FILED
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IN THE CRIMINAL COURT FOR DAVIDSON COUNTY, TENNESSEE
DIVISION I

BILL GARRETT, Davidson County
Trans:T20130027419 ORDER
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20130404-0033363

STATE OF TENNESSEE	]	
	]	
	]	
vs.	]	No. 2013-A-630
	]	
	]	COUNT 25
MARC ANTONIO SUTTON	]	CRIMINAL FORFEITURE
	]	
and	]	2110 14th Avenue North
	]	1118 Clay Street
BARBARA BROWN SUTTON	]	1504 24th Avenue North
	]	1614 22nd Avenue North
	]	2608 Booker Street

JUDGMENT OF FORFEITURE

This cause having come for hearing on the 4th day of April, 2013 on a petition by the Defendant Marc Sutton to enter a plea of guilty to Count 1 (conspiracy to sell over 70 pounds of marijuana), Count 3 (delivery of over 70 pounds of marijuana), and Counts 12—17 (money laundering) in violation of TCA §§ 39-17-417(i) and 39-14-903. The grand jury has also charged in Count 25 that certain real property parcels owned by Defendants Marc Sutton and Barbara Sutton are subject to Forfeiture on the ground that the properties constitute proceeds of the Defendants' criminal offenses. The Defendant Marc Sutton has agreed and consented in open court to the Criminal Forfeiture of the following properties as charged in Count 25 of this Indictment and under the provisions of TCA §39-11-703:

a residence located at 1118 Clay Street, Davidson County;
a residence located at 2110 14th Avenue North, Davidson County;
a residence located at 1614 22nd Avenue North, Davidson County;
a residence located at 1504 24th Avenue North, Davidson County; and,
a residence located at 2608 Booker Street, Davidson County.

The State has agreed to compromise the criminal charges against Defendant Barbara Brown Sutton, the wife of Marc Sutton, by agreeing to dismiss all charges against her based upon the acceptance by the court of the petition to plead guilty by her husband and co defendant Marc Sutton and her agreement to surrender all her interest in the aforesaid properties by executing quitclaim deeds in favor of the State of Tennessee for the said properties as evidenced by their signatures below made in open court.

This Court, therefore, finds there is a factual basis for the forfeiture as alleged in Count 25, that the said property constitutes property that was directly or indirectly acquired or received by the Defendants Marc Antonio Sutton and Barbara Brown Sutton in violation of the provisions of TCA §§ 39-17-417(i) and 39-14-903 or constitutes property traceable to the proceeds from such violations, and that THE FOLLOWING REAL PROPERTY SHALL BE FORFEITED TO THE STATE OF TENNESSEE:

1. **a residence located at 1118 Clay Street, Davidson County;**
2. **a residence located at 2110 14th Avenue North, Davidson County;**
3. **a residence located at 1614 22nd Avenue North, Davidson County;**
4. **a residence located at 1504 24th Avenue North, Davidson County; and,**
5. **a residence located at 2608 Booker Street, Davidson County.**

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED, that pursuant to TCA §39-11-703 all rights, title, and interest in the aforesaid property of the Defendants Marc Antonio Sutton and Barbara Brown Sutton, are hereby FORFEITED TO THE STATE OF TENNESSEE. Any and all rents due from leasehold interests of others in the aforesaid properties shall be forfeited effective April 1, 2013. The said lease payments for current lessees shall be delivered to the District Attorney General, Suite

500, 222 Second Avenue North, Nashville, Tennessee, 37201 and shall thereafter be deposited with the Clerk as forfeited assets associated with this case. A copy of this order shall be provided to all person or agencies who have heretofore provided funds to the defendants representing grants, rents, or otherwise due to the defendants as owners of the aforesaid properties.

The District Attorney shall FORTHWITH record this ORDER OF FORFEITURE of the aforesaid real properties heretofore recorded in the names of Marc Sutton and Barbara Sutton, with the Register of Deeds for Davidson County, Tennessee.

ALL FORFEITED REAL PROPERTY SHALL BE SOLD AT PUBLIC AUCTION pursuant to the provisions of TCA §39-11-712, subject to the rights of any interest holder that was of record prior to the filing of the state's lien *lis pendens* in this cause, and subject to the Orders of this Court. The District Attorney shall take all appropriate steps to secure the aforesaid properties, INSTANTER. The District Attorney General may contract with a commercial auction company, real estate agency, or local governmental agency that conducts a public internet auction to facilitate this Order to sell the aforesaid properties. This Order shall vest all necessary authority to such company, professional auctioneer, real estate agency, or government agency to sell and dispose of the legal title to said properties at the direction of the District Attorney General, or his assistant.

The District Attorney General, or his assistant, shall execute the requisite documents to transfer title in the name of the State of Tennessee following such sale. The proceeds of all such sales, less disbursements to recognizable interest holders,

expenses and costs of the auction, and transfer of title to the properties, shall thereafter be deposited with the Clerk of this Court pending further orders of this Court. Disposition of the proceeds of all forfeited property and other funds received as rents or grants is reserved pending further orders of this Court.

Enter this 4th day of April, 2013.

STEVE R. DOZIER, JUDGE

SIGNED IN OPEN COURT:

MARC ANTONIO SUTTON, DEFENDANT

BARBARA BROWN SUTTON, DEFENDANT

APPROVED FOR ENTRY:

JOHN C. ZIMMERMANN
Assistant District Attorney General

MARK SCRUGGS
Attorney for Marc Sutton

ERIK HERBERT
Attorney for Barbara Sutton

I hereby certify that this is a true and exact copy of the original.

This 4th day of April, 2013
CRIMINAL COURT CLERK
Tonya Haney