

IN THE CRIMINAL CIRCUIT COURT OF PUTNAM COUNTY, TENNESSEE

Case Number: 10-0760 Count # 2 Attorney for the State: Randall A. York
Judicial District: 13th Judicial Division: Criminal II Counsel for Defendant: Jonathan Young

State of Tennessee

Retained Appointed Public Defender
Counsel Waived Pro Se

Defendant: TIMOTHY H. MURPHY

Alias:

Date of Birth: 06/03/1969 Sex: Male Race: Caucasian SSN:

Indictment Filing Date: TDOC # State Control #

State ID # County Offender ID #

JUDGMENT

Original Amended Corrected

Comes the District Attorney General for the State and the defendant with counsel of record for entry of judgment. On the 24th day of September, 2010, the defendant:

Indictment: Class (circle one) Felony Misdemeanor
Offense: THEFT OVER \$10,000
Amended Charge:
Offense Date: between June 2007 and November 2009 Putnam County
Conviction Offense: THEFT OVER \$10,000
Is this conviction offense meth/amphetamine related? No
TCA #: 39-14-103 Sentence Imposed Date: 12/16/2010
Conviction: Class (circle one) Felony Misdemeanor

After considering the evidence, the entire record, & 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
Offender Status (Check One) Release Eligibility (Check One)
Concurrent with: Count 1
Pretrial Jail Credit Period(s):

Sentenced To: TDOC County Jail Workhouse
Sentence Length: 4 Years Months Days Hours Weekends Life Life w/out Parole Death
Mandatory Minimum Sentence Length: 39-17-417, 39-13-513, 39-13-514 in Drug Free Zone or 55-10-401 DUI 4th Offense
Alternative Sentence: Probation Diversion Drug Court Community Based Alternative

Court Ordered Fees and Fines: Cost to be Paid by Defendant State
Restitution: Victim Name Address
Total Amount \$ Per Month \$
Unpaid Community Service: Hours Days Weeks Months

The Defendant having been found guilty is rendered infamous and ordered to provide a biological specimen for the purpose of DNA analysis. Pursuant to 39-13-521 the defendant is ordered to provide a biological specimen for the purpose of HIV testing. Pursuant to 39-13-524 the defendant is sentenced to community supervision for life following sentence expiration.

Special Conditions
The defendant is ordered to report to the Crossville Jail on January 3, 2011 to begin serving his sentence. The State hereby agrees not to oppose a petition for early release after the defendant has served 90 days. The Defendant is further decertified from the State of Tennessee Peace Officers Standards Training Commission certification.

DAVID A. PATTERSON Judge's Name Daniel Patterson Judge's Signature 12-28-10 Date of Entry of Judgment
Attorney for State/Signature (optional) Defendant's Attorney/Signature (optional)

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IN THE CRIMINAL CIRCUIT COURT OF PUTNAM COUNTY, TENNESSEE

Case Number: 10-0760 Count # 1 Attorney for the State: Randall A. York
Judicial District: 13th Judicial Division: Criminal II Counsel for Defendant: Jonathan Young

State of Tennessee

Retained Appointed Public Defender
Counsel Waived Pro Se

Defendant: TIMOTHY H. MURPHY

Alias:

Date of Birth: 06/03/1969 Sex: Male Race: Caucasian SSN:

Indictment Filing Date: TDOC # State Control #

State ID # County Offender ID #

JUDGMENT

Original Amended Corrected

Comes the District Attorney General for the State and the defendant with counsel of record for entry of judgment. On the 24th day of September, 2010, the defendant:

Form with checkboxes for Pled Guilty, Dismissed/Nolle Prosequi, etc. Includes indictment class (OFFICIAL MISCONDUCT), offense date (between June 2007 and November 2009), conviction offense (OFFICIAL MISCONDUCT), and sentence imposed date (12/14/2010).

After considering the evidence, the entire record, & 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 section with checkboxes for Offender Status (Mitigated, Standard, Multiple, etc.) and Release Eligibility (Mitigated 20%, 30%, 35%, 45%, 60%, 100%, etc.).

Sentenced To: TDOC County Jail Workhouse. Sentence Length: 2 Years Months Days Hours Weekends. Includes Mandatory Minimum Sentence Length and Alternative Sentence options.

Court Ordered Fees and Fines: Court Costs, Fine Assessed, Traumatic Brain Injury Fund, Drug Testing Fund, CJC/F, Sex Offender Tax. Restitution: Victim Name Monterey Police Department, Address P.O. Box 97, Monterey, TN 38574, Total Amount \$28500.00.

The Defendant having been found guilty is rendered infamous and ordered to provide a biological specimen for the purpose of DNA analysis. Pursuant to 39-13-521 the defendant is ordered to provide a biological specimen for the purpose of HIV testing.

The defendant is ordered to report to the Crossville Jail on January 3, 2011 to begin serving his sentence. The State hereby agrees not to oppose a petition for early release after the defendant has served 90 days. The Defendant is further decertified from the State of Tennessee Peace Officers Standards Training Commission certification.

DAVID PATTERSON Judge's Name and Signature. Attorney for State/Signature (optional).

12-28-10 Date of Entry of Judgment

Defendant's Attorney/Signature (optional)

STATE OF TENNESSEE )  
 )  
 )  
 VS )  
 )  
 )  
TIM MURPHY )

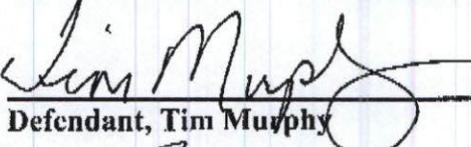
No. 10-0760  
 IN THE CRIMINAL COURT OF  
Putnam County,  
 Tennessee

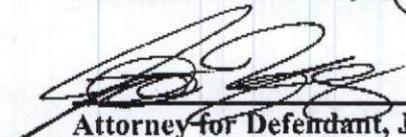
**WAIVER OF INDICTMENT AND/OR PRESENTMENT**

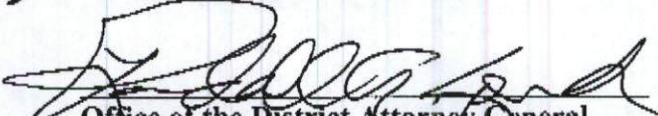
Comes the defendant, **Tim Murphy**, who heretofore has been charged with the offense(s) of Official Misconduct and Theft over \$10,000.00 in person and with his/her attorney in open Court, and who in writing after having been advised of the nature of the charges by the Court and of his/her right to waive indictment and/or presentment by the Court, waives said right to be tried only upon presentment and/or indictment of a Grand Jury of his/her peers, and who in the presence of his/her Attorney agrees in writing to waive said right to presentment and/or indictment by the Grand Jury and consents and agrees that said prosecution may be by **Information** instead of presentment and/or indictment. This waiver of Indictment and/or Presentment is executed pursuant to the provisions of Chapter No. 258 of the Public Acts of 1975.

This written waiver shall be attached to and become a part of the Information filed by the District Attorney General.

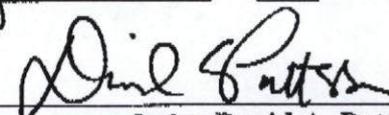
This the 24th day of September, 2010.

  
 Defendant, **Tim Murphy**

  
 Attorney for Defendant, **Jonathan Young**

  
 Office of the District Attorney General

ENTER this the 24 day of Sept, 2010.

  
 Judge **David A. Patterson**

IN THE CRIMINAL COURT FOR PUTNAM COUNTY, TENNESSEE

STATE OF TENNESSEE

VS.

TIM MURPHY

d/o/b: 6/3/69

SSN [REDACTED]

No. 10-0760

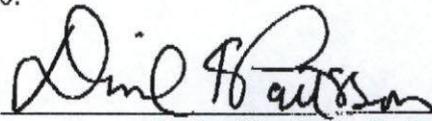
**ORDER**

In this cause it duly appearing to the Court that this defendant is charged with the offense(s) of Official Misconduct and Theft over \$10,000.00 and upon motion of the District Attorney General and the Defendant and the defendant's Attorney to proceed by **Information** in this matter instead of Indictment and/or Presentment, and the defendant having appeared in open court with his/her attorney, Jonathan Young, and having then been advised by the Court of his/her right to be tried only upon Indictment and/or Presentment by a Grand Jury of his/her peers, voluntarily waives said right to be tried only upon Indictment and/or Presentment and consents to be prosecuted and tried on an Information filed by the District Attorney General.

IT IS THEREFORE ORDERED by the Court that the District Attorney General may proceed in said matter by the filing of an Information instead of an Indictment and/or Presentment pursuant to the Provisions of Chapter 258 of the Public Acts of 1975.

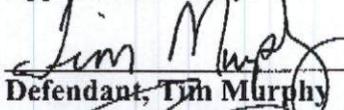
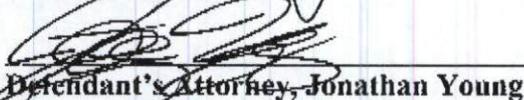
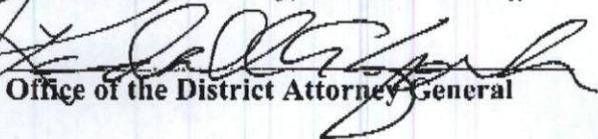
This Order shall be attached and become a part of the Information filed by the District Attorney General.

Enter this the 24th day of September, 2010.



Judge David A. Patterson

Approved for Entry:

  
Defendant, Tim Murphy  
Defendant's Attorney, Jonathan Young  
Office of the District Attorney General

IN THE CRIMINAL COURT FOR Putnam COUNTY, TENNESSEE

FILED

STATE OF TENNESSEE

DOCKET NO: 10-0760

VS

2010 SEP 24 AM 9:45

Tim Murphy  
DEFENDANT

PUTNAM COUNTY CLERK  
COURT HOUSE

**PLEA OF GUILTY AND WAIVERS OF JURY TRIAL AND OF APPEAL**

I certify the following is true and correct:

Name: Tim Murphy Alias: \_\_\_\_\_  
SS # [REDACTED] DOB: 6/3/69 Race: W Sex: M

I have received and read a copy of the indictment and discussed it with my attorney. My attorney has informed me as to the nature of the charges against me and I understand the nature of the charges. My attorney has further advised me as to the minimum and maximum possible punishment for the crime or crimes. I desire to voluntarily enter a plea of guilty.

I admit that I am guilty of the offense or offenses to which I am pleading guilty. I understand that I could continue with a not guilty plea to any offense charged and that I have a right to a speedy and public trial by jury. I understand I have the right to be represented by an attorney in all stages of the proceedings against me and if I cannot afford an attorney, an appointed attorney would represent me without any cost to me. I understand that if I went to trial I or my attorney would have the right to question and cross-examine any witnesses that testified against me, that I could subpoena witnesses to testify for me and that I could not be forced to testify at trial and incriminate myself. I also understand I have the right to have a jury impose any fine in excess of \$50.00. I understand that by pleading guilty I give up or waive my right to a jury trial and all the above rights. I also understand that I am giving up my right to an appeal.

By pleading guilty I understand that I may be questioned regarding the offense or offenses and that I can be punished for perjury if I give false answers under oath.

I understand that any prior convictions I have may be considered by the Court in sentencing.

I understand that the conviction or convictions today may be used in a future proceeding to make my punishment greater should I be sentenced in the future for another offense.

I am pleading guilty of my own free will and choice. No force has been exerted on me nor have any threats been made against me to get me to plead guilty. No promises have been made to me other than the details of my guilty plea set forth on the back of this form. I am aware of the action I am taking and request the Court to accept my guilty plea. I waive my right to jury trial and appeal and submit my case to the trial judge for full and final determination.

**Waiver of Counsel** Understanding that I am charged in the indictment with the offense(s) listed below which involve(s) a possible deprivation of liberty and understanding my rights to counsel, I hereby voluntarily and **knowingly and without force and coercion or promises of any kind, waive my right to counsel. I acknowledge that I have been given sufficient opportunity to retain counsel, and I do not wish to request court-appointed counsel.**  
Acknowledgment of waiver of counsel: \_\_\_\_\_ (Signature) \_\_\_\_\_

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IN THE CRIMINAL COURT OF PUTNAM COUNTY, TENNESSEE

- HONORABLE LEON BURNS, JUDGE
- HONORABLE DAVID PATTERSON, JUDGE
- HONORABLE JOHN MADDUX, JUDGE
- HONORABLE JOHN TURNBULL, JUDGE

STATE OF TENNESSEE

VS

Timothy Murphy  
Defendant

(  
)  
(  
)  
(  
)  
)

CASE NO. 10-0 760

NON-MINUTE ORDER FOR APPEARANCE

TO THE DEFENDANT:

YOU HAVE A CASE PENDING IN THE CRIMINAL COURT OF PUTNAM COUNTY, TENNESSEE. IT IS HEREBY ORDERED:

1. This matter is continued until 12-14, 10  
At 9:00  a.m.,  p.m.  
 TRIAL DATE  
 MOTION DATE  
 BE BACK WITH ATTORNEY/ARRAIGNMENT  
 OTHER: Sentencing

2. You are under court order to be present in court on the above date and time. You are also required to have an attorney on this date.
3. If this matter is continued beyond the date given, you will remain under this order to be present on the date of every continuance.
4. Failure to appear will result in a Capias being issued for your arrest. As a result of said Capias you will spend time in jail and your bond will be forfeited.

5. \_\_\_\_\_

ORDERED THIS 24 DAY OF Sept, 2010.

x Jim Murphy  
DEFENDANT

David Patterson  
JUDGE

DEFENDANT'S SIGNATURE  
BY ATTORNEY

IN THE CRIMINAL COURT OF PUTNAM COUNTY, TENNESSEE

2010 SEP 29 PM 3:27

STATE OF TENNESSEE )  
)  
)  
VS )  
)  
)  
TIM MURPHY )

PUTNAM CO. CIRCUIT COURT  
COOKEVILLE, TN

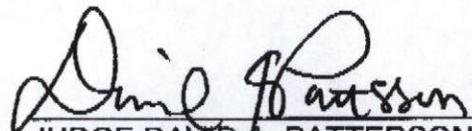
NO. 10-0760

ORDER

It being shown to the Court that on September 24, 2010, Defendant Tim Murphy entered a plea of guilty to official misconduct, a class E felony, and theft over \$10,000.00, a class C felony, by Information No. 10-0760. It being further shown to the Court that it is necessary for the defendant to go through the intake procedure at the Putnam County Jail for jail records; wherefore,

It is hereby Ordered that the defendant, Tim Murphy, shall complete the intake procedure at the Putnam County Jail and that he shall be released on an own recognizance bond to appear before this Court on December 14, 2010, for the purpose of a sentencing hearing.

Enter this the 29th day of September, 2010.

  
JUDGE DAVID A. PATTERSON

Copies to:

Tim Davis, Jail Administrator  
Honorable Randall A. York, District Attorney General  
Jonathan Young, Attorney for Defendant

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**I AM CHARGED WITH THE FOLLOWING OFFENSE (S):**

OFFENSE: Official Misconduct

POSSIBLE PUNISHMENT: 1-6 yrs. \$3000 fine + costs

OFFENSE: Theft over \$10,000-

POSSIBLE PUNISHMENT: 3-15 yrs. \$10000 fine + costs

**I AM PLEADING GUILTY TO THE FOLLOWING:**

CASE NO.	COUNT	OFFENSE / TCA CODE	CLASS	DATE OF OFFENSE
	<u>1</u>	<u>Official Misconduct</u>	<u>F/E</u>	<u>June '07 - Nov '09</u>
		<u>PUNISHMENT: Sentencing hearing</u>		

CASE NO.	COUNT	OFFENSE / TCA CODE	CLASS	DATE OF OFFENSE
	<u>2</u>	<u>Theft over \$10,000-</u>	<u>F/c</u>	<u>June '07 - Nov '09</u>
		<u>PUNISHMENT: Sentencing Hearing</u>		

Concurrent/Consecutive Information: \_\_\_\_\_

TYPE OF OFFENDER: \_\_\_\_\_ (Career Offender) \_\_\_\_\_ (Multiple Offender, Rg. II) (Persistent Offender, Rg. III)

Probation Conditions (if applicable): \_\_\_\_\_

County Jail Program Eligibility: \_\_\_\_\_ %

PLACE OF CONFINEMENT: County Jail or Department of Correction

JAIL CREDIT: \_\_\_\_\_ days for following dates: \_\_\_\_\_

THIS 24<sup>th</sup> DAY OF Sept, 2010

[Signature]  
District Attorney General

[Signature]  
Defendant

APPROVED BY COURT:

[Signature]  
Judge