IN THE Circuit COURT OF Franklin COUNTY, TENNESSEE

STATE OF TENNESSEE

v.

NO. 15277

Larissa Sullenger

DOB 3/5/66 SSN [redacted]

FILED 12-5-03 11:45 A.M.
CLERK
FRANKLIN COUNTY TN

AGREED ORDER

This cause came on to be heard before the Court on the date set out below, and it appearing to the Court that the defendant (def.) has waived his right to a speedy trial; that the State of Tennessee, by and through the District Attorney's Office, the def., and counsel for the def. agree that the def. should participate in the Pre-Trial Diversion (PTD) Project, pursuant to TCA 40-15-102, et seq.; and that this case should be continued until 12-9-05, at which time the charge(s) against the def. can be dismissed, if he/she successfully completes the program and abides by the following conditions:

1. Refrain from violations of the law, conduct self in a manner consistent with good citizenship, and cooperate with PTD Project.
2. Make restitution to victim(s) in the following amount(s) and the following manner: Pay $10000.00 through clerk's office within 120 days. $7,269.00 of this shall be for the benefit of the Franklin Co. School System and the remainder ($2730.00) shall be for the benefit of the State of TN Comptroller's Office for audit costs.
4. Pay court costs as follows: Pay costs w/i 30 days
5. Perform 8 hours of public service work as follows:
6. Other requirements or provisions: The defendant will not apply for employment with any governmental entity during 2yr. diversion and she will maintain no governmental employment during the 2yr diversion.

IT IS THEREFORE ORDERED AND DECREED that the case against the above mentioned def. shall be continued until 12-9-05 in order that the defendant might participate in the Pre-Trial Diversion (PTD) Project.

ENTER this the 9 day of Dec. 2003

By _____ Judge

Approved for entry:

By _____ Asst. Dist. Atty.

By _____ Atty. for the Defendant

IN THE Circuit COURT OF Franklin COUNTY, TENNESSEE

STATE OF TENNESSEE]

VS.] NO. 15277

Laurissa Sullenger]

12-9-03
11:45 AM

MEMORANDUM OF UNDERSTANDING

Comes the State of Tennessee, by and through the District Attorney's Office, and the above named defendant (def.), with counsel, and would hereby give notice by this memorandum of understanding that they have agreed that the prosecution will be suspended for a period of 2 yrs, pursuant to TCA 40-15-105 [Pre-Trial Diversion Project (PTD)]; the def. having not been previously convicted of a felony nor having been previously convicted of a misdemeanor for which a sentence of confinement was served. In return for the suspension of the prosecution of these proceedings, the def. hereby agrees:

1. To obey the laws of the State of Tennessee, the United States of America, and all other States of these United States.
2. To conduct self in a manner that is consistent with good citizenship and cooperate with PTD Project.
3. To pay the Court Costs in this cause on or before pay costs as set out in order
4. Such other agreements that are hereby noted: pay restitution as set-out in order.

Hold no governmental job during diversion.
Apply for no governmental job during diversion.

It is understood and agreed by the parties that should the def. violate any of the provisions of this agreement that the State of Tennessee may revoke this memorandum of understanding and reinstitute the criminal prosecution. It is also understood by the parties that the def. hereby waives his/her rights to a speedy trial, and that any applicable statute of limitations is hereby tolled during the suspension of the prosecution pursuant to this memorandum. It is further understood that the def. shall remain on bond during the period of this diversion. Finally it is understood that any false statements in the def.'s application for diversion, false statements before the Court, or false statements herein, may result in perjury charges and immediate termination of pre-trial diversion.

ENTERED into this the 9th day of December, 2003

Asst. Dist. Atty.

Thomas C. Davis
Attorney for Defendant

Laurissa Sullenger

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ADDENDUM TO MEMORANDUM OF UNDERSTANDING

TCA 40-15-105(a)(3) requires that the memorandum of understanding shall include a statement of the defendant's version of the facts of the alleged offenses. This statement of the facts relative to the charged offenses shall not be admissible as substantive evidence in any civil or criminal proceeding against the defendant, but evidence of the statement is admissible as impeachment against the defendant and admissible for cross-examination of the defendant, as set out in TCA 40-12-105 et seq. The defendant includes the following statement of his/her version of the facts of the alleged offenses:

STATEMENT: I FEEL THAT I HAVE FULLY COOPERATED WITH THE AUTHORITIES IN THIS MATTER. I TOOK 2 SETS OF STATE-ADMINISTERED POLYGRAPHS. THE FIRST SET WAS NON-CONCLUSIVE, AT THE STATE'S REQUEST, I TOOK A SECOND SET OF TESTS. I PASSED THE SECOND SET OF POLYGRAPHS ON ALL THREE READINGS. I FEEL THAT I AM INNOCENT OF THE CHARGES AND FEEL THAT THE PRE-TRIAL DIVERSION AGREEMENT IS AN ARMS-LENGTH SETTLEMENT OF THE MATTER. THE DIFFICULTY FROM MY POINT OF VIEW IS PROVING WHO THE TRUE CULPRIT IS BY A REASONABLE ALTERNATIVE THEORY.

Larissa Sullenger

Addendum to Memorandum of Understanding

Pursuant to TCA 40-15-105(a)(3), the memorandum of understanding may include stipulations concerning the admissibility in evidence of specified testimony, evidence or dispositions, if the suspension of the prosecution is terminated and there is a trial on the charge. If the suspension of the prosecution is terminated for any reason, the defendant herein stipulates to the following:

STIPULATION: NONE

Signed this the 9 day of December, 2003

By _____ By _____

Defendant Attorney for Defendant