

IN THE CRIMINAL COURTS OF TENNESSEE
FOR THE 30TH JUDICIAL DISTRICT AT MEMPHIS
DIVISION 10

STATE OF TENNESSEE

VS. NO: (S) 09-02111

CHARGE(S) Theft of Property

DEFENDANT Thomas Turner

over 10,000⁰⁰

ORDER ON GUILTY PLEA

This cause came on for hearing before the Honorable James Beasley, Judge of Division 10 of the Criminal Court of Shelby County, Tennessee, on petition of the above named defendant for waiver of trial by Jury, waiver of his or her right to have a Jury determine his or her guilt, to submit himself or herself to the trial Judge to determine his or her guilt; and fix his or her punishment, and request for acceptance of plea of guilty, said petition being attached hereto and incorporated by reference herein, upon statements made in open Court by the defendant herein, his or her Attorney of record, the Assistant District Attorney General representing the State of Tennessee; and from questioning by the Court of the defendant and his or her counsel in open Court, and

IT APPEARING TO THE COURT after careful consideration that the defendant herein has been fully advised and understands his or her rights to a trial by Jury and to have a Jury indictment against him or her, and the defendant does not elect to have a Jury determine his or her guilt or innocence under a plea of Not Guilty, nor fix his or her fine in excess of **FIFTY (\$50.00) DOLLARS**; and has waived the formal reading of the indictment, and

IT FURTHER APPEARING TO THE COURT that the defendant intelligently and understandingly waives his or her right to a trial and his or her right to have a Jury determine his or her guilt and fix his or her fine in excess of **FIFTY (\$50.00) DOLLARS** of his or her own free will and choice and without any threats or pressure of any kind or promises, other than the recommendation of the State as to punishment; and reasonably submits himself or herself to the trial Judge to determine his or her guilt and fix his or her punishment; and waives his or her right to a **Motion for New Trial and/or Appeal**.

IT FURTHER APPEARING TO THE COURT, from the testimony of the defendant, from which the Court finds as a matter of fact and law that the defendant has been rendered that standard of representation by his Attorney as commanded by *Baxter v Rose*, 523 SW2d 930 (Tenn. 1975);

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the petition filed herein be, and the same is hereby **GRANTED**.

Entered this 18 day of June, 2010

James C Beasley
JUDGE

DIV. 10

Filed 6/18/10
WILLIAM R. KEY, CLERK

By: [Signature] D.C.



**IN THE CRIMINAL COURTS OF TENNESSEE
FOR THE 30TH JUDICIAL DISTRICT AT MEMPHIS
DIVISION 10**

STATE OF TENNESSEE

VS. NO: (S) 09-02111

CHARGE(S) Theft of Property
over 90,000⁰⁰

Thomas Turner

DEFENDANT

**PETITION FOR WAIVER OF TRIAL BY JURY AND REQUEST FOR
ACCEPTANCE OF PLEA OF GUILTY**

My true name is Thomas Turner and my Attorney Thomas E. Hanson was (retained by me) (appointed by the Court). I have received and read a copy of the indictment, discussed it with my Attorney, and understand the nature of the charges against me. I have told my Attorney the facts and circumstances concerning the accusation against me. My Attorney has informed me as to the nature and cause of the charges against me in the indictment and, if applicable that a different or additional punishment may result by reason of any prior convictions or other factors which may be established in the present action, after the entry of the plea, and the offense to which I seek to plead guilty by the Petition if accepted by the Court:

CONVICTION	SENTENCE	FINE	LOCATION	Range And %
<u>Theft of Property over 10,000⁰⁰</u>			<u>Shelby Co. Cour. Center</u>	

SENTENCE DEFERRED DATE (if applicable) 6/10/2013

It has been fully explained to me, and I understand that I may, if I so choose, plead **NOT GUILTY** to any offense charged against me, and that if I choose to plead **NOT GUILTY**, the Constitution guarantees, and this Court will provide me the right to a speedy and public trial by Jury, the right to confront and cross-examine all witnesses against me, the right to use the subpoena process of the Court to compel the production of any evidence, including the attendance of any witness in my favor, the right to have a Jury impose any fine in excess of **FIFTY(\$50.00) Dollars**, the right to have the assistance of counsel in my defense in all stages of the proceedings, and the right not to be compelled to incriminate myself. I understand that upon pleading guilty, the Court or the State may ask me questions about the offense to which I have plead, and if I answer these questions under oath, on the record, and in the presence of my counsel, my answers may later be used against me in a prosecution for perjury or false statement, and, further, that upon the sentencing hearing, evidence of any prior convictions may be presented to the Judge or Jury for their consideration in determining punishment. It has been explained to me and I understand that this conviction(s) may be used in a subsequent proceeding to enhance the punishment for subsequent offenses. I understand that if I plead guilty, I waive my right to a Jury trial and all the above rights.

In the exercise of my own free will and choice, and without any threats or pressure of any kind, or promises of gain or favor from any source whatsoever, and being fully aware of the action I am taking, I do hereby in open Court request the Court to accept my pleas of guilty to the charges, set forth in my attached negotiated plea agreement.

Furthermore, having been advised of my constitutional rights, I freely and voluntarily waive my right to a trial by Jury and right not to be compelled to incriminate myself. I hereby submit my case to the Trial Judge for decision, both as to guilt and punishment, said Petition being concurred in by the District Attorney General. I fully understand my right to have my case reviewed by an Appellate Court, but hereby waive my right to a Motion For New Trial and Appeal.

Thomas Turner
DEFENDANT

APPROVED:

Thomas E. Hanson
Attorney For Defendant

William R. Key
Assistant Attorney General

DATE: 6/18/10

Filed 6/16/10
WILLIAM R. KEY, CLERK

By: [Signature], D.C.

THE JUSTICE NETWORK, INC.



® In The

Criminal

Court, Shelby County, Tennessee



State of Tennessee

Division: 10

vs.

Docket No: 09-02111

Charge(s): Theft of Property

Thomas Turner

Defendant

ORDER OF DEFERMENT OF SENTENCE PURSUANT TO TENNESSEE CODE ANNOTATED 40-35-313

THIS CAUSE came on to be heard before the undersigned Judge, the above named defendant having entered a plea of guilty or having been found guilty of the offense of Theft of Property 10K and having entered an ORDER OF REFERENCE and The Justice Network having filed a written report pursuant thereto. It appearing to the Court that the above named defendant is a first time offender and is not likely to engage in criminal conduct again.

IT IS ORDERED, ADJUDGED, AND DECREED that sentencing of the above named defendant be and hereby is deferred. The defendant shall appear back in Court on the 18 day of June 2013 at 9:00 o'clock for the final disposition of this case. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the above named defendant shall be required to observe any and all special conditions as set out below:

1. Report to The Justice Network, Inc., 2430 Poplar Avenue, 3rd Floor, Memphis, Tennessee 38112, 454-7880, immediately upon release from custody or following Court and shall maintain required contact with The Probation Services Division of that office.
2. Procure the consent of his/her Case Officer before changing his/her residence or employer or before leaving the county of his/her residence or the State.
3. Make a full and truthful report to his/her Case Officer in person and/or in writing as directed.
4. Not use intoxicants of any kind; or use intoxicant drugs, marijuana included, or visit places where intoxicants are sold, dispensed, or used.
5. Obey all laws of the United States of America, of the State of Tennessee, or of any other state, in which he/she may be, as well as all municipal ordinances.
6. Immediately report all arrests, including a traffic citation, regardless of disposition, to Case Officer.
7. Allow Case Officer to visit his/her home, employment site, or elsewhere and carry out all instructions given by the Case Officer, whether oral or in writing.
8. Probationer shall not purchase, use or possess, other than in his/her own home, weapons or firearms except for use of specific firearms or weapons for licensed hunting.
9. Probationer shall pay the probation supervision fee in the amount of thirty-five dollars (\$35.00) each month for the period of supervised probation, such payment to be made to The Justice Network, Inc.

10. Other Continue present course of medical care until released by Dr.
- | | | |
|---|----------|--|
| <input type="checkbox"/> Alcohol Safety School | by _____ | <input type="checkbox"/> Random Drug Testing |
| <input type="checkbox"/> Drug Offender School | by _____ | <input type="checkbox"/> Curfew from _____ to _____ |
| <input type="checkbox"/> Anger Management | by _____ | <input type="checkbox"/> House Arrest from _____ to _____ |
| <input type="checkbox"/> Theft Cessation Class | by _____ | <input checked="" type="checkbox"/> Restitution \$ <u>19,259.00</u> by <u>12/31/10</u> |
| <input type="checkbox"/> Community Service Work | by _____ | <input type="checkbox"/> Paid to _____ |
| <input type="checkbox"/> Defensive Driving School | by _____ | <input type="checkbox"/> Pay all court costs and fines by _____ (R) |

VIOLATION OF ANY OF THE TERMS OF THE JUSTICE NETWORK, INC. DEFERMENT PROGRAM MAY BE SUFFICIENT CAUSE FOR THE DEFENDANT TO BE APPREHENDED AND BROUGHT BEFORE THE COURT ON A HEARING FOR REVOCATION. DONE AND ORDERED IN OPEN COURT,

this the 18 day of June, 2010.

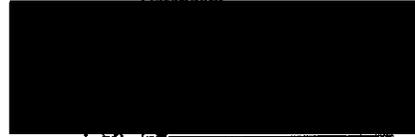
James C. Beasley, Jr.
JUDGE

I, the above named defendant, have read or have had read to me the foregoing Order of Deferral. I fully understand the Order and agree with the terms and conditions set forth therein. I understand that should I fail to comply with any condition, that the suspension of sentence may be revoked by the Court and I may be ordered to serve my original sentence.

Thomas W. Turner
Defendant

Thomas E. Lawson
Attorney for Defendant

William R. ...
Attorney for Prosecution



Telephone Number

FILED 6/18/10
WILLIAM R. ...
BY

09 02111

No. _____

STATE OF TENNESSEE

V.

THOMAS TURNER

Indictment for

THEFT OF PROPERTY OVER \$10,000

T.C.A. 39-14-103

SCATS CODE - 30152

Witnesses:

Summon for the State

PHIL JOB
J.SULLIVAN
REBEKAH DADAY
DEBORAH GODWIN
LUCAS MCNAIR
DANIEL PORTER

DIVISION OF MUNICIPAL AUDIT
TENNESSEE BUREAU OF INVESTIGATION
414 UNION ST. SUITE 1100, NASHVILLE, TN
MORGAN KEEGAN, SUITE 800, MEMPHIS
C/O MEMPHIS POLICE ASSOCIATION
C/O DIV. MUNICIPAL AUDIT, 414 UNION,
37219 NASHVILLE, TN.

P. JOB
Prosecutor

A True Bill ✓

Mary F. Thomas
Foreperson of the Grand Jury

Date Indictment Returned: 3-31-09

STATE OF TENNESSEE) CRIMINAL COURT OF SHELBY COUNTY

)

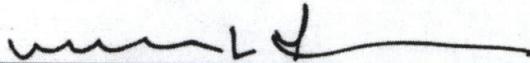
SHELBY COUNTY) MARCH TERM, 2009

Count 1

THE GRAND JURORS of the State of Tennessee, duly selected, empaneled, sworn and charged to inquire for the body of the county of Shelby, Tennessee, upon their oath, present that:

THOMAS TURNER

between November 1, 2004 and July 31, 2007 in Shelby County, Tennessee, and before the finding of this indictment, did unlawfully and knowingly obtain or exercise control over certain property, to wit: a sum of Money, of the value of \$10,000 or more but less than \$60,000, the property of MEMPHIS POLICE ASSOCIATION, without the effective consent of MEMPHIS POLICE ASSOCIATION, with intent to deprive MEMPHIS POLICE ASSOCIATION of the said property, in violation of T.C.A. 39-14-103, against the peace and dignity of the State of Tennessee.



William L. Gibbons
District Attorney General
30th Judicial District