INDICTMENT

STATE OF TENNESSEE, COUNTY OF CLAY DECEMBER 2021 SESSION OF THE CRIMINAL COURT

		RECOURT
STATE OF TENNESSEE	§ §	
VS.	§	CASE NO:
SUSAN BIRDWELL	§	DOND ¢
	8	BOND \$
SOLICITING UNLAWFUL COMP MISREPRESENTING INFORMAT OFFICIAL MISCONDUCT (3 COU	TON TO A STATE AUDITOR	CLASS E FELONY CLASS C MISDEMEANOF CLASS E FELONY
	A TRUE BILI	<u></u>
	Mar Delk	
	GRAND JURY FOREMA	AN
PROSECUTOR(S	<u>S)</u>	WITNESS(ES)
IG Investigator	the State of Te	shall summon the following witnesses for ennessee:
Office of the Comptroller of the SA Mater	the Treasury	IG

Tennessee Bureau of Investigation

HERE duly summoned as a witness and sworn by me and did testify before the Grand Jury on this indictment:

Special Agent Matthew Gribble

GRAND JURY FOREMAN

Investigator Office of the Comptroller of the Treasury

Special Agent Matthew Gribble Tennessee Bureau of Investigation

NATHAN S. NICHOLS District Attorney General Pro Tem Acting Pursuant to Tenn. Code Ann. §8-7-106

COUNT I

SOLICITING UNLAWFUL COMPENSATION (E/F) TENN. CODE ANN. §39-16-104

THE RECONVENED GRAND JURORS for the State of Tennessee duly impaneled, sworn, and charged to inquire in and for the body of the County of Clay in the State of Tennessee upon their oaths do present that, prior to the finding of this indictment, SUSAN BIRDWELL, a public servant as defined in TENN. CODE ANN. §39-16-401, on or about MARCH 5, 2021, did unlawfully request a pecuniary benefit for the performance of an official action, to wit: DRIVER SAFETY SCHOOL INSTRUCTION, knowing that she was required to perform that action without compensation in violation of TENN. CODE ANN. §39-16-104 and against the peace and dignity of the State of Tennessee.

DISTRICT ATTORNEY GENERAL PRO TEM Acting Pursuant to Tenn. Code Ann. §8-7-106

Tering I arsaum to Term. Code Ann. 90-7-100

COUNT II

MISREPRESENTING INFORMATION TO A STATE AUDITOR TENN. CODE ANN. §39-16-407

THE RECONVENED GRAND JURORS for the State of Tennessee duly impaneled, sworn, and charged to inquire in and for the body of the County of Clay in the State of Tennessee upon their oaths do further present that, prior to the finding of this indictment, SUSAN BIRDWELL, a public servant as defined in TENN. CODE ANN. §39-16-401, on or about AUGUST 17, 2021, did unlawfully, knowingly, and with the intent to deceive misrepresent material information related to an audit conducted by an auditor in the department of audit in violation of TENN. CODE ANN. §39-16-407 and against the peace and dignity of the State of Tennessee.

COUNT III

OFFICIAL MISCONDUCT (E/F) TENN. CODE ANN. §39-16-402

THE RECONVENED GRAND JURORS for the State of Tennessee duly impaneled, sworn, and charged to inquire in and for the body of the County of Clay in the State of Tennessee upon their oaths do further present that, prior to the finding of this indictment, SUSAN BIRDWELL, a public servant as defined in TENN. CODE ANN. §39-16-401, on or about MARCH 5, 2021, did unlawfully receive a benefit not otherwise authorized by law, to wit: MONEY, in violation of TENN. CODE ANN. §39-16-402 and against the peace and dignity of the State of Tennessee.

COUNT IV

OFFICIAL MISCONDUCT (E/F) TENN. CODE ANN. §39-16-402

THE RECONVENED GRAND JURORS for the State of Tennessee, duly impaneled, sworn, and charged to inquire in and for the body of the County of Clay in the State of Tennessee upon their oaths do further present that, prior to the finding of this indictment, SUSAN BIRDWELL, a public servant as defined in TENN. CODE ANN. §39-16-401, on or about MARCH 5, 2021, did unlawfully and with the intent to gain a benefit knowingly violate a law relating to her office, to wit: TENN CODE ANN. §39-16-104, in violation of TENN. CODE ANN. §39-16-402 and against the peace and dignity of the State of Tennessee.

COUNT V

OFFICIAL MISCONDUCT (E/F) TENN. CODE ANN. §39-16-402

THE RECONVENED GRAND JURORS for the State of Tennessee, duly impaneled, sworn, and charged to inquire in and for the body of the County of Clay in the State of Tennessee upon their oaths do further present that, prior to the finding of this indictment, SUSAN BIRDWELL, a public servant as defined in TENN. CODE ANN. §39-16-401, on or about AUGUST 17, 2021, did unlawfully and with the intent to harm another knowingly violate a law relating to her office, to wit: TENN CODE ANN. §39-16-407, in violation of TENN. CODE ANN. §39-16-402 and against the peace and dignity of the State of Tennessee.

October TERM, 2021, CRIMINAL COURT

STATE OF TENNESSEE

VS.

NO. 2021-D-1862

SUSAN BETH BIRDWELL

PROSECUTOR:

CHARGE: Cts. 1-6 Forgery

Cts. 7-9 Tamp. w/Governmental

Records

Cts. 10 & 11 Official Misconduct

Davidson County Griminal Court Clerk

Witness(es) before the Grand Jury:

The above witness(es) appeared; was/were duly sworn by me, the foreperson, and gave testimony before the Grand Jury in the above-styled cause this LOVE day of

X

A TRUE BILL

A NO TRUE BILL

Foreperson

Davidson County Grand Jury

SUBPOENA THE FOLLOWING WITNESSES FOR THE STATE OF TENNESSEE:

COMPLAINT NO(s): 2021-0573027

, c/o Office of the Comptroller of the Treasury, 425 Rep. John Lewis Way

N., Nashville, TN 37243



INDICTMENT

State of Tennessee, Davidson County

COUNT 1

THE GRAND JURORS of Davidson County, Tennessee, duly impaneled and sworn, upon their oath, present that:

SUSAN BETH BIRDWELL

on or about the **10th** day of **June**, **2020**, in Davidson County, Tennessee and before the finding of this indictment, knowingly and with the intent to defraud **the Tennessee Bureau of Investigation** did pass or otherwise utter forged documents, to wit: **orders for the expungement of criminal offender record**, in violation of Tennessee Code Annotated § 39-14-114, and against the peace and dignity of the State of Tennessee.

THE GRAND JURORS of Davidson County, Tennessee, duly impaneled and sworn, upon their oath, present that:

SUSAN BETH BIRDWELL

on or about the 12th day of July, 2020, in Davidson County, Tennessee and before the finding of this indictment, knowingly and with the intent to defraud the Tennessee Bureau of Investigation did pass or otherwise utter forged documents, to wit: orders for the expungement of criminal offender record, in violation of Tennessee Code Annotated § 39-14-114, and against the peace and dignity of the State of Tennessee.

THE GRAND JURORS of Davidson County, Tennessee, duly impaneled and sworn, upon their oath, present that:

SUSAN BETH BIRDWELL

on or about the **4th** day of **August**, **2020**, in Davidson County, Tennessee and before the finding of this indictment, knowingly and with the intent to defraud **the Tennessee Bureau of Investigation** did pass or otherwise utter forged documents, to wit: **orders for the expungement of criminal offender record**, in violation of Tennessee Code Annotated § 39-14-114, and against the peace and dignity of the State of Tennessee.

THE GRAND JURORS of Davidson County, Tennessee, duly impaneled and sworn, upon their oath, present that:

SUSAN BETH BIRDWELL

on or about the **14th** day of **September**, **2020**, in Davidson County, Tennessee and before the finding of this indictment, knowingly and with the intent to defraud **the Tennessee Bureau of Investigation** did pass or otherwise utter forged documents, to wit: **orders for the expungement of criminal offender record**, in violation of Tennessee Code Annotated § 39-14-114, and against the peace and dignity of the State of Tennessee.

THE GRAND JURORS of Davidson County, Tennessee, duly impaneled and sworn, upon their oath, present that:

SUSAN BETH BIRDWELL

on or about the **7th** day of **October**, **2020**, in Davidson County, Tennessee and before the finding of this indictment, knowingly and with the intent to defraud **the Tennessee Bureau of Investigation** did pass or otherwise utter forged documents, to wit: **orders for the expungement of criminal offender record**, in violation of Tennessee Code Annotated § 39-14-114, and against the peace and dignity of the State of Tennessee.

THE GRAND JURORS of Davidson County, Tennessee, duly impaneled and sworn, upon their oath, present that:

SUSAN BETH BIRDWELL

on or about the **29th** day of **December**, **2020**, in Davidson County, Tennessee and before the finding of this indictment, knowingly and with the intent to defraud **the Tennessee Bureau of Investigation** did pass or otherwise utter forged documents, to wit: **orders for the expungement of criminal offender record**, in violation of Tennessee Code Annotated § 39-14-114, and against the peace and dignity of the State of Tennessee.

THE GRAND JURORS of Davidson County, Tennessee, duly impaneled and sworn, upon their oath, present that:

SUSAN BETH BIRDWELL

on or about the **25th** day of **February**, **2021**, in Davidson County, Tennessee and before the finding of this indictment, did present a document, to wit: **orders for the expungement of criminal offender record**, with knowledge of their falsity and with the intent that they would be taken as genuine government records in violation of Tennessee Code Annotated § 39-16-504, and against the peace and dignity of the State of Tennessee.

THE GRAND JURORS of Davidson County, Tennessee, duly impaneled and sworn, upon their oath, present that:

SUSAN BETH BIRDWELL

on or about the **8th** day of **March**, **2021**, in Davidson County, Tennessee and before the finding of this indictment, did present a document, to wit: an **order for the expungement of criminal offender record**, with knowledge of its falsity and with the intent that it would be taken as a genuine government record in violation of Tennessee Code Annotated § 39-16-504, and against the peace and dignity of the State of Tennessee.

THE GRAND JURORS of Davidson County, Tennessee, duly impaneled and sworn, upon their oath, present that:

SUSAN BETH BIRDWELL

on or about the **12th** day of **April**, **2021**, in Davidson County, Tennessee and before the finding of this indictment, did present a document, to wit: an **order for the expungement of criminal offender record**, with knowledge of its falsity and with the intent that it would be taken as a genuine government record in violation of Tennessee Code Annotated § 39-16-504, and against the peace and dignity of the State of Tennessee.

THE GRAND JURORS of Davidson County, Tennessee, duly impaneled and sworn, upon their oath, present that:

SUSAN BETH BIRDWELL

between the **10th** day of **June**, **2020**, and the **29th** day of **December**, **2020**, in Davidson County, Tennessee and before the finding of this indictment, while at all times relevant a public servant, did unlawfully, knowingly, and with the intent to harm **the Tennessee Bureau of Investigation**, violate a law relating to her office, to wit: Tenn. Code Ann. § 39-14-114, in violation of Tennessee Code Annotated § 39-16-402, and against the peace and dignity of the State of Tennessee.

THE GRAND JURORS of Davidson County, Tennessee, duly impaneled and sworn, upon their oath, present that:

SUSAN BETH BIRDWELL

between the **25th** day of **February**, **2021**, and the **12th** day of **April**, **2021**, in Davidson County, Tennessee and before the finding of this indictment, while at all times relevant a public servant, did unlawfully, knowingly, and with the intent to harm **the Tennessee Bureau of Investigation**, violate a law relating to her office, to wit: Tenn. Code Ann. § 39-14-114, in violation of Tennessee Code Annotated § 39-16-402, and against the peace and dignity of the State of Tennessee.

VATHAN S. NICHOLS

DISTRICT ATTORNEY GENERAL PRO TEMPORE

TWENTIETH JUDICIAL DISTRICT

IN THE CIRCUIT & CRIMINAL COURTS FOR CLAY COUNTY, TENNESSEE THIRTEENTH JUDICIAL DISTRICT SITTING AT CELINA

IN RE: INDICTMENT OF SUSAN BIRDWELL, CLERK OF THE CRIMINAL & CIRCUIT COURTS FOR CLAY COUNTY, TENNESSEE

ORDER OF SUSPENSION

THIS MATTER came to be considered by the Court upon Motion of the State of Tennessee to summarily suspend Susan Birdwell, Circuit Court Clerk for Clay County, Tennessee from office based upon indictments being found against her for certain felonious offenses related to her duties as clerk. After reviewing the State's Motion and the indictments returned by both the Davidson and Clay County Grand Juries, receiving the testimony of Investigator for the Tennessee Comptroller of the Treasury, hearing the arguments of the District Attorney General *Pro Tem*, and considering all applicable law, the Court finds the following:

- 1. On November 10, 2021, the Davidson County Grand Jury returned an eleven (11) count indictment against SUSAN BIRDWELL, Clerk of the Criminal and Circuit Courts for Clay County, Tennessee, for the felonious offenses of six (6) counts of forgery, three (3) counts of tampering with government records, and two (2) counts of official misconduct;
- 2. On December 14, 2021, the Clay County Grand Jury returned a five (5) count indictment against SUSAN BIRDWELL for the felonious offenses of soliciting unlawful compensation and three (3) counts of official misconduct. The Clay County indictment further alleges SUSAN BIRDWELL committed the misdemeanor offense misrepresenting information to a state auditor;
- 3. On December 14, 2021, the Chief Justice of the Tennessee Supreme Court designated the Honorable Mike Pemberton, Circuit Court Judge for the Ninth Judicial District, to preside over matters relating to SUSAN BIRDWELL's Clay County indictment due to the fact that all Circuit and Criminal Court Judges for the Thirteenth Judicial District recused themselves;
- 4. On December 14, 2021, the District Attorney General *Pro Tem* for the Thirteenth Judicial District delivered notice to the Court of the indictments returned against SUSAN BIRDWELL in Davidson and Clay Counties and did move the Court, *ex parte*, to summarily

suspend SUSAN BIRDWELL from office pending final disposition of the indictments returned against her;

- 5. On December 16, 2021, the Court held an *ex parte* hearing on the State's motion during which the Court reviewed the indictments found by the Davidson and Clay County Grand Juries were reviewed and sworn testimony received from Investigative Auditor with the Office of the Tennessee Comptroller of the Treasury;
- 6. The indictments returned against SUSAN BIRDWELL in Davidson and Clay Counties are genuine documents and the offenses alleged in those indictments relate directly to SUSAN BIRDWELL'S office and her service as Clerk of the Criminal and Circuit Courts for Clay County, Tennessee;
- 7. Tenn. Code Ann. §18-1-302 empowers the courts of this State to suspend their clerks "...immediately upon indictment found against [those] clerk[s] for a felony or misdemeanor in office..." Further, any such suspension may remain effective until "a final decision can be had [on the indictment]...";
- 8. In light of the foregoing facts and authority, the Court finds SUSAN BIRDWELL should be SUSPENDED as Clerk of the Criminal and Circuit Courts for Clay County, Tennessee until such time as the indictments returned against her are finally disposed.

IT IS, THEREFORE, ORDERED, as follows:

- I. SUSAN BIRDWELL, Clerk of the Circuit and Criminal Courts for Clay County, Tennessee be hereby SUSPENDED from office pending further orders of the Court;
- II. Due to the fact that SUSAN BIRDWELL also serves as Clerk of the General Sessions and Juvenile Courts for Clay County, Tennessee by virtue of holding the office of Circuit Court Clerk, SUSAN BIRDWELL is SUSPENDED from those offices as well;
- III. SUSAN BIRDWE! L shall immediately surrender all keys, papers, equipment, and any other items belonging to Clay County, Tennessee and any Court she serves as clerk;
- IV. CLAY COUNTY, TENNESSEE shall immediately cease payment of any salary, fee, emolument, or other benefit due to SUSAN BIRDWELL by virtue of her service as Criminal, Circuit, General Sessions, and Juvenile Court Clerk until further order of the Court; however, any such payments to which SUSAN BIRDWELL became entitled prior to the entry of this order shall be paid to her immediately;

V. SUSAN BIRDWELL is prohibited from entering the Clay County Circuit Court Clerk's Office and any other location within Clay County, Tennessee where court proceedings are regularly held or the business of a Court is regularly conducted unless compelled to be present therein by such court;

VI. SUSAN BIRDWELL shall be immediately removed as an authorized signatory on all banking, trust, fiduciary, and charge accounts belonging to Clay County, Tennessee, the Circuit, Criminal, General Sessions, and Juvenile Court Clerk's Offices, and the wards of any court;

VII. THE MAYOR OF CLAY COUNTY, TENNESSEE shall immediately cause all exterior and interior door locks leading into the offices of the Clerk of the Criminal, Circuit, General Sessions, and Juvenile Courts to be changed and shall also change the locks to all courtrooms;

ENTER: This 16 day of December

, 202/

THE HONORABLE MIKE PEMBERTON

CRIMINAL COURT JUDGE

THIRTEENTH JUDICIAL DISTRICT

BY DESIGNATION

Approved for Entry:

NATHAN S. NICHOLS (#30283)

District Attorney General Pro Tem

Thirteenth Judicial District

226 Anne Dallas Dudley Blvd., Suite 800

Nashville, TN 37219

(615) 532-1864

nsnichols@tndagc.org

IN THE CIRCUIT & CRIMINAL COURTS FOR CLAY COUNTY, TENNESSEE THIRTEENTH JUDICIAL DISTRICT SITTING AT CELINA

IN RE:

APPOINTMENT OF A CIRCUIT & CRIMINAL COURT CLERK PRO TEMPORE FOR CLAY COUNTY, TENNESSEE

ORDER APPOINTING CRIMINAL & CIRCUIT COURT CLERK PRO TEMPORE

IT APPEARS the elected Clerk of the Criminal & Circuit Courts for Clay County, Tennessee has been suspended from office following her indictment by the Davidson and Clay County Grand Juries for felonious offenses related to her office. IT FURTHER APPEARS, in accordance with *Tenn. Code Ann.* §18-1-302, it is necessary for the Court to appoint a Criminal and Circuit Court Clerk *Pro Tempore* for Clay County, Tennessee until final disposition of the elected clerk's indictments;

IT IS, THEREFORE, ORDERED, as follows:

- 1. Having full confidence in the abilities of her to hold such office, the Court hereby appoints JENNIFER RITTER, an adult resident of Clay County, Tennessee, to serve as Criminal and Circuit Court Clerk *Pro Tempore* for Clay County, Tennessee with said office to be assumed immediately following administration of the appropriate Oath of Office;
- 2. JENNIFER RITTER shall also serve as Clerk *Pro Tempore* of the General Sessions and Juvenile Courts for Clay County, Tennessee;
- 3. Any Judge, Chancellor. or other official empowered by law to do so is hereby authorized to administer the appropriate Oath of Office to JENNIFER RITTER and the same shall be spread upon the minutes of the Court;
- 4. Upon taking the Oath of Office, the Clerk *Pro Tempore* shall be empowered, authorized, and commanded to perform any and all acts necessary to carry out the duties of such office including, but not limited to, the issuance of warrants for arrest and all other court process, the appointment of deputy clerks, the receipting of and accounting for monies received into the Court, and the filing of any pleadings or other papers. Any act performed by the Clerk *Pro Tempore* shall have the same effect as if done by the regular official;

- 5. Upon taking the oath of office, JENNIFER RITTER shall receive any salary, fees, emoluments, and all other benefits due to be paid to the elected Circuit Court Clerk by Clay County, Tennessee, or any other source;
- 6. The Clerk *Pro Tempore* shall take possession of all papers, books, equipment, and any other item whatsoever belonging to the Office of the Criminal, Circuit, General Sessions, and Juvenile Court Clerk for Clay County, Tennessee and the Court and safely keep the same for her official purposes:
- 7. The Clerk *Pro Tempore* shall take all steps necessary to assume authority over the banking, trust, retail charge, and all other business accounts over which the elected clerk currently has authority;
 - 8. This appointment shall be effective until further orders of the Court;

ALL OTHER MATTERS' ARE HEREBY RESERVED

ENTER: This 16 day of December

202/

THE HONORABLE MIKE PEMBERTON

CRIMINAL COURT JUDGE

THIRTEENTH JUDICIAL DISTRICT

BY DESIGNATION

Case Numb	er: 21-D-1862	2Count#:	1	_Counsel for the	State:	DANIEL A. S	TEPHENSON 👡 ե
Judicial Dis	strict: 20 th	_Judicial Division: _		_Counsel for the		Pete	er Strianse
			C	co-Counsel for the			
				Retained			Private Atty Appt
State of Te	nnessee			☐ Counsel Wai	ved 🏻 Pro S	е	
vs.	. O D. D': 1 . 11				5	· · ·	
	Susan B Birdwell		lias:	·	Date of I	Birth:	
Race:		SN:	Driver	License #:	ISSI	uing State: OOC	
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	30	IDGMENT	☑ Original	☐ Amended	☐ Correct	cea	
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_	ontendere – Certified Question	Tim dim m		ffense Name: Forger			
— Fled Guilty	-		Indicted O	ffense TCA §: <u>39-14</u>	-114		
	Incorporated by	Reierence	Amended	Offense Name: <u>Atter</u>	npted Forgery		
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Bench Trial	l Merged with	Count:	Sentence	imposed Date. 10/1	5/2022		
After consider	ing the evidence, the	e entire record, and in t	he case of sen	tencing, all factors i	n Tennessee Co	de Annotated T	itle 40, Chapter 35, all
of which are in	ncorporated by refer	ence herein, it is ORDE	RED and ADJ	UDGED that the co	nviction describ	ed above is imp	osed hereby and that a
Offender	costs are imposed as	s follows:					
Status		Release Eligibi		y Offense			1st Degree Murder
Status			llity for Felon heck One)	y Offense			☐ Pre-1989
Status (Check One)	☐ Mitigated 20% ☐	(C	check One)		Agg Child Neg	/En 70%	
		(C ☐ § 40-35-501(i) 100%	heck One) Agg Rob 85	%	☐ Agg Child Neg☐ Agg Child Neg		☐ Pre-1989 ☐ Reform Act 1989
Status (Check One) Mitigated Standard Multiple	☐ Mitigated 30% ☐ Standard 30% ☐	\$ 40-35-501(i) 100% Multiple Rapist 100% Child Rapist 100%	heck One) Agg Rob 85 Agg Rob w/	% Prior 100%		/En 85%	☐ Pre-1989 ☐ Reform Act 1989 ☐ Drug Free Zone
Status (Check One) Mitigated Standard Multiple Persistent	☐ Mitigated 30% ☐ ☐ Standard 30% ☐ ☐ Multiple 35% ☐	\$ 40-35-501(i) 100% Multiple Rapist 100% Child Rapist 100% Agg Rapist 100%	Agg Rob 85 Agg Rob w/ \$ 39-17-132 Mult § 39-1	% Prior 100% 24(a), (b) 100% 7-1324(j) 100%	Agg Child Neg Agg Vehicular Carjacking 75	/En 85% Homicide 60% %	☐ Pre-1989 ☐ Reform Act 1989 ☐ Drug Free Zone ☐ Gang Related
Status (Check One) Mitigated Standard	☐ Mitigated 30% ☐ Standard 30% ☐ Multiple 35% ☐ Persistent 45% ☐	\$ 40-35-501(i) 100% Multiple Rapist 100% Child Rapist 100% Agg Rapist 100% Child Predator 100%	Agg Rob 85 Agg Rob w/ \$ 39-17-132 Mult § 39-1 Agg Assauld	% Prior 100% 24(a), (b) 100% 7-1324(j) 100% tw/Death 75%	Agg Child Neg Agg Vehicular	/En 85% Homicide 60% %	☐ Pre-1989 ☐ Reform Act 1989 ☐ Drug Free Zone ☐ Gang Related
Status (Check One) Mitigated Standard Multiple Persistent Career	☐ Mitigated 30% ☐ ☐ Standard 30% ☐ ☐ Multiple 35% ☐ ☐ Persistent 45% ☐ ☐ Career 60% ☐	\$ 40-35-501(i) 100% Multiple Rapist 100% Child Rapist 100% Agg Rapist 100% Child Predator 100% \$ 39-13-518 100%	Agg Rob 85 Agg Rob w/ \$ 39-17-132 Mult § 39-1 Agg Assauld	% Prior 100% 24(a), (b) 100% 7-1324(j) 100%	Agg Child Neg Agg Vehicular Carjacking 75	/En 85% Homicide 60% %	☐ Pre-1989 ☐ Reform Act 1989 ☐ Drug Free Zone ☐ Gang Related
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Status (Check One) Mitigated Standard Multiple Persistent Career	☐ Mitigated 30% ☐ Standard 30% ☐ Multiple 35% ☐ Persistent 45% ☐	\$ 40-35-501(i) 100% Multiple Rapist 100% Child Rapist 100% Agg Rapist 100% Child Predator 100% \$ 39-13-518 100%	Agg Rob 85 Agg Rob w/ \$ 39-17-132 Mult § 39-1 Agg Assauld	% Prior 100% 24(a), (b) 100% 7-1324(j) 100% w/Death 75% Murder w/SBI 85% Pretrial Jail Cre	☐ Agg Child Neg☐ Agg Vehicular☐ Carjacking 75☐ §40-35-501(u) dit Period(s):	/En 85% Homicide 60% % 85%	☐ Pre-1989 ☐ Reform Act 1989 ☐ Drug Free Zone ☐ Gang Related ☐ Repeat Violent Off
Status (Check One) Mitigated Standard Multiple Persistent Career	☐ Mitigated 30% ☐ Standard 30% ☐ Multiple 35% ☐ Persistent 45% ☐ Career 60% ☐ with:	\$ 40-35-501(i) 100% Multiple Rapist 100% Child Rapist 100% Agg Rapist 100% Child Predator 100% \$ 39-13-518 100%	Agg Rob 85 Agg Rob w/ \$ 39-17-132 Mult § 39-1 Agg Assauld	% Prior 100% 24(a), (b) 100% 7-1324(j) 100% w/Death 75% Murder w/SBI 85% Pretrial Jail Cre From	☐ Agg Child Neg☐ Agg Vehicular☐ Carjacking 75☐ §40-35-501(u)☐ dit Period(s):	/En 85% Homicide 60% % 85% From	☐ Pre-1989 ☐ Reform Act 1989 ☐ Drug Free Zone ☐ Gang Related ☐ Repeat Violent Off to
Status (Check One) Mitigated Standard Multiple Persistent Career	☐ Mitigated 30% ☐ Standard 30% ☐ Multiple 35% ☐ Persistent 45% ☐ Career 60% ☐ with:	\$ 40-35-501(i) 100% Multiple Rapist 100% Child Rapist 100% Agg Rapist 100% Child Predator 100% \$ 39-13-518 100%	Agg Rob 85 Agg Rob w/ \$ 39-17-132 Mult § 39-1 Agg Assauld	% Prior 100% 24(a), (b) 100% 7-1324(j) 100% w/Death 75% Murder w/SBI 85% Pretrial Jail Cree From From From	Agg Child Neg Agg Vehicular Carjacking 75 \$40-35-501(u) dit Period(s): to to	/En 85% Homicide 60% % 85% From From	Pre-1989 Reform Act 1989 Drug Free Zone Gang Related Repeat Violent Off to to
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Page 1 of 2

RDA 1167

CR-3419 (Rev. 02-19)

Case Number: 21-D-1862 Count#: 1	
Judicial District: 20 Judicial Division:	
State of Tennessee	
vs.	
Defendant: Susan B Birdwell Alias:	Date of Birth: Sex: F
Race: W SSN:	
	•
CONTINUATION OF JUDGMENT	✓ Original ☐ Amended ☐ Corrected
Court Ordered Fees and Fines: Costs to be Paid by	Restitution: Victim Name
\$Court Costs \overline{\times} Defendant \square State	Address
\$984.00_Fine Assessed	
\$ Traumatic Brain Injury Fund (68-55-301 et seq.)	70-4-1 A
\$ Drug Testing Fund (TN Drug Control Act)	Total Amount \$ Per Month \$
\$ CICF	☐ Unpaid Community Service:
\$ Sex Offender Tax	
\$Other:	HoursDaysWeeksMonths
	aced to community supervision for life following sentence expiration. 119, the clerk shall forward this judgment to the Department of Health.
No contact with Jennifer Ritter, Keisha Smith, o	or the Clay County Circuit Court Clerk's office.
ANGELITA B. DALTON Judge's Name Counsel for State/Signature (optional)	Judge's Signature Defendant/Defendant's Counsel/Signature (optional)
I, clerk, hereby certify that, before entraparties who did not provide a signature above.	ry by the court, a copy of this judgment was made available to the party or

CR-3419 (Rev. 02-19)

Page 2 of 2

RDA 1167

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Judicial Dis	strict: 20 th	Judicis	ount#: al Division: _		Counsel for the Sta	fendant:	Peter Strianse	ST 8X
oudicial Bio	- ZO	Oudicie	Division: _		Co-Counsel for the De			
					☑ Retained		☐ Private Atty App	ot.
State of Te	nnessee				☐ Counsel Waived			
vs.					ı			
Defendant:	Susan B Bird	well	Δ	lias:	i	Date of Birth:	Sex: F	
Race:	W	_SSN:		Driver	License #:	Issuing State	e:	
State ID #: _		County	Offender ID	# (ii appiica	.biej:	TDOC		
Relationship	o to Victim: ol #:				Victim's Age:			
State Contro	ol #:		Arrest Da	ıte:	Indi	ctment Filing Date:_		
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	19 th day of			The defenda	ant.			
	day or _	OCLOBET	_ 2022		uit.			
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☐ Pled Nolo C					offense Name: Forgery			eanor
☐ Pled Guilty	- Certified Que	stion Finding	s	1 1	Offense TCA §: 39-14-11			
	Incorporate	l by Referenc	e	1 1	Offense Name: Attempt			
☐ Dismissed					Offense TCA §: 39-12-1			
☐ Nolle Prose	qui with costs				ate: 07/12/2020		Offense: Davidson	
☐ Nolle Prose	qui without cost	s		Conviction	Offense Name: Attemp	oted Forgery		
Is found:	⊠ Guilty		-		n Offense TCA §: <u>39-12-</u>			
		ilty by Reaso	n of Insanity	Conviction	n: Class (circle one)	l st <u>A</u> B C D E	☐ Felony ☒ Misdem	eanor
Jury Verdic				Sentence	Imposed Date: <u>10/19/</u> 2	2022		
Bench Trial		with Count: _						
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	costs are impos	ed as follows:		ALLD and ADO	ODGED that the convi	ction described above is	s imposed hereby and	that a
Offender	costs are impos					ction described above is		
Offender Status	costs are impos		Release Eligibi			ction described above is	s imposed hereby and 1st Degree Mu Pre-1989	
Offender	costs are impos		Release Eligibi	lity for Felor		ction described above is	☐ 1st Degree Mt☐ Pre-1989☐ Reform Act	1989
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CR-3419 (Rev: 02-19)

RDA 1167

Case Number: 21-D-1862 Count#: 2	
Judicial District: 20 Judicial Division:	
State of Tennessee	
vs.	
Defendant: Susan B Birdwell Alias:	Date of Birth: Sex: F
Race: W SSN:	
CONTINUATION OF JUDGMENT	☑ Original ☐ Amended ☐ Corrected
Court Ordered Fees and Fines: Costs to be Paid by	Restitution: Victim Name
\$ Court Costs ☑ Defendant ☐ State	Address
\$_ 984.00_ Fine Assessed	
\$ Traumatic Brain Injury Fund (68-55-301 et seq.) \$ Drug Testing Fund (TN Drug Control Act)	Total Amount \$ Per Month \$
\$ CICF	
\$ Sex Offender Tax	Unpaid Community Service:
\$Other:	HoursDaysWeeksMonths
☐ Pursuant to 39-13-521, the defendant is ordered to provide a ☐ Pursuant to 39-13-524 or 39-13-518, the defendant is senten	s and ordered to provide a biological specimen for the purpose of DNA analysis. biological specimen for the purpose of HIV testing. ced to community supervision for life following sentence expiration. 119, the clerk shall forward this judgment to the Department of Health.
poorar conditions.	
No contact with Jennifer Ritter, Keisha Smith, o	or the Clay County Circuit Court Clerk's office.
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ANGELITA B. DALTON	Balk 10.19.2012
Judge's Name	Judge's Signature Date of Entry of Judgment
pro tem	
Counsel for State/Signature (optional)	Defendant/Defendant's Counsel/Signature (optional)
I, clerk, hereby certify that, before entiparties who did not provide a signature above.	ry by the court, a copy of this judgment was made available to the party or
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RDA 1167