FILED
12-3-15
Date
DC

IN THE CRIMINAL COURT FOR DAVIDSON COUNTY, TENNESSEE
DIVISION VI

BILL GARRETT, Davidson County
Trans:T20150102830 ORDER
Recvd: 12/04/15 14:02 3 pgs
Fees:17.00 Taxes:0.00
20151204-0122537

STATE OF TENNESSEE	)	
	)	
	)	NO: 2013-B-1295
VS.	)	
	)	COUNT 43
	)	CRIMINAL FORFEITURE
EMMETT HARVELL	)	907 North Second Street
	)	

2015 DEC -4 AM 11:57
CRIMINAL COURT CLERK

JUDGMENT OF FOFEITURE

This cause having come for hearing on the 3rd day of December, 2015 on a petition by the Defendant Emmett Harvell to enter a plea of guilty to Count 1, Conspiracy to Deliver over twenty-six (26) grams of cocaine, and Count 13 Possession with intent to Deliver over twenty-six (26) grams of cocaine both in violation of TCA 39-17-417 (i), and Count 22, Money Laundering in violation of TCA 39-14-903. The grand jury also charged in Count 43 that certain property is subject to Forfeiture on the ground that the property constitutes proceeds of the Defendant's criminal offense. The Defendant has agreed, in conjunction with his pleas of guilty, to the Criminal Forfeiture as alleged in Count 43 of this Indictment in accordance with the provisions of TCA 39-11-703, as evidenced by his signature in Open court, in the presence of counsel and by statements and evidence before the Court. This Court, therefore **FINDS** that there is a factual basis for the Forfeiture as alleged in Count 43, that the said property constitutes property that was directly or indirectly acquired or received by Defendant Emmett Harvell, in violation of TCA 39-17-417 Possession with intent to deliver over twenty-six grams of cocaine, and TCA 39-14-903 Money Laundering, or constitutes property traceable to the proceeds

from such violation, and that the following real property should be Forfeited to the State of Tennessee:

907 North Second Street, Davidson County, Tennessee, a parcel of property in Davidson County, conveyed to Emmett Harvells, of record in Instrument no. 20110720-0055389, amended to Emmett Harvell in instrument no. 20110808-006082 recorded with the Davidson County Register of Deeds.

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 Defendant Emmett Harvell, are hereby FORFEITED TO THE STATE OF TENNESSEE.

The District Attorney shall FORTHWITH cause to be recorded this ORDER OF FORFIETURE of the aforesaid real property recorded in the name of Emmett Harvell, with the Register of Deeds for Davidson County, Tennessee. Disposition of the proceeds of all forfeited property is reserved pending further orders of this Court. Cost shall be taxed to the Defendant.

THE AFORESAID 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 public internet auction to facilitate this Order to sell the aforesaid properties.

This ORDER SHALL VEST ALL AUTHORITY to such company, professional auctioneer, real estate agency, or governmental 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, of his assistant, shall execute the requisite documents to transfer title in the name of the Sate of Tennessee following such sale. The proceeds of all such sales, less disbursements to recognizable interest holders, expense and cost 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.

ENTERED this the 3RD day of December, 2015.

Mark J. Fishburn, Judge

Signed in Open Court:

Emmett Harvell, Defendant

Approved for Entry:

Edward S. Ryan
Assistant District Attorney General

John Herbison
Attorney for Emmett Harvell

CRIMINAL COURT OF DAVIDSON COUNTY
3 OF 3

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

2013-B-1295

This 4TH day of DEC, 2015

CRIMINAL COURT CLERK

BY _____ D.C.