

IN THE CRIMINAL COURT FOR THE STATE OF TENNESSEE
THIRD JUDICIAL DISTRICT, SITTING AT GREENEVILLE

STATE OF TENNESSEE,)	
)	
Plaintiff)	
)	
vs.)	Case No. 12CR085
)	
BUFFI BLAIR GRAY,)	
)	
Defendant)	

MEMORANDUM OF UNDERSTANDING

The defendant has been charged with the offense of Theft of Property Valued Over \$1,000 but Less Than \$10,000, occurring on or about August 24, 2010 through November 29, 2010.

The Defendant represents herein, under oath, by her signature on this Memorandum, that she does not have a prior felony conviction, does not have a previous misdemeanor conviction for which a sentence of confinement was served and has never been placed on pre-trial diversion, or Title 40 deferment, before the entry of this Memorandum of Understanding.

In reliance on the above stated representations, the State of Tennessee agrees with the Defendant to enter into this Memorandum of Understanding whereby the prosecution of the Defendant on the above-stated charge is hereby suspended for a period of ^{18 months} ~~one (1) year~~ commencing on 1-3-13, pursuant to the provisions of T.C.A. 40-15-101 et. seq.

Based on the agreement of the State to suspend its prosecution of the Defendant, the Defendant agrees to faithfully observe the following conditions during the

period of which the prosecution is suspended:

1. That the Defendant not commit any offenses;
2. That the Defendant not engage in specified activities, conduct and associations, bearing a relationship to the conduct upon which the charge against Defendant is based;
3. That, upon the request of the Defendant's supervising probation officer, the Defendant will participate in a supervised rehabilitation program which may include, inter alia, treatment, counseling, training and education;
4. That the Defendant pay a fee of \$ _____ per month to the Probation Officer; and
5. That the Defendant reside in a designated place, including but not limited to a residential facility for persons participating in a particular program of rehabilitation, if residence there is necessary in order to participate fully in the program.

In addition to the above conditions which are specified by statute in T.C.A. 40-14-105, the Defendant further agrees to faithfully observe and comply with the following general and specific conditions of probation:

1. The Defendant will procure the consent of her Probation Counselor before any change of residence or employment, or before leaving the County of her residence, or the State.
2. The Defendant will make a full and truthful report to her Probation

Counselor, either in person and/or in writing, however requested.

3. The Defendant shall not use intoxicants of any kind to excess; nor use narcotic drugs, marijuana included, nor visit places where intoxicants or drugs are unlawfully sold, dispensed or used.

4. The Defendant shall not associate with persons of ill repute and will not frequent establishments whose primary purpose is the selling of alcoholic beverages.

5. The Defendant shall report all arrests, including traffic violations, regardless of disposition, to her Probation Counselor.

6. The Defendant shall allow her Probation Counselor to visit her home, employment site or elsewhere and carry out all instructions given by the Counselor, whether oral or in writing.

7. If at any time it is necessary to communicate with the Probation Counselor and he/she is not accessible, the Defendant will direct all communication to the District Director or Regional Director.

8. The Defendant shall obey the laws of the United States or any State in which she may be, as well as any municipal ordinances.

9. The Defendant shall not be away from her place of residence at late or unusual hours of the night, such hours to be determined by the Probation Counselor, who will also give permission for night employment if necessary.

10. The Defendant shall work diligently at a lawful occupation or be enrolled in school full time and support dependents, if any, to the best of her ability.

11. The Defendant must have paid all costs and restitution before an order of dismissal and expungement will be entered by the Court.

12. That the Defendant pay \$ _____ diversion fee and court costs to the Circuit Court Clerk's office before entry of this Memorandum of Understanding.

13. Special conditions: ~~None~~. - Defendant to pay \$2,486^{TS.} in restitution to Nolichucky Elementary School. **CAB**

The Defendant further agrees to serve 225 CAB hours of community service pursuant to the requirements, rules and regulations and working conditions established by the Probation Office. A written statement of completion from the Probation Office must be filed with the Court and the District Attorney General before an order of dismissal and expungement will be approved by the State and entered by the Court.

The Defendant agrees to waive the right to a speedy trial.

To insure the faithful compliance of the Defendant with the conditions contained herein, the Defendant shall report to the Probation Office on a regular basis as specified by the supervising probation officer.

The Defendant acknowledges that any violation of the conditions contained herein may be sufficient cause for this Memorandum of Understanding to be terminated by the District Attorney General and the prosecution reinstated.

That upon the Defendant successfully completing the period of diversion without a violation of the conditions contained herein sufficient to cause this agreement to

be terminated, an order will be entered dismissing the charges against the Defendant, with prejudice, and ordering the expungement of all public records relating to this prosecution.

This the 17th day of December, 2012.

Buffy Blair Gray
BUFFY BLAIR GRAY

[Signature]
1/3/13

[Signature]
JOHN T. MILBURN ROGERS
Attorney for Defendant

I do solemnly swear that the representations attributed to me in this Memorandum of Understanding, and relied upon by the State, are true and correct. I have read, or have had read to me, this Memorandum of Understanding. I fully and completely understand the conditions of my diversion.

Buffy Blair Gray
BUFFY BLAIR GRAY
Defendant

Subscribed and sworn to before me, the undersigned authority, this 17th day of December, 2012.

[Signature]
Notary Public



My Commission Expires: 9/22/15

ORDER

The pre-trial diversion in the above-styled case, State of Tennessee v. Buffi Blair Gray, Greene County Criminal Court, Case No. 12CR085, is hereby APPROVED.

Enter this the _____ day of _____, 2012.

John F. Dugger, Jr.
Criminal Court Judge

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing document has been served upon General C. Berkeley Bell, District Attorney General, 124 Austin Street, Suite 3, Greeneville, TN 37745, by placing in the U.S. Mail with sufficient postage to carry to the above destination.

This the 14 day of Dec, 2012.

John T. Milburn Rogers

PRESENTMENT

STATE OF TENNESSEE

V.

CASE NO. 12CR085

BUFFI BLAIR GRAY
105 Kesterson Street
Greeneville, TN 37743
DOB:
SSN:

CHARGE: Theft of Property
valued over \$1,000

COUNT 1

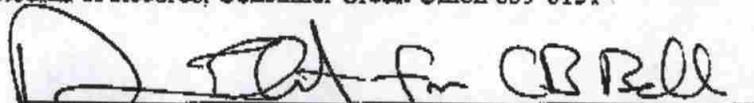
The Grand Jurors for the CRIMINAL COURT for GREENE COUNTY, TENNESSEE, meeting on March 26, 2012, in GREENEVILLE, after being duly empaneled and sworn, upon their oath present that **Buffi Blair Gray**, on or about August 24, 2010 through November 29, 2010, in the State and County aforesaid, and before the finding of this indictment, did unlawfully commit the offense of **Theft of Property valued over \$1,000, but less than \$10,000**, by knowingly obtaining cash without the owner's effective consent and with the intent to deprive the owner thereof; a **Class D felony**, in violation of T.C.A. §39-14-103, 105, and against the peace and dignity of the State of Tennessee.


C. BERKELEY BELL, DISTRICT ATTORNEY GENERAL

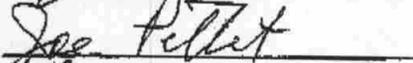
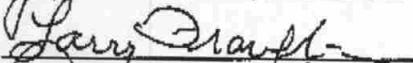
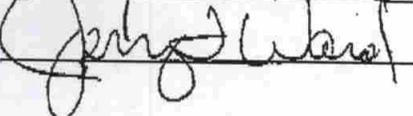
WITNESSES: Summons for State

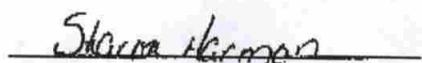
Alison Burns, DA's Office, PROSECUTOR

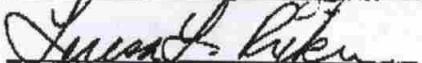
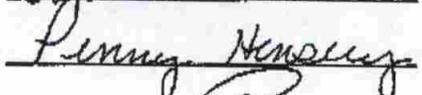
Dr. Gerald Miller, 639-7731; Lew Robbins, Phil Job, Department of Revenue 615-532-4465; Dr. Vicki Kirk, Jodi Wright, Greene Co. Schools 639-4194; Adam Hansel, Rhonda Collins, Jeanine Franklin, Gloria Bosch, Suzanne Shultz, Rebecca Uhls, Tammy Reaves, 639-7731; Mary Ann Standridge, 787-1458; Clark Justice, Greene County School Board, 639-4194; Curtis Morrison, Rodefer Moss and Co. 638-8144; Custodian of Records, Consumer Credit Union 639-6131

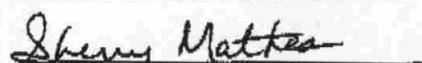
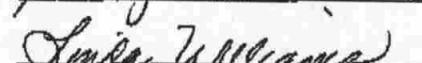
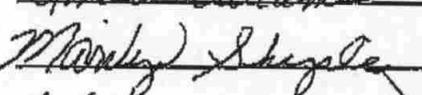

C. BERKELEY BELL, DISTRICT ATTORNEY GENERAL

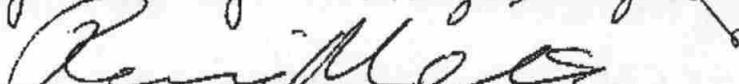
TRUE BILL: YES NO

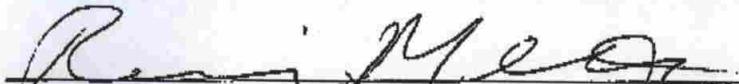



FOREMAN OF THE GRAND JURY

WITNESS(ES): Alison Burns, DA's Office, was sworn by me and testified before me in the Grand Jury Room on March 26, 2012.


FOREMAN OF THE GRAND JURY

CBB

MB-394