IN THE UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE AT COOKEVILLE

ROSE M. HEMBROOK Plaintiff

v.

DONALD SEIBER, in his individual capacity, Defendant.

CASE NO.	
----------	--

12 Person Jury Demand

COMPLAINT

Comes now ROSE HEMBROOK represented by attorneys BRAZIL CLARK, PLLC, and for her complaint would show:

PRELIMINARY STATEMENT

1. This is a claim for relief pursuant to 42 U.S.C. §1983 for False Arrest in violation the Fourth Amendment to the United States Constitution and Malicious Prosecution in violation of the Fourth Amendment to the United States Constitution, made applicable to the State of Tennessee and those acting under color of state law by the Fourteenth Amendment to the United States Constitution.

JURISDICTION

2. This Court has original jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343(a)(3)-(4) because this civil action is brought for the redress of deprivations of constitutional rights protected by 42 U.S.C. § 1983 and the Fourth and Fourteenth Amendments to the United States Constitution.

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VENUE

3. Venue is proper in this Court under 28 U.S.C. § 1391(b)(1) because the Defendant resides in this judicial district.

PARTIES

- 4. Plaintiff Rose Hembrook (hereinafter referred to as "Plaintiff") is a longtime resident in the city of Pikesville, located in Bledsoe County, Tennessee.
- 5. Defendant Donald Seiber, (hereinafter referred to as "Detective Seiber") is a Trooper for the Tennessee State Highway Patrol, and is a citizen and resident of Cumberland County, Tennessee. Defendant is being sued solely in his individual capacity.

FACTS

- **6.** Ms. Hembrook is a longtime resident of Bledsoe County, Tennessee, where she operated a hemp farm in 2019.
- On August 14, 2019, The Tennessee Department of Agriculture issued a hemp producer license to Ms. Hembrook pursuant to Tenn. Code Ann. § 43-27-102 (West 2019). (Exhibit 1).
- 8. On September 27, 2019, after a harvest, Ms. Hembrook cleaned up the dead leaves and other hemp refuse and collected the debris into garbage bags.
- **9.** Plaintiff loaded two garbage bags of hemp debris into the trunk of her car to be taken to the dump for disposal.

- 10. Before hauling away hemp refuse, out of an abundance of caution, Ms. Hembrook obtained a Hemp Movement Permit (Exhibit 2) from the Dept. of Agriculture.
- 11. The permit, valid for September 27, 2019, authorized travel with rooted hemp from Ms. Hembrook's farm in Pikeville, TN to the trash dump in Pikeville, TN.¹
- The permit listed the Ms. Hembrook as an authorized party, along with her driver's license number and vehicle.
- As she traveled to the dump on September 27, 2019, Trooper Seiber initiated a traffic stop for a seatbelt violation.
- 14. As he approached her vehicle, Trooper Seiber smelled the odor of cannabis.
- 15. Hemp and marijuana smell the same and are indistinguishable based upon smell alone. (See Cynthia A. Sherwood, Davis F. Griffin & Alexander H. Mills, <u>Even Dogs Can't Smell the Difference the Death of "Plain Smell," As</u> <u>Hemp Is Legalized</u>, Tenn. B.J., December 2019, at 14, 15 (2019)).
- 16. Trooper Seiber noticed that Ms. Hembrook had hemp debris on her shirt and noticed the two garbage bags in her car.
- **17.** Ms. Hembrook informed Trooper Seiber that she was hauling hemp debris and trash to the local dump.
- Trooper Seiber searched Ms. Hembrook's car and opened the two trash bags filled with hemp debris.

¹ Because the hemp Ms. Hembrook carried in her vehicle was not "rooted" hemp, a movement permit was not actually required. Tenn. Code Ann. § 43-27-103 (West 2020).

- 19. Ms. Hembrook showed Officer Seiber her Tennessee Department of Agriculture Hemp License, Hemp Movement permit, and six certificates of analysis from a private lab (Exhibit 3 – Lab Certificates of Analysis) These documents presented overwhelming evidence demonstrating the lawfulness of Ms. Hembrook's conduct.
- 20. During the traffic stop, two local County Sherriff's Deputies arrived. The deputies explained that Ms. Hembrook's farm had been investigated and was compliant with all Tennessee Department of Agriculture State Regulations.
- 21. The two deputies further stated that the substance in Ms. Hembrook's garbage bags was indeed hemp.
- **22.** Trooper Seiber failed to examine and willfully ignored the readily available exculpatory evidence presented by both Ms. Hembrook and the two sheriff's deputies.
- **23.** The exculpatory evidence provided to Trooper Seiber defeats any probable cause he had to arrest Ms. Hembrook.
- 24. Despite the evidence which Ms. Hembrook provided the Defendant and the statements by the deputies, Trooper Seiber charged Ms. Hembrook with felony Possession of Marijuana with Intent to Distribute/Sell/Manufacture in violation of Tenn. Code Ann. 39-17-417. (Exhibit 4).
- 25. Trooper Seiber knew or should have known that he lacked probable cause to support these charges, particularly when he was provided with

paperwork from Ms. Hembrook and statements from two separate sheriff's deputies all stating that the substance in Ms. Hembrook's car was indeed hemp.

- **26.** Prior to September 27, 2019, Ms. Hembrook was employed with the Upper Cumberland Human Resource Agency ("UCHRA") in Crossville, Tennessee and with Home Health Care.
- **27.** As a result of the felony charge initiated by Trooper Seiber, Ms. Hembrook was terminated from her job with UCHRA.
- **28.** On October 7, 2019, Plaintiff appeared at a hearing for the charges brought against her.
- **29.** At this court appearance, the prosecuting attorney requested an analysis from the Tennessee Bureau of Investigation of Ms. Hembrook's hemp.
- **30.** The analysis demonstrated again that the substance seized from Ms. Hembrook's vehicle on September 27, 2019, was indeed hemp.
- **31.** On March 6, 2020, at 2:50 p.m., Trooper Seiber pulled over Ms. Hembrook's vehicle without probable cause to believe that any crime had been committed.
- **32.** Trooper Seiber performed this stop purely to harass and intimidate Ms. Hembrook. He had no reasonable articulable suspicion to initiate the traffic stop.

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- **33.** Fearing for her safety and knowing that there existed no legal basis for Trooper Seiber's actions, Ms. Hembrook ran into a parking lot on foot while shouting for help.
- **34.** Trooper Seiber charged Ms. Hembrook with Evading Arrest, Resisting Arrest and Disorderly conduct and placed her under arrest.
- **35.** Trooper Seiber knew or should have known that there was no probable cause to charge Ms. Hembrook with Evading Arrest, Resisting Arrest, or Disorderly Conduct.
- **36.** On March 18, 2020, the Tennessee Bureau of Investigation returned an Official Forensic Chemistry Report to Trooper Seiber stating that the substance in Plaintiff's car on September 27, 2019 was hemp.
- **37.** On April 6, 2020, Ms. Hembrook appeared in court to answer the charges of Disorderly Conduct, Resisting Arrest and Evading Arrest in the General Sessions Court of Bledsoe County.
- **38.** On July 10, 2020, all criminal charges against Ms. Hembrook were dismissed by the General Sessions Court for Bledsoe County.

FIRST CLAIM FOR RELIEF

Violation of the Fourth Amendment – False Arrest (42 U.S.C. § 1983)

39. Plaintiff repeats and re-alleges all paragraphs above, as if fully set forth herein.

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- **40.** On September 27, 2019, Trooper Seiber, without probable cause, falsely arrested Ms. Hembrook and transported her to the Bledsoe County Jail.
- **41.** Trooper Seiber ignored the readily available exculpatory evidence which was provided to him during the initial traffic stop on September 27, 2019, and therefore lacked probable cause to arrest Ms. Hembrook.
- **42.** Trooper Seiber knew or should have known that he lacked probable cause for any of these actions.
- **43.** Trooper Seiber intended to and did confine Ms. Hembrook without her consent on September 27, 2019.

SECOND CLAIM FOR RELIEF

Violation of the Fourth Amendment – False Arrest (42 U.S.C. § 1983)

- **44.** Plaintiff repeats and re-alleges all paragraphs above, as if fully set forth herein.
- 45. On March 6, 2020 Trooper Seiber, without probable cause, falsely arrested Ms. Hembrook for Disorderly Conduct, Evading Arrest, and Resisting Arrest.
- **46.** Trooper Seiber knew or should have known that he lacked probable cause for any of these actions.
- **47.** Trooper Seiber intended to and did confine Ms. Hembrook without her consent on March 6, 2020.

THIRD CLAIM FOR RELIEF

Violation of the Fourth Amendment – Malicious Prosecution (42 U.S.C. § 1983)

- **48.** Plaintiff repeats and realleges all paragraphs above, as if fully set forth herein.
- 49. Trooper Seiber ignored the readily available exculpatory evidence provided to him during the initial traffic stop on September 27, 2019, and therefore lacked probable cause to initiate criminal proceedings against Ms. Hembrook for Possession with Intent to Distribute/Sell/Manufacture Marijuana.
- **50.** Trooper Seiber knew or should have known that he lacked probable cause.
- **51.** Trooper Seiber knew or should have known that he made false statements regarding the substance found within Plaintiff's car.
- **52.** Detective Seiber initiated criminal proceedings against Ms. Hembrook for possession of marijuana despite the masses of exculpatory evidence available to him prior to the arrest.
- 53. The charge was dismissed against Ms. Hembrook on July 10, 2020.
 (Exhibit 4 Certified Court Files; Exhibit 5 Additional Certified Documents).
- **54.** Therefore, the criminal proceedings were favorably disposed.

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FOURTH CLAIM FOR RELIEF

Violation of the Fourth Amendment – Malicious Prosecution

(42 U.S.C. § 1983)

- **55.** Plaintiff repeats and re-alleges all paragraphs above, as if fully set forth herein.
- **56.** Trooper Seiber knew or should have known that he made false statements to support the charges against Plaintiff on March 6, 2020 for Disorderly Conduct, Resisting Arrest, and Evading Arrest.
- **57.** Trooper Seiber knew or should have known that no probable cause existed to initiate criminal proceedings against Ms. Hembrook for Disorderly Conduct, Resisting Arrest, and Evading Arrest.
- 58. Despite these facts, Trooper Seiber initiated criminal proceedings against Ms. Hembrook for Disorderly Conduct, Resisting Arrest, and Evading Arrest.
- 59. All charges against Ms. Hembrook were dismissed on July 10, 2020.(Exhibits 4, 5).
- **60.** Therefore, the criminal proceedings were favorably disposed.

DAMAGES

- **61.** As a result of each and every of the Defendant's acts above alleged, the Plaintiff has suffered damages, including:
 - a. Emotional distress;
 - b. Deprivation of constitutionally protected liberty interests;

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- c. Deprivation of property;
- d. Humiliation and damage to reputation;
- e. Attorney's Fees;
- f. Loss of enjoyment of life;
- g. Loss of income.
- **62.** Because the actions described herein reflect evil motive and intent or a reckless indifference to the federally protected rights of the Plaintiff, an award of punitive damages is appropriate and necessary to deter similar wrongdoing by this defendant and others similarly situated.

WHEREFORE, the Plaintiff requests:

- I. That a jury of 12 persons be empaneled to try this case;
- II. A declaratory judgment that Defendant's conduct violated Plaintiff's' protected constitutional rights;
- III. Compensatory damages;
- IV. Punitive damages;
- V. Reasonable attorney's fees and litigation expenses;
- VI. Pre- and post-judgment interest;
- VII. Such other and general relief as the court deems just.

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Respectfully submitted,

/s/ Wesley Clark

Wesley Clark, #32611 Frank R. Brazil, #34586 BRAZIL CLARK, PLLC 2901 Dobbs Avenue Nashville, TN 37211 615-730-8619 615-514-9674 (fax) wesley@brazilclark.com frank@brazilclark.com

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<u>Tennessee Department of Agriculture</u> Consumer and Industry Services Plant Certification Section https://www.tn.gov/agriculture/farms/hemp-industry.html

License # CBIY-B97RMZ

Country Fried Pies PO BOX 467 Pikeville TN 37367



Hemp License

STATE OF TENNESSEE DEPARTMENT OF AGRICULTURE DIVISION OF CONSUMER & INDUSTRY SERVICES

Date Issued: August 14, 2019

NASHVILLE, TENNESSEE 37204

Having fulfilled all applicable requirements, the below named party is hereby granted a Hemp License, issued for one year ending June 30, 2020 and conditioned on the faithful observance of the laws and regulations of the Department of Agriculture.

License # CBIY-B97RMZ

This license expires on June 30, 2020

Issued To: Country Fried Pies

Licensee/Primary Contact: Christopher James Hembrook

Licensed Address: 11 Big Spring Gap Rd Pikeville, TN 37367

Commissioner Charlie Hatcher D.V.M.

Post in a conspicuous place. Copies of this license must accompany any rooted plants transported in Tennessee.

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APPROVED 09/27/2019

TENNESSEE DEPARTMENT OF AGRICULTURE

DIVISION OF CONSUMER & INDUSTRY SERVICES PLANT CERTIFICATION SECTION

TENNESSEE HEMP MOVEMENT PERMIT

Sender Information:

COMMISSIONER

Licensee Name:	ountry fride pies	License No.: cbiy-B97RMZ				
Point of Origin:	11 big spring gap road			<u></u>		
(Address)	pikeville	bledsoe	TN	37367		
	City	County	State	Zip Code		
Date*: 09/27/2019 *Permits are valid only	for the date listed above		Quantity: 10	lbs		
Driver Name: rose	/chris hembrook		Driver's License: 118	36120129		
License Plate: 0000		* 	Color: green			
Year: 2000 M	lake: honda		Model: crv			
Receiver Information: Name: trash dump License No.: na						
(Processor or grower)			(Only if receiving roote	d hemp)		
Destination:	trash dump					
(Address)	Street pikeville	bledsoe	TN	37367		
	City	County	- State	Zip Code		

By submitting this application for a Tennessee Hemp movement permit, I certify that the information contained in this application is true and accurate to the best of my knowledge. I agree to move hemp only as authorized herein and in conformance with state law. I understand that a movement permit is required per vehicle per day and that each cannabis plant or plant product moved not in conformity with state law may constitute a separate violation, resulting in civil penalties of up to \$1,000 per violation and possible criminal charges. I agree to accept responsibility for any violations committed by persons operating under this license.

Electronically signed by chris hembrook on 09 / 27 / 2019

Tennessee Department of Agriculture · Division of Consumer & Industry Services · Plant Certification Section Post Office Box 40627 · Nashville, Tennessee 37204 · (615) 837-5137 · industrial.hemp@tn.gov Case 2:20-cv-00058 Document 1-2 Filed 09/17/20 Page 1 of 1 PageID #: 13 1482019



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Country Fried Pies

11 Big Spring Gap Pikeville, TN 37367 107goforth@gmail.com (931) 254-0972 Lic. #

Sample: 1908NBL0404.1013

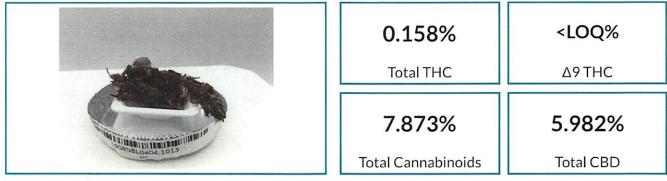
Strain: Sweeten

Sample Received: 08/29/2019; Report Created: 08/30/2019; Expires: 09/29/2019

Sweeten

Plant, Flower - Cured





Cannabinoids

Complete

Analyte	LOQ	Mass	Mass	
	%	%	mg/g	
THCa	0.101	0.180	1.80	
Δ9-THC	0.101	ND	ND	
Δ8-THC	0.101	ND	ND	
THCV	0.101	ND	ND	
CBDa	0.101	6.695	66.95	-
CBD	0.101	0.110	1.10	
CBDV	0.101	ND	ND	
CBNa	0.101	ND	ND	
CBN	0.101	ND	ND	
CBGa	0.101	0.614	6.14	
CBG	0.101	ND	ND	
CBCa	0.101	0.274	2.74	
CBC	0.101	ND	ND	
Total		7.873	78.73	

Total THC = THCa * 0.877 + Δ9-THC; Total CBD = CBDa * 0.877 + CBD; LOQ = Limit of Quantitation; ND = Not Detected.



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Natalie Siracusa Lab Director

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Country Fried Pies

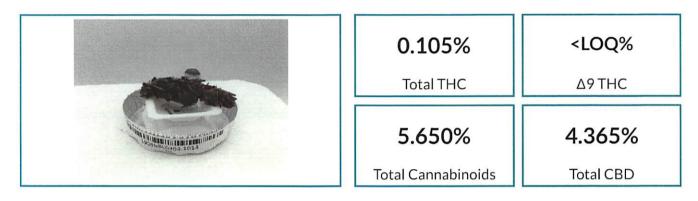
11 Big Spring Gap Pikeville, TN 37367 107goforth@gmail.com (931) 254-0972 Lic. #

Sample: 1908NBL0404.1014

Strain: Wife Sample Received: 08/29/2019; Report Created: 08/30/2019; Expires: 09/29/2019

Wife

Plant, Flower - Cured



Cannabinoids

Complete

Analyte	LOQ	Mass	Mass	
	3X 20	%	mg/g	
THCa	0.095	0.120	1.20	
Δ9-THC	0.095	ND	ND	
Δ8-THC	0.095	ND	ND	
THCV	0.095	ND	ND	
CBDa	0.095	4.977	49.77	
CBD	0.095	<loq< td=""><td><loq< td=""><td></td></loq<></td></loq<>	<loq< td=""><td></td></loq<>	
CBDV	0.095	ND	ND	
CBNa	0.095	ND	ND	
CBN	0.095	ND	ND	
CBGa	0.095	0.286	2.86	
CBG	0.095	ND	ND	
CBCa	0.095	0.268	2.68	
CBC	0.095	ND	ND	
Total		5.650	56.50	

Total THC = THCa * 0.877 + Δ9-THC; Total CBD = CBDa * 0.877 + CBD; LOQ = Limit of Quantitation; ND = Not Detected.



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lotiles Natalie Siracusa

Lab Director

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Country Fried Pies

11 Big Spring Gap Pikeville, TN 37367 107goforth@gmail.com (931) 254-0972 Lic.#

Sample: 1909NBL0627.1436

Sample Received: 09/11/2019; Report Created: 09/12/2019; Expires: 09/12/2020

Wife

Plant, Flower - Cured



Strain: Wife



Cannabinoids

Complete

Analyte	LOQ	Mass	Mass	
	×	%	mg/g	
THCa	0.103	0.488	4.88	
Δ9-THC	0.103	ND	ND	
Δ8-THC	0.103	ND	ND	
THCV	0.103	ND	ND	
CBDa	0.103	14.940	149.40	and the second sec
CBD	0.103	0.410	4.10	
CBDV	0.103	ND	ND	
CBNa	0.103	ND	ND	
CBN	0.103	ND	ND	
CBGa	0.103	0.467	4.67	
CBG	0.103	ND	ND	
CBCa	0.103	0.633	6.33	
CBC	0.103	ND	ND	
Total		16.938	169.38	

Total THC = THCa * 0.877 + Δ9-THC;Total CBD = CBDa * 0.877 + CBD; LOQ = Limit of Quantitation; ND = Not Detected.



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Country Fried Pies

11 Big Spring Gap Pikeville, TN 37367 107goforth@gmail.com (931) 254-0972 Lic.#

Sample: 1909NBL0627.1437

Strain: Sweeten

Sample Received: 09/11/2019; Report Created: 09/12/2019; Expires: 09/12/2020

Sweeten

Plant, Flower - Cured



Cannabinoids

Complete

Analyte	LOQ	Mass	Mass	
	~	%	mg/g	
THCa	0.090	0.341	3.41	
Δ9-THC	0.090	ND	ND	
Δ8-THC	0.090	ND	ND	
THCV	0.090	ND	ND	
CBDa	0.090	10.432	104.32	
CBD	0.090	0.138	1.38	
CBDV	0.090	ND	ND	
CBNa	0.090	ND	ND	
CBN	0.090	ND	ND	
CBGa	0.090	0.809	8.09	
CBG	0.090	ND	ND	
CBCa	0.090	0.577	5.77	
CBC	0.090	ND	ND	
Total		12.297	122.97	

Total THC = THCa * 0.877 + Δ9-THC; Total CBD = CBDa * 0.877 + CBD; LOQ = Limit of Quantitation; ND = Not Detected.



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Lab Director



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Country Fried Pies

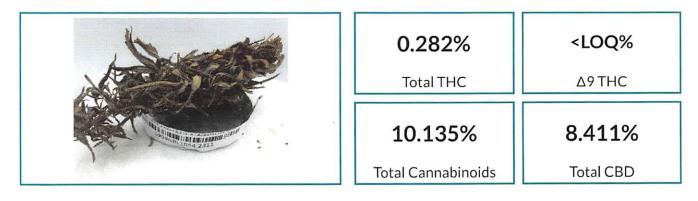
11 Big Spring Gap Pikeville, TN 37367 107goforth@gmail.com (931) 254-0972 Lic.#

Sample: 1909NBL1054.2311

Strain: wife Sample Received: 09/26/2019; Report Created: 09/27/2019; Expires: 09/27/2020

Wife

Plant, Flower - Cured



Cannabinoids

(Method of Analysis: HPLC)

Complete

Analyte	LOQ	Mass	Mass	
	%	%*	mg/g	
THCa	0.095	0.321	3.21	
Δ9-THC	0.095	ND	ND	
∆8-THC	0.095	ND	ND	
THCV	0.095	ND	ND	
CBDa	0.095	9.354	93.54	
CBD	0.095	0.208	2.08	
CBDV	0.095	ND	ND	
CBNa	0.095	ND	ND	
CBN	0.095	ND	ND	
CBGa	0.095	ND	ND	
CBG	0.095	ND	ND	
CBCa	0.095	0.252	2.52	
CBC	0.095	ND	ND	
Total		10.135	101.35	

Total THC = THCa * 0.877 + Δ9-THC; Total CBD = CBDa * 0.877 + CBD; LOQ = Limit of Quantitation; ND = Not Detected.



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Country Fried Pies

11 Big Spring Gap Pikeville, TN 37367 107goforth@gmail.com (931) 254-0972 Lic.#

Sample: 1909NBL1054.2312

Strain: sweetened

Sample Received: 09/26/2019; Report Created: 09/27/2019; Expires: 09/27/2020

Sweetened

Plant, Flower - Cured



Cannabinoids

(Method of Analysis: HPLC)

Analyte	LOQ	Mass	Mass	
	%	%	mg/g	
THCa	0.095	0.367	3.67	
Δ9-THC	0.095	ND	ND	
∆8-THC	0.095	ND	ND	
THCV	0.095	ND	ND	
CBDa	0.095	12.084	120.84	
CBD	0.095	0.170	1.70	
CBDV	0.095	ND	ND	
CBNa	0.095	ND	ND	
CBN	0.095	ND	ND	
CBGa	0.095	0.240	2.40	
CBG	0.095	ND	ND	
CBCa	0.095	0.445	4.45	
CBC	0.095	ND	ND	
Total		13.306	133.06	

Total THC = THCa * 0.877 + Δ9-THC; Total CBD = CBDa * 0.877 + CBD; LOQ = Limit of Quantitation; ND = Not Detected.



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Lab Director



Certified Copy

I, Michael Walker, Clerk of the Circuit Court and General Sessions Court of the State Of Tennessee, County of Bledsoe, do hereby Certify that the foregoing instrument is a true and correct complete copy as of record now on file in this office.

This 28 Day of July 2020 Michael Walken Circuit and General Sessions Court Clerk Case # 2020 TR 138 11 11 2019 TR 1108 11 11 2019 TR 1107 Bonding Sheets Order for Expungement Letter from Edward Borings office Non-minute Order

THE					FFEI			4000- W809	TK-138
TENNESSEE HIGHWAY PATROL MULTIPLE OFFENSE CITATION									
	E.1 /	2.		250	A.M.	F	W	TN	YES 🗶
ON	Friday THE 6	DAY OF March	20 20	TIME	B.C.	SEX	RACI	E RES	NO
Y	NAME	AA		Ц., I		1.	MONTH	D.O.B. DAY	YEAR
ò	FIRST	Mary		Tem	00010	K	RED/	ACTED	1953
	ADDRESS 107 Pettit	Cobin Rol		CITY	0.00		STATE		RSRS
AT	SOCIAL SECURITY NUMBER	DRIVER'S LICENSE NUMBER	D		DL Y	STATE	MONTH	EXPIRATION D/ DAY	ATE
O R	REDACTED	114698926		D	X	TN	08	20	2026
v	Motorcycle CRASH OCCURRED:	Tonda	MODEL	CRV	1925		999		reen
E		ATE NO. 783 76 J	T	STATE	TN	EXP.	YEAR IF	2020	
H	Automobile A Was this was the was the second	ehicle K IF NO, NAME				BUSINESS ADDI	RESS		
C	OTHER VEH.	TO TRANSPORT	Under 26,0	00 Lbs.		Y			
E		RE PASSENGERS	Over 26,00	0 Lbs.	Hazm	N U.S.	D.O.T. NO.		
	Other If Other, W	hat Type:							
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NOTICE: FAILURE TO APPEAR IN COURT ON THE DATE ASSIGNED BY THIS CITATION OR AT THE APPROPRIATE POLICE STATION FOR BOOKING AND PROCESSING WILL RESULT IN YOUR ARREST FOR A SEPARATE CRIMINAL OFFENSE WHICH IS PUNISHABLE BY A JAIL SENTENCE OF ELEVEN (11) MONTHS AND TWENTY-NINE (29) DAYS AND/OR A FINE OF UP TO TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500).

I UNDERSTAND THE ABOVE NOTICE AND THAT MY SIGNATURE IS NOT AN ADMISSION OF GUILT Case 2:0-cv-00058 Document 1-2, 1-2, 1-2, 09/17/20 Page 4 of 24 PageID #: 23

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Case 2:20-cv-00058 Document 1-4 Filed 09/17/20 Page 5 of 24 PageID #: 24

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I UNDERSTAND THE ABOVE NOTICE AND THAT MY SIGNATURE	AT	4) EURODAN ADMISSION OF GUILT 4) EUROD9/17/20 Page 6 of 24 Page	ID #: 25

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STATE OF JEAMESSAR
Rose Hembrook
CHARGE Resisting Arrest
10 SUCD March Barch
C.L.S.S.S.
April 6, 2 20 8'00 20 BOND FIXED ALL
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v-00058 Document 1-4 Filed 09/17/20 Page 7 of 24 PageID #: 26

	2020-1R-138
STATE OF TENNESSEE UNIFORM CITATION	No.025600G
COURT DATE AGENCY	I.D. NO.
COMPLAINT - AFFIDAVIT	220010116
THE UNDERSIGNED BEING DULY SWORN UPON HIS/HER OATH DEPO NAME (FIRST) (MIDDLE) (LAST)	DATE OF BIRTH RACE SEX
O ADDRESS Mary Hembrook	REDACTED YR. REDACTED 1953 12 F
L 167 Patrice C Co D V	KYES INO YES KNO
-	SOCIAL SECURITY NUMBER
DRIVER LICENSE NUMBER CLASS/TYPE LICENSE STATE EXP	RATION DATE
V ROWNED LEASED NAME ADDRESS	SIZOZZE
	CRASH MAT
DID UNLAWFULLY OPERATE/PARK A MOTOR VEHICLE: MAKE / MODEL YEAR COLOR LICENSE PLATE NUM	
UPONSTREET/HIGHWAY S.R.# TRAVEL DIR. M.M. # CITY/COUNTY, H	3'/6) 7/1 1/2.20 IIGHWAY TYPE 221 AREA - BUSINESS - RES.
AFORESAID DID THEN AND THERE COMMIT THE FOLLOWING OFFENSION 01 SPEEDING MPH IN ZONE PACING LASER RADAR OTHER	
02 CRECKLESS DRIVING 20 CUI BAC 103 CREGISTRATION LAW	591 🗌 OVERWEIGHT AXLE
T 03 TRAFFIC CONTROL DEVICE 22 REV/SUS/CAN DL 393 CHILD RESTRAINT 0 OTHER: 0 0 0 0 0	A
NT.C.A. 39-17-1305 ORDINANCE: Disorde	cly Conduct
Driver was Stopped for traffic Violation	is before evading
Naccest into a garage. Once in the mech	Ĵ
R the driver continued to Screen and yell	•
f and in the parking lot.	
v	
E	
THE UNDERSIGNED FURTHER STATES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE	AND DOES BELIEVE, THAT THE PERSON
NAMED ABOVE COMMITTED THE OFFENSE HEREIN SET FORTH, CONTRARY TO LAW.	
F THIS 6 DAY OF March 20 ZO TIME 242 ROM TEP. 1	Donald Seiber 1547
I	OFFICER NAME (PRINT) BADGE/ID NO.
HAVING BEEN DULY SWORN, I DO HEREBY ATTEST THAT THE ABOVE IS A TRUE AND COMPLETE COPY OF THE OF INFORMATION CONTAINED THEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.	RIGINAL CITATION, AND THAT THE
E SWORN TO AND SUBSCRIBED BEFORE ME THIS	20 ; YOU ARE
R THEREFORE, COMMANDED, IN THE NAME OF THE STATE FOREWITH TO ARREST AND BRING THIS PERSON BEFORE ME, OR SOME OFHER MAGISTRATE OF THE COUNTY TO ANSWER THE ABOVE	CHARGE.
SIGNATURE OF OFFICER JUDGE/CLERK/MAGISTRATE FOR 1 SEGNERAL SESSIONS COURT OF Bledsoe NO. 04 IN THE CITY OF	
COURT IN THE 2 JUVENILE COURT	F <u>Pikeville</u> NO.01
NOTICE: FAILURE TO APPEAR IN COURT ON THE DATE ASSIGNED BY THIS CITATION OR STATION FOR BOOKING AND PROCESSING WILL RESULT IN YOUR ARREST FOR A SEPAR	ATE CRIMINAL OFFENSE WHICH
IS PUNISHABLE BY A JAIL SENTENCE OF ELEVEN (11) MONTHS AND TWENTY-NINE (29) IT TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500).	DAYS AND/OR A FINE OF UP TO
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Case 2:20-CV-00058 Document 1-4 Filed 29/11/120 Page 8	F GUILT 3 of 24 PageID #: 27

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Case 2:20-cv-00058 Document 1-4 Filed 09/17/20 Page 9 of 24 PageID #: 28

	BI EDSOF COUNTY	SHERIFF DEPARTMENT	Booking# Jacket#
HEMBROOK, ROSE MARY	P (PIKEVII	D BOX 246 LLE, TN. 37367-	36415 53774
11 BIG SPRINGS GAP RD PIKEVILLE, TN. 37367- (423) 618-1129 Cell#: ()	Phone: (423) 447-	2197 Fax: (423) 447-7358 INTAKE)	Cell# Locker# F123A PR015
Social Security # REDACTED	D.L.#: TN/114698920/D	Date Of Birth: REDACTED 1953 (66)	
Race: W Sex: F Hair: BLK Eye: BRO Mustache: N Glasses: Y Religion: BAPTIST Country: USA Features: N	Height: 501 Complexion: M Dominant Hand: R Marital Status: M Diet Restriction: N	Weight: 250 Hispanic: U Military Agency: N Place Of Birth: ILLINOIS Citizen: Y	Mittimus #: 0 Length: SHOR Beard: N Gang: NONE Escape Risk: N # Of Children:
Aka: Employer: SELF EMPLOYED Kin Name: CHRIS HEMBROOK Address: 11 BIG SPRING GAP RE Phoned Who: CHRIS HEMBROOK Intake Date: 3/6/2020 Arrest Date: 3/6/2020		Work Phone: () - Relationship: SON Phone #: (423) 618-1129 Intake Officer: BD01 - DEBORD Officer: SEBIER	SID#: FBI#: Case/OCA#: , BARBARA
Arresting Agency: THP Bond Description: Vehicle Towed By: CAMPBELL	Transporting Agency: SEI Agency Responsible	Searching Officer: BD01 - DEBC BIER e: BCSD - BLEDSOE CO SHERIFF DE	Location: 30 WEST Bond Amt: EPT
CR#: Holders: Trustee: N Mental Illness: N Release Date: Released By:	Prison #: Sex Offender: N Time: Released To:	Inmate Class: 6 Weekender: N Officer Id: Out We	Suicide Watch: N Violent: N eight: Total Bookings: 2
Transporting Officer:	· •	cio Daria Lu	him
CHARGE DESCRIP		RMS BOND WARRAM	NT CT DATE TIME DEPT
39-16-602RESISTING ARREST39-17-305DISORDERLY CONDUCT39-16-603EVADING ARREST	[1 [1 [1	0 0 0	GS 4/6/2020 09:00 BCSD GS 4/6/2020 09:00 BCSD GS 4/6/2020 09:00 BCSD
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Case #	
STATE OF TENNESSEE	
General Sessions Court of Bled Soe County	
AT 9:00 AM	
WE, Kose Mary Hem Brook Principal and OUT QUICK BONDING COMPANY	
and, Sureties, agree to bind ourselves and pay	
the State of Tennessee dollars,	
unless the said KOSE MARY Hembrook, to	
answer for the Offense <u>RESisting Arrest</u> , <u>Disorderly Conduct</u> , Evadin	SArres
shall appear before the Court of General Sessions/Circuit, at	
$\underline{BledSoe}$ County, Tennessee, on the $\underline{6\pm}$ day of	
<u>April</u> , 20 <u>20</u> , at <u>9</u> O' Clock <u>A</u> M, and from day to day until the	
case is finally concluded and if, the Principal be bound over to the Grand Jury, then before	
the Circuit Court of	
Term until the case there be finally concluded and shall not depart the Court without leave.	
Witness our hands this the 6th day of MArch 20 20	
OUT QUICK BONDING CO Rese Henfrul]
1348 RAIL/ROAD ST., DAYTON, TN 37321 X 11 Big Sping Gap	kd
Address	
Agent:/amaly manuals <u>x</u> Surety Surety Ghy -u ev - DG72	
Addrest Date Accepted and Filed	
WARNING Failure to appear in court will	
result in a warrant for your arrest	•

*R-84 (Rev. 6-25-2013) OMB-1110-0051 (Exp. 9-30-2014) 040000010658

FINAL DISPOSITION REPORT

Leave Blank

The FBI's acquisition, preservation, and exchange of identification information is generally authorized under 28 USC 534. This R-84

is to be used for criminal justice purposes, such as incident to arrests and incarcerations. The needs and uses for this information is covered in the Fingerprint Identification Records System (FIRS) System of Records Notice (SORN), published in the Federal Register on September 28, 1999. "A Social Security Account Number (SSAN) is helpful to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), any Federal, State, or local government agency which requests an individual to disclose his/her SSAN is responsible for informing the person whether disclosure is mandatory or voluntary, by what statutory or other authority the SSAN is solicited, and what uses will be made of it."

Note: This vital report must be prepared on each subject whose arrest fingerprints have been forwarded to the FBI Criminal Justice Information Services Division without final disposition noted. If no final disposition is available from arresting agency, complete left side and forward the form when case is referred to prosecutor and/or courts. Agency on notice as to final disposition should complete this form and submit to: FBI, CJIS Division, Clarksburg, WV 26306.

(See instructions on reverse side)				
FBI Number		** Final Disposition Date		
Name on fingerprint card submitted to FBI ** Last First HEMBROOK, BOSE MAR	Middle	(The convicting offense STATUTE, SUBSECTION, LEVEL of conviction, and sentencing information is to be included as part of the disposition. If convicted or		
HEMBROOK, ROSE MAR	· ·	subject pleaded guilty to lesser charge, include this information also.)		
Date of Birth08/18/1953_	SexF			
Disposition Maintenance Indicator (DMI) Append Add	Replace Delete	No Record per:		
State Bureau No. (SID)	Social Security No. (SOC)	** Form Submitted by ORI Number		
TNTHP0200	REDACTED 0504			
**Fingerprint Contributor/Arresting Agency	/ ORI	TNTHP0200		
THP	and the second second	(Name, Title, Agency, City & State)		
Include complete name and location of age	ncy ·	. THP CHATTANOOGA, TN 37401		
CHATTANOOGA, TN 3	37401	Signature Date		
		Title		
	**Date Arrested or Received	COURT ORDERED EXPUNGEMENT		
Arrest No. (OCA)	03/06/2020	Certified or Authenticated Copy of Court Order Attached.		
**Offenses Charged at Arrest	Subject's Relation	onship to Victim:		
RESISTING ARREST DISORDERLY CONDUC EVADING ARREST	CT Guardian of Person is co (can be sam Person is co Person is co	habiting or has cohabited as spouse of victim		
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and the second				
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INSTRUCTIONS

- 1. The purpose of this report is to record the initial data of a subject's arrest and secure the final disposition of the arrest at the earliest possible time. (INTERIM DISPOSITION INFORMATION, e.g. RELEASED ON BOND, SHOULD NOT BE SUBMITTED). The SUBJECT'S NAME, CONTRIBUTOR AND ARREST NUMBER should be exactly the same as submitted at the time of arrest. The FBI number should be indicated, if known. The agency ultimately making final disposition must complete and submit form to their designated state or federal agency.
- 2. The arresting agency should fill in all arrest data on left side of form as the contributor of the fingerprints. The arresting agency ORI should be placed in the appropriate block. If the arrest is disposed of by the arresting agency, as where the arrestee is released without charge, the arresting agency must fill in this final disposition and mail form to their designated agency. Of course, if the final disposition is known when the arrest fingerprint card is submitted, it should be noted on the fingerprint card and this form is then unnecessary. In the event the case goes to the prosecutor, this form should be forwarded to the prosecutor with arrestee's case file.
- 3. The prosecutor should complete the form to show final disposition at the prosecution level if the matter is not being referred for court action and submit form directly to their designated agency. If court action is required, the prosecutor must forward form with case file to court having jurisdiction.
- 4. The court should complete this form as to final court disposition such as when arrested person is acquitted, case is dismissed, conviction/sentence imposed or suspended, or person placed on probation.
- 5. When arrested person is convicted or pleads guilty to a lesser or different offense than when originally arrested, this information should be clearly indicated.
- 6. If court disposition is associated with a misdemeanor crime of domestic violence, select the appropriate box demonstrating the relationship of the subject to the victim, and attach the police/incident report/court record to this form. If other is selected, please provide the description of the relationship to the victim in the space provided.
- 7. If subsequent action is taken to seal or expunge record, attach certified or authenticated copy of court order to this form.
- 8. If the disposition was destroyed, purged, or is no longer available, please check the "No Record" box and indicate agency.
- 9. It is vitally important for completion of subject's record in the FBI Criminal Justice Information Services Division files that Final Disposition Reports be submitted in every instance where fingerprints were previously forwarded without final disposition noted.
- 10. Submission of flat capture fingerprint impressions is optional.
- 11. Asterisks indicate mandatory fields, but all known data should be provided.

TENNESSEE HIGHWAY PATROL MULTIPLE OFFENSE CITATION $UU[9]$ TK THE NUMBER OF VIOLATIONS THIS CITATION: MOVING +NON-MOVING =TOTAL (MAX. 5) W809037	102							
THE NUMBER OF VIOLATIONS THIS CITATION: MOVING +NON-MOVING =TOTAL (MAX. 5) II O U J U J U J U J U J U J U J U J U J U								
	R							
NAME ROSE Mary Hembrook HRST MIDDLE LAST ADDRESS S S S S S S S S S S S S S S S S S S								
A 107 Pettit Cabin Rol. Pencer RC 38585 social security number DRIVER'S LICENSE NUMBER DL CLASS CDL Y STATE MONTH EXPIRATION DATE DAY YEA								
	6							
V Motorcycle OCCUARED: Y N UCENSE PLATE NO. Automobile X N Was this vehicle registered to driver? N THEN: H AUTOMOBILE X N NAME BUSINESS ADDRESS	_							
C CMV OTHER VEH. INVOLVED? DESIGNED TO TRANSPORT Y Under 26,000 Lbs. Hazmat Y U.S. D.O.T. NO. E Y N 16 OR MORE PASSENGERS ML Under 26,000 Lbs. Hazmat Y U.S. D.O.T. NO.								
Other If Other, What Type:								
L UPON STREET/HWY SR 30 () MM CITY/COUNTY - Bledsoe DIRECTION HWY 2-L 1 A BUS SCHOOL RES. RUBAL CONST.	2 3 4 5							
AFORESAID DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):								
TCA 55-8 CONSTRUCTION ZONE: Y X RADAR 02 OTHER A SPEEDING MPH INZONE WORKERS PRESENT Y X PACING 03 LASER	04 05							
V TCA 55-10-205 002 TCA 55-8- TCA 55-8- OTHER 1								
B RECKLESS DRIVING H TRAFFIC CONTROL DEVICE/SIGNAL O REGISTRATION VIOL. Y TCA								
TCA 55-8 TCA 55-8-124 006 TCA 55-8-188 113 O C IMPROPER PASSING I FOLLOWING TOO CLOSE 006 P Hov Lane violation 113								
TCA 55-50 TCA 55-10-416 TCA 55-9- OTHER 2								
A D DL VIOL K OPEN CONTAINER 199 S LIGHT LAW Z TCA								
TCA 55-9-202 TCA 55-9-107 199 TCA 55-12-139 110								
L E MUFFLER LAW WINDOW TINT T EINANCIAL BESPONSIBILITY								
I K TCA 55-9-603 TCA 55-9-602 393 G SeatBelt Law 3 ⁻²⁴ M Child restraint device 393								
N NARRATIVE: Driver not wearing Seatbelt. 3th Offense								
THE UNDERSIGNED FURTHER STATES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE, THAT THE PERSON NAMED ABOVE COMMITTED THE OFFENSE(S) HEREIN SET FORTH, CONTRARY TO LAW,								
\circ 27 C f T P f D f D f								
F THIS DAY OF 20 19 10. JOng C Der BADGE NO.								
HAVING BEEN DULY SWORN, I DO HEREBY ATTEST THAT THE ABOVE IS A COMPLETE COPY OF THE ORIGINAL CITATION, AND THAT THE INFORMATION CONTAINED								
C THEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.								
E SWORN AND SUBSCRIBED BEFORE ME THIS DAY OF 20								
SIGNATURE OF OFFICER JUDGE/CLERK								
C IN GENERAL SESSIONS COURT OF: 19/050-2 04 Pikeville 01								
O THE 6 JUVENILE COURT OF: COUNTY NO. CITY NO.	_							
R All Side And R.								
T ON Opelay THE DAY OF OCTOBER 20 19 TIME								
NOTICE: FAILURE TO APPEAR IN COURT ON THE DATE ASSIGNED TO THIS CITATION OR AT THE APPROPRIATE POLICE STATION FOR BOOKING AND PROCESSING WILL RESULT IN YOUR A								
NOTICE: FAILURE TO APPEAR IN COURT ON THE DATE ASSIGNED TO THIS CITATION OR AT THE APPROPRIATE POLICE STATION FOR BOOKING AND PROCESSING WILL RESULT IN YOUR ARREST FOR A SEPARATE CRIMINAL OFFENSE WHICH IS PUNISHABLE BY A JAIL SENTENCE OF ELEVEN (11) MONTHS TWENTY-NINE (29) DAYS AND /OR A FINE UP TO TWO THOUSAND FIVE HUNDRED DOLLARS (2,500).								
FOR A SEPARATE CRIMINAL OFFENSE WHICH IS PUNISHABLE BY A JAIL SENTENCE OF ELEVEN (11) MONTHS TWENTY-NINE (29) DAYS AND /OR A FINE UP TO TWO THOUSAND FIVE HUNDOLLARS (2,500).	RREST VDRED							
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2	BLEDSOE COUNTY SHERIFF DEPARTMENT		Booking# Jacket# 35806 53774
HEMBROOK, ROSE MARY 11 BIG SPRINGS GAP RD PIKEVILLE, TN. 37367- (423) 618-1129 Cell#: ()	PIKEVIL Phone: (423) 447-2	LE, TN. 37367- 2197 Fax: (423) 447-7358 NTAKE)	Cell# Locker# 121A PR001
Social Security #: REDACTED	D.L.#: TN/	Date Of Birth: REDACTED (66)	
Race: W Sex: F Hair: BLK Eye: BRO Mustache: N Glasses: Y Religion: Country: USA Features: N/A Aka:	Height: 501 Complexion: M Dominant Hand: R Marital Status: M Diet Restriction: N	Weight: 250 Hispanic: U Military Agency: N/A Place Of Birth: ILLINOIS Citizen: Y	Mittimus #: 0 Length: MED Beard: N Gang: NONE Escape Risk: N # Of Children: 1
Employer: SELF EMPLOYED Kin Name: CHRIS HEMBROOK Address: 11 BIG SPRING GAP RD Phoned Who: CHRIS HEMBROOK Intake Date: 9/27/2019	Ti	Work Phone: () - Relationship: SON Phone #: (931) 254-0972	SID#: FBI#: Case/OCA#:
Arrest Date: 9/27/2019	Time: 18:41 Time:	Intake Officer: CB01 - BEAVERS, Officer: SEIBER Searching Officer: RA01 - AMBUR	
Arresting Agency: THP Bond Description: PRO BOND	Transporting Agency: SEII	BER/THP	Location: SR 30 WEST Bond Amt: 25.000
Vehicle Towed By: CAMPBELLS CR#: Holders:	Agency Responsible Prison #:	a: BCSD - BLEDSOE CO SHERIFF DEP Inmate Class: 6	T Suicide Watch: N
Trustee: N Mental Illness: Y Release Date: Released By:	Sex Offender: N Time: Released To:	Weekender: N Officer Id: Out Weig	Violent: N ht: Total Bookings: 1
Transporting Officer:		cio Sot has	4
CHARGE DESCRIPT	ION TER		CT DATE TIME DEPT
39-17-417 MFG/DEL/SELL CONTROLI 55-9-603 SEATBELT LAW	LED SUBSTAN [1 PRO BONI [1 PRO BONI		GS 10/7/2019 09:00 BCSD GS 10/7/2019 09:00 BCSD
		-Tied 09/17/20 - Page 16 of 2	

Case 2:20-cv-00058 Document 1-4 Filed 09/17/20 Page 16 of 24 PageID #: 35

R-84 (Rev. 6-25-2013) OMB-1110-0051 (Exp. 9-30-2014) 040000010373

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FINAL DISPOSITION REPORT

Leave Blank

The FBI's acquisition, preservation, and exchange of identification information is generally authorized under 28 USC 534. This R-84

is to be used for criminal justice purposes, such as incident to arrests and incarcerations. The needs and uses for this information is covered in the Fingerprint Identification Records System (FIRS) System of Records Notice (SORN), published in the Federal Register on September 28, 1999. "A Social Security Account Number (SSAN) is helpful to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), any Federal, State, or local government agency which requests an individual to disclose his/her SSAN is responsible for informing the person whether disclosure is mandatory or voluntary, by what statutory or other authority the SSAN is solicited, and what uses will be made of it."

Note: This vital report must be prepared on each subject whose arrest fingerprints have been forwarded to the FBI Criminal Justice Information Services Division without final disposition noted. If no final disposition is available from arresting agency, complete left side and forward the form when case is referred to prosecutor and/or courts. Agency on notice as to final disposition should complete this form and submit to: FBI, CJIS Division, Clarksburg, WV 26306. (See instructions on reverse side)

FBI Number			** Final Disposition Date		
Name on fingerprint card submitted to FB1 *** Last First Middle HEMBROOK, ROSE MARY Date of BirthREDACTED 1953_ SexF			(The convicting offense STATUTE, SUBSECTION, LEVEL of conviction, and sentencing information is to be included as part of the disposition. If convicted or subject pleaded guilty to lesser charge, include this information also.)		
State Bureau No. (SID)	Social Security No.	(SOC)	** Form Submitted by ORI Number		
TNTHP0200	REDA	CTED			
**Fingerprint Contributor/Arresting Agency	y ORI		TNTHP0200		
THP			(Name, Title, Agency, City & State)		
Include complete name and location of agency			THP CHATTANOOGA, TN 37401		
CHATTANOOGA, TN 37401		Signature Date			
			Title		
Arrest No: (OCA) **Date Arrested or Received 09/27/2019			COURT ORDERED EXPUNGEMENT Certified or Authenticated Copy of Court Order Attached.		
**Offenses Charged at Arrest MFG/DEL/SELL CONT	ROLLED SUBS	 Person is coh (can be same Person is coh Person simila 	mer spouse of victim (can be same sex) victim abiting or has cohabited as spouse of victim sex)	Stepparent of victim a common (child must be bor is cohabiting or has cohabited lian of victim similarly situated to guardian n	
and the second sec		terri antaria (1.1) (0.11) (0	(1) A manufacture and second and second statement of more determined in a second se		
	1. 19 1.		 Annotation in the second state Annotation in the second state 	a second the second terms	
LEFT FOORSER	00058 [⊥] Y Docu	iment™⊈™4≉ F	iled 109/117/20 Page 117 101*244 Page 10	HT360USLY	

INSTRUCTIONS

- The purpose of this report is to record the initial data of a subject's arrest and secure the final disposition of the arrest at the earliest possible time. (INTERIM DISPOSITION INFORMATION, e.g. RELEASED ON BOND, SHOULD NOT BE SUBMITTED). The SUBJECT'S NAME, CONTRIBUTOR AND ARREST NUMBER should be exactly the same as submitted at the time of arrest. The FBI number should be indicated, if known. The agency ultimately making final disposition must complete and submit form to their designated state or federal agency.
- 2. The arresting agency should fill in all arrest data on left side of form as the contributor of the fingerprints. The arresting agency ORI should be placed in the appropriate block. If the arrest is disposed of by the arresting agency, as where the arrestee is released without charge, the arresting agency must fill in this final disposition and mail form to their designated agency. Of course, if the final disposition is known when the arrest fingerprint card is submitted, it should be noted on the fingerprint card and this form is then unnecessary. In the event the case goes to the prosecutor, this form should be forwarded to the prosecutor with arrestee's case file.
- 3. The prosecutor should complete the form to show final disposition at the prosecution level if the matter is not being referred for court action and submit form directly to their designated agency. If court action is required, the prosecutor must forward form with case file to court having jurisdiction.
- 4. The court should complete this form as to final court disposition such as when arrested person is acquitted, case is dismissed, conviction/sentence imposed or suspended, or person placed on probation.
- 5. When arrested person is convicted or pleads guilty to a lesser or different offense than when originally arrested, this information should be clearly indicated.
- 6. If court disposition is associated with a misdemeanor crime of domestic violence, select the appropriate box demonstrating the relationship of the subject to the victim, and attach the police/incident report/court record to this form. If other is selected, please provide the description of the relationship to the victim in the space provided.
- 7. If subsequent action is taken to seal or expunge record, attach certified or authenticated copy of court order to this form.
- 8. If the disposition was destroyed, purged, or is no longer available, please check the "No Record" box and indicate agency.
- 9. It is vitally important for completion of subject's record in the FBI Criminal Justice Information Services Division files that Final Disposition Reports be submitted in every instance where fingerprints were previously forwarded without final disposition noted.
- 10. Submission of flat capture fingerprint impressions is optional.
- 11. Asterisks indicate mandatory fields, but all known data should be provided.

STATE OF TENNESSEE UNIFORM CITATION Agency Name: THP	No. 011931H
COMPLAINT - AFFIDAVIT for Citation in Lieu of Continued Custody Case Number: 219043474	2019 TE110
THE UNDERSIGNED BEING DULY SWORN UPON HIS/HER OATH DEPOSES:	
ON Friday THE 27 DAY OF September 2019 TIME M SEY DA	
$\frac{1}{1} \frac{1}{1} \frac{1}$	ACE RES NO D.O.B.
Kose Mari Hembrook	
FIRST MIDDLE LAST	8 20 2026
A <u>101 Pettit Cabin 7Kd</u> <u>Dencer</u> T Social security NUMBER DRIVER'S LICENSE NUMBER DL L STATE	EXPIRATION DATE
MONT	DAY YEAR
Motorcycle OCCURRED: Blag Chv 1999	
	12019
ADDRESS	1 + a B
C CMV OTHER VEH. INVOLVED? DESIGNED TO TRANSPORT Y If CMV, Under 26,000 Lbs. Hazmat Y U.S. D.O.T. N	0,755
Conther V N 16 OR MORE PASSENGERS (AL) Over 26,000 Lbs. N C	
UPON STREET/HWY MM CITY/COUNTY DIRECTION 2.	
	L 3 2 RES. 3
C JA 30 IN Died Soe BOUTH - TYPE I	
AFORESAID DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE:	OTHER
CONSTRUCTION ZONE AND	LASER
DUI Revoked/Suspended DL OTHER OFFENSE:	
Offense 22 🗆 1st Offense 🗋 2nd or greater	
N T.C.A. 39-17-417 ORDINANCE MFG/SEL/DELS	chedule 6
N I Stopped defendant for not wearing a sea	thelt. apan
A Contact with the driver, she had a green leafy resid	lue all offer
R her black t-shirt. Upon investigation there was a ve	Ky Stiong odor
A of marijuna emanating from her persvehicle. The dri	ver Stated
she was hauling trash to the dump. Upon searching	the vehicle.
V T bracked 2 full trackhoos of mailing in the same	al the
E	0 DAID
Vehicle Uriver was also tound to be in possession	of DAR
THE UNDERSIGNED FURTHER STATES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE, THAT THE PERSON NAMED ABOVE COMMITTED THE OFFENSE HEREIN SET FORTH, CONTRARY TO LAW.	326
F 77 Sat 10 To Apally either	1541
F THIS DAY OF 20 // RANK OFFICER NAME (PRINT)	BADGE NO.
HAVING BEEN DULY SWORN, I DO HEREBY ATTEST THAT THE ABOVE IS A COMPLETE COMOF THE ORIGINAL CITATION, AND THAT THE INFORMATION CO	NTAINED THEREIN IS TRUE AND
SWORN TO AND SUBSCRIBED BEFORE ME THIS DAY OF 20; YOU ARE THEREFORE COMMANDED, IN THE	
E TO ARREST RAD BRING THIS PERSON BEFORE ME OR SOME OTHER MAGISTRATE OF THE COUNT R	TY TO ANSWER THE ABOVE CHARGE.
	DUNTY
C IN K GENERAL SESSIONS COURT OF: RIEL SOF OH P:KON	· / · · · · · · · · · · · · · · · · · ·
O THE JUVENILE COURT OF: COUNTY NO. CITY	NO.
	X'a PM.
ON // ONday THE DAY OF October 20 19	
NOTICE: FAILURE TO APPEAR IN COURT ON THE DATE ASSIGNED TO THIS CITATION OR AT THE APPROPRIATE POLICE STATION FOR BOOKING AND PROCES	

NOTICE: FAILURE TO APPEAR IN COURT ON THE DATE ASSIGNED TO THIS CITATION OR AT THE APPROPRIATE POLICE STATION FOR BOOKING AND PROCESSING WILL RESULT IN YOUR ARREST FOR A SEPARATE CRIMINAL OFFENSE WHICH IS PUNISHABLE BY A JAIL SENTENCE OF ELEVEN (11) MONTHS TWENTY-NINE (29) DAYS AND/OR A FINE UP TO TWO THOUSAND FIVE HUNDRED DOLLARS (2,500).

I UNDERSTAND THE ABOVE NOTICE, AND THAT MY SIGNATURE IS NOT AN ADMISSION OF GUILT.

VIOLATOR'S & IGNATURE-00058 Document G-11 Colled 09/17/20 Page 19 of 24 Page ID #: 38

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Case 2:20-cv-00058 Document 1-4 Filed 09/17/20 Page 20 of 24 PageID #: 39 Content 1-4 Filed 09/17/20 Page 20 Of 24 PageID #: 39 Content 1-4 Filed 09/17/20 Page 20 Of 24 PageID #: 39 Content 1-4 Filed 09/17/20 Page 20 Of 24 PageID #: 39 Content 1-4 Filed 09/17/20 Page 20 Of 24 PageID #: 39 Content 1-4 Filed 09/17/20 Page 20 Of 24 PageID #: 39 Content 1-4 Filed 09/17/20 Page 20 Of 24 PageID #: 39 Content 1-4 Filed 09/17/20 Page 20 Of 24 PageID #: 39 Content 1-4 Filed 09/17/20 Page 20 Of 24 PageID #: 39 Content 1-4 Filed 09/17/20 Page 20 Of 24 PageID #: 39 Content 1-4 Filed 09/17/20 Page 20 Filed 09/1

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Case #	
STATE OF TENNESSEE	
General Sessions Court of Bledgoe County	
AT 9:00 AM	
WE, <u>Ruse Mary</u> Hem Druck and <u>OUT QUICK BONDING COMPANY</u>	
and <u>A use Hembrock</u> , Sureties, agree to bind ourselves and pay	
the State of Tennessee $\frac{\mathfrak{S}}{25,000.}$ dollars,	
unless the said Ruse Mary Hembruok, to	
answer for the Offense MFG/ Sell/Del. Controlled Subs, Seent bel-	4
shall appear before the Court of General Sessions/Circuit, at	•
$\underline{Bladsoe}$ County, Tennessee, on the $\underline{7tn}$ day of	
Oct , 20_19, at Q_0 , O' Clock <u>A</u> M, and from day to day until the	
case is finally concluded and if, the Principal be bound over to the Grand Jury, then before	
the Circuit Court of Bleck Sove County from Term to	
Term until the case there be finally concluded and shall not depart the Court without leave.	
Witness our hands this the 28^{+1} day of Sept. 2019	
OUT OUICK BONDING CO. Swerty Principal	
1348 RAIL/ROAD ST., DAVTON, TN 37321 $\times (/ Big S-Art Vg)$ Gap Rue Address	A.
Agent: /// Surety // Approved By:	
Likeville In . Address 423-6811129 Date Accepted and Filed	
WARNING Failure to appear in court will	
result in a warrant for your arrest	

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Case 2:20-cv-00058 Document 1-4 Filed 09/17/20 Page 21 of 24 PageID #: 40

(FOR TBI USE ONLY) State Identification Number:
(FOR TBI USE ONLY) FBI Identification Number:
ORDER FOR THE EXPUNGEMENT OF CRIMINAL OFFENDER RECORD (PLEASE PRINT OR TYPE)
State of Tennessee vs Rose Hembrook Circuit Docket Number
Date Original Case was filed in Clerk's Office 3-12-2020 General Sessions Docket Number 2020- TP2- 138
In the Sessions Court of Bledsoe County, Tennessee at Pikeville.
On the Motion or Petition of
Defendant/Arrest Information:
Rose Hembrio OK Reducted Defendant (name used at time of arrest) Race Sex Date of Birth Defendant (name used at time of arrest) Rece Sex Date of Birth Image: Tenness ee Highway Pattol 3-6-2020 Arresting Agency OCA# Date of Arrest Evading Arrest SSN# Charge 1(As shown on arrest fingerprint card) SSN# Charge 2(As shown on arrest fingerprint card) Disorderly Disorderly Conduct Charge 3(As shown on arrest fingerprint card) Disposition Information:
Evading Arrest Final Charge 1 Besist Stop, Arrest, Search Final Charge 2 Disorderly Conduct Final Charge 3 Dismissed Final Disposition Diversion Date (if applicable)

The defendant named above is entitled to have all PUBLIC RECORDS relating to the offenses listed above expunged according to the Tennessee Code Annotated provision marked below:

Provision relating to Adults: Charge has been dismissed (T.C.A. § 40-32-101) No true bill returned by Grand Jury (T.C.A. § 40-32-101) Verdict of not guilty returned by jury (T.C.A. § 40-32-101) Conviction which has by appeal been reversed (T.C.A. § 40-32-101) Nolle Prosequi entered in case (T.C.A. § 40-32-101) Successful completion of all probation provisions and proceedings against defendant have been discharged by the court (T.C.A. § 40-35-313) Suspension of prosecution pursuant to T.C.A. § 40-15-105	 Provisions relating to Juveniles: Petition alleging delinquency not filed (T.C.A. § 37-1-155) Proceedings dismissed after petition is filed or the case transferred to Juvenile Court as provided in T.C.A. § 37-1-109 (T.C.A. § 37-1-155) Adjudicated not to be a delinquent child (T.C.A. § 37-1-155) Child has reached eighteen (18) years of age and there is no record that he committed a criminal offense after reaching sixteen (16) years of age, unless such fingerprints were obtained on alleged charge which if committed by an adult would be a felony (T.C.A. § 37-1-155) Passage of six (6) months from date of liquor law violations defined by T.C.A. § 57-3-412(a)(3)(c) or T.C.A. § 57-5-301(e)(3)

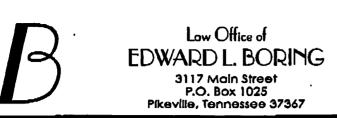
It is ordered that all PUBLIC RECORDS relating to such offense above referenced be expunged and immediately destroyed upon payment of all costs to clerk and that no evidence of such records pertaining to such offense be retained by any municipal, county, or state agency, except non-public confidential information retained in accordance with T.C.A. § 10-7-504 and T.C.A. § 38-6-118.

APPROVED	FOR	ENTRY
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Defendant/Attorney for Defendant	Entered this 200 day of My 2000
District Attorney General	And Afficience
EV 1 (D 2002)	

Form EX-1 (Rev. 2003)

Case 2:20-cv-00058 Document 1-4 Filed 09/17/20 Page 22 of 24 PageID #: 41



EDWARD L. BORING, Altorney

Telephone: (423) 447-3311 Facsimile: (423) 447-3313

March 11, 2020

Michael Walker Bledsoe County Circuit Court Clerk P.O. Box 455 Pikeville, Tennessee 37367

> Re: State of Tennessee v. Rose Hembrook Bledsoe County General Sessions

Dear Michael:

This is simply to inform you that the above referenced matter has been reset for Friday, May 22, 2020 at 9:00 o'clock a.m.

If you have any questions, do not hesitate to contact me. As always, thank you for your time and cooperation.

Sincerel Edward L. Boring

Cc: Rose Hembrook

IN THE GENERAL SESSIONS COURT OF BLEDSOE COUNTY, TENNESSEE

State of Tennessee

vs.	
Hose	Hembrouk
	Defendant

OFFICER/AFFIANT:

Case No. _____

On this the <u>1</u> day of <u>OUTOBER</u>, 20 <u>9</u>, you were arraigned and/or your case set or rescheduled for disposition on the <u>3</u> day of <u>MOUTOBER</u>, 20 <u>9</u>, at o'clock (2, m.

<u>NON-MINUTE ORDER</u>

Your case will be disposed of on that date either by plea, trial, preliminary hearing, bound over to the Bledsoe County Grand Jury or dismissed.

Should you desire representation, it is your responsibility to obtain an attorney to represent you on that date. If you cannot afford an attorney, you should contact the Public Defender's office at (423) 634-8646 <u>before</u> your next court date and discuss your case with him and see if you qualify. Unless you are indigent, you will be required to pay some amount, to be determined by the Court, to the State of Tennessee for payment toward the Public Defender Services. Your bond may be revoked if the Court finds that you were able to make financial arrangements to secure your release through a professional bondsman and then failed to retain counsel.

If any witnesses are needed, you should arrange to subpoen them immediately through the Circuit Court Clerk's Office. Should you fail to subpoen a them and they do not appear on the trial date, that will not be cause for a continuance.

Continuances or changes in trial dates CAN BE APPROVED ONLY BY THE JUDGE and will not be granted unless under extreme circumstances. NEITHER THE CLERK'S OFFICE NOR LAW ENFORCEMENT OFFICIALS HAVE AUTHORITY TO CONTINUE CASES.

If you do not appear on the above date, process will be issued to have you arrested for failure to appear. This is a criminal offense for which you will be incarcerated. You will then be held in custody at least through the next regular Court date, without bond.

Next Court Date: 3-13-2020	\boldsymbol{k}	pi	part
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Attorney for Defendant

Clerk to Issue the Following Subpoenas:

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Case 2:20-cv-00058 Document 1-5 Filed 09/17/20 Page 3 of 6 PageID #: 46

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DEFENDANT

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CONST. 209 T.2. 15 PAGENO_ - ATH - FURNESSEE gose Hembruok CALGE MFG/SEL/DEL Schedule VI LISUED THIS 21 DAY OF September 20 19 N CLERK RUME COLUMNSKINER, CLURE, MACOSTRATE PHTIAL APPEAR ALICE DATE Cotober 7 19 AT 8:00 OPM BOND FINEL AT S SPOURESS. CONCLED R Contrar IF: A THEN OF THEN DEP 5. FILLER OF MANDED BY THE ARREST ・ F THE DE LEDALE TERMINE CEFECIDALIT(S) ARE NOT TO BE A DREAD REPORT OF UNITY

JUDGERTENT tudy de n that the Letendard be: C analy o and path taxed to he the an ear on the date. boud is en a plea ví Bound over and held to the Grand Jury of County Balt Bond cet at \$ _____ Defendant having fulco mappear an Attachment of Alias August & mant is hereby ordered. Viar 🥒 returning vischight, bound over and , Michael Walker, Clerk of the Circuit and General Sessions Court of the State of Tennessee, County of Bledsoe, do hereby Certify that the foregoing instrument is a true and correct copy as of record now on file in this office. Given under my hand and seal of office day of Aug 2020 COST Circuit and General Sessions Court Clerk

Case 2:20-cv-00058 Document 1-5 Filed 09/17/20 Page 5 of 6 PageID #: 48 PageID #: 48

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JS 44 (Rev. 07/16)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS			DEFENDANTS	DEFENDANTS				
ROSE M. HEMBROOK			DONALD SEIBER					
 (b) County of Residence of (EZ) (c) Attorneys (Firm Name, Z) BRAZIL CLARK, PLLC, 237211 		r)	NOTE: IN LAND CO	of First Listed Defendant (IN U.S. PLAINTIFF CASES) DNDEMNATION CASES, USE 1 OF LAND INVOLVED.				
II. BASIS OF JURISDI	CTION (Place an "X" in O	Dine Box Only)	II. CITIZENSHIP OF P	RINCIPAL PARTIES	(Place an "X" in One Box for Plaintif			
□ 1 U.S. Government Plaintiff	U.S. Government X 3 Federal Question			IF DEF 1 □ 1 Incorporated or P of Business In				
2 U.S. Government Defendant	☐ 4 Diversity (Indicate Citizensh)	ip of Parties in Item III)		 2 D 2 Incorporated and of Business In 3 D 3 Foreign Nation 	-			
			Foreign Country					
IV. NATURE OF SUIT		aly) DRTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES			
 110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excludes Veterans) 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise REAL PROPERTY 210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property 	PERSONAL INJURY 310 Airplane 315 Airplane Product Liability 320 Assault, Libel & Slander 330 Federal Employers' Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle 355 Motor Vehicle 9 350 Motor Vehicle 1 360 Other Personal Injury 360 Other Personal Medical Malpractice CIVIL RIGHTS ★ 440 Other Civil Rights 441 Voting 442 Employment 445 Amer. w/Disabilities - Employment 446 Amer. w/Disabilities - Other 448 Education	PERSONAL INJURY 365 Personal Injury - Product Liability 367 Health Care/ Pharmaceutical Personal Injury Product Liability 368 Asbestos Personal Injury Product Liability PERSONAL PROPERT 370 Other Fraud 371 Truth in Lending 380 Other Personal Property Damage 385 Stability PRISONER PETITIONS Habeas Corpus: 463 Alien Detainee 510 Motions to Vacate Sentence 530 General 535 Death Penalty Other: 550 Civil Rights 550 Frison Condition 560 Civil Detainee - Conditions of Confinement	 625 Drug Related Seizure of Property 21 USC 881 690 Other 690 Other 710 Fair Labor Standards Act 720 Labor/Management Relations 740 Railway Labor Act 751 Family and Medical Leave Act 750 Other Labor Litigation 791 Employee Retirement Income Security Act 1791 Employee Retirement Income Security Act 462 Naturalization Application 	 422 Appeal 28 USC 158 423 Withdrawal 28 USC 157 PROPERTY RIGHTS 820 Copyrights 830 Patent 840 Trademark SOCIAL SECURITY 861 HIA (1395ff) 862 Black Lung (923) 863 DIWC/DIWW (405(g)) 864 SSID Title XVI 865 RSI (405(g)) FEDERAL TAX SUITS 870 Taxes (U.S. Plaintiff or Defendant) 871 IRS—Third Party 26 USC 7609 	 OTHER STATCTES 375 False Claims Act 376 Qui Tam (31 USC 3729(a)) 400 State Reapportionment 410 Antitrust 430 Banks and Banking 450 Commerce 460 Deportation 470 Racketeer Influenced and Corrupt Organizations 480 Consumer Credit 490 Cable/Sat TV 850 Securities/Commodities/ Exchange 890 Other Statutory Actions 891 Agricultural Acts 895 Freedom of Information Act 896 Arbitration 899 Administrative Procedure Act/Review or Appeal of Agency Decision 950 Constitutionality of State Statutes 			
	moved from \Box 3	Remanded from D Appellate Court	4 Reinstated or Reopened 5 Transfer Anothe (specify)	er District Litigation	n - Litigation -			
VI. CAUSE OF ACTION	DN 42 U.S.C. 1983 Brief description of ca	-	filing (Do not cite jurisdictional stat	tutes unless diversity):				
VII. REQUESTED IN COMPLAINT:	CHECK IF THIS UNDER RULE 2	IS A CLASS ACTION 3, F.R.Cv.P.	DEMAND \$	CHECK YES only JURY DEMAND	y if demanded in complaint: D: X Yes □ No			
VIII. RELATED CASI IF ANY	E(S) (See instructions):	JUDGE		DOCKET NUMBER				
DATE 09/17/2020		SIGNATURE OF ATTO /S/ Frank R. Braz						
FOR OFFICE USE ONLY RECEIPT # Case	2:20-cv-00058	Document 1-6	Filed 09/17/20 P	age 1 of 1 Pagel	D#: 50			