

Case Number: 9069 Count #: 1 Counsel for the State: MCGOVERN
Judicial District: 12th Judicial Division: _____ Counsel for the Defendant: LITTLE
State of Tennessee vs. Defendant: Robin Nipper Alias: _____
Date of Birth: 12/17/61 Sex: F Race: W SSN: _____
Indictment Filing Date: 8/1/11 State Control # _____ State ID # _____
County Offender ID # (if applicable) _____

ORDER OF DEFERRAL (JUDICIAL DIVERSION) Original Amended Corrected

On the 18th day of JUNE, 20 12, the defendant:

<input checked="" type="checkbox"/> Pled Guilty <input type="checkbox"/> Pled Nolo Contendere	Indictment: Class (circle one) 1 st A B <u>C</u> D E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
Was Found Guilty By:	Indicted Offense Name AND TCA #: <u>TCA 10,000 to 60,000</u>
<input type="checkbox"/> Jury Verdict	Amended Offense Name AND TCA #: _____
<input type="checkbox"/> Bench Trial	Offense Date: <u>10/21/10</u> County of Offense: <u>Marion</u>
	Deferred Offense Name AND TCA #: <u>TCA 1,000 to 10,000</u>
	Deferred Offense: Class (circle one) A B C <u>D</u> E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor

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 6/18/12 Ending 12/17/14 Supervised Unsupervised
Supervising Entity: BOPP

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

<input checked="" type="checkbox"/> Submit to supervision by supervising entity	<input type="checkbox"/> Report as directed by supervising entity or court
<input checked="" type="checkbox"/> Obtain/Maintain gainful employment <u>or school</u>	<input type="checkbox"/> Meet defendant's family responsibilities
<input type="checkbox"/> Medical and/or mental health treatment	<input type="checkbox"/> Drug assessment and/or treatment
<input type="checkbox"/> Pay expenses for drug or alcohol treatment (T.C.A. 40-35-313)	<input type="checkbox"/> Alcohol assessment and/or treatment
<input type="checkbox"/> Refrain from possessing a firearm or other dangerous weapon	<input type="checkbox"/> Pursue secular course of study or vocational training
<input type="checkbox"/> Pay sex offender tax/fine (T.C.A. 39-13-709 / T.C.A. 40-24-108)	<input type="checkbox"/> Pay drug testing fund fee (T.C.A. 39-17-420)
<input checked="" type="checkbox"/> Notify the court or supervising entity of change of residential address or employment	<input type="checkbox"/> Uncompensated community service: _____ hours
<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"/> Pay restitution: \$ <u>1500</u> (circle one)	
<input checked="" type="checkbox"/> Pay supervision fees (T.C.A. 40-35-313): \$ _____ Total (\$ _____ per month/week (circle one))	
<input checked="" type="checkbox"/> Pay court costs	
<input checked="" type="checkbox"/> ADDITIONAL CONDITIONS: <u>Refrain from committing new criminal conduct</u>	

Defendant paid all probation fees \$15.00 per month

Robin Nipper
Defendant

ENTER this the 18 day of June, 20 12

JUDGE'S NAME

Counsel for the Defendant

[Signature]
JUDGE'S SIGNATURE

Counsel for the State of Tennessee

No. 9069

ORIGINAL

STATE OF TENNESSEE

vs. } THEFT OF PROPERTY
OFFICIAL MISCONDUCT

ROBIN NIPPER

WITNESSES
Robin Nipper

Were sworn during open Court before the Grand Jury to give evidence on the within indictment, this the 1st day of August, 2011.

[Signature]
Foreman of the Grand Jury

DANIEL PORTER, PROSECUTOR

A TRUE BILL
[Signature]
Foreman of the Grand Jury

FILED
AUG 3 2011
LONNA HENDERSON

SUMMON FOR THE STATE:

DANIEL PORTER, DEPT. OF AUDIT

By Order of J. Michael Taylor
District Attorney General

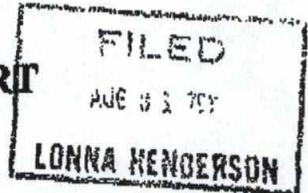
Filed this 1 day of Aug., 2011.

Lonna Henderson CLERK

F-C
THEFT OF PROPERTY - T.C.A. 39-14-103
ORIGINAL

STATE OF TENNESSEE

CIRCUIT COURT



MARION County

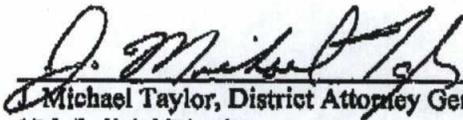
AUGUST Session 2011

NO. 9069

COUNT I

The Grand Jurors of Marion County, Tennessee, duly impaneled and sworn upon their oath, present that:

ROBIN NIPPER between ~~Mar~~^{May} 1, 2008 thru October 31, 2010 in Marion County, Tennessee, and before the finding of this indictment, did unlawfully, knowingly obtain control of or exercise control over good and lawful U. S. currency, being the personal goods and property of City of Whitwell, without the owner's effective consent and with the intent to deprive the true owner thereof, the value of said personal goods and property being at least \$10,000.00 but less than \$60,000.00, in violation of T.C.A. 39-14-103, all of which is against the peace and dignity of the State of Tennessee.


Michael Taylor, District Attorney General
12th Judicial District

FILED
AUG 9 2011
LONNA HENDERSON

F-E
OFFICIAL MISCONDUCT - T.C.A. 39-16-402(a) (5)
ORIGINAL

STATE OF TENNESSEE

CIRCUIT COURT

MARION County

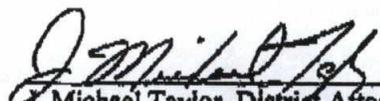
AUGUST Session 2011

NO. 9069

COUNT II

The Grand Jurors of Marion County, Tennessee, duly impaneled and sworn upon their oath, present that:

ROBIN NIPPER between July 1, 2008 thru October 31, 2010 in Marion County, Tennessee, and before the finding of this Indictment, while in the capacity of city recorder for the City of Whitwell, did unlawfully, intentionally and knowingly, and with the intent to obtain payments for personal items and/or services which was not otherwise authorized by law, to-wit: the said Robin Nipper, while acting as the city recorder for the City of Whitwell did unlawfully obtain payment for personal items and/or services and did so without the City of Whitwell's effective consent, knowing at the time she was not entitled to receive the payment; all in violation of T.C.A. 39-16-402, all of which is against the peace and dignity of the State of Tennessee.


J. Michael Taylor, District Attorney General
12th Judicial District

No. 9070
ORIGINAL

FILED
AUG 7 2011
LONNA HENDERSON

A TRUE BILL
[Signature]
Foreman of the Grand Jury

STATE OF TENNESSEE

vs. } THEFT OF PROPERTY
OFFICIAL MISCONDUCT

SUMMON FOR THE STATE:

RONNIE DAVIS

DANIEL PORTER, DEPT. OF AUDIT

WITNESSES
Daniel Porter

Were sworn during open Court before
the Grand Jury to give evidence on the within
indictment, this the 1st day of August, 2011.

By Order of J. Michael Taylor
District Attorney General

[Signature]
Foreman of the Grand Jury

Filed this 1 day of Aug, 2011.

DANIEL PORTER, PROSECUTOR

[Signature] CLERK

2

E-D
THEFT OF PROPERTY - T.C.A. 39-14-103
ORIGINAL

FILED
AUG 11 2011

STATE OF TENNESSEE

CIRCUIT COURT HENDERSON

MARION County

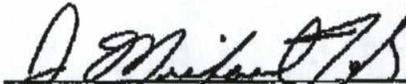
AUGUST Session 2011

NO. 9070

COUNT I

The Grand Jurors of Marion County, Tennessee, duly impaneled and sworn upon their oath, present that:

RONNIE DAVIS between July 1, 2008 thru October 31, 2010 in Marion County, Tennessee, and before the finding of this indictment, did unlawfully, knowingly obtain control of or exercise control over good and lawful U. S. currency, being the personal goods and property of City of Whitwell, without the owner's effective consent and with the intent to deprive the true owner thereof, the value of said personal goods and property being at least \$1,000.00 but less than \$10,000.00, in violation of T.C.A. 39-14-103, all of which is against the peace and dignity of the State of Tennessee.


Michael Taylor, District Attorney General
12th Judicial District

FILED
AUG 31 2011
LONNA HENDERSON

F-E
OFFICIAL MISCONDUCT - T.C.A. 39-16-402(a) (5)
ORIGINAL

STATE OF TENNESSEE

CIRCUIT COURT

MARION County

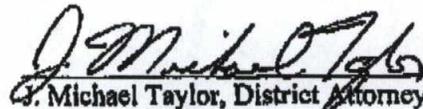
AUGUST Session 2011

NO. 9070

COUNT II

The Grand Jurors of Marion County, Tennessee, duly impaneled and sworn upon their oath, present that:

RONNIE DAVIS between July 1, 2008 thru October 31, 2010 in Marion County, Tennessee, and before the finding of this Indictment, while in the capacity of Chief of Police for the City of Whitwell, did unlawfully, intentionally and knowingly, and with the intent to obtain payments for personal items and/or services which was not otherwise authorized by law, to-wit: the said Ronnie Davis, while acting as the Chief of Police for the City of Whitwell did unlawfully obtain payment for personal items and/or services and did so without the City of Whitwell's effective consent, knowing at the time he was not entitled to receive the payment; all in violation of T.C.A. 39-16-402, all of which is against the peace and dignity of the State of Tennessee.


J. Michael Taylor, District Attorney General
12th Judicial District