

IN THE CRIMINAL/CIRCUIT COURT OF CHEATHAM COUNTY, TENNESSEE

Case Number: 15036 Count#: 1 Attorney for the State ROBERT S. WILSON  
 Judicial District 23 Judicial Division III Counsel for Defendant ERIC LOCKERT

State of Tennessee

Retained  Appointed  Public Defender

vs. Defendant DIANE BESHEARS Alias \_\_\_\_\_

FILED

Date of Birth 08/07/1973 Sex F Race White SSN \_\_\_\_\_

Indictment Filing Date / / TDOC # \_\_\_\_\_ TBI Document Control # AUG 16 2006

JUDGMENT

Jill Womack  
Circuit Court Clerk

Comes the District Attorney General for the State and the defendant with counsel of record for entry of judgment.

On the 14th day of August, 2006, the defendant:

<input type="checkbox"/> Pled Guilty	<input type="checkbox"/> Dismissed/Noile Prosequi	Indictment: Class(circle one) 1st A B <u>C</u> D E	<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
<input checked="" type="checkbox"/> Nolo Contendere	<input type="checkbox"/> Retired/Unapprehended Defendant	Offense: <u>THEFT OF PROPERTY - \$10,000-\$60,000</u>	
<input checked="" type="checkbox"/> Guilty Plea - Pursuant to 40-35-313		Amended Charge _____	
Is found:	<input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty	Offense date <u>07/01/03 through 05/17/05</u> County <u>CHEATHAM</u>	
<input type="checkbox"/> Jury Verdict	<input type="checkbox"/> Not Guilty by Reason of Insanity	Conviction offense <u>THEFT OF PROPERTY - \$10,000-\$60,000</u>	
<input type="checkbox"/> Bench Trial		TCA#: <u>39-14-103</u> Sentence-imposed date <u>08/14/2006</u>	
		Conviction: Class(circle one) 1st A B <u>C</u> D E	<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor

After considering the evidence, the entire record, and all factors in T.C.A. Title 40, Chapter 35, all of which are incorporated by reference herein, the Court's findings & rulings are:

Sentence Reform Act of 1989		Concurrent with:	Pretrial Jail Credit Period(s):
Offender Status (Check One)	Release Eligibility (Check One)		From <u>/ /</u> to <u>/ /</u>
<input type="checkbox"/> Mitigated	<input type="checkbox"/> Mitigated 20%	Consecutive to:	From <u>/ /</u> to <u>/ /</u>
<input checked="" type="checkbox"/> Standard	<input type="checkbox"/> Mitigated 30%		From <u>/ /</u> to <u>/ /</u>
<input type="checkbox"/> Multiple	<input checked="" type="checkbox"/> Standard 30%		From <u>/ /</u> to <u>/ /</u>
<input type="checkbox"/> Persistent	<input type="checkbox"/> Multiple 35%		From <u>/ /</u> to <u>/ /</u>
<input type="checkbox"/> Career	<input type="checkbox"/> Persistent 45%		
<input type="checkbox"/> Repeat Violent	<input type="checkbox"/> Career 60%		
	<input type="checkbox"/> Violent 100%		
	<input type="checkbox"/> Multiple Rapist 100%		
	<input type="checkbox"/> Child Rapist 100%		
	<input type="checkbox"/> Repeat Violent 100%		
	<input type="checkbox"/> 1st Degree Murder		
	<input type="checkbox"/> School Zone		
	<input type="checkbox"/> Gang Related		

Sentenced to:  TDOC  County Jail  Workhouse

Sentenced Length: 3 Years  Months  Days  Hours  Week-ends  Life  Life w/out Parole  Death

Mandatory Minimum Sentence Length ( 39-17-417, 39-13-513, 39-13-514 in School Zone or 55-10-401 - DUI 4th Offense)

Period of Incarceration to be Served Prior to Release on Probation:  Months  Days  Hours  Weekends

Minimum service prior to eligibility for work release, furlough, trusty status and rehabilitative programs:  % (Misdemeanor Only)

Alternative Sentence:  Probation  Diversion  Community Based Alternative- Specify \_\_\_\_\_

3 Years  Months  Days Effective: 08/14/06

Court Ordered Fees and Fines:	Restitution: Victim Name <u>HARPETH MIDDLE SCHOOL</u>
\$ _____ Criminal Injuries Compensation Fund	Address <u>SHANNON SCHLIWA</u>
\$ _____ Sex Offender Tax	<u>TN</u>
\$ _____ Court Costs	Total Amount \$ <u>60000.00</u> Per Month \$ _____
\$ _____ Fine Assessed	<input checked="" type="checkbox"/> Unpaid Community Service: <u>50</u> Hours <u></u> Days <u></u> Weeks <u></u> Months
\$ _____ Other:	
Cost To Be Paid By <input type="checkbox"/> Defendant <input type="checkbox"/> State	

The Defendant having been found guilty is rendered infamous and is ordered to provide a biological specimen for the purpose of DNA analysis.

Special Conditions:  Pursuant to 39-13-524 the defendant is sentenced to community supervision for life following sentence expiration.

Defendant is not allowed to handle, keep books for any public or non-profit entity.

GEORGE SEXTON

Judge's Name

*[Signature]*  
Attorney for State/Signature (optional)

Date of Entry of Judgment

Defendant's Attorney/Signature (optional)

132908

*Noted*

**APPLICATION FOR CERTIFICATION OF ELIGIBILITY FOR DIVERSION**

COUNTY HEATHAM COURT  Circuit  Criminal  Sessions DIVISION III JUDGE SEXTON

DEFENDANT'S NAME DIANE BESHARS COURT DATE 8-14-06

DATE OF BIRTH 8/07/73 SEX F/W SOCIAL SECURITY NUMBER [REDACTED] TYPE OF DIVERSION  Pretrial  Judicial

OFFENSES TO BE DIVERTED:

1. THEFT Date of Arrest 8.14.06  Felony  Misdemeanor

2. \_\_\_\_\_ Date of Arrest \_\_\_\_/\_\_\_\_/\_\_\_\_  Felony  Misdemeanor

3. \_\_\_\_\_ Date of Arrest \_\_\_\_/\_\_\_\_/\_\_\_\_  Felony  Misdemeanor

NAME OF PERSON TO WHOM RESPONSE SHOULD BE SENT BOB WILSON ASST. D.A.

FAX NUMBER 615-742-1694 ADDRESS 105 SYCAMORE ST AC 37015

**CERTIFICATION OF ELIGIBILITY FOR DIVERSION**

I hereby certify that, pursuant to Tenn. Code Ann. §38-4-118(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.  The defendant has not had a prior disqualifying felony or misdemeanor conviction.
- 2.  The defendant has not previously been granted diversion.
- 3.  The defendant has not had an order expunging the public records of a criminal offense following the dismissal of charges entered on behalf of said defendant.
- The defendant has had an order expunging the public records of a criminal offense following the dismissal of charges entered on behalf of said defendant.

Randi Blechman  
Professional Standards Unit, TBI

8/9/06  
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 40-18-105. 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.

**JUDGMENT OF PRETRIAL DIVERSION OR JUDICIAL DIVERSION**

Comes now the District Attorney General for the State and the Defendant with counsel of record for entry of judgment. On this \_\_\_\_\_ day of \_\_\_\_\_:

OFFENSE INDICTED	OFFENSE CLASS
OFFENSE CONVICTED	OFFENSE CLASS

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