

filed

4-16--2013

Keenan
10:35 AM

IN THE CIRCUIT COURT OF TENNESSEE
TWENTY-SIXTH JUDICIAL DISTRICT
CHESTER COUNTY

STATE OF TENNESSEE

VS

Docket No(s). 13-CR-9

Stacey Clark
Defendant

REQUEST FOR ACCEPTANCE OF PLEA OF GUILTY
PETITION TO WAIVE TRIAL BY JURY AND TO WAIVE APPEAL

1. My full name is Stacey Clark, and I am represented by bhn Talkott, attorney, (appointed retained). B B W She rod III
2. Having received a copy of the indictment and discussed it with my attorney, I understand the nature of the charge(s) against me and any defenses that could be raised in my behalf. I have met with my attorney and I am satisfied with my attorney's representation of me.
3. I understand and have listed the offenses I am charged with and the penalties each carry.
4. I understand that the sentences imposed on me for this (these) case(s) can be concurrent (serving at the same time) or consecutive (serve one, then serve the other).
5. I understand that my sentence upon a guilty plea, if accepted by the Court, will be as follows:

DOCKET	COUNT	OFFENSE PLEADING TO	RANGE OF FINES AND PUNISHMENT	SENTENCE TO BE IMPOSED PURSUANT TO TRCP 11 e(1)c	RELEASE ELIGIBILITY STATUS	FINES TO BE IMPOSED
13-CR-9 50 checks diverted to exam me!	1	<u>Theft of Property</u> <u>March 2009 -> Sept. 2011</u> <u>#10,000 -> \$60,000</u>	<u>3-6 yrs</u> <u>0-10,000</u> <u>C Felony</u>	<u>5 yrs</u>	<u>30%</u>	<u>Ø</u>
	2	<u>Forgery</u>	<u>1-2 yrs</u> <u>0-3000</u> <u>E. Felony</u>	<u>2 yrs</u>	<u>30%</u>	<u>Ø</u>
	3	<u>Tampering w/ Evidence</u>	<u>3-6 yrs</u> <u>0-10,000</u> <u>C Felony</u>	<u>5 yrs</u>	<u>30%</u>	<u>Ø</u>

He was the District Secretary
of the Chester County Soil Conservation District -

He admitted to these offenses -

Concurrent with: all counts within docket number will be concurrent

Consecutive with: n/a

Portion of Sentence to be served: time served, balance ~~to be served~~ on state probation

Type of Probation: state probation

Community Service Hours: 100 hours, to be completed at a minimum of 8 hrs/month

Counseling Programs: _____

Work Release Eligibility: Yes _____ No May Apply After Serving _____

Post Plea Expungement: Yes _____ No

DNA Testing: Yes No _____

Restitution: \$50,960.00 to Chester Co. Soil Conservation

To Pay \$ 300⁰⁰ per month beginning 5-16-2013 on fines, costs and restitution.

Other Conditions: cash bond of \$35,000.00 paid to be applied towards restitution & court costs.

I have discussed with my attorney and fully understand:

1. That I have the right to plead not guilty.
2. That if I enter a plea of not guilty, I am entitled to a speedy and public trial by a jury or by a judge sitting without a jury.
3. That at a trial, I have the right to assistance of counsel, the right to confront and cross-examine witnesses testifying against me and the right to compel witnesses to appear and testify on my behalf.
4. That at a trial, I cannot be compelled to take the witness stand and incriminate myself.
5. I have the right to have a jury impose any fine over \$50 00.
6. If I had exercised my right to trial and was convicted, I would have the right to file a motion for a new trial and have the case reviewed by the Appellate Court.
7. That if this plea of guilty is accepted, there will not be a trial and this case is at an end other than imposing the above sentence on me.
8. That in accepting this plea, the Court may ask me questions and require that I answer under oath, on the record, with the assistance of my attorney, and that my answers may later be used against me in a prosecution for perjury or making of a false statement.
9. That if I should be found guilty of another criminal offense at a later date, the judgment of conviction in this case may be used to enhance the punishment for the subsequent offense.

I do hereby request that my plea of the charges set forth above be accepted by the Court. If this plea of guilty is accepted, I do hereby expressly and knowingly waive my right to a trial by jury or by a judge sitting without a jury and submit my case to the trial judge for decision both as to my guilt and the punishment to be imposed on me. I fully understand my right to have my case reviewed by an Appellate Court, but hereby expressly and knowingly waive my right to have my case reviewed by an Appellate Court, but hereby expressly and knowingly waive my right to file a motion for a new trial or otherwise appeal the decision made in my case here today.

I understand that should the Court not approve my plea agreement, I may withdraw my plea and have a speedy trial.

I acknowledge that there have been no promises or guarantees made to me as to the release or parole date of my sentence and there are no other terms or promises unless expressly stated herein or in open Court.

I certify that I am not under the influence of alcohol, narcotics, drugs or any other mind-altering substances, that I fully understand the nature of my action here today, and that my actions are voluntary and not the result of force, threats or promises of any nature.

This the 16 day of April, 2013.

Stacey Clark Stacey Clark
Defendant,

SSN: _____

Date of Birth: _____

Address: Henderson TN 38340

Telephone: _____

[Signature]
Asst. Attorney General
[Signature]
Attorney for Defendant

NO: 13-CR-9

STATE OF TENNESSEE

VS.

STACEY CLARK

INDICTMENT FOR:

**THEFT OF PROPERTY
FORGERY
TAMPERING WITH EVIDENCE**

WITNESSES:
SUMMON FOR STATE

JASON CONNER & ROBERT ALLEN; DIVISION OF INVESTIGATIONS;
JAMES K. POLK BLDG, STE 1600; 505 DEADERICK ST;
NASHVILLE, TN 37243; 615-747-5398

MARVIN BOND; AUDITOR; STATE OFFICE BLDG, STE 405;
225 MLK DR; JACKSON, TN 38301; 421-7473

CHRIS GRISSOM, THOMAS WINUSH, GLENN NAYLOR, EDWARD BETHUNE,
RUSTY HARRIS, MATT HEARN;
CHESTER CO SOIL CONSERVATION DISTRICT; 133 EAST MAIN ST; 38340

JASON CONNER, PROSECUTOR

NOTE: STATUTE OF LIMITATIONS TOLLED FROM MARCH OF 2007 THROUGH
SEPTEMBER OF 2011 DUE TO CONCEALMENT.

A TRUE BILL

Nadine Canale
FOREMAN OF THE GRAND JURY

*Appearance
April 2, 2013
@ 8:30*

DATE INDICTMENT RETURNED: FEBRUARY 19, 2013

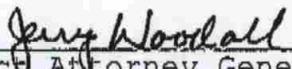
COUNT 1

STATE OF TENNESSEE, CHESTER COUNTY

THE GRAND JURORS of Chester County, Tennessee, duly empaneled and sworn, upon their oath, present that

STACEY CLARK

on or about March of 2007 through September of 2011, in Chester County, Tennessee, and before the finding of this indictment, did knowingly obtain and/or exercise control over property, equal to or over the value of Ten Thousand Dollars (\$10,000.00), without the effective consent of the owner, CHESTER COUNTY SOIL CONSERVATION DISTRICT, with the intent to deprive the said owner thereof, in violation of T.C.A. §39-14-103, all of which is against the peace and dignity of the State of Tennessee.



District Attorney General,
26th Judicial District

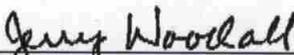
COUNT 2

STATE OF TENNESSEE, CHESTER COUNTY

THE GRAND JURORS of Chester County, Tennessee, duly empaneled and sworn, upon their oath, present that

STACEY CLARK

on or about March of 2007 through September of 2011, in Chester County, Tennessee, and before the finding of this indictment, did intentionally and with the intent to defraud CHESTER COUNTY SOIL CONSERVATION DISTRICT make false entries in books or records, in violation of T.C.A. §39-14-114, all of which is against the peace and dignity of the State of Tennessee.



District Attorney General,
26th Judicial District

COUNT 3

STATE OF TENNESSEE, CHESTER COUNTY

THE GRAND JURORS of Chester County, Tennessee, duly empaneled and sworn, upon their oath, present that

STACEY CLARK

on or about March of 2007 through September of 2011, in Chester County, Tennessee, and before the finding of this indictment, knowing that an investigation or official proceeding was pending or in progress, did alter, destroy, or conceal any record, document, or thing with intent to impair its verity, legibility, or availability as evidence in the investigation or official proceeding, in violation of T.C.A. §39-16-503, all of which is against the peace and dignity of the State of Tennessee.

Jerry Woodall
District Attorney General,
26th Judicial District