant


Defendant