

IN THE CRIMINAL/CIRCUIT COURT OF SHELBY COUNTY, TENNESSEE

Case Number: 11 00338 Count #: 1 Counsel for the State: _____

Judicial District: 30th Judicial Division: 7 Counsel for the Defendant: Michael Scholl

State of Tennessee

Retained Private Atty Appt Pub Def Appt
 Counsel Waived Pro Se

vs.
 Defendant: CASSANDRA HOWARD Alias: _____

Date of Birth: 05/29/1972 Sex: F Race: B SSN: XXX-XX-3607

Indictment Filing Date: 01/27/2011 State Control # 790011602443 State ID # _____

County Offender ID # (if applicable) 000419895

ORDER OF DEFERRAL (JUDICIAL DIVERSION) Original Amended Corrected

On the 19th day of December 20 12, the defendant:

<input checked="" type="checkbox"/> Pled Guilty <input type="checkbox"/> Pled Nolo Contendere Was Found Guilty By: <input type="checkbox"/> Jury Verdict <input type="checkbox"/> Bench Trial	Indictment: Class (circle one) 1* A B <input checked="" type="checkbox"/> D E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Indicted Offense Name AND TCA §: <u>39-14-103 THEFT OF PROPERTY \$10000-\$60000</u> Amended Offense Name AND TCA §: _____ Offense Date: <u>11-13-08 to 9-4-09</u> County of Offense: <u>SHELBY</u> Deferred Offense Name AND TCA §: <u>39-14-103 THEFT OF PROPERTY \$10000-\$60000</u> Deferred Offense: Class (circle one) A B <input checked="" type="checkbox"/> D E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
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Upon review of the case, the court finds the facts stated above as well as the following (For Item 3, Check ONE Of The Two Boxes):

- The defendant is eligible for deferral of the prosecution pursuant to Tennessee Code Annotated section (T.C.A.) 40-35-313;
- The Tennessee Bureau of Investigation has certified (per attached certificate) that the defendant does not have a prior felony or Class A misdemeanor conviction;
- The defendant was not charged with a violation of a criminal statute the elements of which constitute abuse, neglect or misappropriation of the property of a vulnerable person as defined in T.C.A. 68-11-1004; **OR**
 The defendant agrees without contest or any further notice or hearing that the defendant's name shall be permanently placed on the registry governed by 68-11-1004, whereupon a copy of this order shall be forwarded by the clerk to the department of health;
- The defendant consents to T.C.A. 40-35-313 deferral, as evidenced by the defendant's signature below; AND
- The defendant should be granted a deferral of charges pursuant to T.C.A. 40-35-313.

It is, therefore, **ORDERED** that the prosecution in this case is deferred pursuant to T.C.A. 40-35-313, and the defendant is placed on probation pursuant to T.C.A. 40-35-303. The terms of both statutes and of T.C.A. 40-35-304, -305, and -308 through -312 are incorporated herein by reference thereto. In addition, the following terms and conditions apply to the defendant's probation.

Probation Term: Beginning 12-19-12 Ending 12-19-18 Supervised Unsupervised
 Supervising Entity: State TN

Conditions of Probation (Deferral) (CHECK ALL BOXES WHICH APPLY):

<input checked="" type="checkbox"/> Submit to supervision by supervising entity <input checked="" type="checkbox"/> Obtain/Maintain gainful employment <input type="checkbox"/> Medical and/or mental health treatment <input type="checkbox"/> Pay expenses for drug or alcohol treatment (T.C.A. 40-35-313) <input checked="" type="checkbox"/> Refrain from possessing a firearm or other dangerous weapon <input type="checkbox"/> Pay sex offender tax/fine (T.C.A. 39-13-709 / T.C.A. 40-24-108) <input checked="" type="checkbox"/> Notify the court or supervising entity of change of residential address or employment <input checked="" type="checkbox"/> Remain within the boundaries of Tennessee unless supervising entity approves travel beyond <input type="checkbox"/> Remain within the following boundaries: _____ <input checked="" type="checkbox"/> Other conditions reasonably related to the purpose of the defendant's sentence and not unduly restrictive of the defendant's liberty or incompatible with the defendant's freedom of conscience, as specified in writing by the supervising agency.	<input checked="" type="checkbox"/> Report as directed by supervising entity or court <input checked="" type="checkbox"/> Meet defendant's family responsibilities <input type="checkbox"/> Drug assessment and/or treatment <input type="checkbox"/> Alcohol assessment and/or treatment <input type="checkbox"/> Pursue secular course of study or vocational training <input type="checkbox"/> Pay drug testing fund fee (T.C.A. 39-17-420) <input checked="" type="checkbox"/> Uncompensated community service <u>300</u> hours
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Pay restitution: \$ 18,047 Total (\$ 250 per month/week (circle one)) to Memphis City Schools
 Pay supervision fees (T.C.A. 40-35-313): \$ _____ Total (\$ _____ per month/week (circle one))
 Pay court costs

ADDITIONAL CONDITIONS: Supervisory fees are waived

Cassandra Howard
 Defendant

ENTER the 19th day of Dec, 20 12
Lee V. Coffee
 JUDGE'S SIGNATURE
 Counsel for the State of Tennessee

Lee V. Coffee
 JUDGE'S NAME
Michael Scholl
 Counsel for the Defendant

11 00338

No. _____

STATE OF TENNESSEE

V.

CASSANDRA HOWARD

Indictment for

THEFT OF PROPERTY OVER \$10,000

T.C.A. 39-14-103

SCATS CODE - 30152

Witnesses:

Summon for the State

R. BRISON
MEMPHIS CITY SCHOOL SYSTEM

COMPTROLLER OF THE TREASURY

R. BRISON
Prosecutor

A True Bill

W H Sweet
Foreperson of the Grand Jury

Date Indictment Returned: 1/27/11

STATE OF TENNESSEE) CRIMINAL COURT OF SHELBY COUNTY

)

SHELBY COUNTY) JANUARY TERM, 2011

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:

CASSANDRA HOWARD

between November 13, 2008 and September 4, 2009 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 over the value of ten thousand dollars (10,000.00) - thirteen thousand seven hundred fifty-nine dollars and seventeen cents (13,759.17), of the value of \$10,000 or more but less than \$60,000, the property of MEMPHIS CITY SCHOOL SYSTEM, without the effective consent of MEMPHIS CITY SCHOOL SYSTEM, with intent to deprive MEMPHIS CITY SCHOOL SYSTEM of the said property, in violation of T.C.A. 39-14-103, against the peace and dignity of the State of Tennessee.



Amy P. Weirich
District Attorney General
30th Judicial District