

Division I

No. 24-305

**Instanter Capias**

State of Tennessee, Madison County

CIRCUIT COURT

**NEW  
INDICTMENT  
SEALED**

*To the Sheriff of Madison County - Greeting:*

You are hereby commanded to take the body of: **JAMES ZACHARY DEFOOR**

Address: [REDACTED]

Sex: M

Race: W

DOB: [REDACTED]

SS# [REDACTED]

if to be found in your County, and him safely keep, so that you have him before the Judge of the Circuit Court sitting for the County of Madison, at the Criminal Justice Complex, in the town of Jackson, Tennessee, instanter, then and there to answer the State on charge of:

**OFFICIAL MISCONDUCT; THEFT OF PROPERTY (F)**

Herein fail not, and have you then and there this Writ:

*Witness, Gail Mooney, Clerk of our said Court, at office, the 30<sup>TH</sup> day of APRIL, 2024.*

Bond set at (HOLD)

Gail Mooney, Circuit Court Clerk

*Angela Ervin*, D.C.

Came to hand this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and executed as within commanded.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_, Sheriff

\_\_\_\_\_, Deputy Sheriff

NO: 24-305 J

STATE OF TENNESSEE

VS.

NA JAMES ZACHARY DEFOOR

INDICTMENT FOR:

OFFICIAL MISCONDUCT  
THEFT OF PROPERTY

WITNESSES:  
SUMMON FOR STATE



A TRUE BILL



  
FOREMAN OF THE GRAND JURY

DATE INDICTMENT RETURNED: APRIL 29, 2024

COUNT 1

**STATE OF TENNESSEE, MADISON COUNTY**

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

**JAMES ZACHARY DEFOOR**

on or about September 30, 2022 through December 9, 2022, in Madison County, Tennessee, and before the finding of this indictment, while employed by the State of Tennessee by the District Attorney General for the 26<sup>th</sup> Judicial District, and with the intent to obtain a benefit, did intentionally and knowingly commit an act relating to the servant's office or employment that constitutes an unauthorized exercise of official power, in violation of Tennessee Code Annotated 39-16-402, and against the peace and dignity of the State of Tennessee.



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Mark E. Davidson  
District Attorney General Pro Tem  
26th Judicial District

COUNT 2

**STATE OF TENNESSEE, MADISON COUNTY**

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

**JAMES ZACHARY DEFOOR**

on or about September 30, 2022 through December 9, 2022, in Madison County, Tennessee, and before the finding of this indictment, while employed by the State of Tennessee by the District Attorney General for the 26<sup>th</sup> Judicial District, arising from a common scheme and with the intent to deprive Madison County, JAMES ZACHARY DEFOOR did knowingly obtain more than \$10,000 but less than \$60,000 in unearned compensation and payroll benefits paid for by Madison County after transitioning from a Madison County funded position to a State of Tennessee funded position on August 31, 2022, and without the effective consent of Madison County, in violation of Tennessee Code Annotated 39-14-103, and against the peace and dignity of the State of Tennessee.



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Mark E. Davidson  
District Attorney General Pro Tem  
26th Judicial District