

**LOUDON COUNTY CRIMINAL COURT  
GRAND JURY REPORT-APRIL 9-10, 2007**

Came the Grand Jury in a body headed by their Foreman and returned in open Court, the following Indictments, Presentments, No-Bills and Grand Jury Report with their endorsement thereon:

**NO BILLS**

Michael Anthony Bogle  
Lisa Mae Shuricht

1ct Domestic Assault  
1ct DUI & 1 ct Implied Consent

**FILED & ENTERED**

4-11 2007

**MINUTE BOOK #** 98

**PAGE NO.** \_\_\_\_\_

Debbie Hart  
**CIRCUIT COURT CLK.**

**RESUBMITTALS**

**DISMISSALS**

**TRUE BILLS**

2007-CR-2	Med Aaron Thompson, Jr.	1ct DUI
2007-CR-3	John Travis Collins	8cts Forgery & 1ct Theft u/\$500
2007-CR-4	Hubert Wayne Tipton	1ct DUI, 3cts Simple Possession & 1ct Possession Drug Paraphernalia
2007-CR-5	Joseph W. Flanery	1ct Statutory Rape
2007-CR-6A	Emil Stephen Batson	1ct Promoting Manufacture of Methamphetamine & 1ct Felony Drug Paraphernalia
2007-CR-6B	Timothy Chad West	1ct Promoting Manufacture of Methamphetamine & 1ct Felony Drug Paraphernalia
2007-CR-7	Jerry Mitchell Dyer	1ct Especially Aggravated Kidnapping, 1ct Aggravated Kidnapping, 1ct Especially Aggravated Robbery & 1ct Robbery
2007-CR-9	Robbie Dean Finchum	1ct Driving w/out License, 1ct Poss. Schedule VI, 1ct Poss Sch II & 1ct Poss Drug Paraphernalia
2007-CR-10C	Jose Juan Lopez Zamudio	1ct Drug Paraph & 1ct Poss Sch VI
2007-CR-11	David Anthony Presley	1ct Aggravated Assault-deadly weapon & 1ct Especially Aggravated Burglary
2007-CR-12	Saul Alvarez Gomez	1ct Poss. Sch. II Drug for Resale & 1ct Poss. Drug Paraphernalia
2007-CR-13	Richard Lowell McNabb	1ct DUI
2007-CR-14A	Salvador Perez Miramontes	1ct Possession Sch VI resale
2007-CR-14B	Arturo Lopez Perez	1ct Possession Sch VI resale
2007-CR-14C	Felix A. Barrientos Perez	1ct Possession Sch VI resale
2007-CR-16	Samuel A. Burnette	1ct Theft Property \$1,000-\$10,000
2007-CR-19	Rodney Lynn Huffine	1ct DUI-3 <sup>rd</sup> , 1ct Driving Revoked License-4 <sup>th</sup> , 1ct Vio Implied Consent, 1ct Evading Arrest, 1ct Driving w/out License



2007-CR-20A	Billy R. Mason	1ct Poss Sch II-sale, 1ct Poss Sch II-delivery, 1ct Possession of Drug Paraphernalia & 1ct Child Abuse/Neglect/Endangerment
2007-CR-20B	Deanne M. Mason	1ct Poss Sch II-sale, 1ct Poss Sch II-delivery, 1ct Possession of Drug Paraphernalia & 1ct Child Abuse/Neglect/Endangerment
2007-CR-21	Bobby Sylvester	1ct DUI
2007-CR-22	Grady Stanley Ingram, Jr.	1ct DUI 2 <sup>nd</sup>
2007-CR-24	Cassidy Love Weeks	1ct Vandalism u/\$500
2007-CR-25	Christopher Daniel Rudd	1ct Poss Sch VI-resale & 1ct Poss Drug Paraphernalia
2007-CR-26	Jackie E. Jones	Impersonate Licensed Professional
2007-CR-27	Joe Michael Robison	1ct Aggravated Burglary & 1ct Theft o/\$10,000
2007-CR-28	James Marion Murrell	1ct DUI
2007-CR-29	Timothy Russell Higgins	1ct DUI & 1ct Violation Implied Consent
2007-CR-30	Terry Dewayne Brookshear	1ct DUI-2nd
2007-CR-32	Jonathan E. Simmons	1ct DUI
2007-CR-33	Tammy Sue Sousa	1ct DUI 2 <sup>nd</sup> & 1ct Violation Implied Consent
2007-CR-36	Daniel Lee Jaynes	1ct DUI-4th
2007-CR-37	Alvin Clifford Bivens, III	1ct DUI
2007-CR-38	Johnny Ray Smith, Jr.	1ct DUI & 1ct Implied Consent
2007-CR-40A	Phillip McKenzie Thaxton aka Johnson	1ct Aggravated Robbery
2007-CR-40B	Samuel Eugene McClain	1ct Aggravated Robbery
2007-CR-41	Evelyn Lynn	1ct Assault
2007-CR-42	Randy G. Lochard	1ct Assault & 1ct Cruelty to Animals
2007-CR-43A	Ruben A. Ramirez	1ct Poss Sch VI-resale
2007-CR-43B	Maria V. Garcia-Moreno	1ct Poss Sch VI-resale
2007-CR-45	Steve Allen Westbury	2cts Domestic Abuse/Violence

### CONTINUED ON BOUND OVER

Michael T. Abron	Underage Possession, Seatbelt Law, Traffic Control Device/Signal, Open Container & Financial Responsibility
Mario Alejandro	DUI 4 <sup>th</sup> , Speeding, Dr. on Revoked License & Resisting Arrest
Mario Alejandro	DUI 4 <sup>th</sup> , Violation Implied Consent, Dr. on Revoked License 2 <sup>nd</sup>
Mario Alejandro	DUI-5 <sup>th</sup> , Imp Consent, Rev Lic-2 <sup>nd</sup> , Reg Vio Registration Law & Financial Responsibility
Christopher Lynn Arwood	2cts Aggravated Burglary
Rodger Dale Arwood	2cts Aggravated Burglary
Lisa L. Barber	DUI 5 <sup>th</sup> & Implied Consent
Sherry R. Barr	DUI
Virgil Barrett	DUI
Alan Dewayne Belcher	Felony Possession Drug Paraphernalia



James Gordon Bennett	DUI by Consent, Indecent Exposure, Poss. Sch. VI (Marijuana) & Public Intoxication
Brandon Edward Bowie	Giving False Report
Michael Joseph Breeden	2cts Theft o/\$1,000 & 2cts Burglary
Courtney Darlene Brown	Resisting Stop, Halt, Frisk or Search
Jason Edward Brown	DUI by Consent
Jason Edward Brown	Cruelty to Animals, Poss. Drug Paraphernalia, Poss. Sch. II Drug (Methamphetamine), Manufacturing Methamphetamine
Brian Lee Broyles	Poss Sch II, Poss Drug Paraphernalia & Speeding
Michael Shawn Cagley	18cts Forgery & 18cts Theft u/\$500
Lisa Covington	2cts Possession Schedule II, 2cts Possession of Legend Drugs & 1ct Drug Paraphernalia
Robbie Covington	Theft o/\$10,000
Christopher Ray Cox	Underage DUI, Poss. of a Weapon & Window Tint Violation
Michael Willis Crabtree	Vandalism, Theft o/\$10,000 & Burglary (Building-night time)
Christopher S. Dailey	Theft o/\$1,000
Harold Keith Davenport	Possession Schedule II Drug
Richard Bradley Davis	Burglary, Theft u/\$500 & Possession of Schedule II
Michael A. Decker	DUI 3 <sup>rd</sup> , Revoked License, Vehicular Assault & Registration Violation (wrong)
William Edwin DeGrange, Jr.	Reckless Driving, Reckless Endangerment, Evading Arrest, Speeding, 2cts Traffic Control Device/Signal, Improper Registration, Financial Responsibility, Improper Passing, Following too Close & Crossed Median (Highway Divider)
Victor Kenneth Falk	Aggravated Assault
Amy D. Franklin	DUI-5 <sup>th</sup> , Reckless Endangerment
Gordon Alan Garrick	DUI 1 <sup>st</sup> & Speeding
Rolland R. Gilstrap	Aggravated Assault & Leaving Scene of Accident Involving Property Damage
Wilfredo Gonzalez, Jr	DUI & Violation Implied Consent
Craig Allan Guess, Jr.	Felony Possession Schedule VI (Marijuana)
Michael Shelton Hamlett	Aggravated Assault by Domestic Violence, Aggravated Assault & 2cts Felony Reckless Endangerment
Henry Clyde Hampton	DUI, Driving Rev Lic-9 <sup>th</sup> & Violation Implied Consent Roy
Edward Hatley, Sr	Aggravated Assault & Carrying a Deadly Weapon
Thomas L. Hayes	DUI, 3 cts Poss Sch II, 2 cts Poss Legend Drug w/out Prescription
Russell J. Holbert	DUI, Vio Imp Consent
John James	Reckless Endangerment w/Deadly Weapon, Aggravated Assault (Domestic) & Felony Evading Arrest
Clayton Gene Jarrard	Violation of Implied Consent Law
<del>James Lynn Johnson</del>	<del>Forgery</del>
Robert Alexander Johnson	DUI 2 <sup>nd</sup> , Underage Consumption, Poss. Sch. VI (Marijuana), Open Container Violation & Violation of Implied Consent
<del>Robert B. Jones</del>	<del>Possession of Scheduled II</del>
Joseph Justice	Vandalism



Trampus William Land	DUI 2 <sup>nd</sup> , Violation Implied Consent, Impersonating a Police Officer/Criminal Impersonation, Possession of a Handgun While Under the Influence, Seatbelt Law & Light Law (fail to dim while following)
Cassandra D. Lane	Forgery, 2cts Theft u/\$500 & Evading Arrest
Cassandra D. Lane	2cts Forgery & 2cts Theft u/\$500
James Alvin Lane	Domestic Violence, Aggravated Assault, & Driving while Revoked (Habitual Offender)
Timothy Ray Lane	Sexual Battery
Michael Anthony Laney	DUI & Violation Implied Consent
Michael Donald Lee	DUI 1 <sup>st</sup> & Violation of Implied Consent
Joseph Mark Leho	Assault by Domestic Violence
Kimberley Sue Lintner	DUI 2 <sup>nd</sup> , Resisting Arrest, Possession Schedule IV, Open Container & Implied Consent
Cayci Nichole Littleton	Aggravated Assault
Cayci N. Littleton	Rev Lic-2 <sup>nd</sup> , Rev Lic
Derek Littleton	DUI 2 <sup>nd</sup> , Driving on Revoked License & Felony Evading Theft o/\$500
Matthew Cody McClintock	Manufacturing Schedule I Narcotics, Vehicular Assault, Reckless Endangerment, Resisting Stop, Frisk, Halt & Felony Evading Arrest
Gregory J. McCollum	DUI 5 <sup>th</sup> , Driving on Revoked 4 <sup>th</sup> & Speeding
Robbie Sue McCurry	Violation Implied Consent
Joseph B. McKee	Introduction Sch II into Penal Institution
Joseph B. McKee	Aggravated Assault (Domestic)
Robert Herschel Mallard, III	2cts Theft u/\$500
Jason Daniel Mealer	Vandalism
Jason Daniel Mealer	Forgery & Theft o/\$1,000
Jason Daniel Mealer	Speeding
Michael Lynn Miller	2cts Stalking
James Millikan	Light Law (license plate)
Melinda Sue Minge	Passing Worthless Check o/\$10,000
Danny Moon	Aggravated Assault
Kimberly L. Morris	Possession of Legend Drug
Barry T. Myers	Possession of Schedule VI for Resale & Speeding
Mark Dewayne Neely	2cts Burglary & 2cts Theft o/\$1,000
Robert Arlen Newcomb	Felony Possession Schedule IV
Katrina Lynn Neuhard	Traffic Control Device/Signal
Gary Lynn Nobles	Open Container
Paula Jean Perdue	Statutory Rape
Nicholas Edward Perry	Driving on Revoked License 7 <sup>th</sup> (Habitual Offender)
Charles Boyd Plemons	DUI-2 <sup>nd</sup> , Suspended Lic, Vio Imp Consent
John D. Pratt	Possession of a Handgun While Intoxicated
Arlin Randy Queen	& Unlawful Possession or Carrying of a Weapon
Adam Curtis Rea	Possession Schedule VI for Resale



Steven Ray Reed	Seatbelt Usage
Gene Allen Roberts	DUI 8 <sup>th</sup> ; Implied Consent & Driving on Revoked License 2 <sup>nd</sup>
Mario Rodriguez	DUI, No Driver License, No Proof of Financial Responsibility & Violation Implied Consent
Megan Laraine Rolen	Poss. Sch. VI Drug for Resale & Violation of Light Law
David Michael Seal, Jr.	Implied Consent, Following too Close, Improper Lane Change, Financial Responsibility & Violation of Registration
Shaun Michael Settle	Revoked License
Stefanie E. Steimer	Failure to Maintain Single Lane of Travel
Mark A. Stevens	Aggravated Assault d/v
Ryan Kevin St. Pierre	DUI 3 <sup>rd</sup>
Ryan Kevin St. Pierre	DUI 4 <sup>th</sup> & Imp Consent
Ray Landon Swain	Registration Law, Driving w/o License/Fail to Exhibit on Demand & Failure to Show Financial Responsibility Compliance
Jason Robert Taylor	Possession Schedule II & Possession Drug Paraphernalia
Jennifer Ann Tipton	DUI, Simple Possession Schedule II, Driver License Violation (address change) & Light Law
Richard Eric Tombaugh	Aggravated Assault by Domestic Violence
Laura Townsend	Theft o/\$10,000
Joshua Alan Underwood	Possession of Schedule II for Resale
Walter Brian Underwood	DUI & Possession of Legend Drug
Walter Brian Underwood	DUI & Implied Consent Violation
Walter Brian Underwood	DUI by drugs and/or alcohol
Jeffrey Riley Veal	Theft u/\$500
Alyssa G. Vinoski	Unlawful Possession of a Weapon
Wyman Richard Walkney	DUI-2 <sup>nd</sup> & Leaving the Scene
Jacklyn Dee Wall, alias	Promoting Methamphetamine Manufacturing, Possession of Schedule II Drug for Resale, Possession of Schedule VI Drug, Possession of Drug Paraphernalia & Criminal Impersonation
Charles Paul Ward	2cts Aggravated Assault
David Larry Ward	Possession Schedule VI
Bryant Allen West	DUI 2 <sup>nd</sup> & Driving on Suspended License
James Franklin Wiggins	DUI 2 <sup>nd</sup> & Implied Consent
James Franklin Wiggins	DUI-2 <sup>nd</sup> , Open Container & Violation Financial Responsibility
Robert David Wills	DUI, Poss. Schedule II, Poss. Schedule IV, Poss. Legion Drug w/o Prescription & Poss. Drug Paraphernalia
Thomas Lynn Wilson	Implied Consent Violation & Simple Possession Schedule VI
April S. Wood	Felony Possession Schedule VI (Marijuana)



**Loudon County Criminal Court  
Grand Jury Report  
April 9-10, 2007**

This is the Grand Jury report for the April 2007 term of the Criminal Court in Loudon County, Tennessee as reported by the Grand Jury on April 11, 2007.

Note that some items herein mentioned will be duplicates from prior reports and are intended as matter of fact only. It is not intended to be critical of anyone or to "point fingers". There have been considerable efforts made towards addressing problems and we are aware of these and commend these efforts and we realize that some of the problems take more time, money and planning. Some things mentioned we have learned are already scheduled to be addressed in the near future and here we also commend the progress that is being made.

The Grand Jury reviewed the following facilities and found these items that need attention:

*Loudon County Courthouse*

1. Back entrance doors too narrow. Might need replacement with a larger single door as an only solution to this problem.
2. Water in bathrooms "muddy" at times.
3. Various areas of mold and water damage, cracking, peeling, etc.
4. Storage space still a major problem.
5. Need streetlights on Annex side of the building.
6. Basement has numerous problems that are obvious and too numerous to list.

*Annex*

1. Latches on the stalls of both the men's and ladies restrooms downstairs will not hold the doors closed.
2. Stairs leading from parking lot to front of building slope downward and there is no handrails in place.
3. Interior painting is needed.
4. Outside doors need sanding and refinishing.
5. More storage space is needed for the file room.
6. Fire extinguishers are due inspection.
7. Part of the glass is missing on one outside rear light fixture.
8. Two sections of upstairs, car tag office and office at the opposite corner, have heating and cooling problems. Either too warm or too cool depending on the season. Needs better controls.
9. Drive thru window needs a bell system installed.
10. Roll up metal door in the car tag office needs attention. It will not stay up on it's own.



11. Some clutter in the clerk's office is considered a fire hazard. In general is there adequate fire and smoke detectors thru out the building?

#### *Justice Center*

1. Waiting area chairs are stained.
2. Floors need stripping and rewaxing.
3. Much progress has been made here in the storage problems by moving the Probate records elsewhere but as is anywhere it is still a problem and as with all of the other facilities inspected the subject came up of a storage facility for all.
4. Parking, somehow, sometime must be addressed especially in light of Wednesday's heavy court days as creating a safety problem.
5. Courtroom II needs more seating.
6. Though a little progress has been made more patrol officers are needed as well as more upgrading of the patrol cars.

#### *County Jail*

1. Rear fence at the southwest corner because of landscaping is washing underneath and needs immediate attention to avoid further damage and the risk of loosing the fence.
2. Jail space is still a problem. The jail is overcrowded most of the time and this problem will only increase with growth.
3. Video system needs to be upgraded for better surveillance and more legible recording.
4. Unknown sewer-like smell located around the medical area.
5. One of the cellblocks areas has an unknown stain from something dripping on the wall.

#### *Other Business*

The following business was voted on and a consensus reached by the Grand Jurors:

#### **1. Recommendation for One Year Grand Jury**

The District Attorney General also suggested to the Grand Jury that they consider making a recommendation to Criminal Court Judge E. Eugene Eblen that Loudon County go to a Grand Jury format similar to what is utilized in both Morgan and Meigs Counties, as well as other counties, where the Grand Jury empanelled in April remains the same for the entire year for also the August and December meetings, as well as for any special called meetings of the Grand Jury during that year that may be needed.

The consensus of the Grand Jury was to recommend to Judge Eblen the format suggested by the District Attorney. The Grand Jury noted that it would be beneficial, especially on issues like the two audit questions brought before the Grand Jury this term, because a year-round Grand Jury would have the opportunity to follow-up on



these and other ongoing issues of concern to the community. There would be no time delay with having to empanel a new Grand Jury each term and there would be no time delay with a "re-education" process, as such, to ongoing issues that may have been discussed at a previous term of the Grand Jury.

## **2. Lenoir City Utilities Board Investigative Audit**

The District Attorney General presented for the Grand Jury's review and consideration the results of an Investigative Audit of the Lenoir City Utility Board performed by the Comptroller's Office. The District Attorney General presented Phillip Job from the Comptroller's Office as a witness (who was the managing auditor and fraud expert) on the LCUB investigative audit. The DAG Russell Johnson had previously requested and Judge E. Eugene Eblen appointed Bill Bright, General Counsel from the Comptroller's Office as a *pro tem* prosecutor to assist in the presentation of the audit portion dealing with the Dixie Lee Utility-LCUB merger.

The Grand Jury agreed with the assessment of Auditor Job that the findings labeled "Other Issues" in the audit were violations of LCUB policy and not subject to criminal prosecution. However, the consensus was to request the DA to subpoena the appropriate official from LCUB to present a follow-up to the August Grand Jury as to what corrective measures have been taken or implemented to make sure future violations of policy do not occur.

The Grand Jury found the aspects of "Indirect Conflict of Interest" on the part of the former Dixie-Lee Utility commissioners disturbing when they voted their former entity out of existence with the knowledge that they would probably be entering into highly unusual 40 year personal service agreements as an indirect result of their voting to merge with LCUB. The Grand Jury understands from both General pro tem Bill Bright's and DA Russell Johnson's assertion that the two-year statute of limitations on charges such as official misconduct would bar criminal prosecution of these individuals, if a case for official misconduct could even be proven given that the entire merger proceeding and execution of personal service agreements were conducted under the advice of legal counsel for both LCUB and Dixie-Lee Utilities.

The consensus of the Grand Jury was to concur with DA Johnson and General Bright's suggestion that DA Johnson meet with legal counsel for LCUB to determine the exact status of the pending LCUB Chancery Court litigation and to consider the possibility of a *quo warranto* action to possibly recover any monies paid unlawfully by LCUB, if the present LCUB action does not contemplate the same type of relief. The Grand Jury would also request the DA to subpoena the individuals from the former Dixie-Lee Utility commission to appear before the August Grand Jury if the DA's analysis of the audit warrants further investigation.

## **3. Litter Grant Monitor Review and Audit Findings relative to Rick Watson, Former Manager of Recycling Center**



The District Attorney General also presented to the Grand Jury the results of a Tennessee Department of Transportation "Litter Grant" Monitor Review of Loudon County's use of litter grant funds at its recycling center, as well as findings from the most recent annual county audit relative to the recycling center and its former manager. Both the TDOT grant monitor review and the annual county audit contain findings relative to the use of grant funds, questionable reimbursement requests and purchases by the former recycling center manager, Rick Watson, who was evidently terminated sometime in October 2006. The District Attorney presented two witnesses to explain the monitor review and audit findings, which witnesses also added limited testimony. The Grand Jury found some of the findings to be disturbing, especially in light of the Comptroller's demand that Loudon County reimburse the State of Tennessee well over \$9,000 as a result of the evident improper use of grant funds by the previous manager.

As a result of the presentation the consensus of the Grand Jury was to encourage the District Attorney General to investigate the findings further through either the TBI or investigators from his office and to pursue prosecution, if he feels such prosecution is warranted, and to make a report of the investigation findings to the August Grand Jury. Also the Grand Jury requested, that if no prosecution has been initiated before then, to subpoena Rick Watson for an appearance before the August Grand Jury for follow-up to the April presentation.

The Grand Jury Foreman on behalf of the complete Grand Jury is submitting this report.

This the 11<sup>th</sup> day of April 2007.

  
Mark Carpenter, Grand Jury Foreman

cc: Doyle Arp, County Mayor  
cc: E. Eugene Eblen, Criminal Court Judge  
cc: Leo Bradshaw, Purchasing Director