

**IN THE CIRCUIT COURT OF COFFEE COUNTY, TENNESSEE
FOURTEENTH JUDICIAL DISTRICT AT MANCHESTER**

FILED

STATE OF TENNESSEE

APR 21 2006

VS.

CASE NO. 34,231

CIRCUIT COURT
COFFEE COUNTY, TN
HEATHER HINDS BLANKEN CLERK
TIME AM/PM

REBECCA P. VOLK

MEMORANDUM OF UNDERSTANDING

This cause came to be heard on the 21st day of April, 2006.

This Memorandum of Understanding is filed pursuant to the provisions of Tennessee Code Annotated Sections 40-15-102 et seq., entitled Dismissal of Prosecutions and Pre-Trial Diversion.

It is agreed by and between the State of Tennessee and the defendant that in this cause the prosecution shall be suspended for a specific period of four (4) years from the filing of this Memorandum of Understanding upon the conditions hereinafter set out to be observed by the defendant during said period.

The defendant fully understands the nature of the charge against her and her right to speedy trial, right to trial by jury, to presentment or indictment, to have witnesses appear against her, to subpoena witnesses on her behalf, to appeal if convicted, and that this filing shall toll any applicable statute of limitations during the pendency of the diversionary period. The defendant hereby waives each of these rights voluntarily and upon the advice of counsel.

This Memorandum of Understanding includes the following stipulations and agreements.

It is agreed that the defendant be placed under the supervision of the Department of Correction, Division of Probation and shall comply with the following general and specific conditions of Pre-Trial Diversion:

1. The defendant shall obey the laws of the United States, the State of Tennessee, or any state in which she may be and all municipal ordinances, and shall notify her probation officer immediately should she be arrested for any criminal charge, regardless of disposition.

2. The defendant shall not engage in any activities, conduct or associations that bear relationship or are similar to the conduct upon which the currently pending charge against her is based.

3. Court costs in this cause accrued as of this date shall be paid in full by the defendant during the course of her probation. Defendant shall remain responsible for any additional court costs resulting from the revocation of this memorandum and subsequent proceedings in this case.

4. The defendant shall pay restitution in the amount of \$23,480.84 to the Manchester City of Board of Education. Defendant shall pay said restitution through her probation officer and as a condition of her probation.

4. The defendant will not associate with any person who is known to be involved in criminal activities.

5. The defendant shall perform 200 hours of public service work.

6. In accordance with the Public Chapter 752 of the Acts of 1984, any person participating in the Diversion Program who is on supervised probation shall pay a fee for all additional cost of her supervision based upon her ability to pay. This fee shall not be more than \$35.00 per month, and in this case it is recommended by all participants that the defendant pay \$35.00 per month to the State of Tennessee to be collected by the Probation Officer.

The defendant shall remain on bond during the period of time that the prosecution is suspended pursuant to this memorandum and thereafter until the Court expressly releases the defendant from this bond requirement.

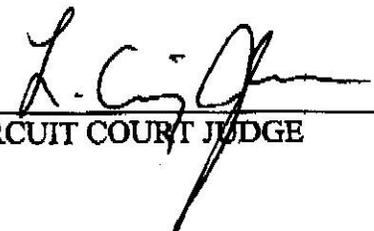
The charge shall not be dismissed until all conditions and requirements are met and then only upon proper petition of the defendant.

It is agreed and understood that violation of the above conditions may be sufficient cause for termination of this Memorandum of Understanding and resumption of prosecution.

It is agreed that if the above conditions are met, the supervision period shall terminate on the 21st day of April, 2010.

ENTER this the 21 day of April, 2010

APPROVED:



CIRCUIT COURT JUDGE

APPROVED AND AGREED:



ROBERT T. CARTER, COUNSEL FOR DEFENDANT



DEFENDANT



FELICIA B. WALKUP
ASST. DISTRICT ATTORNEY GENERAL