

IN THE CRIMINAL/CIRCUIT COURT FOR ANDERSON COUNTY, TENNESSEE

Case Number: BIC00840 Count: 1 Counsel for the State: RYAN M. SPITZER
 Judicial District: 7th Judicial Division: _____ Counsel for the Defendant: TOM MARSHALL
 State of Tennessee Retained Pub Def Appt Private Atty Appt
 vs. Counsel Waived Pro Se
 Defendant: DEL RAY ROBERTS Alias: _____ Date of Birth: 11/03/1959 Sex: Male
 Race: White SSN: _____ Driver License #: _____ Issuing State: _____
 State ID #: _____ County Offender ID # (if applicable): _____ TOMIS/TDOC #: _____
 Relationship to Victim: _____ Victim's Age: _____
 State Control #: _____ Arrest Date: _____ Indictment Filing Date: _____

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 28th day of August, 2013, the defendant:

<input checked="" type="checkbox"/> Pled Guilty <input type="checkbox"/> Dismissed/Nolle Prosequi <input type="checkbox"/> Pled Nolo <input type="checkbox"/> Pled Guilty - Certified Question Findings Incorporated by Reference Is found: <input checked="" type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> Jury Verdict. <input type="checkbox"/> Not Guilty by Reason of <input type="checkbox"/> Bench Trial	Indictment: Class (circle one) 1 st A <u>B</u> C D E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Indicted Offense Name <u>AND TCA §: 39-14-103 - THEFT > \$60,000</u> Amended Offense Name <u>AND TCA §:</u> Offense Date: <u>01/01/2007</u> County of Offense: <u>ANDERSON COUNTY</u> Conviction Offense Name <u>AND TCA §: 39-14-103 - THEFT > \$60,000</u> Conviction: Class (circle one) 1 st A <u>B</u> C D E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Is this conviction offense methamphetamine related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Sentence Imposed Date: <u>08/28/2013</u>
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After considering the evidence, the entire record, and in the case of sentencing, all factors in Tennessee Code Annotated Title 40, Chapter 35, all of which are incorporated by reference herein, it is ORDERED and ADJUDGED that the conviction described above is imposed hereby and that a sentence and costs are imposed as follows:

Offender Status (Check One)	Release Eligibility (Check One)	Concurrent with:	Pretrial Jail Credit Period(s):
<input type="checkbox"/> Mitigated <input checked="" type="checkbox"/> Standard <input type="checkbox"/> Multiple <input type="checkbox"/> Persistent <input type="checkbox"/> Career <input type="checkbox"/> Repeat Violent	<input type="checkbox"/> Mitigated 20% <input type="checkbox"/> Mitigated 30% <input checked="" type="checkbox"/> Standard 30% <input type="checkbox"/> Multiple 35% <input type="checkbox"/> Persistent 45% <input type="checkbox"/> Career 60% <input type="checkbox"/> Agg Rob 85% <input type="checkbox"/> Violent 100% <input type="checkbox"/> Repeat Viol 100%	Count 2 Consecutive to:	From <u>12/19/2011</u> to <u>12/19/2011</u> From _____ to _____ From _____ to _____ From _____ to _____
<input type="checkbox"/> Agg Rob w/Prior 100% <input type="checkbox"/> Multiple Rapist 100% <input type="checkbox"/> Child Rapist 100% <input type="checkbox"/> Agg Rapist 100% <input type="checkbox"/> Agg Rapist 100% <input type="checkbox"/> Mult 39-17-1324 100% <input type="checkbox"/> Att 1 st Degree Murder w/SBI 85% <input type="checkbox"/> Agg Child Neglect/Endangerment 70% <input type="checkbox"/> Agg Assault w/Death 75%	<input type="checkbox"/> 1 st Degree Murder <input type="checkbox"/> Drug Free Zone <input type="checkbox"/> Gang Related		

Sentenced To: TDOC County Jail Workhouse
 Sentence Length: 10 Years _____ Months _____ Days _____ Hours Life Life w/out Parole Death
 Mandatory Minimum Sentence Length: 39-17-417, 39-13-513, 39-13-514, or 39-17-432 in Prohibited Zone or 55-10-401 DUI 4th Offense
 or 39-17-1324 Possession/Employment of Firearm or 40-39-208, -211 Violation of Sex Offender Registry
 Period of incarceration to be served prior to release on probation or Community Corrections: _____ Months _____ Days _____ Hours
 Minimum service prior to eligibility for work release, furlough, trustee status and rehabilitative programs: _____ % (Misdemeanor Only)
 Alternative Sentence: Sup Prob Unsup Prob Comm Corr (CHECK ONE BOX) 9 Years _____ Months 355 Days Effective: _____
 WAS DRUG COURT ORDERED AS A CONDITION OF THE ALTERNATIVE SENTENCE? Yes No

Court Ordered Fees and Fines: \$ <u>679.00</u> Court Costs <input checked="" type="checkbox"/> Defendant <input type="checkbox"/> State \$ _____ Fine Assessed \$ _____ Traumatic Brain Injury Fund (68-55-301 et seq.) \$ _____ Drug Testing Fund (TN Drug Control Act) \$ _____ CICF \$ _____ Sex Offender Tax \$ _____ Other: _____	Restitution: Victim Name <u>See Count 1</u> Address _____ Total Amount \$ _____ Per Month \$ _____ <input checked="" type="checkbox"/> Unpaid Community Service: <u>40</u> Hours per year of probation
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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.
 Pursuant to Title 68, Chapter II, Part 10, the clerk shall forward this judgment to the Department of Health.

Special Conditions

Defendant will serve ten (10) days in jail on a schedule that he will provide to accommodate his current employment. Remainder of sentence(s) will be suspended on time served and Defendant placed on supervised probation with credit for time served. No restitution is ordered to PCUD because PCUD indicates that restitution has been paid in full. Defendant will make a contribution of \$10,000.00 to the PCUD Project Assist Program (to help needy families get utility service). Defendant will have no contact with any PCUD business activities and/or property. Defendant will complete forty (40) hours community service per year of probation (400 hours total), and pay court costs. The Project Assist Program contribution must be paid in full within ten (10) years of probation. Defendant will testify truthfully in any civil and/or criminal proceedings involving PCUD and its agents, employees, and/or Board of Directors if called upon by the State to do so as a condition of probation. Defendant will serve ten (10) days and will report to the jail on _____ a.m. to serve the remainder of the ten (10) day jail sentence per the attached schedule. Defendant will report back to the Court on 08/28/2013 for status of payment of court costs. *SEE SCHEDULE ON [unclear]*

PAUL SUMMERS
 Judge's Name

Counsel for State/Signature (optional)

[Signature]
 Judge's Signature

Defendant/Defendant's Counsel/Signature (optional)

08/28/2013

Date of Entry of Judgment

I, _____, clerk, hereby certify that, before entry by the court, a copy of this judgment was made available to the party or parties who did not provide a signature above.

PC: DA, Marshall, ACDF, ACDF-Rec., TDOC, SC, BOPP, Roberts

IN THE CRIMINAL/CIRCUIT COURT FOR ANDERSON COUNTY, TENNESSEE

Case Number: BIC00840 Count: 2 Counsel for the State: RYAN M. SPITZER
 Judicial District: 7th Judicial Division: _____ Counsel for the Defendant: TOM MARSHALL
 State of Tennessee _____
 vs. _____
 Defendant: DEL RAY ROBERTS Alias: _____ Date of Birth: 11/03/1959 Sex: Male
 Race: White SSN: _____ Driver License #: _____ Issuing State: _____
 State ID #: _____ County Offender ID # (if applicable): _____ TOMIS/TDOC #: _____
 Relationship to Victim: _____ Victim's Age: _____
 State Control #: _____ Arrest Date: _____ Indictment Filing Date: _____

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 28th day of August, 2013, the defendant:

<input checked="" type="checkbox"/> Pled Guilty <input type="checkbox"/> Dismissed/Nolle Prosequi <input type="checkbox"/> Pled Nolo <input type="checkbox"/> Pled Guilty - Certified Question Findings Incorporated by Reference Is found: <input checked="" type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> Jury Verdict <input type="checkbox"/> Not Guilty by Reason of <input type="checkbox"/> Bench Trial	Indictment: Class (circle one) 1 st A B C D E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Indicted Offense Name <u>AND TCA §: 39-14-118 - FRAUDULENT USE OF CREDIT/DEBIT CARD (> \$60,000.00)</u> Amended Offense Name <u>AND TCA §: _____</u> Offense Date: <u>01/01/2007</u> County of Offense: <u>ANDERSON COUNTY</u> Conviction Offense Name <u>AND TCA §: 39-14-118 - FRAUDULENT USE OF CREDIT/DEBIT CARD (> _____</u> Conviction: Class (circle one) 1 st A B C D E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Is this conviction offense methamphetamine related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Sentence Imposed Date: <u>08/28/2013</u>
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After considering the evidence, the entire record, and in the case of sentencing, all factors in Tennessee Code Annotated Title 40, Chapter 35, all of which are incorporated by reference herein, it is ORDERED and ADJUDGED that the conviction described above is imposed hereby and that a sentence and costs are imposed as follows:

Offender Status (Check One)	Release Eligibility (Check One)	Concurrent with: Count 1	Pretrial Jail Credit Period(s):
<input type="checkbox"/> Mitigated <input checked="" type="checkbox"/> Standard <input type="checkbox"/> Multiple <input type="checkbox"/> Persistent <input type="checkbox"/> Career <input type="checkbox"/> Repeat Violent	<input type="checkbox"/> Mitigated 20% <input type="checkbox"/> Mitigated 30% <input checked="" type="checkbox"/> Standard 30% <input type="checkbox"/> Multiple 35% <input type="checkbox"/> Persistent 45% <input type="checkbox"/> Career 60% <input type="checkbox"/> Agg Rob 85% <input type="checkbox"/> Violent 100% <input type="checkbox"/> Repeat Viol 100%	<input type="checkbox"/> Agg Rob w/Prior 100% <input type="checkbox"/> Multiple Rapist 100% <input type="checkbox"/> Child Rapist 100% <input type="checkbox"/> Agg Rapist 100% <input type="checkbox"/> Agg Rapist 100% <input type="checkbox"/> Mult 39-17-1324 100% <input type="checkbox"/> Att 1 st Degree Murder w/SBI 85% <input type="checkbox"/> Agg Child Neglect/Endangerment 70% <input type="checkbox"/> Agg Assault w/Death 75%	From <u>12/19/2011</u> to <u>12/19/2011</u> From _____ to _____ From _____ to _____ From _____ to _____

Sentenced To: TDOC County Jail Workhouse

Sentence Length: 10 Years _____ Months _____ Days _____ Hours Life Life w/out Parole Death

Mandatory Minimum Sentence Length: 39-17-417, 39-13-513, 39-13-514, or 39-17-432 in Prohibited Zone or 55-10-401 DUI 4th Offense
 or 39-17-1324 Possession/Employment of Firearm or 40-39-208, -211 Violation of Sex Offender Registry

Period of incarceration to be served prior to release on probation or Community Corrections: _____ Months _____ Days _____ Hours

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

Alternative Sentence: Sup Prob Unsup Prob Comm Corr (CHECK ONE BOX) 9 Years _____ Months 355 Days Effective: _____

WAS DRUG COURT ORDERED AS A CONDITION OF THE ALTERNATIVE SENTENCE? Yes No

Court Ordered Fees and Fines: \$ <u>41</u> Court Costs <input checked="" type="checkbox"/> Defendant <input type="checkbox"/> State \$ _____ Fine Assessed \$ _____ Traumatic Brain Injury Fund (68-55-301 et seq.) \$ _____ Drug Testing Fund (TN Drug Control Act) \$ _____ CICF \$ _____ Sex Offender Tax \$ _____ Other: _____	Restitution: Victim Name <u>PCUD</u> Address _____ Total Amount \$ _____ Per Month \$ _____ (Has been paid in full per victim) <input checked="" type="checkbox"/> Unpaid Community Service: <u>40</u> Hours per year of probation
---	--

- 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.
- Pursuant to Title 68, Chapter 11, Part 10, the clerk shall forward this judgment to the Department of Health.

Special Conditions

Defendant will serve ten (10) days in jail on a schedule that he will provide to accommodate his current employment. Remainder of sentence(s) will be suspended on time served and Defendant placed on supervised probation with credit for time served. No restitution is ordered to PCUD because PCUD indicates that restitution has been paid in full. Defendant will make a contribution of \$10,000.00 to the PCUD Project Assist Program (to help needy families get utility service). Defendant will have no contact with any PCUD business activities and/or property. Defendant will complete forty (40) hours community service per year of probation (400 hours total), and pay court costs. The Project Assist Program contribution must be paid in full within ten (10) years of probation. Defendant will testify truthfully in any civil and/or criminal proceedings involving PCUD and its agents, employees, and/or Board of Directors if called upon by the State to do so as a condition of probation. Defendant will serve ten (10) days and will report to the jail on _____ at _____ a.m./p.m. to serve the remainder of the ten (10) day jail sentence per the attached schedule. Defendant will report back to the Court on October 18, 2013 for status of payment of court costs.

PAUL SUMMERS 08/28/2013
 Judge's Name Judge's Signature Date of Entry of Judgment
 _____ Del Roberts _____
 Counsel for State/Signature (optional) Defendant/Defendant's Counsel/Signature (optional)

I, _____ clerk, hereby certify that, before entry by the court, a copy of this judgment was made available to the party or parties who did not provide a signature above.

pe: See Ct. #1

IN THE CRIMINAL COURT FOR ANDERSON COUNTY, TENNESSEE

STATE OF TENNESSEE)
Plaintiff,)
)
VS.) No. B1C00840
)
DEL RAY ROBERTS,)
Defendant.)

AGREED ORDER FOR JAIL SERVICE

This cause came on to be heard before the Honorable Paul G. Summers, Judge of the Criminal Court for Anderson County, Tennessee by sitting designation upon the defendant's sentence in this cause.

It is hereby ORDERED that defendant receive concurrent sentences of ten years in the penitentiary with all suspended except that the defendant shall serve ten (10) days on weekends in the Anderson County Detention Facility. The following is a schedule for his jail service:

From September 22, 2013 at 9:00 p.m. until September 24, 2013 at 9:00 p.m.

From October 20, 2013 at 9:00 p.m. until October 22, 2013 at 9:00 p.m.

From November 17, 2013 at 9:00 p.m. until November 19, 2013 at 9:00 p.m.

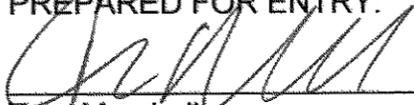
From December 15, 2013 at 9:00 p.m. until December 17, 2013 at 9:00 p.m.

From January 12, 2014 at 9:00 p.m. until January 14, 2014 at 9:00 p.m.

ENTER this the 20th day of August, 2013. ⁸


Paul G. Summers, Sr. J.
Judge

PREPARED FOR ENTRY:


Tom Marshall
OFFICE OF THE PUBLIC DEFENDER
127 North Main Street
Clinton, TN 37716
(865) 457-0006

Filed this 28th day of
Aug. 2013 at
12:45 o'clock P.M.
H. Tyler Mayes
Circuit Court Clerk
By: H. Graves D.C.

No. 3100840

COUNT 1

STATE OF TENNESSEE
Indictment for

vs.

DEL RAY ROBERTS
9605 Eva Marie Way Forrest Ridge Apt. Complex
Knoxville, TN 39706
(11/03/1959) [REDACTED]

Charge: THEFT (> \$60,000.00)
Class B Felony

WITNESS

Pros: Bobby Joe Higgs, DA's Office

Sworn during open Court before the Grand Jury
to give evidence on the within indictment, this
the 6 day of December, 2011

[Signature]
Foreman of the Grand Jury

[Signature]
Prosecutor

A TRUE BILL

[Signature]
Foreman of the Grand Jury

SUMMON FOR THE STATE:
Pros: Bobby Joe Higgs, DA's Office

By order of the District Attorney General
7th Judicial District

Filed December 6, 2011.

[Signature]
Sup. Clerk

0002/005

12/21/2011 WED 10:27 FAX 865 259 2345 Circuit Court

TRUE BILL

State of Tennessee, County of Anderson

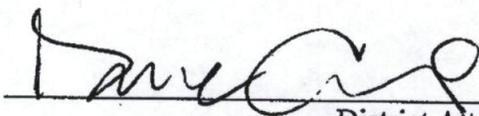
**7th Judicial District
Criminal Division**

COUNT 1

THE GRAND JURORS FOR THE STATE OF TENNESSEE, duly elected, impaneled, sworn, and charged to inquire in and for the body of the County of Anderson in the state aforesaid, upon their oath, present that

DEL RAY ROBERTS

heretofore, to wit, on or about January 01, 2007 through May 14, 2010 before the finding of this indictment, in the County aforesaid, did then and there unlawfully, intentionally and knowingly obtain property, including but not limited to, to wit: U.S. Currency, valued at more than \$60,000.00, of Powell Clinch Utility District, a business entity, without its effective consent, with intent to deprive the said thereof, in violation of T.C.A. 39-14-103; against the peace and dignity of the State of Tennessee.



District Attorney General

No. B10084D
COUNT 2

STATE OF TENNESSEE
Indictment for

vs.

DEL RAY ROBERTS
9605 Eva Marie Way Forrest Ridge Apt. Complex
Knoxville, TN 39706
(11/03/1959) [REDACTED]

Charge: FRAUDULENT USE OF
CREDIT/DEBIT CARD (> \$60,000.00)
Class B Felony

A TRUE BILL
W. J. Higgs
Foreman of the Grand Jury

SUMMON FOR THE STATE:
Pros: Bobby Joe Higgs, DA's Office

WITNESS

Pros: Bobby Joe Higgs, DA's Office

Sworn during open Court before the Grand Jury
to give evidence on the within indictment, this
the 6 day of December, 2011

W. J. Higgs
Foreman of the Grand Jury

Bobby Joe Higgs
Prosecutor

By order of the District Attorney General
7th Judicial District

Filed December 6, 2011.

Rebecca Collins
Dep. Clerk

TRUE BILL

State of Tennessee, County of Anderson

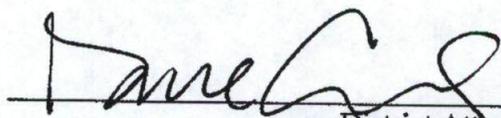
7th Judicial District
Criminal Division

COUNT 2

THE GRAND JURORS FOR THE STATE OF TENNESSEE, duly elected, impaneled, sworn, and charged to inquire in and for the body of the County of Anderson in the state aforesaid, upon their oath, present that

DEL RAY ROBERTS

heretofore, to wit, on or about January 01, 2007 through May 14, 2010 before the finding of this indictment, in the County aforesaid, did then and there unlawfully, intentionally and knowingly use a credit or debit card issued to Powell Clinch Utility District and/or DEL RAY ROBERTS to obtain property, credit, services and things of value of a total value more than \$60,000.00, with knowledge that the use of said credit or debit card was unauthorized by the person or entity to whom the card was issued, in violation of T.C.A. 39-14-118; against the peace and dignity of the State of Tennessee.


District Attorney General