

INDICTMENT

IN THE CIRCUIT COURT FOR DYER COUNTY, TENNESSEE

STATE OF TENNESSEE

DATE: FEBRUARY 9, 2015

VS.

INDICTMENT NO. 15-cr-34

SUSAN NEWMAN SCEARCE

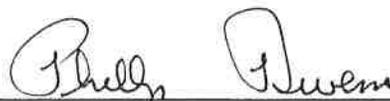
INDICTMENT FOR THEFT OVER \$1,000 (2 COUNTS)

COUNT ONE

THE GRAND JURORS of DYER COUNTY, TENNESSEE, duly empaneled and sworn upon their oath, present that SUSAN NEWMAN SCEARCE, during a period of time between 3/16/11 and 8/16/11, in Dyer County, Tennessee, and before the finding of this indictment, unlawfully and knowingly obtained \$1,378.00 from Pettus Services d/b/a Pettus Plumbing & Piping without its effective consent by overcharging it for electrical inspections with the intent to deprive it of its property, in violation of T.C.A. § 39-14-103, a Class D Felony, and against the peace and dignity of the State of Tennessee.

COUNT TWO

THE GRAND JURORS of DYER COUNTY, TENNESSEE, duly empaneled and sworn upon their oath, present that SUSAN NEWMAN SCEARCE, during a period of time between 10/14/11 AND 11/14/11, in Dyer County, Tennessee, and before the finding of this indictment, unlawfully and knowingly obtained \$1,460.00 from Center Line Electric, Inc., without its effective consent by overcharging it for electrical inspections with the intent to deprive it of its property, in violation of T.C.A. § 39-14-103, a Class D Felony, and against the peace and dignity of the State of Tennessee.



DISTRICT ATTORNEY GENERAL
29TH JUDICIAL DISTRICT

Dylan Morse

was/were sworn during open Court before the Grand Jury to give evidence on the within indictment.

Keith A. Guthrie

Foreman of the Grand Jury

A TRUE BILL:

Keith A. Guthrie

Foreman of Grand Jury

PROSECUTOR

Dylan Morse

SUMMONS FOR THE STATE: Dylan Morse, Daniel Porter, Robert Sanders, Licia House, Danny Jones, Dwyot Thornton, William Mannis, Bobby Dunlap, Garry Farley

Phillip Owens

District Attorney General

IN THE CIRCUIT COURT FOR DYER COUNTY, TENNESSEE

STATE OF TENNESSEE

DOB 03/09/58

VS.

RACE W SEX F

DOCKET NOS. 15CR34

Susan Newman Searce
DEFENDANT

SOC SEC # 408-06-5666

PLEA OF GUILTY AND WAIVERS OF JURY TRIAL AND APPEAL

I have received and read a copy of the indictment and discussed it with my attorney. My attorney has informed me as to the nature of the charges against me, and I understand the nature of the charges. My attorney has further advised me as to the minimum and maximum possible punishment for the crime or crimes. I desire to voluntarily enter a plea of guilty.

I admit that I am guilty of the offense or offenses to which I am pleading guilty. I understand that I could continue with a not guilty plea to any offense charged and that I have a right to a speedy and public trial by jury. I understand I have the right to be represented by an attorney in all stages of the proceedings against me and if I cannot afford an attorney, an appointed attorney would represent me without any cost to me. I understand that if I went to trial I, or my attorney, would have the right to question and cross-examine any witnesses against me, to subpoena witnesses to testify for me, and that I could not be forced to testify at trial and incriminate myself. I also understand I have the right to have a jury impose any fine in excess of \$50.00. I understand that by pleading guilty I give up or waive my right to a jury trial and all the above rights. I also understand that I am giving up or waiving my right to an appeal.

By pleading guilty I understand that I may be questioned regarding the offense or offenses and that I can be punished for perjury if I give false answers under oath.

I understand that any prior convictions I have may be considered by the Court in sentencing.

I understand that the conviction or convictions today may be used in a future proceeding to make my punishment greater should I be sentenced in the future for another offense.

I am pleading guilty of my own free will and choice. No force has been exerted on me nor have any threats been made against me to get me to plead guilty. No promises have been made to me other than the details of my guilty plea set forth on the back of this form. I am aware of the action I am taking and request the Court to accept my guilty plea. I waive my right to jury trial and appeal and submit my case to the Trial Judge for full and final determination.

The individual parts of the pleas involved in this package agreement are severable. The parties agree that, should any sentence involved in this negotiation be found to be void, its invalidity shall affect only that individual sentence. The plea of guilty as to that conviction and the pleas for the remaining convictions and sentence involved in the plea agreement shall remain intact.

FILED
TOM "TJ" JONES
CIRCUIT CLERK
MAR 29 2016
4:11 PM
D.C.

I AM PLEADING GUILTY TO THE FOLLOWING:

CASE NO. 15CR 34 COUNT 1 OFFENSE Theft under \$500 CLASS A-Misd DATE OF OFFENSE 08/16/11

PUNISHMENT: Judicial Diversion

CASE NO. _____ COUNT _____ OFFENSE _____ CLASS _____ DATE OF OFFENSE _____

PUNISHMENT: _____

CASE NO. _____ COUNT _____ OFFENSE _____ CLASS _____ DATE OF OFFENSE _____

PUNISHMENT: _____

CASE NO. _____ COUNT _____ OFFENSE _____ CLASS _____ DATE OF OFFENSE _____

PUNISHMENT: _____

TYPE OF OFFENDER: (Standard, Rg. I) (Mitigated) (Multiple Offender, Rg. II)
(Persistent Offender, Rg. III) (Career Offender)

Concurrent/Consecutive to: _____

Probation Conditions (if applicable): _____

County Jail Program Eligibility _____ %.

PLACE OF CONFINEMENT: County Jail or Department of Corrections

JAIL CREDIT: _____ days for following dates: 02/10/15

This 29 day of March, 2016.

APPROVED BY COURT:

Lee May
JUDGE - CIRCUIT COURT

Phillip J. Swann
DISTRICT ATTORNEY GENERAL

[Signature]
DEFENDANT

[Signature]
COUNSEL FOR DEFENDANT

IN THE CIRCUIT COURT FOR DYER COUNTY, TENNESSEE

STATE OF TENNESSEE

VS

CASE NO: 15CR 34

Susan Newman Sceance

Ct 2 - Only

FILED
TOM "TJ" JONE
CIRCUIT CLERK

APR 04 2016

AM PI
D.C.

ORDER OF NOLLE PROSEQUI

The State, having announced that it did not desire to prosecute this action and having requested a nolle prosequi,

IT IS ORDERED that the request for nolle prosequi be granted.

ENTER: This 4th day of April, 2016.

Sumner
CIRCUIT COURT JUDGE

APPROVED:

Kar Buns
Asst. DISTRICT ATTORNEY GENERAL

[Signature]
ATTORNEY FOR DEFENDANT

IN THE CRIMINAL/CIRCUIT COURT FOR DYER COUNTY, TENNESSEE

Case Number: 15-CR-34 Count: 1 Counsel for the State: C. PHILLIP BIVENS
 Judicial District: 29th Judicial Division: _____ Counsel for the Defendant: CHARLES M. AGEE
State of Tennessee Retained Pub Def Appt Private Atty Appt
 vs. Counsel Waived Pro Se
 Defendant: SUSAN NEWMAN SCEARCE Alias: _____ Date of Birth: 03/09/1958 Sex: Female
 Race: White SSN: 408-06-5666 Relationship to Victim: _____ Victim's Age: _____
 State ID #: _____ County Offender ID # (if applicable): _____ State Control #: _____
 Arrest Date: _____ Indictment Filing Date: 02/09/2015

ORDER OF DEFERRAL (JUDICIAL DIVERSION) Original Amended Corrected

On the 29th day of March, 2016, the defendant:

<input checked="" type="checkbox"/> Pled Guilty <input type="checkbox"/> Pled Nolo Contendere	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 §: 39-14-103 - THEFT OVER \$1,000</u> Amended Offense Name <u>AND TCA §: _____</u> Offense Date: <u>03/16/2011</u> County of Offense: <u>Dyer</u> Deferred Offense Name <u>AND TCA §: 39-14-103 - THEFT UNDER \$500</u> Deferred Offense: Class (circle one) A B C D E <input type="checkbox"/> Felony <input checked="" type="checkbox"/> Misdemeanor
Was Found Guilty By: <input type="checkbox"/> Jury Verdict <input type="checkbox"/> Bench Trial	

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 Title 68, Chapter 11, Part 10; **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 Title 68, Chapter 11, Part 10, 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. The terms and conditions ordered by this court apply to the defendant's probation and are incorporated herein by reference thereto.

Probation Term: Total Length 11 months 29 days Beginning Date 03/29/2016 Ending Date 03/28/2017 Supervised Unsupervised

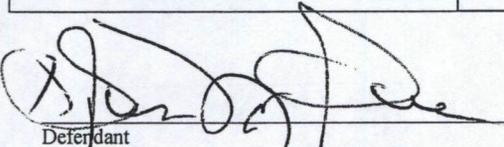
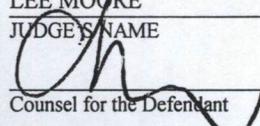
Supervising Entity (unless otherwise provided to the defendant by the court): Name: _____

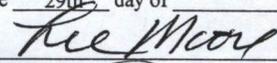
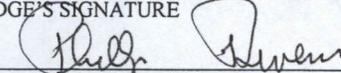
Phone Number: _____ Address: _____

Defendant's Contact Information (unless otherwise provided to the probation officer by the court): Phone Number _____

Address: 3754 CURVE NANKIPOO RD. Halls. TN 38040

Costs	Concurrent with:	Restitution	Pretrial Jail Credit Period(s):
\$ _____ Sex Offender Tax (39-13-709)		Victim Name: <u>Pettus Services</u>	From <u>02/10/2015</u> to <u>02/10/2015</u>
\$ _____ Sex Offender Fine (40-24-108)		Address: <u>12647 Hwy 72</u>	From _____ to _____
\$ _____ Drug Testing Fee (39-17-420)	Consecutive to:	<u>Rogersville AL, 35652</u>	From _____ to _____
\$ _____ Treatment Expenses (40-35-313)		Total Amount \$ <u>59.50</u>	From _____ to _____
\$ _____ Supervision Fees (40-35-313)		Per Month \$ _____	
\$ _____ Other: _____			


 Defendant
 LEE MOORE
 JUDGE'S NAME

 Counsel for the Defendant

ENTER this the 29th day of March, 2016.

 JUDGE'S SIGNATURE

 Counsel for the State of Tennessee

FILED
 TOM "TJ" JONE
 CIRCUIT CLERK
 MAR 29 2016
 11:45 AM
 D.C.