

IN THE CRIMINAL/CIRCUIT COURT FOR HARDEMAN COUNTY, TENNESSEE

Case Number: 35CC1-2018-CR- Count: I Counsel for the State: JOE L. VANDYKE
 Judicial District: 25th Judicial Division: I Counsel for the Defendant: MATTHEW EDWARDS
State of Tennessee Retained Pub Def Appt Private Atty Appt
 vs. Counsel Waived Pro Se
 Defendant: ERIN PIEFER Alias: _____ Date of Birth: _____ Sex: Female
 Race: White SSN: _____ Relationship to Victim: _____ Victim's Age: _____
 State ID #: _____ County Offender ID # (if applicable): _____ State Control #: _____
 Arrest Date: _____ Indictment Filing Date: _____

ORDER OF DEFERRAL (JUDICIAL DIVERSION) Original Amended Corrected

On the 16 day of FEB, 2018, 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 AND TCA §: <u>39-14-103 ~ THEFT OF PROPERTY - \$1,000-\$2,500</u> Amended Offense Name AND TCA §: _____ Offense Date: <u>08/01/2016</u> County of Offense: <u>Hardeman</u> Deferred Offense Name AND TCA §: <u>39-14-103 ~ THEFT OF PROPERTY - \$1,000-\$2,500</u> Deferred Offense: Class (circle one) A B C D E <input checked="" type="checkbox"/> Felony <input 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 2 yrs Beginning Date 2/16/18 Ending Date 2/15/20 Supervised Unsupervised

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

Phone Number: _____ Address: _____

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

Address: _____

Costs	Concurrent with:	Restitution	Pretrial Jail Credit Period(s):
\$ _____ Sex Offender Tax (39-13-709)		Victim Name: <u>HARDEMAN CO. SCHOOLS</u>	From _____ to _____
\$ _____ Sex Offender Fine (40-24-108)		Address: _____	From _____ to _____
\$ _____ Drug Testing Fee (39-17-420)			From _____ to _____
\$ _____ Treatment Expenses (40-35-313)	Consecutive to:		From _____ to _____
\$ _____ Supervision Fees (40-35-313)		Total Amount \$ <u>2125.50</u> <u>1245.50</u>	From _____ to _____
\$ <u>500</u> Other: <u>FINE</u>		Per Month \$ <u>94</u>	
<u>ALL FINES, COSTS & RESTITUTION TO BE PAID BY 3/1/18</u>			

x Erin Piefer
 Defendant

J. WEBER MCCRAW
 JUDGE'S NAME

 Counsel for the Defendant

ENTER this the 16 day of FEB, 2018

Matthew Edwards
 JUDGE'S SIGNATURE

Joe L. Vandyke
 Counsel for the State of Tennessee

IN THE CIRCUIT COURT OF HARDEMAN COUNTY, TENNESSEE
25th JUDICIAL DISTRICT

STATE OF TENNESSEE
VS.
ERIN PIEFER

DOCKET NO. 35cc1-2018-cr-36

PLEA OF GUILTY AND
MOTION TO WAIVE TRIAL BY JURY AND WAIVE APPEAL

My full name is ERIN PIEFER and I am represented by Hon. Matthew Edwards, Attorney at Law. I am charged with:

Ct. 1: Theft (E-Fel) for which the minimum penalty is 1 year(s) @ 30% before RED and a \$0.00 fine, and the maximum penalty is 2 years @ 30% before RED and a \$3,000.00 fine as a Range I Offender.

1. Having received a copy of the indictment/information and discussed it with my attorney, I understand the nature of the charges against me and any defenses that could be raised in my behalf. I have discussed all defenses with my attorney, and am satisfied that proper investigation of my case has been made. I have met with my attorney and am satisfied with my attorney's representation of me.
2. I know the State's charges against me and have been told the penalties each carries.
3. I have discussed with my attorney and fully understand that I have a right to plead not guilty or to persist in that plea if it has already been made; that if I plead not guilty, I am entitled to a speedy and public trial by a jury, or by a judge sitting without a jury; that I have a 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; that at trial I could not be compelled to take the witness stand and incriminate myself, and that if I wanted to testify at trial, I would have that right.
4. I understand that if I plead guilty and the guilty plea is accepted by the Court, there will not be a further trial of any kind, other than imposing sentence on me, so that by pleading guilty, I waive the right to a trial.
5. I understand that in accepting this plea, the court or the State may ask me questions and require that I answer under oath on the record, and that my answers must be truthful, and if not truthful, may later be used against me in a prosecution for perjury.
6. I understand that my plea of guilty will result in a conviction which may be used to enhance punishment if I should be found guilty of another criminal offense in the future.
7. I understand that this guilty plea will be my day in Court, and I am waiving appeal.

Understanding these rights, I do voluntarily and freely petition to be allowed to waive a trial by jury and to enter a plea of guilty, and to waive appeal. I voluntarily plead guilty to the offense of:

Ct. 1: Theft (E-Fel) for which the minimum penalty is 1 year(s) @ 30% before RED and a \$0.00 fine, and the maximum penalty is 2 years @ 30% before RED and a \$3,000.00 fine as a Range I Offender.


I understand that the Court will impose sentence. The District Attorney General will (not recommend a sentence) (recommend a sentence of (blind plea):



Ct. 1: 2 year(s) @ 30% before RED; Sentence suspended after t/s days; Supervision by State Probation; \$500.00 fine; ~~\$125.00~~ ^{1245.50} Restitution; Pay fines, costs, and restitution (as may be applicable) at the rate of \$150.00 per month beginning 3/1/18; Defendant understands and agrees that the payment of fines and/or restitution is a strict condition of his/her alternative sentencing and states that (s)he is able to pay and will pay his/her fines and restitution as outlined in this document.

I certify that my plea of guilty is voluntary and not the result of force or threats or promises apart from a plea agreement. I acknowledge that there have been no promises or guarantees made to me as to release or parole date of my sentence and there are no other promises other than as stated herein or in Open Court. I am pleading guilty because I am guilty.

I fully understand my right to appeal and have my case reviewed by an Appellate Court, but hereby expressly and knowingly waive my right to appeal and agree that there is no basis for appeal.

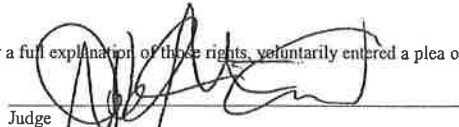
This, the 16th day of February 2018.


Defendant _____
SS#: _____
Date of Birth: _____


Assistant District Attorney General

Attorney for the Defendant

ORDER

The defendant having been fully advised in person of his rights in Open Court, and after a full explanation of those rights, voluntarily entered a plea of guilty which is accepted by the Court; the motions to waive trial by jury and appeal are granted.


Judge



APPLICATION FOR CERTIFICATION OF ELIGIBILITY FOR DIVERSION



COUNTY Hardeman	COURT CIRCUIT	DIVISION Twenty-five	JUDGE J. WEBER MCCRAW
DEFENDANT'S NAME ERIN PIEFER		DOCKET #	COURT DATE 02/16/2018
DATE OF BIRTH [REDACTED]	SEX/RACE F/W	SOCIAL SECURITY NUMBER [REDACTED]	TYPE OF DIVERSION Judicial
OFFENSES TO BE DIVERTED THEFT OF PROPERTY \$1,000-\$2,000 - DOA: 04/30/2017 - Felony			
NAME AND PHONE NUMBER OF DISTRICT ATTORNEY OR ASSISTANT DISTRICT ATTORNEY TO WHOM RESPONSE SHOULD BE SENT MATTHEW C. EDWARDS 7314030056			
FAX NUMBER 7315540624		ADDRESS	
NAME AND PHONE NUMBER OF DEFENSE ATTORNEY OR PRO SE DEFENDANT TO WHOM RESPONSE SHOULD BE SENT			
FAX NUMBER		ADDRESS	

CERTIFICATION OF ELIGIBILITY FOR DIVERSION

I hereby certify that, pursuant to Tenn. Code Ann. 38-6-118(b), a query of the TBI Expunged Criminal Offender and Pretrial Diversion Database has been conducted pursuant to the above authorized request, and based upon the results of that query:

**The defendant has not had a prior disqualifying felony or misdemeanor conviction
NO RECORD**

Heather Hurley

02/14/2018

Record Processing Unit, TBI

Date

PLEASE NOTE THAT THIS DOES NOT CONSTITUTE A CERTIFICATION THAT THE DEFENDANT IS ELIGIBLE OF INELIGIBLE FOR DIVERSION UNDER TCA 40-35-313 OR TCA 40-15-105. THIS IS ONLY A CERTIFICATION THAT A RECORDS CHECK OF THE TBI EXPUNGED CRIMINAL OFFENDER AND PRETRIAL DIVERSION DATABASE HAS REVEALED QUALIFYING OR DISQUALIFYING INFORMATION UNDER THE CRITERIA SET OUT IN THE DIVERSION STATUTES REFERENCED ABOVE.

JUDGEMENT OF PRETRIAL DIVERSION OR JUDICIAL DIVERSION

Comes now the District Attorney General for the State and Defendant with counsel of record for entry of judgement.

On the 16th day of February, 2018

OFFENSE INDICTED	<u>theft 1000 - 2500</u>	OFFENSE CLASS	<u>E</u>
OFFENSE DIVERTED	<u>theft 1000 - 2500</u>	OFFENSE CLASS	<u>E</u>

The defendant is sentenced to pretrial diversion judicial diversion for the following period:

2 years, _____ months, _____ days. Effective: 2/16/18

J. Weber McCRAW J. Weber McCRAW 2, 16, 18
 JUDGE (Printed) JUDGE (Signature) ENTRY OF JUDGEMENT DATE

APPROVED FOR ENTRY DISTRICT ATTORNEY ATTORNEY FOR DEFENDANT

IN THE CIRCUIT COURT OF HARDEMAN COUNTY, TENNESSEE

STATE OF TENNESSEE

VS.

NO. 35CC1-2018-CR-36

ERIN PIEFER

CRIMINAL INFORMATION

Comes now Mark E. Davidson, District Attorney General for the 25th Judicial District of Tennessee, pursuant to T.C.A. 40-3-103, and charges by Criminal Information that Erin Piefer on various dates between August 1, 2016 and April 30, 2017, in Hardeman County, Tennessee, did unlawfully, feloniously and knowingly obtain property to-wit: Cash, valued at over one thousand dollars (\$1,000) but less than two thousand five hundred dollars (\$2,500), of Toone Elementary School without their effective consent, with the intent to deprive said Toone Elementary School thereof, in violation of T.C.A. 39-14-103, against the peace and dignity of the State of Tennessee.

MARK E. DAVIDSON BY TLV
District Attorney General

This 16th day of February 2018

IN THE CIRCUIT COURT OF HARDEMAN COUNTY, TENNESSEE

STATE OF TENNESSEE

VS.

NO. 35CC1-2018-CR- 36

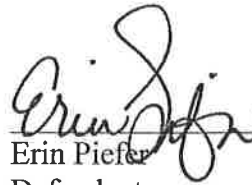
ERIN PIEFER

WAIVER OF INDICTMENT AND CONSENT TO CRIMINAL INFORMATION

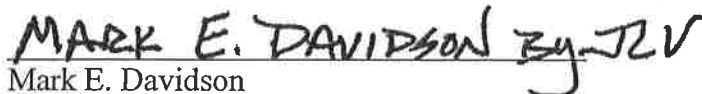
Comes now the defendant, Erin Piefer, who would respectfully show to the Court as follows:


1. That she has consulted with her attorney, Matthew Edwards, and has been advised that she has a constitutional right to indictment or presentment by the Grand Jury concerning the above-styled cause.
2. That she believes that it would be in her manifest best interest to waive said right to indictment or presentment and allow this cause to be prosecuted by Criminal Information pursuant to T.C.A. 40-3-103(a) and she consents to the aforementioned Criminal Information to which this waiver is attached.

This 16th day of February 2018.


Erin Piefer
Defendant

APPROVED FOR ENTRY:


Mark E. Davidson
District Attorney General


Matthew Edwards
Attorney for the Defendant