

PRESENTMENT

CASE NO. 20165

FILED
CLERK CO. CIRCUIT COURT

2010 JAN -8 PM 3:21

**STATE OF TENNESSEE
VS.
BILLY GENE MCFADDEN**

PAUL MATHES, CLERK
CLERK CO., TN

**THEFT OF PROPERTY GREATER THAN \$10,000.00
FORGERY GREATER THAN \$10,000.00
OFFICIAL MISCONDUCT (3 counts)
FRAUDULENT USE OF A CREDIT CARD**

DANIEL G. PORTER, CFE, INVESTIGATIVE AUDITOR,
OFFICE OF THE COMPTROLLER OF THE TREASURY

CLERK: Summon named witnesses
for the State of Tennessee.

**Chadwick W. Jackson
District Attorney General Pro Tem**

Witnesses sworn by me in the presence
of the Grand Jury

[Signature], 2010.
[Signature]
Foreperson of the Grand Jury

Filed this 7 day of Jan, 2010.

[Signature]
Clerk

BOND: \$100,000.00

[Signature]
JUDGE

A TRUE BILL

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

CASE NUMBER

200165

STATE OF TENNESSEE, COUNTY OF CARTER
CRIMINAL COURT FOR CARTER COUNTY, TENNESSEE

COUNT 1

CHARGE: THEFT OF PROPERTY GREATER THAN \$10,000.00

The Grand Jurors for the State of Tennessee, duly summoned, elected, impaneled, sworn and charged to inquire in and for the body of the County aforesaid, in the State aforesaid, upon their oath, present that **BILLY GENE MCFADDEN**, heretofore, on or about a period of time from November 1, 2007, until December 31, 2008, and before the finding of this presentment, pursuant to a continuous larcenous scheme did unlawfully and knowingly obtain and exercise control over property, to-wit: money totaling an amount more than ten thousand dollars (\$10,000.00) but less than sixty thousand dollars (\$60,000.00) of the First Utility District of Carter County without its effective consent, with the intent to deprive the First Utility District of Carter County of the property, all of which is a class C felony in violation of Tennessee Code Annotated § 39-14-103 and against the peace and dignity of the State of Tennessee.

COUNT 2

CHARGE: FORGERY GREATER THAN \$10,000.00

The Grand Jurors for the State of Tennessee, duly summoned, elected, impaneled, sworn and charged to inquire in and for the body of the County aforesaid, in the State aforesaid, upon their oath, present that **BILLY GENE MCFADDEN**, heretofore, on or about a period of time from November 1, 2007, until December 31, 2008, and before the finding of this presentment, pursuant to a continuous larcenous scheme did unlawfully and knowingly make false entries into the books and records of the First Utility District of Carter County with the intent to defraud or harm the First Utility District of Carter County, all of which is a class C felony in violation of Tennessee Code Annotated § 39-14-114 and against the peace and dignity of the State of Tennessee.

D 2065

STATE OF TENNESSEE, COUNTY OF CARTER
CRIMINAL COURT FOR CARTER COUNTY, TENNESSEE

COUNT 3

CHARGE: OFFICIAL MISCONDUCT

The Grand Jurors for the State of Tennessee, duly summoned, elected, impaneled, sworn and charged to inquire in and for the body of the County aforesaid, in the State aforesaid, upon their oath, present that **BILLY GENE MCFADDEN**, heretofore, on or about a period of time from November 1, 2007, until December 31, 2008, and before the finding of this presentment, pursuant to a continuous larcenous scheme, while employed as a public servant at the First Utility District of Carter County, did intentionally and knowingly violate a law relating to his office or employment as a public servant, to-wit: Theft of Property in violation of T.C.A. § 39-14-103, with the intent to obtain a benefit or harm another and did conceal the crime from detection by others at the utility district in a continuous manner throughout the above-stated period, all of which is a class E felony in violation of Tennessee Code Annotated § 39-16-402 and against the peace and dignity of the State of Tennessee.

COUNT 4

CHARGE: OFFICIAL MISCONDUCT

The Grand Jurors for the State of Tennessee, duly summoned, elected, impaneled, sworn and charged to inquire in and for the body of the County aforesaid, in the State aforesaid, upon their oath, present that **BILLY GENE MCFADDEN**, heretofore, on or about a period of time from November 1, 2007, until December 31, 2008, and before the finding of this presentment, pursuant to a continuous larcenous scheme, while employed as a public servant at the First Utility District of Carter County, did intentionally and knowingly violate a law relating to his office or employment as a public servant, to-wit: Forgery in violation of T.C.A. § 39-14-114, with the intent to obtain a benefit or harm another and did conceal the crime from detection by others at the utility district in a continuous manner throughout the above-stated period, all of which is a class E felony in violation of Tennessee Code Annotated § 39-16-402 and against the peace and dignity of the State of Tennessee.

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STATE OF TENNESSEE, COUNTY OF CARTER
CRIMINAL COURT FOR CARTER COUNTY, TENNESSEE

COUNT 5

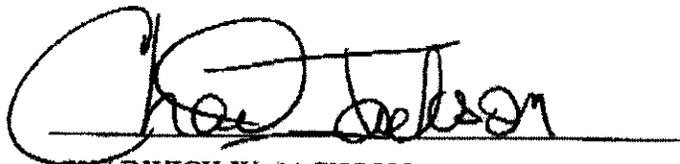
CHARGE: OFFICIAL MISCONDUCT

The Grand Jurors for the State of Tennessee, duly summoned, elected, impaneled, sworn and charged to inquire in and for the body of the County aforesaid, in the State aforesaid, upon their oath, present that **BILLY GENE MCFADDEN**, heretofore, on or about a period of time from November 1, 2007, until December 31, 2008, and before the finding of this presentment, pursuant to a continuous larcenous scheme, while employed as a public servant at the First Utility District of Carter County and with the intent to obtain a benefit from or to harm the First Utility District of Carter County, did intentionally and knowingly receive a benefit not otherwise authorized by law and did conceal the receipt of said benefits from detection by others at the utility district by falsifying time-keeping records, all of which is a class E felony in violation of Tennessee Code Annotated § 39-16-402 and against the peace and dignity of the State of Tennessee.

A20165

COUNT 6CHARGE: FRAUDULENT USE OF A CREDIT CARD

The Grand Jurors for the State of Tennessee, duly summoned, elected, impaneled, sworn and charged to inquire in and for the body of the County aforesaid, in the State aforesaid, upon their oath, present that **BILLY GENE MCFADDEN**, heretofore, on or about a period of time from February 28, 1995, until June 30, 2009, and before the finding of this presentment, pursuant to a continuous larcenous scheme did unlawfully and knowingly obtain and use a credit card belonging to the First Utility District of Carter County for the purpose of obtaining property, credit, services or anything else of value in excess of one thousand dollars (\$1,000.00) with knowledge that the use of the card was unauthorized by either the issuer or the person to whom the credit card was issued and without the effective consent of the First Utility District of Carter County while concealing the crime from detection by others at the utility district, all of which is a class D felony in violation of Tennessee Code Annotated § 39-14-103 and against the peace and dignity of the State of Tennessee.



CHADWICK W. JACKSON

DISTRICT ATTORNEY GENERAL *PRO TEM*

PRESENTMENT

CASE NO. 8201163

FILED
CARTER CO. CIRCUIT COURT

2010 JAN -8 PM 2: 28

STATE OF TENNESSEE

VS.

TERESA JEAN METCALF

PAUL MATHES, CLERK
CARTER CO., TN

**THEFT OF PROPERTY \$500 OR LESS
OFFICIAL MISCONDUCT (2 counts)
FORGERY**

**DANIEL G. PORTER, CFE, INVESTIGATIVE AUDITOR,
OFFICE OF THE COMPTROLLER OF THE TREASURY**

CLERK: Summon named witnesses
for the State of Tennessee.

**Chadwick W. Jackson
District Attorney General Pro Tem**

Witnesses sworn by me in the presence
of the Grand Jury

[Signature], 2010.
[Signature]
Foreperson of the Grand Jury

Filed this 7 day of Jan, 2010.

[Signature]
Clerk

BOND: \$25,000.

[Signature]
JUDGE

A TRUE BILL

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

820163

STATE OF TENNESSEE, COUNTY OF CARTER
CRIMINAL COURT FOR CARTER COUNTY, TENNESSEE

COUNT 1

CHARGE: THEFT OF PROPERTY \$500 OR LESS

The Grand Jurors for the State of Tennessee, duly summoned, elected, impaneled, sworn and charged to inquire in and for the body of the County aforesaid, in the State aforesaid, upon their oath, present that **TERESA JEAN METCALF**, heretofore, on or about a period of time from July 1, 2003, until March 30, 2008, and before the finding of this presentment, pursuant to a continuous larcenous scheme did unlawfully and knowingly obtain and exercise control over property, to-wit: money totaling an amount of five hundred dollars (\$500.00) or less, of the First Utility District of Carter County without its effective consent, with the intent to deprive the First Utility District of Carter County of the property and did conceal the theft from detection by others at the utility district in a continuous manner throughout the above-stated period, all of which is a class A misdemeanor in violation of Tennessee Code Annotated § 39-14-103 and against the peace and dignity of the State of Tennessee.

COUNT 2

CHARGE: FORGERY

The Grand Jurors for the State of Tennessee, duly summoned, elected, impaneled, sworn and charged to inquire in and for the body of the County aforesaid, in the State aforesaid, upon their oath, present that **TERESA JEAN METCALF**, heretofore, on or about a period of time from July 1, 2003, until March 30, 2008, and before the finding of this presentment, pursuant to a continuous larcenous scheme did unlawfully and knowingly make false entries into the books and records of the First Utility District of Carter County with the intent to defraud or harm the First Utility District of Carter County and did conceal the crime from detection by others at the utility district in a continuous manner throughout the above-stated period, all of which is a class E felony in violation of Tennessee Code Annotated § 39-14-114 and against the peace and dignity of the State of Tennessee.

D 20163

STATE OF TENNESSEE, COUNTY OF CARTER
CRIMINAL COURT FOR CARTER COUNTY, TENNESSEE

COUNT 3

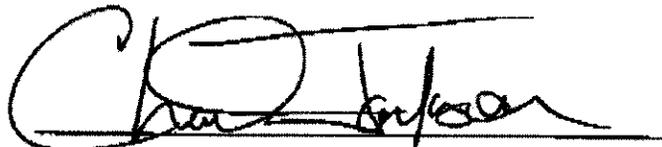
CHARGE: OFFICIAL MISCONDUCT

The Grand Jurors for the State of Tennessee, duly summoned, elected, impaneled, sworn and charged to inquire in and for the body of the County aforesaid, in the State aforesaid, upon their oath, present that **TERESA JEAN METCALF**, heretofore, on or about a period of time from July 1, 2003, until March 30, 2008, and before the finding of this presentment, pursuant to a continuous larcenous scheme, while employed as a public servant at the First Utility District of Carter County and with the intent to obtain a benefit from or to harm the First Utility District of Carter County, did intentionally and knowingly commit acts relating to her office or employment that constituted an unauthorized exercise of official power and did conceal such acts from detection by others at the utility district in a continuous manner throughout the above-stated period, all of which is a class E felony in violation of Tennessee Code Annotated § 39-16-402 and against the peace and dignity of the State of Tennessee.

COUNT 4

CHARGE: OFFICIAL MISCONDUCT

The Grand Jurors for the State of Tennessee, duly summoned, elected, impaneled, sworn and charged to inquire in and for the body of the County aforesaid, in the State aforesaid, upon their oath, present that **TERESA JEAN METCALF**, heretofore, on or about a period of time from July 1, 2003, until March 30, 2008, and before the finding of this presentment, pursuant to a continuous larcenous scheme, while employed as a public servant at the First Utility District of Carter County, did intentionally and knowingly violate a law relating to her office or employment as a public servant, to-wit: Theft of property \$500 or less, with the intent to obtain a benefit or harm another and did conceal the theft from detection by others at the utility district in a continuous manner throughout the above-stated period, all of which is a class E felony in violation of Tennessee Code Annotated § 39-16-402 and against the peace and dignity of the State of Tennessee.



CHADWICK W. JACKSON

DISTRICT ATTORNEY GENERAL *PRO TEM*