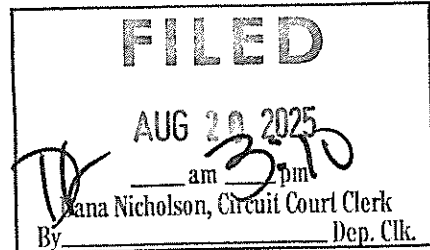


Matthew Amick – Inmate #00643527
Whiteville Correctional Facility,
P.O. Box 679,
1440 Union Springs Rd,
Whiteville, TN 38075



MATTHEW AMICK STATEMENT
OF THE CASE AFFIDAVIT

In re:

IN THE CIRCUIT COURT OF HICKMAN COUNTY
AT CENTERVILLE, TENNESSEE

STATE OF TENNESSEE
Plaintiff

vs.

Matthew Amick
Defendant

) NO. 21-5100-CR; 19-5081-CR; 19-5144-CR; AND 17-
) 5274-CR
)
) MATTHEW AMICK AFFIDAVIT / DECLARATION
) OF STATEMENT OF THE CASE
)
)
)

MATTHEW AMICK STATEMENT OF THE CASE
AFFIDAVIT / DECLARATION

Now Comes, Matthew Amick, by special appearance and not generally, who is over twenty one of sound mind make this affidavit because the facts set forth in this affidavit are within my own personal knowledge, except as to those matters which are stated on information and belief, and as to those matters, I believe it to be true. I affirm under penalty of perjury the following:

PURPOSE OF THIS AFFIDAVIT

1 I am creating the Affidavit for the following reasons:

2
3 a.) To provide an accurate record of the events leading up to and surrounding case No.
4 19-5144-CR in the Criminal Court of Hickman County, Tennessee and associated with
5 21-5100-CR and 19-5081-CR.
6

7 b.) To quell and to bar all false conjecture associated with case no. 19-5081-CR;
8 19-5144-CR; 21-5100-CR and 17-5274-CR.

9 c.) To expressly rebut statements made by Rebecca Ashton Seaborn Amick hereinafter
10 Rebecca; Tennessee Bureau of Investigations, agent, investigating and arresting officer Barry
11 Carroll hereinafter Officer Carroll; STATE OF TENNESSEE's 21st District Attorney General
12 Kim Helper and 21st District Assistant Attorney General and prosecutor Stacey B. Edmonson
13 hereinafter Edmonson; my brother-in-law Emanuel Nutu Balmez hereinafter Balmez; my then
14 father-in-law John Seaborn hereinafter Seaborn and Michael Cornelius Sr. hereinafter Cornelius.

15 d.) To disclose ineffective assistance of counsel for 19-5144-CR, 19-5081-CR and
16 21-500-CR.
17

18 (Printed Name): Matthew Amick

19 Matthew Amick
20

21 (Sign Name): Matthew Amick

22 Matthew Amick
23

24 Dated this 9 day of July, A.D. 2025
25
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28

NOTARY

STATE OF TENNESSEE)

) SS

COUNTY OF Hardman)

The undersigned witness Matthew Amick, affirms under penalties of perjury of the laws of the State of Tennessee that:

BACKGROUND

1.) I, Matthew Amick, am a non-legal entity and a Tennessean of the freely associated state. I explicitly reserve all of my rights as recorded and acknowledged under the Ninth and Tenth Amendments of the Constitution of the United States of America and the Tennessee State Constitution.

2.) I have actively practiced gun ownership, marksmanship, and hunting since childhood, learning these skills under the guidance of my parents who oversaw my participation in Hunter's Safety Courses.

3.) At the age of 12, I harvested my first buck, providing natural wild game for my family which strengthened my focus on honing my hunting skills. Mark Gilbert of Pleasantville, Tennessee shared his love of hunting with me and with my parents' permission, I occasionally accompanied him.

1 4.) I developed a deep fascination with the historical evolution of weaponry, including
2 Native American archery and the craftsmanship of arrowheads as well as modern artillery and its
3 role in American History. I frequently participated in historical reenactments and conducted
4 school demonstrations.
5

6
7 5.) I live on a rural farm where I carry firearms for self-defense and the protection of
8 livestock against predatory animals such as snakes, coyotes, and other vermin.
9

10 6.) I married Rebecca Ashton Seaborn Amick, hereinafter Rebecca, May 31, 2007.
11 Rebecca grew up hunting and regularly engaged in target practice with me. She owned rifles and
12 multiple handguns of her own. Rebecca was an accurate shooter and killed rattlesnakes multiple
13 times on the farm. Target practice was a familiar and routine aspect of our household activities.
14

15 7.) Together, Rebecca and I taught our children, Seth Amick, hereinafter Seth and
16 Hannah Amick hereinafter Hannah, the fundamentals of marksmanship. Seth began
17 accompanying me duck hunting at the age of six. I assisted Seth in a successful juvenile hunt,
18 where he harvested his first buck, - notably a rare spotted albino Whitetail, in October of 2018
19 at the age of nine.
20

21 8.) I engaged in daily target practice to maintain and improve my marksmanship skills
22 as well as enjoy the fellowship of friendly competition. Throughout the years, I practiced various
23 types of shooting with my siblings - Victoria Amick, Rachel Amick Vick, Daniel Amick, and
24 Ashley Amick Balmez. Additionally, I trained with my brothers-in-law, Isaac Vick, Ben
25 Seaborn, and Manny Balmez along with his brothers Rueben Balmez and James Balmez, my
26
27
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1 parents, Janet Amick and Karey Amick, and extended family, Mike Rivers, Greg Rivers and
2 Adam Rivers.

3
4 9.) I have provided instruction and guidance to numerous associates and family
5 members, helping them achieve success in hunting. Notably, I assisted Keevan Wright in
6 harvesting a Hickman County record Whitetail Buck before his passing.
7

8
9 10.) I became an avid waterfowl hunter and actively pursued certification for the
10 Ultimate Waterfowlers Challenge - Grand Master Waterfowl Hunter, which required the
11 successful harvest of 41 different species of waterfowl and migratory birds. My hunting
12 endeavors took me across multiple states, where I successfully harvested 31 of the required 41, in
13 pursuit of this goal. Additionally, I raised and trained highly skilled hunting dogs, whose
14 obedience and dedication significantly contributed to my success in the sport. John Purnell,
15 Aaron Stewart, and Chad Rodgers frequently joined me in duck hunting.
16

17 11.) I was a frequent customer of Four Season Outdoor Sports in Centerville, Tennessee
18 owned by Chris Hughes, where I bought hunting supplies, ammunition, gun cleaning supplies
19 and accessories.
20

21 12.) I enjoyed long-range practice with Richard Cortez, Officer Jonathan Pitts (Lewis
22 County Constable) hereinafter Officer Pitts and Bradley Burgess at my home, where they
23 assisted me in the construction of a practice range.
24

25 13.) I have spent time hunting and target practicing with the following individuals, from
26 primarily Hickman, Lewis and Perry Counties: Cornelius, CJ Cornelius, Seaborn, Joseph Miller,
27
28

Jeffry Miller, Tim Miller, Justin Miller, Joe Miller, Chris Beachy, Chad Beachy, Joseph Stewart, John Shaffer, Stephen Hodgens, Jeremy Simmons, Hunter Ridnour, Jason Gardner, Randy Hudgins, Danny Allen, Billy Bowman, (Hickman County Constable), Kenny Lynn (Hickman County Sherriff's Office), Chad Dearman, Marty Eaton, Jonathan Freeman, Martin Hatton Jr. (Spanky Hatton), Tony Grider, Steven Armstrong, Hannah McClellan Armstrong, Jonathan Armstrong, Nathaniel Armstrong, Zack Armstrong, Keith Stewart, Leonard Miller, JB John Pewitt (deceased), Danny Hodgens hereinafter Danny, Dennis Jones of Hurricane Mills, Tennessee hereinafter Dennis. Alex Hart hereinafter Hart (deceased), Randy Rochelle of Coble, Tennessee hereinafter Rochelle and Detective Johnny Davis hereinafter Detective Davis (Hickman County Sheriff's Office)

14.) In 2017, Rebecca developed a relationship with John Schafer and together they alleged I threatened them with a firearm. Rebecca later recanted her allegations to several people verbally and in writing, stating that she was intoxicated and the claims were untrue. She further asserted that she had been influenced by her parents, Ruth and John Seaborn and my sister, Ashley Amick Balmez and Ashley's husband Balmez, to pursue legal action. This was the basis for Case No. 17-5274-CR later expunged without my knowledge or consent. I believe Rebecca did not disclose to her own family that she made false allegations in Case No. 17-5274-CR which substantially affected their demeanor toward me.

15.) After unsuccessful reconciliation efforts, I filed for divorce in 2018. Pursuant to the terms outlined in Case No.18-CV-6384, I agreed that Rebecca could reside in my home with our minor children Seth and Hannah, who were eight and six years old at the time.

1 16.) In 2018, Rochelle informed me that Seaborn and Cornelius had independently
2 stated to him that they were actively petitioning public officials to investigate me and pursuing
3 actions to cause me to violate the terms of agreement with State of Tennessee in Case No.
4 17-5274-CR. Rochelle stated that he had been informed directly from Seaborn, that Seaborn and
5 Cornelius had "big people" working on getting me rearrested.
6

7
8
9 17.) In an effort to protect myself from the threats of Seaborn and Cornelius, I informed
10 Detective Davis of my belief that Seaborn and Cornelius were involved in the manufacture and
11 sale of moonshine. I had been hired by Cornelius on several occasions to remove labels from
12 between 20 and 30, 55 gallon drums of sugar purchased from Agrana aka Ayts Foods in
13 Centerville, Tennessee and I had personal knowledge of Seaborn's bulk purchases of corn from
14 Bruce Magoon of Centerville, Tennessee. See VOLUME I OF II OF BENCH TRIAL
15 TRANSCRIPTS HELD JULY 28, 2022 AND JULY 29, 2022, Page 60, line 3 and 4.
16

17 18.) On October 22, 2018 my lifelong friend Alex Hart of Sulphur Creek Rd, Hickman
18 County Tennessee, hereinafter Hart was involved in a single car accident resulting in Hart's
19 death. I was later informed by Detective Davis that Cornelius was the last person to see Hart
20 alive and that Cornelius and Balmez were under investigation in relation to Hart's death. I was
21 later informed that Hart tested positive for a drug called ketamine at the time of his death. I
22 believe all references to "Alex Clark" within the trial transcripts reference this same Alex Hart.
23 See VOLUME I OF II OF BENCH TRIAL TRANSCRIPTS HELD JULY 28, 2022 AND JULY
24 29, 2022, Page 77, line 23; Page 84, line 10, 15 and 16.
25
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1 19.) I believe Cornelius and Balmez, while being themselves subjects of alleged
2 criminal conduct in Hickman County, accused me of vandalism to their shop in Case No.
3 21-5100-CR in Perry County, in an effort to redirect criminal suspicion and shield themselves
4 from investigation.
5

6 20.) I have reason to believe and do believe, Seaborn, Cornelius and Balmez, conspired
7 to deprive me of my life, liberty and property without due process of law and they conspired to
8 solicit and influence others to do likewise, to wit; Alice Mazell Riley, Harold Bowers, CJ
9 Cornelius, Ashely Amick Balmez, Christina Hart, Stephen Hodgins, Ruben Balmez, Joseph
10 Wolford, Daniel Amick, Alisha Amick, John Mark Schafer, Rebecca Ashton Seaborn Amick,
11 Seth Amick and others. I have reason to believe and do believe these named men and women
12 were influenced to make written public statements, did not swear to harm nor state all facts in
13 support of any cause of action for which relief could be granted. I have reason to believe and do
14 believe that Balmez engaged in false witness and false reporting.
15

16 ALTERCATION resulting in 19-5144-CR
17

18 21.) August 8, 2019 I awoke at approximately 7:00 AM. On the evening prior, Rebecca
19 asked if I would mow the yard, and I agreed. Shortly after waking, I awoke my son, Seth and
20 asked him to clear trash, sticks, and debris from the yard and field to prepare for mowing. Seth
21 went outside and began clearing the yard.
22

23 22.) I awoke Rebecca and asked her to move her truck for mowing and to prepare
24 breakfast. Rebecca refused to prepare breakfast or move her truck. I asserted that if I had to
25 move her truck, I would not mow and I intended to leave. I retrieved my AR-15, .22 revolver and
26 backpack to take to my truck.
27
28

1 23.) Rebecca approached me, pushed me, and struck me multiple times in the arms and
2 chest while demanding that I mow. She then attempted to take my AR-15 away from me.
3

4 24.) In response, I discharged the AR-15 three times into the floor. I affirmatively deny
5 that I waved, brandished or pointed a gun at Rebecca. Rebecca ceased her actions and went into
6 Seth's room.
7

8 25.) I took my AR-15, .22 revolver, and backpack to my truck and secured them inside
9 the truck cab. I returned to the house to retrieve my cell phone and Glock pistol. I put on my
10 holstered Glock pistol and prepared to leave.
11

12 26.) Rebecca exited Seth's room and entered the kitchen. Rebecca continued to demand
13 that I mow while raising her voice. Seth came into the house, and I instructed him to either
14 return outside or go to his room, to remain away from the dispute. I affirmatively deny that I
15 waved, brandished or pointed a gun at Seth.
16

17 27.) Seth complied and went to his room. Rebecca continued raising her voice. Rebecca
18 loudly asserted that she possessed evidence alleging that I had sold and used cannabis, which she
19 intended to use against me.
20

21 28.) I experienced pressure on my chest and a throbbing headache. Rebecca had made
22 similar threats on prior occasions. I believed that the alleged 'evidence' Rebecca referenced was
23 stored on her cell phone.
24
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1 29.) Rebecca returned to Seth's bedroom, where he was present. I stepped into the
2 doorway and instructed Seth to move to a different room and Rebecca then told him not to.
3 Rebecca told Seth that I was going to kill her. I requested Rebecca's phone and after some
4 argument, she eventually handed it to me.
5

6 30.) I went to the kitchen, removed the SIM card from Rebecca's phone and returned the
7 SIM card to her and retained the phone. I concluded that Rebecca could insert the sim card into
8 her previous phone to make calls and send text.
9

10 31.) Rebecca requested that I not damage her phone. I dropped Rebecca's phone onto the
11 floor and discharged my gun at it multiple times. I affirmatively deny that I engaged in "random"
12 shooting as Rebecca alone testified.
13

14 32.) I again instructed Seth to leave the bedroom, and he complied. I completed taking
15 my belongings to my truck. I at all times acted under my lawful parental authority and have not
16 knowingly waived or ceded my authority to State of Tennessee.
17

18 33.) Rebecca stepped onto the porch and stated that she was leaving. I informed
19 Rebecca that my departure made it unnecessary for her to leave. I affirmatively deny that I
20 confined, prevented or restrained Rebecca. I affirmatively deny that I confined, prevented or
21 restrained Seth.
22

23 34.) I returned to my house to say goodbye to Seth, but he was not present. I inquired
24 about Seth's whereabouts, and Rebecca stated that she did not know where he was.
25
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1 35.) I stepped outside and called for Seth, but received no response. Based upon the
2 forensic interview with Seth and his statements therein, I believe Rebecca instructed Seth to
3 leave in contradiction to her trial testimony. See VOLUME I OF II OF BENCH TRIAL
4 TRANSCRIPTS HELD JULY 28, 2022 AND JULY 29, 2022, Page 150, line 13 and 14. I
5 completed packing and departed around 8:00 AM.
6

7
8 36.) I traveled to the motor home bus of Karey Amick, hereinafter my father, located at
9 the residential address 404 E. Kelly Rd. Centerville, Tennessee, approximately a mile west of
10 my residence, to collect my thoughts.
11

12 37.) While at my father's motor home, I rested and slept for several hours. Upon
13 awaking, I proceeded toward the residence of Janet Amick, hereinafter my mother to use her
14 tractor and bushhog mower. When I passed the residence of my brother, Daniel Amick, also
15 located at 404 E. Kelly Rd., I observed Rebecca's truck parked there.
16

17 38.) I decided to call Detective Davis to inquire if Rebecca had called to report our
18 dispute. Detective Davis and I had developed a friendly rapport and he was aware of threats
19 made against me by Balmez, Cornelius, Seaborn and Rebecca's brother, Ben Seaborn.
20 Instead of preceding to my mother's house, I traveled to the top of Morgan Branch Road near
21 Highway 438 where I would be able to obtain reliable cell phone service.
22

23 39.) I attempted to contact Detective Davis, but he did not answer so I called the
24 Hickman County Sherriff's Office dispatch. The Sherriff's Office dispatch informed me that I
25 would receive a return call.
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ARREST, MISS-CHARACTERIZATIONS, MIRANDA VIOLATIONS

40.) While awaiting a return call from the Sheriff's Office, I observed a group of law enforcement ascending the hill. Exercising caution with the intent to de-escalate, I turned to face the officers and stood with my arms raised high above my head. I was instructed via loud speaker to keep my hands in the air, which I complied with. I was never directed to drop to the ground.

41.) An officer identified as Officer Carroll informed me that I was under arrest based on allegations of reckless endangerment, sexual battery, criminal impersonation x3, and criminal impersonation of law enforcement. This matter was assigned Case No. 19-5081-CR. I was not presented with an arrest warrant or the mandatory attached affidavit of complaint. Subsequently, I was informed by correspondence of Edmonson that no Affidavits of Complaint existed for Case No. 19-5081-CR.

42.) An unidentified officer inquired about my gear, ammunition and arms. I stated "These are not for y'all; but for my in-laws" referencing my right to protect my life, liberty and property from the threats of Balmez, Cornelius, Seaborn, and Ben Seaborn.

43.) For this reason, I lawfully exercise my right to keep and bear arms in defense of my life, liberty and property, and family. Additionally, I engage in gun use as a competitive shooter and lifelong hunter. Accordingly, a personal protection vest – also known as a tactical, outdoor or survival vest is part of my regular attire and not unusual.

1 44.) During the bond hearing and trial, Officer Carroll, reinterpreted my statement that
2 "These are not for y'all; but for my in-laws" in a manner that suggested malicious intent and a
3 public safety threat rather than a lawful right to keep and to bear arms and be secure in my
4 person. This interpretation was never challenged by defense counsel.
5

6 45.) I have reason to believe that Officer Carroll's characterization of me as a "public
7 safety threat" unduly influenced Judge Spitzer's decision to deny bond July 27, 2021 despite the
8 allegations being non-capital in nature which I believe to be a violation of Tennessee State
9 Constitution Article 1, Section 15.
10

11 46.) I was not provided a Miranda warning or advised of my rights at the time of arrest.
12 I explicitly informed Officer Carroll that I did not intend to waive any of my rights, including all
13 those enumerated and protected by State and Federal Constitutions, including the right to remain
14 silent and the right to counsel.
15

16 47.) Officer Carroll informed me that the court denied bond upon the issuance of the
17 capias bench arrest warrant. Officer Carroll stated an aggravated assault charge from 2017 would
18 be recharged or reinstated against me. Based on this statement, I believed he was referring to
19 Case No. 17-5274-CR. I have no criminal background or record. The terms of agreement with
20 State of Tennessee were met by me in Case No. 17-5274-CR however State of Tennessee did not
21 meet their obligation to return my seized guns valued at approximately \$7500.00.
22

23 48.) I requested that Detective Davis return my vehicle and my hunting dog to my home
24 and I have reason to believe that he complied with that request.
25
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1 49.) I have reason to believe that bodycam footage, which has been withheld from me,
2 would confirm Officer Carroll's mischaracterization of my statements, violation of my Miranda
3 rights, and instances of perjury.
4

5 50.) To my knowledge, no outstanding matters were pending before this court or any
6 court - such as a failure to pay or a failure to appear - that would support the issuance of a Capias
7 Bench Warrant instead of an arrest warrant or criminal summons as if I had failed to appear. I
8 believe the public record would demonstrate of myself, prompt compliance with all previous
9 requests for court appearance and settlement.
10

11 51.) I have reason to believe the process applied to me by the STATE OF TENNESSEE
12 - commencing with a Grand Jury indictment; followed by issuance of a Capias Bench Warrant
13 without bond; then arrest; and then arraignment - violated my right to due process of law.
14 Specifically, this simulation of a legal process denied me the opportunity for timely
15 confrontation and cross-examination of my accusers, as protected by the Sixth Amendment to
16 the U.S. Constitution and Article 1, Section 9, of the Tennessee State Constitution. At no time
17 was I presented with a valid charging instrument for examination.
18

19
20 DENIAL OF BOND, PRELIMINARY HEARING, MEDICAL ATTENTION
21 AND DENIAL OF COUNSEL AT ARRAIGNMENT
22

23 52.) I was transported to the Hickman County jail and booked approximately 5:00 PM
24 August 8, 2019. Sergeant Lions placed me into general population of the maximum security C
25 Pod unit without conducting any threat assessment or medical assessment.
26
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1 53.) I was denied access to all my lawfully prescribed medications for a traumatic brain
2 injury (TBI) I sustained in 2017. I was held in custody without bond, without an initial
3 appearance, without a preliminary hearing or examining trial. I was informed I could make one
4 phone call. However, I was unable reach anyone for several days.
5

6 54.) I was eventually able to contact my friend, Dennis, and I informed him of my
7 circumstances. I expressed my belief that the court required I hire an attorney in order to obtain a
8 bond or bail.
9

10 55.) On or about August 15, 2019 approximately one week later, Officer Carroll
11 summoned me to a separate room for questioning. Officer Carroll placed his body camera on a
12 table and proceeded to read the Miranda warnings.
13

14 56.) Once again, I explicitly informed Officer Carroll that I did not intend to waive any
15 constitutionally protected rights, including the right to remain silent and the right to counsel.
16 Officer Carroll remarked that he did not think I could afford any counsel. Officer Carroll stated
17 that he did not have much evidence against me.
18

19 57.) Officer Carroll informed me that the federal authorities were going to "pick up" my
20 case and I was in "bad trouble" with them because of the guns that they found in their search.
21 Officer Carroll informed me that I would not appear before the court for at least a month and I
22 was returned to jail.
23

24 58.) I was without my medications prescribed for a traumatic brain injury I sustained in
25 2017. I experienced disorientation and illness and began submitting requests for medical
26
27
28

1 attention multiple times daily though the Tennessee Department of Corrections (TODC) request
2 system, commonly referred to as the "box".
3

4 59.) I experienced anxiety, elevated blood pressure, migraine headaches, cognitive
5 impairment, confusion and episodes of shallow, labored breathing of varying intensity.
6

7 60.) Jimmy Thacker and other inmates repeatedly knocked and kicked on the door in an
8 attempt to obtain medical assistance on my behalf. Sergeant Lions stated that the jail nurse,
9 identified as Becky, was unavailable due to her own medical reasons and no other medical
10 personnel were on duty.
11

12 61.) On two separate occasions, Sergeant Lions escorted me outside for approximately
13 20 minutes in response to demands from other inmates for medical assistance. However, no
14 medical treatment was provided.
15

16 62.) I spoke again with Dennis, who stated that Douglas T. Bates IV, hereinafter Bates,
17 my attorney in Case No. 17-5274-CR, and an associated restraining order; as well as divorce
18 Case No.s 17-CV-6092, 18-CV-6384 did not believe he could provide assistance of counsel.
19 Bates recommended attorney Michael J. Flanagan from Nashville, Tennessee, hereinafter
20 Flanagan.
21

22 63.) On or about August 20, 2019, I was evaluated by the jail nurse, known as Becky.
23 Nurse Becky prescribed Effexor and Tylenol and initiated blood pressure monitoring three times
24 per day. I informed Nurse Becky that I had been prescribed specific medications for a traumatic
25 brain injury I sustained in 2017, but had been denied those medications and medical attention.
26
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1 64.) Nurse Becky stated that I was in "bad condition" and in her professional medical
2 opinion, my condition resulted from abrupt discontinuation of prescribed medication and lack of
3 appropriate medical treatment for my traumatic brain injury. Nurse Becky stated she would
4 arrange medical evaluation at Centerstone in Dickson, Tennessee as soon as possible, though she
5 estimated it would take several weeks.
6

7
8 65.) Flanagan visited me in jail to discuss the possibility of legal representation.
9 However, no formal consideration was given to his representation, and I did not receive any
10 substantive legal assistance from him.
11

12 66.) While experiencing illness, I was placed into isolation for several days. On August
13 27, 2019 I was conducted to arraignment for Case No. 19-5081-CR while ill, without assistance
14 of counsel, without inspecting a valid charging instrument and without being informed of the
15 nature and cause of the charges against me.
16

17 67.) The name of Tim Wills appears on an "Arraignment and Scheduling Order";
18 however Tim Wills did not provide me any counsel and has provided written confirmation in
19 agreement that he has never represented me.
20

21 68.) On or about September 30, 2019 I spoke with Dennis again and informed him that
22 if he sold my boat and jeep, he should proceed with hiring Flanagan.
23

24 69.) On October 11, 2019 I was formally charged with two counts of aggravated assault,
25 aggravated kidnapping, especially aggravated kidnapping, four counts of reckless endangerment
26 with a deadly weapon, vandalism and a prohibited weapon. I believe these charges were the
27
28

1 result of the dispute with Rebecca related herein, which became case no. 19-5144 CR with bond
2 set at \$30,000.

3
4 70.) No preliminary hearing was conducted for Case No. 19-5144-CR . On October 29,
5 2019 I attended the arraignment for Case No. 19-5144-CR without assistance of counsel, without
6 inspecting a valid charging instrument and without being informed of the nature and cause of the
7 charges against me.
8

9
10 71.) Judge Spitzer inquired whether I had obtained a lawyer yet and I expressed my
11 uncertainty. I have reason to believe Dennis paid \$7,500.00 to Flanagan in anticipation of a
12 contractual agreement; however, no formal agreement was reached and no legal services were
13 rendered. On or about November 5, 2019 Dennis informed me that Flanagan required additional
14 funds to provide assistance of counsel and the \$7,500.00 paid was deemed inadequate
15 consideration. I did not have more money to meet his requirement and was therefore unable to
16 reach any agreement.
17

18 72.) I did not reach any contractual agreement with Flanagan, and I received no benefit
19 in return. I have not identified by what legal authority Flanagan purported to act in this matter. I
20 have reason to believe his actions may have been fraudulent and fraud upon the court.
21

22 73.) November 6, 2019 I was transported to Centerstone in Dickson, Tennessee. I
23 informed Centerstone provider Marshall Fife, MSN, RN, hereinafter Fife, of my understanding
24 of the allegations against me, as well as my history of traumatic brain injury, associated
25 treatments and prescribed medications.
26
27
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1 74.) I related to Fife the charges alleged against me in Case No. 19-5081-CR and stated
2 that I had no recollection of events that could lead to them.
3

4 75.) I informed Fife that I had discharged my gun at my ex-wife's cell phone following
5 her expressed intent to cause harm. I also stated that I had full recall of my actions but believed
6 my actions did not constitute the elements necessary for the charges alleged in Case No.
7 19-5144-CR. I informed Fife that discharging a gun inside my home was uncharacteristic of me.
8 I expressed my concern regarding this behavior and asked his professional opinion.
9

10 76.) Fife stated that, based upon his medical expertise, experience and my medical
11 records, he was of the opinion that I was over prescribed Clonazepam and Gabapentin by a
12 previous doctor at The Walk-In-Clinic of Linden in Linden, Tennessee. Fife stated that he would
13 testify regarding my current medical condition and provide his professional opinion of the
14 over-prescription of my medications. He also requested that he be subpoenaed for this purpose.
15
16

17 77.) On November 22, 2019, I was told I have a scheduled court date and was
18 subsequently brought to the holding area, commonly referred to as the "bull pen" to wait. I
19 remained in the holding area while other individuals entered the courtroom. After a prolonged
20 wait, I inquired with Bailiff Sullivan whether I would be called to appear before the court. Bailiff
21 Sullivan informed me that Flanagan was not present and as a result, I would not be appearing
22 before the court.
23

24 78.) I had not received any written communication from Flanagan and I had not spoken
25 with him. I remained uncertain as to whether we would reach an agreement and formalize a
26 contract for legal representation. Consequently, I was returned to jail.
27
28

INEFFECTIVE - FRAUDULENT - MISREPRESENTATION of
MICHAEL J. FLANAGAN until March 24th, 2021

79.) On December 10, 2019, I was escorted to the holding area, referred to as the "bull pen" in preparation for court proceedings. I was not called to appear in court but remained in the holding area. Consequently, I informed the Bailiff I wanted to speak to Flanagan, if he was there.

80.) Flanagan entered the holding area and informed me the federal authorities intended to assume jurisdiction over my case. He stated that, as a result, he did not wish to enter a Motion to Set Bond at that time. I told Flanagan that I sought to have a bond set and asserted my right to a bond as no capital offense had been alleged. Flanagan stated that the court required me to undergo a mental evaluation before he could enter a motion to set a bond.

81.) I informed Flanagan I already have treating physicians whom I wished for him to subpoena. These medical professionals have direct, firsthand knowledge of my medical history, including Dr. Ali at the Amen Clinic, Fife at Centerstone and Nurse Becky at the Hickman County Jail.

82.) I informed Flanagan that I did not believe his assertion that the federal authorities were pursuing charges against me and that I suspected he was merely delaying matters. Flanagan raised his voice and declared that he would withdraw as my attorney and would return payment. I acknowledged and accepted Flanagan's withdrawal and directed him to return the funds to Dennis Jones. Following this exchange, Flanagan departed and I was returned to jail.

1 83.) In a letter dated December 10, 2019 which I received several days later, Flanagan
2 stated, "let's keep working towards a favorable outcome." implying that he intended to provide
3 assistance of counsel but my assumption remained unconfirmed. In his letter dated December 10,
4 2019, Flanagan misrepresented that a Motion for a Bond had been filed, whereas the court record
5 indicates no such motion was submitted.
6

7
8 84.) Subsequently, Flanagan mischaracterized the mental evaluation as my own idea and
9 agreement despite having previously stated that I had no choice in the matter. I did not
10 voluntarily request or consent to a mental evaluation.
11

12 85.) On December 23, 2019 I filed a Motion for Speedy Trial with the court, invoking
13 my unalienable right protected by the Sixth Amendment to the U.S. Constitution and Article I,
14 Section 9 of the Tennessee State Constitution. At no point did I knowingly waive this right. I
15 believe Flanagan's fraudulent "representation" prohibited and blocked my motions from Notice
16 by Judge Spitzer.
17

18 86.) In a letter dated December 26, 2019, Flanagan stated that I instructed him to request
19 a mental evaluation. However, in reality, Flanagan had previously asserted my case would not
20 proceed unless I submitted to a mental evaluation.
21

22 87.) In a letter dated January 16, 2020 Flanagan stated that "The court wants to wait for
23 the mental evaluation before taking up the bond issue."
24

25 88.) March 2020, I mailed Flanagan a letter expressing dissatisfaction with his failure to
26 meet with me and lack of communication. I formally requested the following which were not
27
28

provided: Documentation of any court order mandating a mental evaluation. Proof of a legal requirement for a mental evaluation as a prerequisite for filing a Motion to Set Bond. Notice of Rebecca's admitted perjury and recanted allegations in Case No. 17-5274-CR, in the custody of Bates and Officer Pitts. I requested this evidence be provided to Edmonson. Full access to all discovery materials.

89.) On April 3, 2020 I filed a Motion to Fire Attorney with the court. On April 8, 2020 I filed a Motion to Set Bond with the court. I believe Flanagan's fraudulent "representation" prohibited and blocked my motions from Notice by Judge Spitzer.

90.) On April 8, 2020 I was shackled and transported to Centerstone in Columbia, Tennessee, where I was subjected to a "mental evaluation" against my will and under duress for several hours.

91.) I repeatedly considered the appropriate steps to terminate Flanagan's representation and questioned why both the court and Flanagan remained unresponsive regarding my Motion to Fire Attorney and Motion to Set Bond.

92.) I contacted my friend Danny, my mother and my father, in an effort to prompt Flanagan to communicate with me or with them.

93.) I became friends with Tyler Bowman hereinafter Tyler, son of Magistrate Cindy Bowman during his incarceration. Tyler suggested filing a Motion to Strike my Motion to Fire and alternatively, submit a complaint to the Board of Professional Responsibility which I did

1 with his assistance. On May 18, 2020 I filed a Motion to Strike my Motion to Fire, while
2 maintaining my intent to remove Flanagan from further impeding my case.
3

4 94.) In a letter dated June 3, 2020 Flanagan again misrepresented the mental evaluation
5 as being initiated at my instruction and further stated that "nothing can be done" regarding my
6 case. On July 20, 2020 I asked my mother to contact Flanagan on my behalf.
7

8 95.) In a letter dated August 12, 2020, Flanagan stated the following: The mental
9 evaluation has been rescheduled several times due to "covid". He again misrepresented the
10 mental evaluation as having been suggested by me. He asserted that the court will insist on the
11 completion of the evaluation before considering a bond request. He stated that he would neither
12 withdraw from the case nor provide me a refund.
13

14 96.) I received notice that Rebecca had filed a petition with the court seeking to modify
15 the parenting plan of our divorce, Case No. 18-CV-6384. I was unable to reach Flanagan or
16 secure assistance of counsel with this matter.
17

18 97.) In the Motion to Modify Parenting plan, Case No. 18-CV-6384, Rebecca made the
19 following misrepresentations to Judge Spitzer: She alleged that I did not seek medical treatment
20 for my traumatic brain Injury (TBI) whereas, in reality, I had continuously pursued medical care.
21 Further, her statements directly contradicted her bond hearing testimony and trial testimony
22 regarding her rational for disposing of Case No. 17-5274-CR. And she asserted I was physically
23 abusive; however, I was not. This claim also contradicted her own later testimony at the bond
24 hearing, where she did in fact correctly state I was never physically abusive.
25
26
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1 98.) Judge Spitzer reviewed and granted Rebecca's Motion to Modify Parenting Plan. I
2 have reason to believe these repeated exposures to one side of the dispute caused undue judicial
3 bias in Judge Spitzer.
4

5 99.) On August 19, 2020, I sent a written directive to Flanagan instructing him to
6 withdraw from my case. In a letter dated August 21, 2020, Flanagan stated that he acknowledged
7 that I requested his withdrawal and he expressed reluctance to withdraw, citing another pending
8 mental evaluation as his reason and he again misrepresented the mental evaluation as having
9 been suggested by me.
10

11 100.) On August 26, 2020, I submitted a formal letter with the help of Tyler, to Judge
12 Spitzer requesting notice of Flanagan's ineffective assistance of counsel and refusal to withdraw
13 upon numerous written requests, notice that I did not voluntarily initiate or agree to a mental
14 evaluation and I am being coerced to participate, notice of a motion for speedy trial filed and
15 repeated delays and notice that I am being denied my doctors as witnesses.
16

17 101.) From September 28, 2020, thru October 28, 2020, I was involuntarily committed to
18 Middle Tennessee Mental Health Institute for competency screening, despite my clear
19 documented objection, against my will, and under duress.
20

21 102.) During my 30 day stay at Middle Tennessee Mental Health Institute, I met with Dr.
22 Joe Mount for an approximately 30 to 45 minutes in total in a one-on-one setting and completed
23 a one page SLUMS test. Judge Spitzer erroneously wrote that I spent more time with Dr. Mount
24 than with Dr. Spirko in his findings, which is not only incorrect, it's false.
25
26
27
28

1 103.) On September 29, 2020 I filed another Motion to Fire my attorney which the court
2 received and recorded on September 31, 2020.
3

4 104.) In an email to my mother December 3, 2020 Flanagan represented to my mother
5 that he filed a bond motion in contradiction to the court record. I asked Danny to email Flanagan,
6 which he did on December 5, 2020 to demand Flanagan withdrawal from my case in open court
7 on December 8, 2020. Flanagan did not withdraw or respond.
8

9 105.) January 21, 2021 my mother informed me she had received email from Flanagan
10 stating that The Tennessee State Supreme Court had suspended in-person court hearings through
11 January 2021 due to "surges in Covid". He further indicated that my hearing would be scheduled
12 for February 9, 2021.
13

14 106.) I have reason to believe my constitutionally protected right to open court as
15 protected under Article 1, Section 17 of the Tennessee State Constitution, which states that "All
16 courts shall be open; and every man for an injury shall have remedy by due course of law, and
17 right and justice administered without sale, denial or delay" and was violated due to
18 unreasonable and unnecessary delays.
19

20 107.) On January 28, 2021 I sent a letter to Flanagan expressing my concerns regarding
21 his inadequate assistance of counsel, failure to communicate, ongoing delays, and my intent to
22 seek the court's intervention for his withdrawal and a refund.
23
24

25 108.) On February 1, 2021 my mother informed me she had sent an email to Flanagan
26 requesting confirmation of his statement made January 21, 2021, regarding a bond hearing
27
28

1 scheduled for February 9, 2021. In response, Flanagan replied "Hoping for that date. Now
2 unlikely."

3
4 109.) On February 8, 2021 I mailed a Motion to Withdraw Flanagan as counsel, to Clerk
5 of Court, Dana Nicholson. However, the motion was not entered into the court record. On
6 February 19, 2021 the Board of Professional Responsibility acknowledged receipt of my
7 complaint regarding Flanagan's refusal to withdraw from my case.
8

9
10 110.) In a letter dated February 20, 2021 Flanagan stated: "The Tennessee Supreme Court
11 has modified its Covid 19 order, which had suspended all in person court proceedings through
12 March 31, 2021. In person court hearings will now be allowed to resume on March 15, 2021. I
13 am reaching out to Judge Spitzer about getting your bond motion set on the next available
14 docket."
15

16 111.) In a letter dated February 24, 2021, Flanagan acknowledged that he had been
17 contacted by the Board of Professional Responsibility. He attempted to justify his ineffective
18 assistance of counsel and lack of communication, stated his intent to withdraw, and offered to
19 prepare and provide detailed accounting of his work, which was never furnished.
20

21 112.) On March 18, 2021 I believe Flanagan filed a motion to withdraw as counsel. On
22 March 24, 2021 I appeared in court where Flanagan's Motion to Withdraw was heard and
23 granted.
24

25 113.) Each continuance in these proceedings was granted without my consent and against
26 my will. On February 27, 2024 Clerk of Court, Dana Nicholson certified there is no court record
27
28

1 of the appearance of Michael Flanagan in 19-5081-CR, 19-5144-CR and 21-5100-CR,
2 confirming my belief that I was held without bond and without counsel from August 8, 2019
3 through April 31, 2021.
4

5 114.) I have reason to believe that Flanagan's improper coercion of a mental evaluation
6 violated my constitutionally protected right to remain silent, as protected by the Fifth
7 Amendment of the U.S. Constitution and Article 1, Section 9 of the Tennessee State
8 Constitution.
9

10
11 INEFFECTIVE - CONFLICT OF INTEREST - MISREPRESENTATION of
12 DOUGLAS BATES IV for 14 MONTHS
13

14 115.) On or about April 12, 2021 I interviewed Rodger Waynick, hereinafter Waynick as
15 a potential legal representative. Waynick expressed concern over my inability, for a period of
16 twenty two months to successfully terminate Flanagan and bring my case before the court.
17

18 116.) Waynick stated that, if he were hired, he would challenge the Middle Tennessee
19 Mental Health Institute's single-page SLUMS (St. Louis University Mental Status) screening for
20 mental competency with a motion to the court for a Full Competency Hearing.
21

22 117.) I also met with Bates and ultimately hired him and entered a contract, instead of
23 Waynick for the following reasons: Bates had witnessed Rebecca commit perjury in Case No.
24 17-5274-CR. Bates had previously represented both Rebecca and me in our uncontested divorce
25 Case No. 18-CV-6384 and therefore had personal knowledge of the terms of that agreement.
26 Bates had personal knowledge of Rebecca's formal Domestic Assault charge of me, in which he
27
28

1 represented her, January 28, 2019 although I did not recognize this as a conflict of interest. Bates
2 was also aware of Rebecca's prior unreported aggressive assault behavior toward me. I believed
3 Bates to be in possession of related photographic evidence on his personal cell phone which I
4 texted to him in January 2019 showing multiple lacerations to my face and hands done by
5 Rebecca.
6

7
8 118.) On April 30, 2021 Bates filed Notice of Appearance as attorney of record and a
9 Motion to Set Bond and for Bond Reduction.
10

11 119.) On three separate occasions following my competency screening at Middle
12 Tennessee Mental Health Institute, I was forced to defended myself during physical altercations
13 while in jail, during which I sustained impacts to the head. Jail medical records and the TODC
14 box may contain documentation regarding these incidents. Guards, David Jenkins and Ken
15 Daron (Guido) bore witness. One of these altercations involved Bradley McGahey and another
16 involved Shane Whited who were documented as the aggressors.
17

18 120.) After these incidents, I experienced symptoms of confusion, disorientation and
19 increased difficulty with speech.
20

21 121.) After the altercation involving Shane Whited, Bates visited me. Bates also legally
22 represented Whited, acknowledged Whited was the aggressor and expressed concern that the
23 altercation might present a conflict of interest if charges were pursued against Whited. During
24 the visit, Bates observed visible injuries including discoloration and lacerations around my eyes
25 and symptoms consistent with head trauma and rib injuries. However, my competency to stand
26 trial provided by Middle Tennessee Mental Health Institute was not reassessed.
27
28

1 122.) I reminded Bates that he had personal knowledge of Rebecca's admitted perjury in
2 Case No. 17-5274-CR and that he was in possession of the supporting text messages she sent to
3 Officer Pitts.
4

5 123.) I informed Bates that, in addition to the original text messages, Rebecca sent a letter
6 to Officer Pitts in which she stated that her allegations were false and provided her reasons for
7 falsely accusing me of Aggravated Assault Case No. 17-5274-CR.
8

9 124.) I informed Bates that Officer Pitts had forwarded me a copy of Rebecca's letter, and
10 Bates assured me he would subpoena Officer Pitts and obtain Rebecca's letter; however, he never
11 did so.
12

13 125.) At the time, I was unaware that Bates and Edmonson had expunged Case No.
14 17-5274-CR on October 8, 2020 without my knowledge and without my consent, thereby
15 depriving me of evidence related to Rebecca's admitted previous acts of perjury.
16
17

18 CONTINUED DENIAL OF BOND FOR NON-CAPITAL ALLEGATIONS 19

20 126.) On May 20, 2021 a Motion to Set Bond hearing was conducted and I was forced to
21 participate electronically (a critical stage of the proceedings) without assistance of counsel. Bates
22 was not present with me during the proceedings. I was unable to confer with him privately and I
23 believe my right to the assistance of counsel during all stages of the proceedings was violated. I
24 believe my right to open access to the court enumerated and protected in Article 1, Section 17 of
25 the Tennessee State Constitution, which states that "All courts shall be open" and was violated
26
27
28

1 and my right to confront my accusers "face to face" under both the Tennessee State Constitution
2 Article 1, Section 9 and the Sixth Amendment to the U.S. Constitution.
3

4
5 127.) During the bond hearing, the following statements entered into the court record:
6 Hearsay testimony from Officer Carroll regarding alleged reports that "I would not be taken
7 alive." without identifying and questioning the hearsay source. Officer Carroll stated that at
8 arrest, I "gave up," implying I had allegedly actively resisted arrest when I had not. Officer
9 Carroll described me as "heavily armed," a subjective mischaracterization that is open to bias
10 and misinterpretation without proper context of threats that I was actively receiving from
11 Seaborn, Cornelius and Balmez. Rebecca alleged, "He tried to kill us" implying I had actually
12 made an effort to kill someone when in fact, I had not and Rebecca described me as "violent but
13 not physical." However, Black's Law states that violent and physical are synonymous, making
14 Rebecca's statements ambiguous and misleading. Edmonson's unsworn statements that alleged I
15 posed a "danger to the community" and "danger to victims." Edmonson also referenced Case
16 No. 17-5274-CR characterizing it as "criminal behavior" and "very violent tendencies" when in
17 fact the allegations were false, without merit and Bates and Edmonson had expunged the case
18 which contained exculpatory evidence favorable to me without my knowledge or consent. Bates
19 allowed the creation of a false, prejudicial and tainted record which lead to a fundamental
20 miscarriage of justice. Bates failed to object and prevent these statements from entering the
21 record and I believe these statements were damaging and prejudicial.
22

23 128.) Bates questioned Rebecca about specific statements she made in Case
24 No.17-5274-CR and related cases. Bates specifically stated or questioned Rebecca "part of your
25 statement then was not true". Bates had witnessed Rebecca's testimony at the time it was made in
26 Case No. 17-5274-CR making him a first-hand witness to facts that contradicted Rebecca's
27
28

1 testimony in the instant hearing and cases. I believe Bates knew Rebecca was committing
2 perjury about previous perjury, when she stated "No, it was all true..." and allowed Rebecca's
3 false testimony to go unchallenged failing his duty of loyalty to me, the client and his duty of
4 candor toward the tribunal. Tennessee Rule 3.3
5

6
7 129.) Judge Spitzer is currently denying my access to my bond hearing transcript
8 hindering my ability to substantiate my claims, preserve the record for appeal and redress
9 grievances. I have reason to believe that the transcript will reveal that Bates failed to make any
10 objections, conduct a proper examination of Officer Carroll's testimony, conduct a proper
11 examination of the inconsistencies between the testimonies of Rebecca and Officer Carroll and
12 show Bates permitted the known perjured testimony of Rebecca to enter the record.
13

14 130.) I believe Judge Spitzer relied upon the false testimony, hearsay and inflammatory
15 statements to deny me all pretrial liberty, which I believe constitutes a violation of my
16 enumerated and constitutionally protected right under Article 1, Section 15 of the Tennessee
17 State Constitution "That all prisoners shall be bailable by sufficient sureties, unless for capital
18 offenses when the proof is evident or the presumption is great" and Article 1, Section 16 "That
19 excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual
20 punishments inflicted" and Amendment Eight of the United States Constitution.
21

22 131.) Judge Spitzer, then instead of setting bond, ordered me to undergo an alcohol drug
23 assessment and a psychological evaluation. I believe Judge Spitzer subsequently issued an
24 official denial of bond on July 27, 2021
25
26
27
28

1 132.) Following the bond hearing, I had a brief meeting with Bates, during which he
2 advised that I would need to retain a private behavioral phycologist to facilitate a bond and he
3 recommended Dr. Katie Spirko, hereinafter Dr. Spirko.
4

5 133.) Bates misrepresented that he would have an extensive meeting with me the week of
6 trial, which never occurred. Bates informed me that he believed Edmonson would offer a plea
7 agreement of 10 years' probation during the week of trial and he would advise me to accept it.
8 However, no offer was made.
9

10 134.) I agreed to hire Dr. Spirko in order to comply with Judge Spitzer's order to undergo
11 a psychological evaluation as a prerequisite for bond release. Dr. Spirko conducted an
12 evaluation lasting approximately eight hours, during which she administered various
13 psychological assessments. I believe her findings to have been accurate at that time.
14

15 135.) I informed Bates that Dr. Mount of Middle Tennessee Mental Health Institute had
16 provided legal advice, specifically recommending that I proceed only with a bench trial.
17 However, I expressed my desire to Bates to have a jury trial instead.
18

19 136.) I was never informed that Dr. Mount, to whom I had spoken with approximately 30
20 to 45 minutes under objection, was a witness for STATE OF TENNESSEE, that he would
21 testify, or the substance of his testimony, nor was I ever informed that Dr. Mounts testimony
22 would be in reference to a report that was made by his "treatment team" that I was not informed
23 of guaranteeing that I would not be able to subpoena, question, depose, impeach or cross-
24 examine their testimony in violation of the Confrontation Clauses of both the Tennessee
25 Constitution and the U.S. Constitution.
26
27
28

1 137.) Bates informed me that I could only proceed with a bench trial, as no jury trial
2 would be available due to "covid" restrictions. Bates informed me that due to "covid," a jury
3 trial would not be available for another two to five years. Given that bond had been denied, I was
4 unduly pressured to accept a bench trial.
5

6
7 138.) I believe Bates's improper joinder of cases resulted in prejudice against me. Any
8 waiver I may have made is invalid, because the consequences and available alternatives were
9 not adequately explained to me.
10

11 139.) I met with Bates the evening before trial, during which he spent approximately 30
12 minutes on trial preparation. I asked Bates if Edmonson had extended a plea offer. Bates replied
13 that Edmonson was not required to extend a plea offer and we would proceed to trial the
14 following day.
15

16 140.) Bates did not provide me with any legal documentation, including, affidavits,
17 charging instruments, indictments, true bills, warrants, discovery material, evidence or body cam
18 footage. As a result, I was unaware of the specific nature and cause of the charges against me nor
19 was I informed that such legal instruments should be made available to me.
20

21 141.) I was not informed of the specific nature of the charges against me, including the
22 specific laws allegedly violated. Additionally, I was not made aware of the underlying cause of
23 the charges, such as the factual allegations and circumstances upon which they were based.
24

25 142.) I believe that the right to be informed of the nature and cause of the charges against
26 me is an unalienable right, enumerated and protected by the Sixth Amendment of the U.S.
27
28

1 Constitution and Article 1, Section 9 of the Tennessee State Constitution, which I did not
2 knowingly waive and all of my counsel failed to inform me. I did not at any time examine any
3 valid charging instrument.
4

5
6 143.) I was concerned about the charges in Case No. 19-5081-CR because, I had no prior
7 knowledge of them. I asked Bates for the specific details regarding Alice Riley's allegation of
8 sexual battery. Bates offered no factual context to help me understand the nature of the
9 accusation, except to state, "She said you grabbed her breasts." Bates did not provided any
10 context regarding this allegation and advised me "not to be concerned about it because" in his
11 estimation "the judge will not believe her anyway."
12

13 144.) I asked for particular detail about the gun-related charge and informed Bates that I
14 had reported the serial number of the lower receiver to Detective Davis and instructed Bates to
15 subpoena him as a witness for trial.
16

17 145.) I believe Detective Davis could also provide testimony to rebut Officer Carroll's
18 hearsay statements, mischaracterization of me, and inaccurate testimony presented in the bond
19 hearing. I believe Detective Davis was also investigating Seaborn, Cornelius and Balmez. Bates
20 refused to subpoena Detective Davis.
21

22 146.) I instructed Bates to subpoena Dillion DeAmante, who was incarcerated in the
23 Hickman County jail, as he informed me he had personal first-hand knowledge of that lower
24 receiver and how it came into my possession which was unknown to me until speaking with him.
25
26
27
28

1 147.) I provided Bates with a copy of a letter dictated by my son, Seth, which was mailed
2 to me in September 2019. The letter expressed that he loved and missed me. I requested that it be
3 placed into evidence, but Bates failed to do so.
4

5 148.) I asked Bates to verify the address listed on the search warrant, but he said it was
6 too late for that. I have reason to believe that Bates misrepresented to my mother and father the
7 existence of a valid warrant authorizing the search of my father's motorhome bus located at the
8 residential address 404 E. Kelly Rd., Centerville, Tennessee 37033.
9

10 149.) I have never, at any time, waived my right to be free from unlawful searches, as
11 enumerated and protected by the Fourth Amendment of the U.S. Constitution and Article 1,
12 Section 7 of the Tennessee State Constitution.
13

14
15 TRIAL
16

17 150.) The day of trial, Bates informed me that I must plead guilty to the Criminal
18 Impersonation charges so that the prosecutor and judge would "go easy on me" in regard to the
19 especially aggravated kidnapping charge.
20

21 151.) Bates failed to inform me that false imprisonment which forms the basis for
22 especially aggravated kidnapping can not apply to parents exercising lawful authority over their
23 own offspring. I believe false means without authority and I have at all times held lawful
24 authority over my son. I believe 18 U.S.C. § 1201 similarly applies to federal U.S. citizens.
25
26
27
28

1 152.) Bates only informed me for the first time, in real time during the trial, that my son,
2 Seth would be testifying. Bates then directed me to leave the courtroom while Seth testified.
3

4 153.) I asked Bates why I needed to leave the room while Seth testified. Bates responded
5 that the Judge would "have more respect" for me if I did so. I complied as requested, and
6 reflected in the VOLUME I OF II OF BENCH TRIAL TRANSCRIPTS HELD JULY 28, 2022
7 AND JULY 29, 2022, Page 144, line 18. Where I clearly stated "It's up to y'all."
8

9 154.) I understood I was being asked to facilitate a more convenient environment for my
10 son. However, I was not made aware of the legal consequences of waiving my right to confront
11 my accusers "face to face" as protected by the Tennessee State Constitution Article 1, Section 9
12 and Sixth Amendment to the U.S. Constitution and to personally hear any potential
13 inconsistencies in testimony, in exchange for the judicial consideration being offered.
14

15 155.) The trial transcripts reflect that Edmonson on direct examination asked my son,
16 Seth 139 questions while Bates cross-examination reflects that he asked Seth 8 questions, which
17 further demonstrate inadequate counsel.
18

19 156.) Edmonson directed Rebecca to acknowledge her formal Domestic Assault charge in
20 January 2019. Neither Bates nor Edmonson disclosed that Bates assisted Rebecca in its disposal
21 or discharge. Edmonson asked Rebecca whether she recalled any "other instances of violence
22 that happened that maybe the police were not called? Or were those the only times that it got
23 violent in your home? And Rebecca replied "No, Ma'am. There was other times." I believe this
24 answer was ambiguous and Bates failed to assert Rebecca's violence due to his own undisclosed
25 conflict of interest. At that time, I was unaware that I had a legal right to "conflict free counsel."
26
27
28

1 157.) Edmonson questioned Rebecca about her decision to “dropped the charges” of
2 aggravated assault Case No. 17-5274-CR. In response, Rebecca referenced my willingness to
3 seek medical assistance but failed to disclose that no factual basis existed for the charge because
4 her allegations were false and constituted perjury. While questioning Rebecca about this case,
5 Edmonson herself had knowingly participated in the expungement of the case and the evidence
6 contained therein in spite of the fact that she knew this was “exculpatory evidence.”
7

8
9 158.) Bates possessed photographic evidence on his phone, which I had sent to him,
10 depicting lacerations, cuts and bite marks on my face and hands resulting from Rebecca's
11 domestic assault on me in December of 2018 shortly before her formal Domestic Assault charge
12 in January 2019. However, Bates failed to introduce this evidence or challenge the related
13 testimony during trial.
14

15 159.) The trial transcripts reveal the witness of Rebecca and Seth do not agree together.
16 Rebecca claimed that Seth attempted to enter our argument in her defense. See VOLUME I OF
17 II OF BENCH TRIAL TRANSCRIPTS HELD JULY 28, 2022 AND JULY 29, 2022, Page 138,
18 lines 5-19. Seth affirmatively denied taking the action she alleged, stating “No, not really”. See
19 Page 154, line 1.
20

21 160.) Rebecca made claims that I verbally threatened her and I verbally threatened Seth.
22 The trial testimony of Seth does not corroborate or substantiate her witness. I affirmatively deny
23 that I stated or I implied that I intended to harm Rebecca. I affirmatively deny that I stated or
24 implied that I intended to harm my son, Seth.
25
26
27
28

1
2 161.) During trial, Officer Carroll introduced hearsay evidence, stating that he "heard"
3 that I was prepared to engage him in a firefight. Bates failed to object to and inquire into the
4 source of the statement. Officer Carroll mischaracterized my statement "these aren't for y'all but
5 for my in-laws" and this mischaracterization was entered into the record without objection or
6 clarification regarding the true and complete context of threats made against me by Seaborn, Ben
7 Seaborn, Cornelius and Balmez.

8
9 162.) Bates instructed me to testify in my own defense with the stipulation that I must say
10 "I was not in my right mind and I do not really remember." I objected and informed Bates that I
11 did, in fact, remember the details of my quarrel with Rebecca. I acknowledged that, while it was
12 true that I did not feel I was "in my right mind," I nevertheless retained recollection of the facts.

13
14 163.) Bates asserted that Judge Spitzer would not accept my version of events and
15 threatened that I would be going to prison for 15 years if I did not agree to his terms. Under this
16 undue threat and pressure, I complied.

17
18 164.) Bates did not disclose to me, whether or not his defense strategy was to rely solely
19 on a "mens rea" or "diminished capacity" argument, to the exclusion of all factual defense
20 evidence and without addressing Rebecca's history of perjury and false allegations. This was
21 executed without full disclosure to me.

22
23 165.) I consistently informed all medical personnel that I was aware of the facts and
24 circumstances of my quarrel with Rebecca. Bates demanded that I testify in contradiction to the
25 facts already stated either negligently or in collusion with the prosecution. However, under
26 duress, coercion and threat, from Bates, I testified on the witness stand that I did not remember,
27
28

1 events that I did, in fact, remember. Bates instructed me to say . . . "I was not in my right mind
2 and I do not really remember."
3

4
5 166.) Over the fourteen months Bates represented me, he spent approximately 1.5 hours
6 in total meeting time with me. I believe that jail records will substantiate this, demonstrating an
7 average of only 7 minutes per charge across 17 total charges.

8
9 167.) Bates confession in open court, "I'm not going to belabor a lot of the proof" and
10 "the facts of this case are largely going to be without dispute" followed by lengthy praise of the
11 prosecutor, support the assertion his counsel was ineffective and inadequate. Bates failed to
12 challenge conflicting and perjured testimony with open disregard for his duty to zealously
13 advocate for my defense and act with candor toward the tribunal.
14

15 168.) Bates failed to challenge and impeach the witness of Alice Mazell Riley and Harold
16 Bowers hereinafter Riley and Bowers respectively, whose witness did not agree together, noted
17 by Judge Spitzer.
18

19 169.) Due to Bates instructions for me to testify and his stipulation that I must state that
20 "I was not in my right mind and I do not really remember." It was unclear to me whether I was
21 at liberty to state the facts as I knew them to be or I was not at liberty to state the facts as I knew
22 them to be.
23

24 170.) During Riley's and Bower's testimony, I recalled the event they referenced. I agree
25 that Riley was at the Coble Store at the same time I was there on Memorial Day weekend. I
26 agree that I allowed Seth and Hannah to leave with Riley to proceed to the home of Bowers. I
27
28

1 agree that at Bowers home, Riley asked me to go outside the house to vape. I agree that I
2 complied with Riley's request and went outside. Riley and I exited the house and I apologized for
3 vaping in the house and simultaneously gestured to hug Riley with one arm over the shoulder
4 while still holding the vape in my other hand.
5

6
7 171.) I affirmatively deny that I placed my hands on Riley's breast over her clothing as
8 she testified. Bowers contradicted his own testimony by stating that I placed my hands under
9 Riley's shirt, while also stating her back was to him and he did not know "it was under her
10 blouse". See VOLUME I OF II OF BENCH TRIAL TRANSCRIPTS HELD JULY 28, 2022
11 AND JULY 29, 2022, Page 33, line 10 and Page 34, line 7. I affirmatively deny that I placed my
12 hands on Riley's breast either under or over her clothing. I affirmatively deny that I touched
13 Riley in any inappropriate way. Bates failed to impeach. And further, Riley is approximately 35+
14 years my senior and not attractive to me in any way outside of a grandmotherly capacity.
15

16 172.) Riley and Bowers offered to and proceeded to drive my children to my home
17 followed by me on the evening in question, which no one stated on the record, further
18 demonstrating no animosity existed at that time.
19

20 173.) Bowers displayed diminished hearing during the trial and Bates failed to question
21 Bowers claim of "hearing" Riley from a distance as he testified. I believe this fact may not have
22 been noted by the court reporter in the record and the transcripts do not accurately disclose this
23 fact.
24
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1 174.) Bates failed to inform me of the specific facts and circumstances of the sexual
2 battery charge prior to trial. Had I been informed of the nature and cause of this charge, I would
3 have compelled the witness of my children, Seth and Hannah who were present.
4

5 175.) Despite my request and demand, Bates refused to compel the following witnesses
6 and failed to provide explanation or grounds in support of his unilateral decision: Jonathan Pitts,
7 Lewis County Constable, - Witness to perjury and false allegations of Rebecca in Case No.
8 17-5274-CR; Richard Cortez, - witness to perjury and false allegations of Rebecca in Case No.
9 17-5274-CR; Detective Johnny Davis, Hickman County Sheriff's Office, - Provided with serial
10 number of lower receiver, and character witness, witness to criminal investigation of Seaborn,
11 Cornelius and Balmez; Dillion DeAmante,- Possessed personal first-hand knowledge of the
12 lower receiver; Dr. Ali Muneer, Amen Clinic - initial diagnosing physician of my traumatic
13 brain injury TBI; Nurse Becky, Hickman County Jail, - Witness to prescription withdrawal;
14 Marshall Fife, Centerstone Provider - relevant to over prescription of medications; All treating
15 physicians Perry County Walk-in Clinic - Possessed medical records and knowledge of my
16 treatment history.
17

18
19
20 176.) I have reason to believe and do believe that my enumerated and protected right to
21 compulsory process for obtaining witnesses in my favor, as guaranteed by the Sixth Amendment
22 to the U.S. Constitution and Article 1, Section 9 of the Tennessee State Constitution, was
23 violated due to Bates ineffective assistance of counsel and refusal to obtain witnesses.
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1 177.) I have reason to believe that Bates simultaneous representation of Rebecca in a
2 Domestic Violence in 2019 while concurrently representing me in Case No. 17-5274-CR
3 constituted professional misconduct, violating his professional duty. This dual representation
4 created a conflict of interest, undermining his loyalty to my defense, weakening his advocacy,
5 and disqualifying him from legal representation in Case No.s 19-5081-CR, 19-5144-CR and
6 21-5100-CR. Rebecca and I were both witnesses for State of Tennessee, against one another, in
7 her Domestic Violence charge and in 17-5274-CR.
8

9
10 178.) I have reason to believe that Bates Conflict of Interest violated my enumerated and
11 constitutionally protected right to effective assistance of counsel. The right to counsel as
12 protected by, the Sixth Amendment to the U.S. Constitution and Article I, Section 9 of the
13 Tennessee State Constitution, requires conflict-free counsel. This conflict compromised my
14 ability to have a fair and impartial hearing.
15

16 179.) Bates failed to provide effective legal counsel by neglecting to, a) promptly notify
17 me that he was not qualified to represent me due to his previous representation of Rebecca; b)
18 zealously defend me; c) consider and present my proof; d) file motions to suppress unlawfully
19 obtained evidence; e) challenge and strike perjured testimony; and f) compel the production of
20 witnesses and evidence in support of my defense. g) impeach.
21

22 180.) I was acquitted of the vandalism charge in Case No. 21-5100-CR, however, I have
23 reason to believe and do believe that Bates failed to disclose to the court or introduce into
24 evidence that Balmez, Cornelius, and Seaborn were known suspects in ongoing criminal
25 investigations in Hickman County, Tennessee, and that Balmez and Cornelius were under
26 investigation at the time they made allegations to Perry County Sheriff, Nick Weems in relation
27
28

1 to the vandalism case 21-5100-CR and secured the interest and cooperation of Officer Carroll in
2 case 19-5081-CR. The reckless endangerment of CJ Cornelius was dropped.
3

4
5 181.) During cross-examination of Cornelius and Balmez, Bates used vague and
6 prejudicial language such as "drug deal" and "dope venture," which lacked evidentiary
7 foundation and improperly implicated me without the context that they were under criminal
8 investigation. See VOLUME I OF II OF BENCH TRIAL TRANSCRIPTS HELD JULY 28,
9 2022 AND JULY 29, 2022,, Page 58, line 21 and 23; Page 60, line 25; Page 61, line 23; Page 62,
10 line 14. Also see, Page 75, line 23; Page 77, line 16; Page 83, line 1; Page 84, line 10 and 16. At
11 Page 60, line 3 and 4, I believe, Cornelius attempts to explain that he and Seaborn were under
12 investigation however, Bates interrupts and prevents Cornelius from expounding.
13

14 182.) Under the advisement of Bates, I entered a guilty plea to Criminal Impersonation
15 times 3 and Criminal Impersonation of Law Enforcement in exchange for prosecutorial and
16 judicial leniency regarding the Especially Aggravated Kidnapping charge. However, Bates failed
17 to inform me the charge was inapplicable to a lawfully exercised father-son relationship.
18 Accordingly, I revoke and rescind my signature in agreement to plea.
19

20 183.) I believe Joseph Wolford hereinafter Wolford was solicited to testify against me for
21 criminal impersonation. I believe Bates had a longstanding relationship with the Wolford Family
22 and simultaneously represented Wolford in a DUI charge in Perry County, Tennessee creating
23 another conflict of interest for Bates, causing Bates to further pressure me to plead guilty to
24 criminal impersonation.
25
26
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1 184.) I observed that Bates allowed the prosecution to assert that Balmez and Cornelius
2 reported their allegations in another county without objecting or clarifying the strategic motive
3 behind their jurisdictional choice to engage Perry County rather than Hickman County. See Bond
4 Hearing when available. See VOLUME I OF II OF BENCH TRIAL TRANSCRIPTS HELD
5 JULY 28, 2022 AND JULY 29, 2022, Page 39, line 25 and others. Based on the totality of
6 conduct, I believe Bates either negligently failed to develop essential facts or acted in collusion
7 with the prosecution, resulting in ineffective assistance of counsel.
8

9
10 185.) I was convicted of the remaining charges. However I maintain my innocence of all
11 counts, except the destruction of Rebecca's cell phone, which was committed in response to her
12 expressed intent to cause harm. I admit this damage and my duty to restore her phone.
13

14 186.) Judge Spitzer sentenced me to 47 years of incarceration in spite of the fact that no
15 people sustained actual harm or bodily injury during any of the alleged events. I'm only guilty
16 of shooting a cell phone.
17

18 RODGER WAYNICK - SENTENCING HEARING
19

20 187.) Following the trial, I formally requested that Bates withdraw as counsel due to his
21 failure to adequately prepare for my defense. I subsequently hired Waynick. However, I firmly
22 believe a fundamental miscarriage of justice transpired, one that was conclusive and beyond
23 rectification until full review .
24
25
26
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28

1 188.) I have reason to believe and do believe my mother reported Bates conflict of
2 Interest regarding Rebecca, to Waynick and he had a professional and ethical duty to disclose
3 and report the misconduct.
4

5 189.) I have reason to believe and do believe that Waynick was specifically requested to
6 obtain a statement from Dennis Jones in regard to the misconduct and conflict of interest
7 engaged in by Bates, and he refused to do so.
8

9
10 AFTER TRIAL DISCOVERY
11

12 190.) After trial, I discovered that Case No. 17-5274-CR was expunged without my
13 knowledge or consent on October 8, 2020 through the coordinated actions of attorney Douglas
14 Bates, Assistant District Attorney Stacey B. Edmonson, and Judge Michael Spitzer. This
15 undisclosed expungement effectively suppressed material exculpatory evidence, including
16 documented perjury by Rebecca, which had direct bearing on my defense. Both Edmonson and
17 Bates had an affirmative legal duty to disclose this evidence on the record but failed to do so,
18 violating their constitutional and ethical obligations. The concealment of this expungement
19 obstructed my right to challenge the veracity of the prosecution's case and to seek appropriate
20 remedies based on knowingly false testimony.
21

22 191.) As the designated records custodian for Case No. 17-5274-CR, Bates continues to
23 unlawfully withhold my case file, in direct violation of the Tenn. R. Sup. Ct. 1.16 (d)(4)(5) and
24 Article 1, Section 9 of the Tennessee State Constitution, thereby denying me critical documents
25 necessary for my defense and post-conviction relief.
26
27
28

1 192.) Following the trial, I discovered David T. Anderson served as the judicially
2 appointed grand jury foreman in the indictments for Case No.s 17-5274-CR; 19-5081-CR;
3 19-5144-CR; 21-5100-CR. Anderson is a known family associate of my estranged Seaborn
4 in-laws, raising significant questions of conflict of interest and right to an impartial accusing
5 body, as enumerated and protected by the Sixth Amendment to the U.S. Constitution and Article
6 1, Section 9, of the Tennessee State Constitution. I was denied any opportunity to examine and
7 to challenge the charging instrument and did not waive this constitutionally protected right.
8

9
10 193.) I hereby must in good conscience, rescind and revoke my signatures demanded and
11 requested of me by the State of Tennessee, its Court and all of its representatives, including my
12 counsel as Officers of the Court, from August 8, 2019 to the present on grounds that they were
13 obtained through fraud, duress and coercion. I expressly reserve all rights, without prejudice, and
14 assert that any prior waivers or concessions were made under undue influence and are therefore
15 legally void, In Sui Juris, nunc pro tunc.
16

17 This declaration is made based on my direct knowledge and experiences related to the
18 matters described herein. I am no expert in the law however I do know right from wrong. If there
19 is any human being damaged by any statements herein, if he will inform me by facts, I will
20 sincerely make every effort to amend my ways that the truth may be ascertained. I hereby and
21 herein reserve the right to amend this document, as necessary, that the truth may be ascertained
22 and the proceedings justly determined, and further;
23

24 If the parties given notice by means of this document have information that would
25 controvert and overcome this affidavit, please advise me in written affidavit form within 30 days
26 from receipt hereof. Provide me with your counter affidavit proving with particularity, stating all
27
28

request actual evidentiary facts and all requisite actual law and not merely the ultimate facts or conclusions of law, that this affidavit statement is substantially and materially false, sufficiently to change materially my status and factual declarations. Your silence stands as consent to and tacit approval of the factual declarations herein being established as fact as a matter of law.

EXHIBITS #A THROUGH EXHIBIT #Q AS ER 103(2)
OFFERS OF PROOF 1-18

The defendant hereby adopts and incorporates by reference the following pending EXHIBITS #A THROUGH EXHIBIT #Q as OFFERS OF PROOF pursuant to Tennessee Rules of Evidence RULE 103(a)(1)(2) as though fully stated herein as required by Tennessee Rules of Evidence RULE 10.04.

1) EXHIBIT #A AS RULE 103 OFFER OF PROOF NO. 1: PRIVATE FAMILY AND SPORTSMANSHIP PHOTOS, in support of responsive 2nd Amendment ownership, 4 PAGES;

2) EXHIBIT #B AS RULE 103 OFFER OF PROOF NO. 2: MOTION OF ADD JOHN SEABORN, REGARDING REBECCA'S FALSE STATEMENTS in 17-5274-CR, 4 PAGES;

3) EXHIBIT #C AS RULE 103 OFFER OF PROOF NO. 3: EXPUNGEMENT ORDER, Signed by Stacey B. Edmonson, Douglas T. Bates IV and Michael E. Spitzer, 2 PAGES;

4) EXHIBIT #D AS RULE 103 OFFER OF PROOF NO. 4: AFFIDAVIT OF JANET AMICK, FALSE WITNESS OF MANNY BALMEZ, 8 PAGES;

5) EXHIBIT #E AS RULE 103 OFFER OF PROOF NO. 5: DONALD L BOYD JR., AFFIDAVIT of CONVERSATION WITH JOHNNY DAVIS, HICKMAN COUNTY SHERIFF'S OFFICE confirming investigation of Balmez and Cornelius, 5 PAGES;

6) EXHIBIT #F AS RULE 103 OFFER OF PROOF NO. 6: CERTIFIED ACKNOWLEDGMENT OF DANA NICHOLSON, CLERK OF COURT – NO NOTICE OF APPEARANCE OF MICHAEL FLANAGAN, 5 PAGES;

7) EXHIBIT #G AS RULE 103 OFFER OF PROOF NO. 7: LETTER FROM STACEY B. EDMONSON – NO AFFIDAVITS OF COMPLAINT IN 19-5081-CR, 1 PAGE;

1 8) EXHIBIT #H AS 103 OFFER OF PROOF NO. 8: EMAIL FROM TIM
2 WILLS CONFIRMING NON-REPRESENTATION, 1 Page;

3 9) EXHIBIT #I AS 103 OFFER OF PROOF NO. 9: AFFIDAVIT OF JANET
4 AMICK REGARDING LETTER DICTATED BY SETH AMICK TO MATTHEW AMICK, 7
5 Pages;

6 10) EXHIBIT #J AS 103 OFFER OF PROOF NO. 10: EMAIL OF BATES,
7 ADMISSION of QUESTIONABLE SEARCH WARRANT VALIDITY, 1 Page;

8 11) EXHIBIT #K AS 103 OFFER OF PROOF NO. 11: AFFIDAVIT OF KAREY
9 AMICK 404 E. KELLY RD., LOCATION OF MOTORHOME BUS REGARDING SEARCH,
10 2 Pages;

11 12) EXHIBIT #L AS 103 OFFER OF PROOF NO. 12: AFFIDAVIT OF
12 DENNIS JONES, ASSESSMENT OF BATES BIAS BEFORE HIRE, 3 Pages;

13 13) EXHIBIT #M AS 103 OFFER OF PROOF NO. 13: TEXT MESSAGES
14 AND PHOTOS BETWEEN BATES AND MATTHEW AMICK, REBECCA'S DOMESTIC
15 ASSAULT OF MATTHEW, BATES ASSISTANCE WITH DISPOSAL, 19 Pages;

16 14) EXHIBIT #N AS 103 OFFER OF PROOF NO. 14: PHOTOS AND
17 MESSAGES WITH GRAND JURY FOREMAN ANDERSON. 12 Pages;

18 15) EXHIBIT #O AS 103 OFFER OF PROOF NO. 15: LETTERS AND
19 EMAILS OF MICHEAL FLANAGAN, 39 Pages;

20 16) EXHIBIT #P AS 103 OFFER OF PROOF NO. 16 AFFIDAVIT OF JANET
21 AMICK, BATES COURT APPEARANCE FOR REBECCA 10 Pages;

22 17) EXHIBIT #Q AS 103 OFFER OF PROOF NO. 17 PUBLIC NOTICE AND
23 DEMAND – Offer to REMEDY ALL CLAIMS, Published FOR 3 CONSECUTIVE WEEKS IN
24 HICKMAN, LEWIS PERRY COUNTIES, 5 Pages;

25 18) EXHIBIT #R AS 103 OFFER OF PROOF NO. 18 RULE 24(C) BOND
26 HEARING TRANSCRIPTS (partial) and DECLARATION, 18 Pages;

27 The defendant respectfully provides this affidavit in support of his previously filed
28 Amended Petition for Post-Conviction Relief pursuant to Tennessee Code Title 40, Criminal
Procedure § 40-30-105; Tenn. R. Crim. P. 29; Tenn. R. Crim. P. 33, 34, 35, or 36; Tenn. R. Crim.
P. 37(b)(2); and further submits this Affidavit in support of said Motion requesting a

new trial for the following Court Case Cause Numbers: 21-5100-CR; 19-5081-CR; 19-5144-CR;
and 17-5274-CR.

By the will of our heavenly father above and through the power, authority and blood of his
son Jesus Christ, may it be done on earth as it is in heaven.

Further, Affiant sayeth naught.

Matthew Amick

Matthew Amick – Print Name

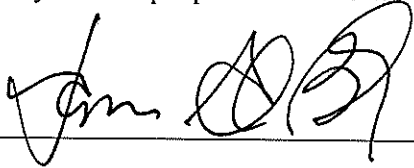
Matthew Amick

Matthew Amick – Sign Name

Dated this 9th day of June, A.D. 2025

I, Notary Public at Large, certify that before me Matthew Amick the undersigned Citizen
personally appeared and proved to me on the basis of satisfactory evidence to be the Citizen who

1 subscribed, sworn & affixed his full name to this . . . "AFFIDAVIT IN SUPPORT OF THE
2 AMENDED PETITION FOR POST CONVICTION RELIEF AND MOTION FOR NEW
3 TRIAL" . . . by his signature above, and acknowledge that the signing was done freely and
4 voluntarily for the purposes mentioned in this instrument this 9 day of ^{JUNE}~~May~~, A.D. 2025.

5
6 
7

8 Signature of Notary

9
10 Print name here: James A. Bailey

11 NOTARY PUBLIC in and for the State of

12 Tennessee, residing at: Whitville Correctional Facility

13 County of Hardeman

14 My Commission Expires: April 7, 2029

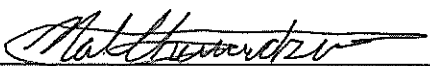


STATE OF TENNESSEE, Plaintiff v. Matthew Amick, Defendant in Circuit Court of Hickman County at Centerville, Tennessee Cause No: 21-5100-CR, 19-5081-CR, 19-5144-CR AND 17-5274-CR.

EXHIBIT #A AS RULE 103(a)(1)(2)

OFFER OF PROOF NO. 1

“PRIVATE FAMILY AND SPORTSMANSHIP PHOTOS, in support of responsible 2nd Amendment ownership” - 4 PAGES

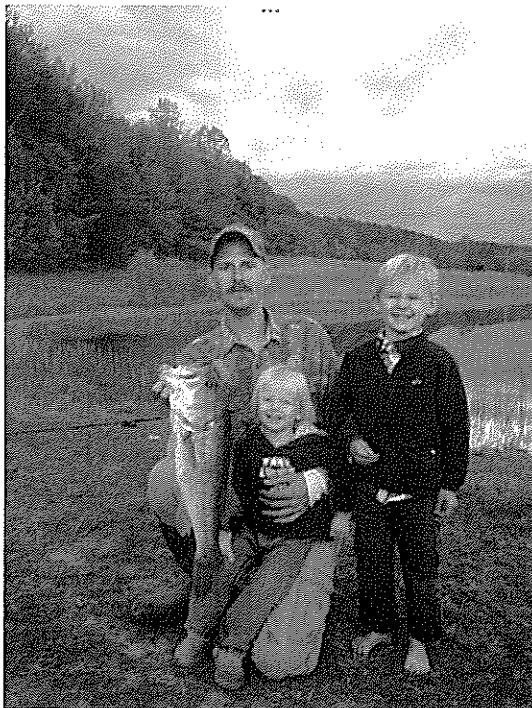
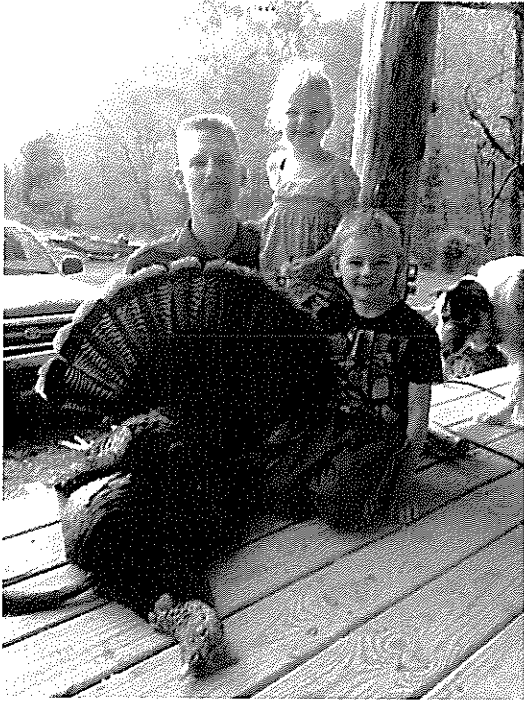

Matthew Amick

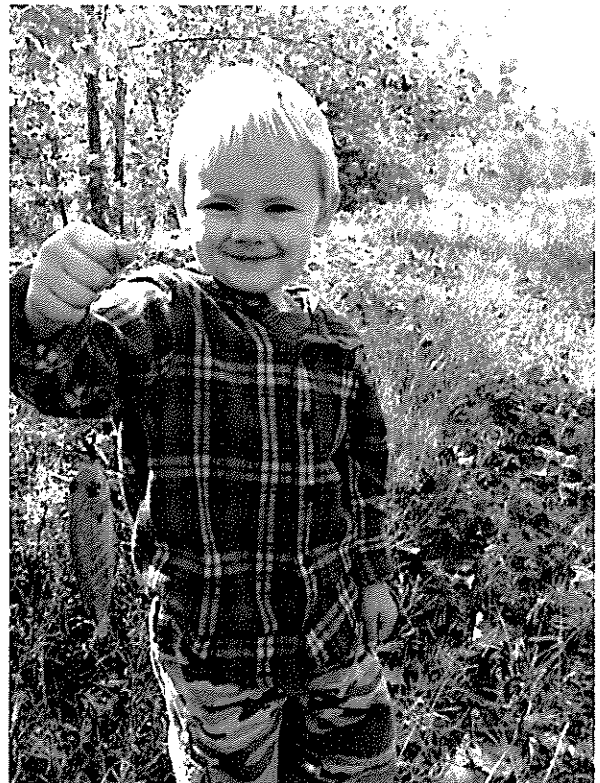
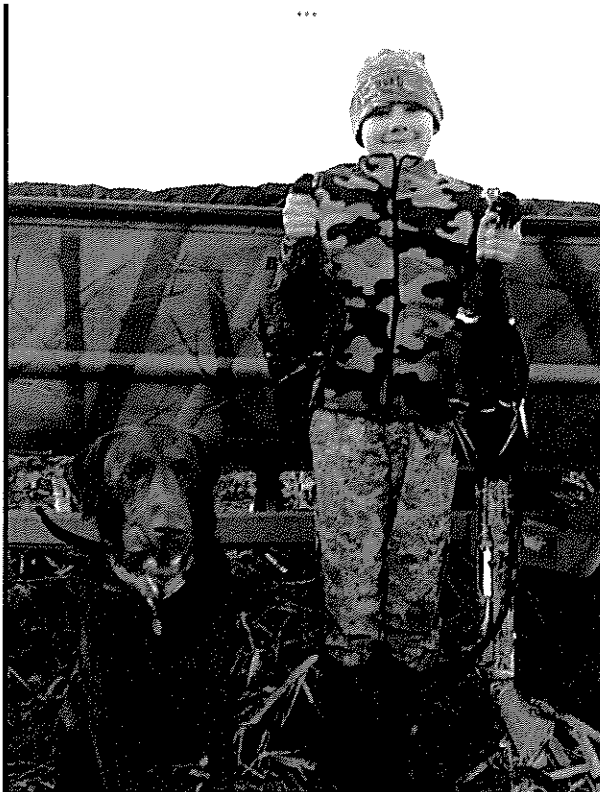
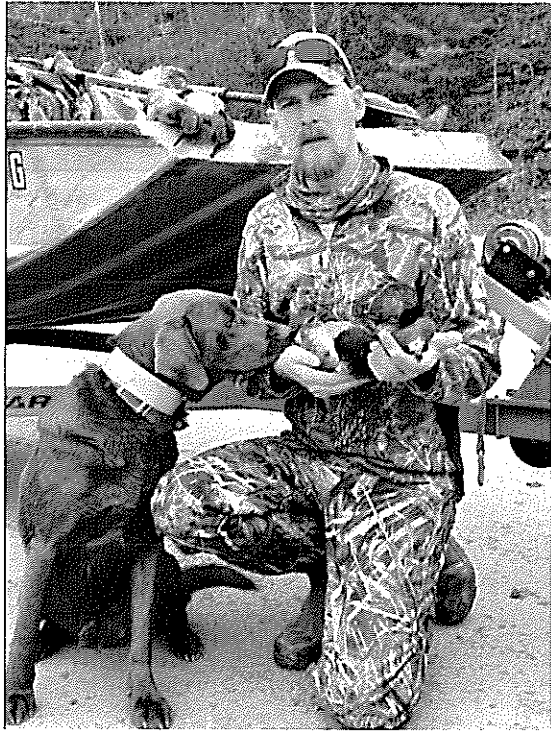
Dated this 15 day of July, A.D. 2025

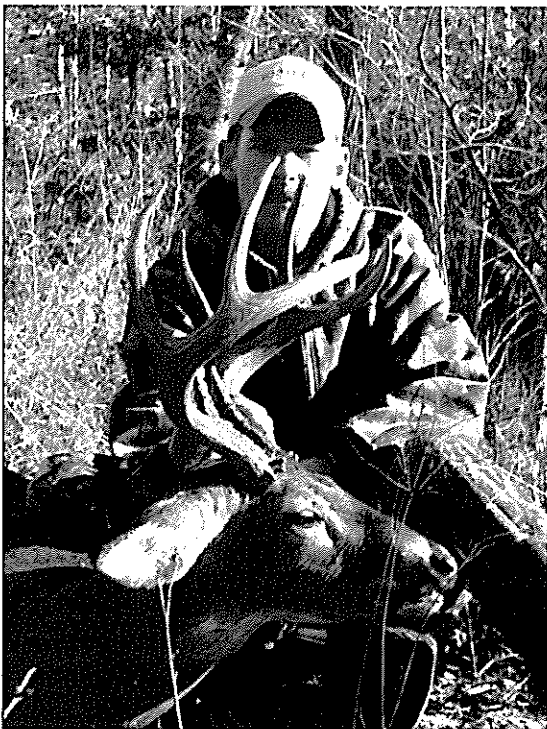
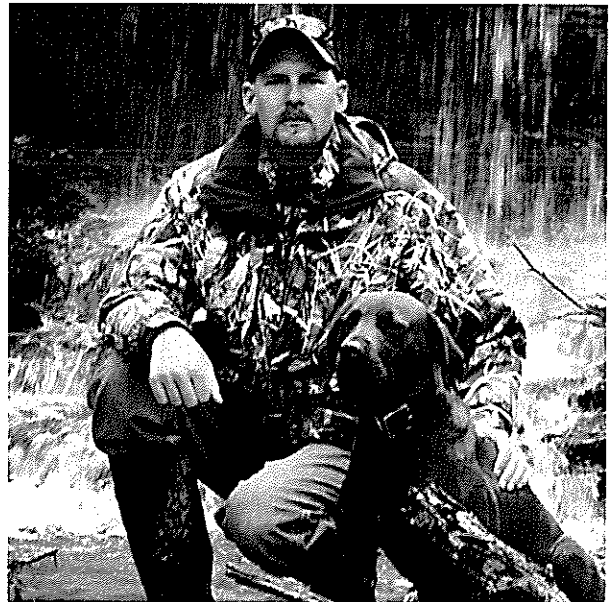
_____, TSBA # 32498
Amanda J. Gentry

Dated this _____ day of _____, A.D. 2025

(Signature of Assigned Counsel Amanda J. Gentry is Required).









**IN THE CHANCERY COURT OF HICKMAN COUNTY
AT CENTERVILLE, TENNESSEE**

**MATTHEW JAMES AMICK
PLAINTIFF**

VS.

**REBECCA ASHTON AMICK
DEFENDANT**

|
|
|
|
|
|
|

NO. 17-CV-6092

FILED

AM AUG 11 2017 PM

ELIZABETH HAIN OW, CLERK & MASTER
BY *Elizabeth Hain*

**MOTION TO ADD JOHN SEABORN AS A PARTY
and to BIND HIM TO STATUTORY INJUNCTION**

Comes now the Husband, by and through Counsel, and moves the Court to add pursuant to Rule 19 of the Rules of Civil Procedure and ask that he be joined as a party to this litigation. For cause, the Father would show unto the Court:

1. The situation as alleged is well known to the Court. The Father and Mother were both drunk one night in May. According to the Mother, a gun was pulled and she felt scared. At no time were the children in fear of any harm whatsoever. The alleged facts, if true, present a situation attributed to alcohol and a concussion.
2. The Mother's testimony at a preliminary hearing presented an acknowledged falsehood.
3. The Mother's testimony also revealed pressure from her extended family to press charges in the criminal case.
4. It is now been revealed that the source of Mother's actions in this divorce is all attributed to John Seaborn, her father. He presents a dangerous situation to the Court if he has continued involvement with the minor children.

5. Contemporaneous to this motion to add John Seaborn as a party is a motion to prohibit him from having any contact whatsoever with the minor children. That motion speaks for itself and is incorporated by reference herein.
6. In the absence of Mr. Seaborn being party to the litigation, complete relief cannot be afforded to the Father Matthew Amick and his request of what is in the best interest of the minor children.
7. Pursuant to T.C.A. 36-4-106(d)(7), the Father would further request that the statutory injunction be applied to Mr. John Seaborn insofar as prohibiting him from harassing, stalking, other otherwise intimidating the parties in this case.

WHEREFORE, PREMISES CONSIDERED, the Father prays upon the Court to join Mr. John Seaborn as a party to this litigation.

RESPECTFULLY SUBMITTED:



DOUGLAS THOMPSON BATES, IV (027089)
ATTORNEY MATTHEW AMICK
406 W. PUBLIC SQ., 2ND FLOOR BATES BUILDING
P.O. BOX 1
CENTERVILLE, TN 37033
PHONE: 931-729-4085

NOTICE

THIS MOTION IS SET TO BE HEARD ON AUGUST 23RD, 2017 9:00 A.

M. ON THE HICKMAN COUNTY CHANCERY COURT MOTION DOCKET HEARD AT THE CENTERVILLE JUSTICE CENTER. IF NO WRITTEN RESPONSE TO THIS MOTION IS FILED AND SERVED IN THE TIME SET BY THE LOCAL RULES OF PRACTICE, THE MOTION MAY BE GRANTED WITHOUT A HEARING.

CERTIFICATE OF SERVICE

The undersigned certifies that he has sent a true and correct copy of the following to the person(s) listed below on this 9 day of August, 2017 in compliance with the Tennessee Rules of Civil Procedure.

Kirk Vandivort
Reynolds, Potter, Ragan & Vandivort, PLC
210 East College Street
Dickson, TN 37055

by the following indicated method(s), in compliance with the requirements of Tenn. Rules of Civil Procedure 5 and/or 5A.

- ☒ U.S.P.S., first-class postage pre-paid
- ☐ Via Fax
- ☐ Hand delivery to the address(es) shown above
- ☐ Via Email
- ☐ Certified Mail, Return Receipt Requested
- ☐ Private Process Server



DOUGLAS THOMPSON BATES, IV

Chancery Court
Hickman County
Centerville,
Tennessee

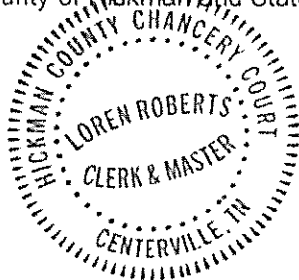
EXEMPLIFICATION
Of
COURT RECORDS

Case Number
17-CV-6092

DIVORCE

I, Loren Roberts, Clerk and Master of the Chancery Court of Hickman County, Tennessee, do hereby certify that the foregoing annexed copies of Motion to Add John Seaborn as a Party and to Bind Him to Statutory Injunction are true, correct and complete copies as appear of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Court as aforesaid, in the County of Hickman and State of Tennessee, this 11th day of December, 2024.



A handwritten signature of Loren Roberts in black ink.

Loren Roberts, Clerk and Master of the
Chancery Court

I, Michael E. Spitzer, Judge of the 32nd Judicial District of the State of Tennessee, embracing the county of Hickman, so certify that Loren Roberts, who has signed the foregoing certificate, is, and was the time of same, Clerk of said Court, duly appointed and qualified, that all her official acts as such are entitled to full faith and credit, and that the foregoing attestation is in due form of law.

IN TESTIMONY WHEREOF, I have hereunto set my hand in the County of Hickman and State of Tennessee, this 11th day of December, 2024.

A handwritten signature of Michael E. Spitzer in black ink.

Michael E. Spitzer, Judge, Chancery Court

I, Loren Roberts, Clerk and Master of Hickman County, State of Tennessee, certify that Michael E. Spitzer, whose name is subscribed to the foregoing annexed certificate is the Judge over the Chancery Court of said 32nd Judicial District, including Hickman County, duly elected and qualified, and that the signature of said Judge to the certificate is genuine.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Court as aforesaid, in the County of Hickman and State of Tennessee, this 11 day of December, 2024.



A handwritten signature of Loren Roberts in black ink.

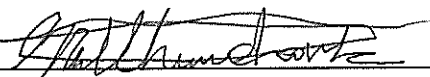
Loren Roberts, Clerk and Master of the
Chancery Court

STATE OF TENNESSEE, Plaintiff v. Matthew Amick, Defendant in Circuit Court of Hickman County at Centerville, Tennessee Cause No: 19-5081-CR, 19-5144-CR, 21-5100-CR AND 17-5274-CR.

EXHIBIT # C AS RULE 103(a)(1)(2)

OFFER OF PROOF NO. 3

“EXPUNGEMENT ORDER of 17-5274-CR, Signed by Stacey B. Edmonson, Douglas T. Bates IV, Michael Spitzer” – 2 Pages


Matthew Amick

Dated this 15 day of July, A.D. 2025

_____, TSBA # 32498
Amanda J. Gentry

Dated this _____ day of _____, A.D. 2025

(Signature of Assigned Counsel Amanda J. Gentry is Required).

(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 Matthew Amick Circuit Docket Number 17-5274 CR
Date Original Case was filed in Clerk's Office 5-25-17 General Sessions Docket Number 17-CR-1361 + 1360
In the Circuit Court of Hickman County, Tennessee at Centerville
On the Motion or Petition of _____ Defendant/Arrest Information:

Matthew James Amick W M 7/28/86
Defendant (name used at time of arrest) Race Sex Date of Birth
Hickman County Sheriff's Office 6-10-17
Arresting Agency Date of Arrest
aggravated assault OCAN
Charge 1 (As shown on arrest fingerprint card) 409-69-6189
aggravated assault SNH
Charge 2 (As shown on arrest fingerprint card) _____
Charge 3 (As shown on arrest fingerprint card) _____

Disposition Information:

aggravated assault
Final Charge 1
Final Charge 2 _____
Final Charge 3 _____
Dismissed
Final Disposition
Diversion Date (if applicable) _____

FILED
OCT 09 2020
10:00 am
Marta Nicholson, Circuit Court Clerk
by _____

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:	Provisions relating to Juveniles:
☒ Charge has been dismissed (T.C.A. § 40-32-101)	☐ Petition alleging delinquency not filed (T.C.A. § 37-1-155)
☐ No true bill returned by Grand Jury (T.C.A. § 40-32-101)	☐ 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)
☐ Verdict of not guilty returned by jury (T.C.A. § 40-32-101)	☐ Adjudicated not to be a delinquent child (T.C.A. § 37-1-155)
☐ Conviction which has by appeal been reversed (T.C.A. § 40-32-101)	☐ 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)
☐ Nolle Prosequi entered in case (T.C.A. § 40-32-101)	☐ 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(c)(3)
☐ 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	

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

<u>DETZ</u> Defendant/Attorney for Defendant <u>[Signature]</u> District Attorney General	Entered this <u>8th</u> day of <u>October</u>, 20<u>20</u> <u>[Signature]</u> Judge
---	--

Form EX-1 (Rev. 2003)

STATE OF TENNESSEE, Plaintiff v. Matthew Amick, Defendant in Circuit Court of Hickman County at Centerville, Tennessee Cause No: 19-5081-CR, 19-5144-CR, 21-5100-CR AND 17-5274-CR.

EXHIBIT # D AS RULE 103(a)(1)(2)

OFFER OF PROOF NO. 4

“AFFIDAVIT OF JANET AMICK, FALSE WITNESS
OF MANNY BALMEZ” – 8 Pages


Matthew Amick

Dated this 15 day of July, A.D. 2025

_____, TSBA # 32498
Amanda J. Gentry

Dated this _____ day of _____, A.D. 2025

(Signature of Assigned Counsel Amanda J. Gentry is Required).

Affidavit of Fact

Notice to agent is notice to principal; Notice to principal is notice to agent

I, Janet Amick, am a non-legal entity and a Tennessean of the freely associated state. I explicitly reserve all of my rights as recorded and acknowledged under the Ninth and Tenth Amendments of the Constitution of the United States of America and the Tennessee State Constitution. I am over twenty one and of sound mind, make this affidavit because the facts set forth in this affidavit are within my own personal knowledge, except as to those matters which are stated on information and belief, and as to those matters, I believe it to be true. I affirm under penalty of perjury the following:

- 1) I obtained a copy of a handwritten document labeled "Perry County Sheriff's Office, Recorded or Written Statement of: Emanuel Nutu Balmez" hereinafter the statement and Manny's statement, from Clerk of Court, Dana Nicholson in State of Tennessee v. Matthew Amick, CR-5100 CR, 19-5081-CR, 19-5144-CR, 17-5274-CR, Circuit Court of Hickman County at Centerville, Tennessee. See Enclosure 1, 6 pages.
- 2) I believe the statement was made by my son-in-law, Emanuel Nutu Balmez hereinafter Manny, who is married to my daughter Ashley Amick Balmez.
- 3) I believe Manny's statement was made to initiate a criminal investigation in Perry County, Tennessee of my son, Matthew Amick related to an alleged vandalism in Hickman County, Tennessee in 2019.
- 4) Manny's statement bears no signature, no date, no court file stamp and does not appear to be a sworn or affirmed statement of harm.
- 5) I believe Manny's statement as it relates to me, Janet Amick and "Matthew's mother" was made in reference to an alleged event in 2017.
- 6) On, page 3, paragraph 2, sentence 3, Manny's statement reads "the next morning me, Mike, Becky, my wife Ashley, John Mark Shafer and Matthew's mother went to the Hickman Co. Sheriff's department and reported what happened the night before."
- 7) I am "Matthew's mother" referenced in Manny's statement, the biological mother of Matthew James Amick.
- 8) I affirmatively deny that I "went to" the Hickman Co. Sheriff's Department. I affirmatively deny that I "reported" anything related to Matthew Amick to any law enforcement. I affirmatively deny that I had or have any personal first-hand knowledge of or witnessed what happened "the night before."
- 9) I believe Manny's statement bore false witness of me and bore false representation of my relationship with my son, Matthew Amick.
- 10) I believe that Manny affirmed the same statement of false witness under penalty of perjury in the trial of State of Tennessee v. Matthew Amick, 21-5100-CR, 19-5081-CR, 19-5144-CR, in the Circuit Court of Hickman County at Centerville, Tennessee. See Trial Transcripts, Day 1, Page 83, line 1 and 6.
- 11) I gave notice to Manny of the false witness and requested remedy. I requested he substantiate his claim with proof or acknowledge his error and he remained silent in both instances. I asked Manny to

show cause why I should not sign this Affidavit and he remained silent. Daniel Amick, Alisha Amick, M. Rachel Amick Vick and Isaac Vick and others witnessed.

- 12) It is not affiants intention to harass, intimidate, offend, conspire, blackmail, coerce, or cause anxiety, alarm, or distress. This document is presented with honorable and peaceful intentions that the truth may be ascertained for the benefit of reconciliation, due process of law and a good faith opportunity to state a verified claim with intent that all parties may be made whole, settle and close all matters.

I am no expert in the law however I do know right from wrong. If there is any human being damaged by any statements herein, if he will inform me by facts, I will sincerely make every effort to amend my ways that the truth may be ascertained. I hereby and herein reserve the right to amend this document, as necessary, that the truth may be ascertained and the proceedings justly determined, and further;

If the parties given notice by means of this document have information that would controvert and overcome this affidavit, please advise me in written affidavit form within 30 days from receipt hereof. Provide me with your counter affidavit proving with particularity, stating all request actual evidentiary facts and all requisite actual law and not merely the ultimate facts or conclusions of law, that this affidavit statement is substantially and materially false, sufficiently to change materially my status and factual declarations. Your silence stands as consent to and tacit approval of the factual declarations herein being established as fact as a matter of law.

By the will of our heavenly father above and through the power, authority and blood of his son Jesus Christ, may it be done on earth as it is in heaven.

Further, Affiant says naught.

Janet Amick
Affiant - All Rights Reserved

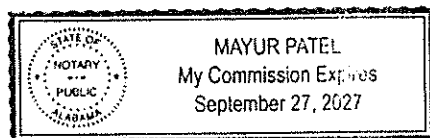
Jurat:

Affirmed and subscribed before me, the 29th day of May 2025 by Mayur Patel. Notary Public in
Lauderdale County, Florence and for State of Alabama.

Printed Name of Notary: Mayur Patel

Notary Signature: Mayur Patel

Notary Stamp or seal:



Perry County Sheriff's Office

Case # _____

Recorded or Written Statement of: (CIRCLE ONE)

NAME: Emanuel Nufu Balmez

ADDRESS: _____

DATE OF BIRTH: _____ SEX: M RACE: white

SOCIAL SECURITY NUMBER: _____ DL #: _____

HOME TELEPHONE NUMBER: same → CELL: _____

EMPLOYED BY: _____

ADDRESS: _____

WORK TELEPHONE NUMBER: _____

OCCUPATION: Manager

LOCATION OF INTERVIEW: _____

DATE OF INTERVIEW: _____ START TIME: _____

STOP TIME: _____

STATEMENT GIVEN TO: _____

INTERVIEWEE INITIALS

LEO INITIALS

STATEMENT CONTINUATION

Written Statement of: Emmanuel ~~Nuta~~ Balmez
[PRINTED NAME OF PERSON PROVIDING STATEMENT]

This is an account of events and interactions regarding Mathew Amick's threats, impersonation of a law authority, and events that lead up to the shop building shooting on the 4th of July 2019.

Dec 2016 - After having a conflict with Mathew, He told me that during the conflict we had which involved me getting several loads of gravel from a different contractor because Mathews equipment was broke down, he said that he had thoughts of killing me. (in Hickman Co.)
- end of April 2017.

Mathew set up a target with a 600 yard range that was pointed directly toward the road that me and my neighbors drive down every day. me, Mathews Brother Daniel, and Mathews mother Janet confronted Mathew at his residence about the extreme danger he was

STATEMENT CONTINUATION

Written Statement on: _____

PRINTED NAME OF PERSON PROVIDING STATEMENT |

posing, Mathew's response was a lot of cussing, he told us to go fuck ourselves and leave his property. He said it was his way of therapy and if we took that away from him, he may end up doing something really bad. (Post Kelly Rd, Centerville TN)

- May 2017.

Mathew held a gun to Becky (His wife at the time) and John Mark Shaffer. When Becky threatened to call the police, Mathew threatened to kill their kids, Seth and Hannah. The next morning me, Mike, Becky, my wife Ashley, John Mark Shaffer and Mathew's mother went to the Hickman Co. Sheriff's department and reported what happened the night before. (at Mathew's residence) Hickman Co.

- October 24th 2018

After Alex's death, (Alex Hart) which took place Oct 22nd, Mathew sent Alex's fiancé a message in which he was attempting to accuse me and

STATEMENT CONTINUATION

Written Statement of: _____

[PRINTED NAME OF PERSON PROVIDING STATEMENT]

Mike Cornelius of alexes death. he said "we need to know the real story about Manny (myself) and mike cornelius, they need to be questioned harder on what happened, shit it's just not adding up with their stories. Please do not let anyone know I have contacted you." I have a picture of this message. (Hickman CO.)

Nov 23rd 2018 (on this occasion, Mathew told me he works for Hickman sheriffs dep. in the coars of our conversation)

rest Kelly
rd)
Hickman
CO.

I stopped at Janet's house (Mathews mother). Mathew walked in and in front of his mother told me that me and mike killed alex hart, He said me and mikes world was going to come down on us and burn. he also expressed anger about a order of protection that that I attempted to get on him becaus of him telling my brother ruben Balmez, Daniel Amick, Ben seaborn, my wife ashley, and Joseph wolford. that he wanted and was planning on killing me. another reason for the order of protection was Mathews

INTERVIEWEE INITIALS

LEO INITIALS

PAGE _____ OF _____ PAGES

STATEMENT CONTINUATION

Written Statement of: _____

[PRINTED NAME OF PERSON PROVIDING STATEMENT]

Neglegent behavior with guns while drinking in my
presance and many others. also the unsafe target incident.

- JUL 4th 2019

After hearing Mathew shooting a Fully automatic
rifle on many occasions starting 3 weeks prior
to the shop shooting, my self, my wife, our
highbors being witnesses of this; and Mathew admitting
to chris Beachy and Mathew Byler (neighbors) that
he had a Fully automatic weapon in his possession,
my shop on Hwy 438 (3082 Hwy 438 centerville, TN)
which Mike Cornelius was and is currently Renting
From me. received 30 rounds of gun fire specifically
aimed at the electrical Pannel and gas tanks
located inside the building. Mathew would have had
prior knowledge of the location of these Items inside
the building. the nighbor across the road said he
heard what soundel like a Fully automatic Firing off
at 9:30-10 PM the night of the 4th. another neighbor

INTERVIEWEE INITIALS

LEO INITIALS

PAGE _____ OF _____ PAGES

STATEMENT CONTINUATION

10

Written Statement of: _____

[PRINTED NAME OF PERSON PROVIDING STATEMENT]

Saw Matthew driving by his house shortly after the shooting. this would be the first time in the 19 years that I have lived in this area that I am aware of anyone shooting a fully automatic weapon. The shooting took place from a bank that is 30' tall directly behind the shop out of site of the shop's security cameras. all evidence leads to a very well planned attack and strategic placement of the bullets fired. By all appearance, the shooter attempted to start a fire and burn the shop and all its contents to the ground. This incident could have also been an attempted murder being that my self and Mike are often at the shop at late hrs working. we both had vehicles parked there that we regularly drive.

INTERVIEWEE INITIALS

LEO INITIALS

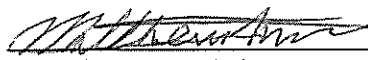
PAGE _____ OF _____ PAGES

STATE OF TENNESSEE, Plaintiff v. Matthew Amick, Defendant in Circuit Court of Hickman County at Centerville, Tennessee Cause No: 19-5081-CR, 19-5144-CR, 21-5100-CR AND 17-5274-CR.

EXHIBIT # E AS RULE 103(a)(1)(2)

OFFER OF PROOF NO. 5

“DONALD L BOYD JR. AFFIDAVIT of
CONVERSATION WITH DETECTIVE JOHNNY DAVIS,
HICKMAN COUNTY SHERIFF’S OFFICE confirming
investigation of Balmez and Cornelius” – 5 Pages


Matthew Amick

Dated this 15 day of July, A.D. 2025

_____, TSBA # 32498
Amanda J. Gentry

Dated this _____ day of _____, A.D. 2025

(Signature of Assigned Counsel Amanda J. Gentry is Required).

AFFIDAVIT

Notice to Principal is Notice to Agent and Notice to Agent is Notice to Principal

I, Donald L. Boyd, Jr, am a non-legal entity and a Tennessean of the freely associated state, the republic of Tennessee being of sound mind and having reached the age of majority, make this affidavit because the facts set forth in this affidavit are within my own personal knowledge, except as to those matters which are stated on information and belief, and as to those matters, I believe it to be true. I explicitly reserve all of my rights as recorded and acknowledged under the Ninth and Tenth Amendments of the Constitution of the United States of America. I affirm under penalty of perjury the following:

PURPOSE OF AFFIDAVIT

The purpose of this affidavit is to state my personal first-hand knowledge of a conversation with Sargent Johnny Davis and officer "Josh "of the Hickman County Sheriff's Office, as this event relates to a criminal allegation of Unauthorized Practice of Law against Janet Amick, hereinafter Janet. Janet is the biological mother of and special power of attorney for her son, Matthew Amick. The allegations of Unauthorized Practice of Law may be related to the case numbers of Matthew Amick in the Circuit Court of Hickman County at Centerville, Tennessee, 17-5274-CR; 19-5081-CR; 19-5144-CR; 21-5100-CR.

STATEMENT OF FACT

- 1) Monday, March 17, 2025 approximately 6:00 pm, I was traveling west on West Kelly Road Pleasantville, Tennessee.
- 2) I noticed what appeared to be a White pick-truck parked on the side of West Kelly Road approximately 300 yards away from my driveway.

- 3) I turned left into my driveway at 325 West Kelly Road Pleasantville, Tennessee and parked my truck.
- 4) I noticed the unmarked white pick-up truck approaching me from the west, pause near the mailbox, pass my front gate and visible posted no trespass signs. The truck appeared to be a privately owned vehicle.
- 5) I parked and immediately exited my pick-up truck and observed the white pick-up truck in my driveway approaching me.
- 6) As the unmarked pick-truck approached me, I observed two men. The passenger wore a full Sheriff's uniform and tactical vest and the driver was wearing a black shirt.
- 7) The driver identified himself as Sargent Johnny Davis of the Hickman County Sheriff's Office (hereinafter Davis) and his passenger as "Josh."
- 8) Davis asked "where is Janet?".
- 9) I stated "she is out of town."
- 10) Davis stated "I have a warrant for her arrest."
- 11) I asked "what is the warrant for?"
- 12) Davis replied "Well, let me look at it. It is for practicing law without a license with a \$25,000 bond. That will cost her about \$2550.00 and she will be in and out in two hours."
- 13) I said "OK."
- 14) Davis stated "I received this package from her. I didn't respond to it." Davis held up an overnight mail envelope.
- 15) Davis stated "Someone took a photo of the note I put on the gate. I thought it might be Daniel but I didn't know."
- 16) I notified Davis that I was aware that he had trespassed on the property on a previous occasion.
- 17) Davis said "It's good to meet you."
- 18) I responded "Well you don't know who I am. I haven't told you who I am yet"

- 19) Davis asserted "Donald Boyd"
- 20) I responded "Well how do you know me"?
- 21) Davis stated that "The District Attorney told me who you are"
- 22) I said "Ok. Why do you have to know my name?"
- 23) Davis stated "Well I need to know who lives here. The first time I came here, I stopped and put my vest on. I didn't know what to expect"
- 24) Davis continued that he recently was in a situation in Coble in which a police informant had endangered himself and another. Davis stated that "Josh" was new to the Sheriff's department, worked part time doing animal control and was learning to serve warrants part time. Davis stated that he himself served warrants "full time."
- 25) Davis offered that he had an investigation in Coble at one time and it had included Michael Cornelius and Manny Balmez.
- 26) Davis continued that he used to go down to Matthew Amick's (hereinafter Matthew) house and do some shooting. Davis stated that Manny Balmez created a conflict of interest for him and indicated that he was no longer able to shoot with Matthew after this.
- 27) Davis additionally related an experience eating out with Matthew in which he became concerned for Matthew's alcohol consumption and traumatic brain injury medication.
- 28) Davis continued that he had been asked why he did not visit Matthew while Matthew was in the Hickman County jail and Davis expressed his belief that Matthew could be perceived as a "snitch" if Matthew's association with Davis were known to other inmates.
- 29) I asked Davis "How did they come to a conclusion with this warrant?" "I said "Can I see it?" and he let me look at the warrant. I noted the warrant was signed by Clerk of Court Dana Nicholson.
- 30) Davis asserted that "The Grand Jury returned an indictment and Judge Spitzer is the one who signed off on it, but it is signed by Dana Nicholson" Davis went on to say Judge Spitzer lived over the hill in Hohenwald.
- 31) I stated "I would tell her when I see her."

32) Davis stated "You can tell her she can call me. She's got my number. I am trying to make this as simple as I can for her. It would be better if she would come in and turn herself in."

33) Davis asked "When will Janet be back?"

34) I replied "I do not know. She does her thing and I do mine. I think she is out of the country on a cruise"

35) Davis responded "I understand" and left.

This declaration is made based on my direct knowledge and experiences related to the matters described herein. I am no expert in the law however I do know right from wrong. If there is any human being damaged by any statements herein, if he will inform me by facts, I will sincerely make every effort to amend my ways that the truth may be ascertained. I hereby and herein reserve the right to amend this document, as necessary, that the truth may be ascertained and the proceedings justly determined, and further;

If the parties given notice by means of this document have information that would controvert and overcome this affidavit, please advise me in written affidavit form within 30 days from receipt hereof. Provide me with your counter affidavit proving with particularity, stating all request actual evidentiary facts and all requisite actual law and not merely the ultimate facts or conclusions of law, that this affidavit statement is substantially and materially false, sufficiently to change materially my status and factual declarations. Your silence stands as consent to and tacit approval of the factual declarations herein being established as fact as a matter of law.

By the will of our heavenly father above and through the power, authority and blood of his son Jesus Christ, may it be done on earth as it is in heaven.

Further, Affiant sayeth naught.

Donald L. Boyd

3.19.25

Affiant, Donald L. Boyd, All Rights Reserved

Date

Jurat:

Sworn to and subscribed before me, the 19th day of MARCH 2025, by, Notary Public in
LA Vergne County, Rutherford and for State of Tennessee

Printed Name of Notary:

Lexie Long

Notary Signature:

[Signature]

Notary Stamp or seal:



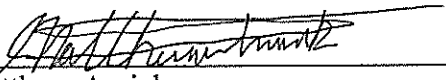
My Commission Expires Apr. 19, 2027

STATE OF TENNESSEE, Plaintiff v. Matthew Amick, Defendant in Circuit Court of Hickman County at Centerville, Tennessee Cause No: 19-5081-CR, 19-5144-CR, 21-5100-CR AND 17-5274-CR.

EXHIBIT # F AS RULE 103(a)(1)(2)

OFFER OF PROOF NO. 5

“Certified Acknowledgement of Dana Nicholson, Clerk of Court - No Notice of Appearance of Michael Flanagan in 19-5081-CR, 19-5144-CR, 21-5100-CR” – 5 Pages


Matthew Amick

Dated this 15 day of JULY, A.D. 2025

_____, TSBA # 32498
Amanda J. Gentry

Dated this _____ day of _____, A.D. 2025

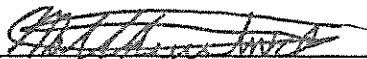
(Signature of Assigned Counsel Amanda J. Gentry is Required).

February 16, 2024

Dear Ms. Nicholson,

Please provide me a certified copy of Michael j. Flanagan's Appearance(s) as Counsel of Record in Cases 21-5100 CR, 19-5081 CR and 19-5144 CR. Please indicate below that you have timely responded to this request.

Kind Regards,


Matthew Amick, Requestor

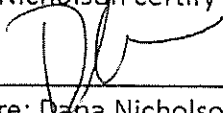
I, Dana Nicholson certify that I have provided the requestor with all three documents requested.

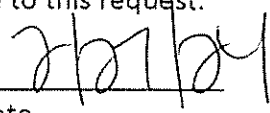
Signature: Dana Nicholson, Clerk of Court

Date

OR

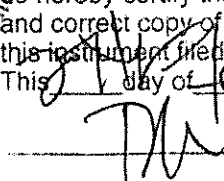
I, Dana Nicholson certify that there are no records responsive to this request.


Signature: Dana Nicholson, Clerk of Court


Date

Court Seal:

STATE OF TENNESSEE, HICKMAN COUNTY
I, the undersigned Circuit Court Clerk,
do hereby certify that this is a true
and correct copy of the original of
this instrument filed in this cause.
This 16 day of Feb, 2024


CIRCUIT COURT CLERK

February 16, 2024

Dear Ms. Nicholson,

Please provide me a certified copy of the **Agreed Order for Substitution of Counsel** by and between Attorney(s) Michael J. Flanagan and Tim Wills in case number 19-5081 CR. Please indicate below that you have timely responded to this request.

Kind Regards,



Matthew Amick, Requestor

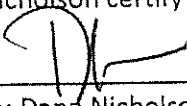
I, Dana Nicholson certify that I have provided the requestor with the document requested.

Signature: Dana Nicholson, Clerk of Court

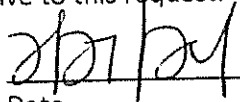
Date

OR

I, Dana Nicholson certify that there are no records responsive to this request.

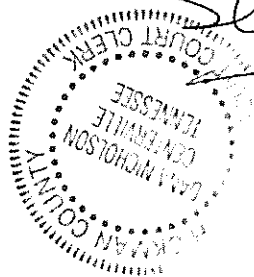


Signature: Dana Nicholson, Clerk of Court

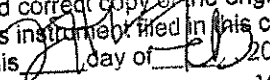


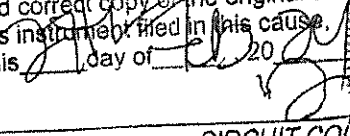
Date

Court Seal:

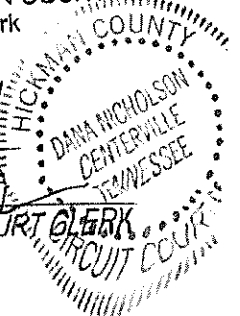


See attached

STATE OF TENNESSEE, HICKMAN COUNTY
I, the undersigned Circuit Court Clerk
do hereby certify that this is a true
and correct copy of the original of
this instrument filed in this cause.
This  day of  20 



CIRCUIT COURT CLERK



IN THE CIRCUIT COURT FOR HICKMAN COUNTY, TENNESSEE
AT CENTERVILLE

STATE OF TENNESSEE,

PLAINTIFF,

VS.

Matthew Amica

DEFENDANT,

CASE NO. 19-5081CR

FILED 8/8/19

Dana N. Johnson
Circuit Court Clerk

ARRAIGNMENT AND SCHEDULING ORDER

The Defendant was arraigned on the 27th day of Aug, 2019, on
the charges contained in the indictment by Counsel, Tim Wills.

The Defendant received a copy of the indictment, waived reading of the indictment
or was read the indictment in open court, entered a plea of not guilty, and was allowed the
appropriate time to file pretrial motions.

The Defendant will be represented by () appointed (X) retained counsel,

Mike Flanagan

☐ The Defendant hereby requests discovery from the State of Tennessee of all
information subject to disclosure pursuant to Rule 16(a) of the Tennessee Rules of Criminal
Procedure. This scheduling order serves as written notice of said formal demand. Agreeing to
this provision does not preclude either party from serving written discovery requests at a later
time if the party deems it necessary.

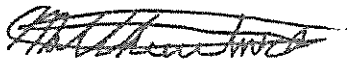
☐ The defense counsel has filed a requisite Motion for Waiver of Arraignment, signed
by the defendant and defendant's counsel, with the Clerk of the court waiving appearance of

February 16, 2024

Dear Ms. Nicholson,

Please provide me a certified copy of the **Agreed Order for Substitution of Counsel** by and between Attorney(s) Michael J. Flanagan and Steve Garner in case number 19-5144 CR. Please indicate below that you have timely responded to this request.

Kind Regards,



Matthew Amick, Requestor

I, Dana Nicholson certify that I have provided the requestor with the document requested.

Signature: Dana Nicholson, Clerk of Court

Date

OR

I, Dana Nicholson certify that there are no records responsive to this request.

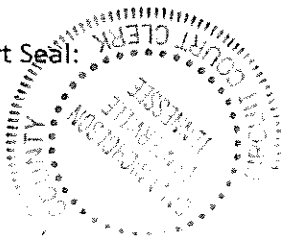


Signature: Dana Nicholson, Clerk of Court

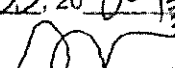
2/21/24
Date

See attached

Court Seal:



STATE OF TENNESSEE, HICKMAN COUNTY
I, the undersigned Circuit Court Clerk
do hereby certify that this is a true
and correct copy of the original of
this instrument filed in this cause.
This 21st day of February, 2024



CIRCUIT COURT CLERK

IN THE CIRCUIT COURT FOR HICKMAN COUNTY, TENNESSEE
AT CENTERVILLE

STATE OF TENNESSEE,

PLAINTIFF,

VS.

Matthew Amick

DEFENDANT,

FILED

10/29 2019
M M

Dana Nicholson
Circuit Court Clerk

CASE NO.

19-5144CR

ARRAIGNMENT AND SCHEDULING ORDER

The Defendant was arraigned on the 29th day of Oct, 2019, on
the charges contained in the indictment by Counsel, Steve Garner.

The Defendant received a copy of the indictment, waived reading of the indictment
or was read the indictment in open court, entered a plea of not guilty, and was allowed the
appropriate time to file pretrial motions.

The Defendant will be represented by ☐ appointed ☒ retained counsel,

Mike Hanagan

☐ The Defendant hereby requests discovery from the State of Tennessee of all
information subject to disclosure pursuant to Rule 16(a) of the Tennessee Rules of Criminal
Procedure. This scheduling order serves as written notice of said formal demand. Agreeing to
this provision does not preclude either party from serving written discovery requests at a later
time if the party deems it necessary.

☐ The defense counsel has filed a requisite Motion for Waiver of Arraignment, signed
by the defendant and defendant's counsel, with the Clerk of the court waiving appearance of

STATE OF TENNESSEE, Plaintiff v. Matthew Amick, Defendant in Circuit Court of Hickman County at Centerville, Tennessee Cause No: 19-5081-CR, 19-5144-CR, 21-5100-CR AND 17-5274-CR.

EXHIBIT # G AS RULE 103(a)(1)(2)

OFFER OF PROOF NO. 7

“LETTER FROM EDMONSON - NO AFFIDAVITS OF COMPLAINT IS 19-5081-CR” – 1 Page


Matthew Amick

Dated this 15 day of July, A.D. 2025

_____, TSBA # 32498
Amanda J. Gentry

Dated this _____ day of _____, A.D. 2025

(Signature of Assigned Counsel Amanda J. Gentry is Required).

Deputy District Attorneys

Sean B. Duddy
Jennifer M. Mason

Senior Assistant District Attorneys

Mary Katharine Ewins
Michael J. Fahey
Christopher Kirke Vernon

Assistant District Attorneys

Ashley M. Abraham
Cooper R. Byers
Kent L. Chitwood
Marc M. Curry
Jennifer K. Dungan
Dale L. Evans
Eden B. Hartman
Carlin C. Hess
Kelly A. Lawrence

Criminal Investigator

Joseph M. Ashmore

STATE OF TENNESSEE
OFFICE OF THE DISTRICT ATTORNEY GENERAL
21ST JUDICIAL DISTRICT
WILLIAMSON COUNTY



STACEY B. EDMONSON
District Attorney General

Administrative Assistant
Terry A. Hornbuckle

Victim/Witness Coordinator
Shannon M. Welch

Deputy Victim/Witness Coordinator
Tina S. Qualls

Assistant Victim/Witness Coordinators
Caleigh M. Harris
Anne Margaret Weishaar
Tiana L. Wells

Criminal Secretaries
Makenzie R. Imman
Ronda R. Wagner
Donnise S. Warf

Grand Jury Coordinator
Chris Riccardi

March 8, 2024

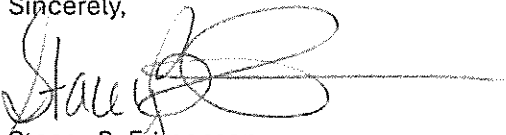
Matthew Amick, Inmate #00643527 c/o Whiteville Correctional Facility
c/o Janet Amick – 445 Hwy 46 S., Ste. 29, #175, Dickson, TN 37055

RE: Notice and Demand to Product All Criminal Affidavits in 19-5081CR, Circuit Criminal Court for
Hickman County at Centerville, Tennessee

Dear Mr. Amick,

I am in receipt of your request as titled above asking for all Affidavits of Complaint in accordance with Tennessee Rules of Criminal Procedure 3(1). While the State of Tennessee submits that your request should be denied because the case is still pending therefore Tennessee Rule of Criminal Procedure 16, Discovery and Inspection¹, applies to the records requested, the State of Tennessee responds to notify that the requested records do not exist. The instant case was a direct presentment to the grand jury and as such no affidavits of complaint as requested were created as the indictment serves as the charging instrument.

Sincerely,


Stacey B. Edmonson
District Attorney General

¹ The Tennessee Supreme Court has stated that records of pending criminal action are to be disclosed pursuant to Rule 16. *Tennessean vs. Metro. Gov't of Nashville*, 485 S.W. 3d 857 (Tenn. 2016)

STATE OF TENNESSEE, Plaintiff v. Matthew Amick, Defendant in Circuit Court of Hickman County at Centerville, Tennessee Cause No: 19-5081-CR, 19-5144-CR, 21-5100-CR AND 17-5274-CR.

EXHIBIT # H AS RULE 103(a)(1)(2)

OFFER OF PROOF NO. 8

“EMAIL FROM TIM WILLS CONFORMING
NON-REPRESENTATION” – 1 Page


Matthew Amick

Dated this 15 day of July, A.D. 2025

_____, TSBA # 32498
Amanda J. Gentry

Dated this _____ day of _____, A.D. 2025

(Signature of Assigned Counsel Amanda J. Gentry is Required).



Janet Amick <janetamick@gmail.com>

Amick Copies

1 message

Tim Wills <Tim.Wills@tn.gov>

Mon, Jul 29, 2024 at 1:41 PM

To: "janetamick@gmail.com" <janetamick@gmail.com>

Ms. Amick,

I received your letter. Unfortunately, I have never been Mr. Amick's counsel, nor do I have access to his file. Therefore, I am unable to provide what you have requested. I suggest you reach out to Mr. Flanagan who may have represented him.

I wish you both the best. Sincerely,

Timothy Wills, Esq.

Assistant Public Defender

21st Judicial District

208 E. Main St.

Franklin, TN 37064

(P) 615-599-9195

(F) 615-790-5524

Tim.Wills@TN.gov

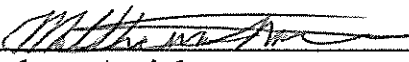
This communication may contain information that is confidential and/or protected by the attorney-client privilege and/or attorney work product doctrine. It is intended for the receipt and use solely by the individual named above. If you are not the intended recipient, you are hereby notified that any disclosure, distribution, copying or taking of any action in reliance on the contents of the electronically transmitted materials is prohibited.

STATE OF TENNESSEE, Plaintiff v. Matthew Amick, Defendant in Circuit Court of Hickman County at Centerville, Tennessee Cause No: 19-5081-CR, 19-5144-CR, 21-5100-CR AND 17-5274-CR.

EXHIBIT # I AS RULE 103(a)(1)(2)

OFFER OF PROOF NO. 9

“AFFIDAVIT OF JANET AMICK REGARDING
LETTER DICTATED BY SETH AMICK to
MATTHEW AMICK” – 7 Pages


Matthew Amick

Dated this 15 day of July, A.D. 2025

_____, TSBA # 32498
Amanda J. Gentry

Dated this _____ day of _____, A.D. 2025

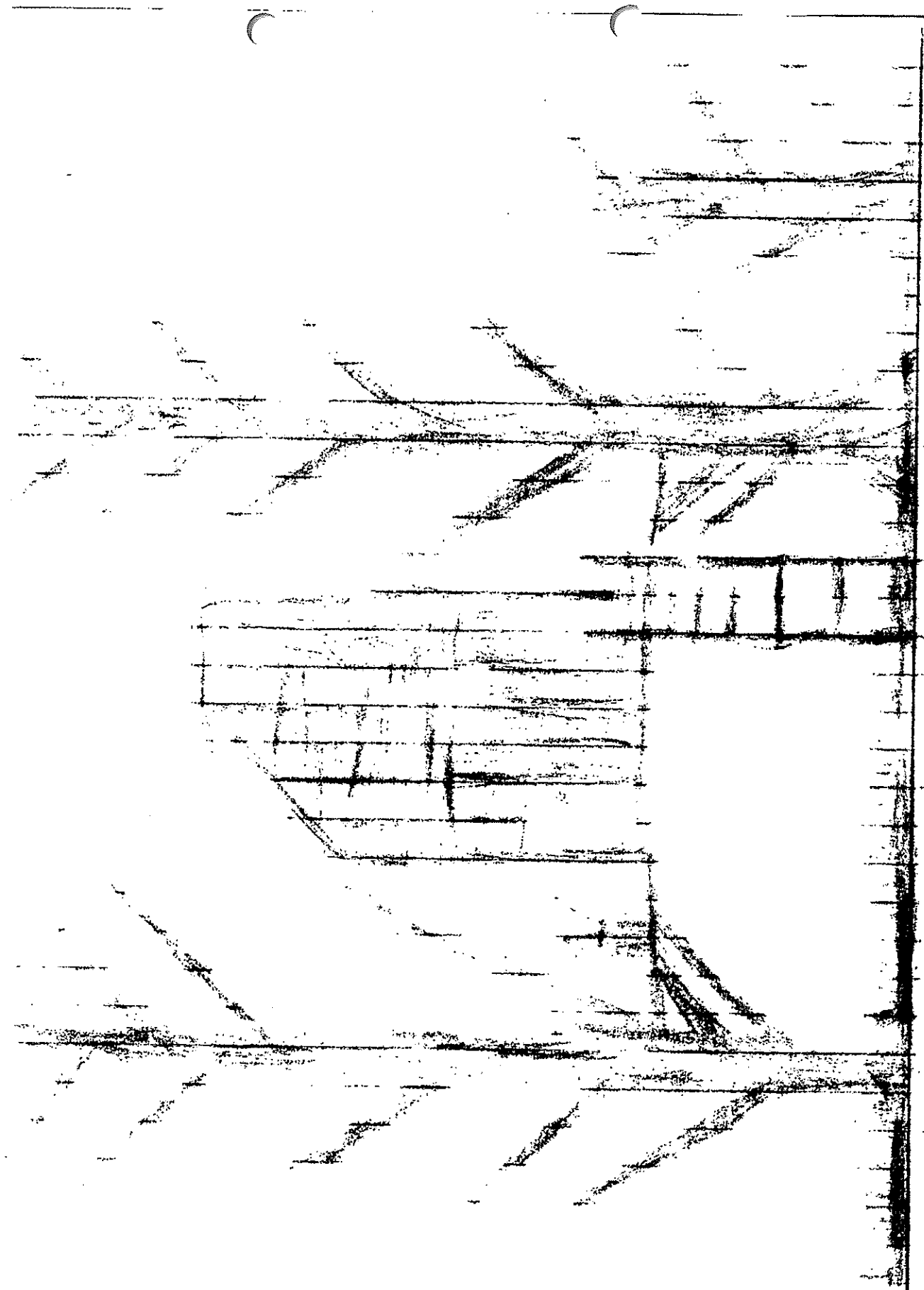
(Signature of Assigned Counsel Amanda J. Gentry is Required).

Hi Dad This is Seth. Rachel has been teaching me to barrel race and I came 8th and 7th the next time, And it was 4th the last time.

Me and Hannah have been playing a lot. And having lots of fun playing at Aunt Julie's and the creek. Dozier Died of Parvo last Sunday. Then on Monday Jack and Duck died. Then on Tuesday the rest of them died except Scoot. He held up the longest. We gave them all kinds of shots and gatoraide. I've been missing you a lot. And Crazy. Me and Hannah love you

a lot. Tommorrow we are going to Pulaski, for Nana to get her treatments and Victoria. Tomorrow we are doing reading work and sometimes I get to help a lot at the clinic. Donnie is going to take me deer hunting sometime in deer season. I can't wait to see you. I caught a pretty big 5 pounder bass the other day in the big pond. Im going to be getting a horse probly in spring. Hannah and I are going on a nature walk day after tomorrow with Remy + Gus. I got a new

Cat from Rachel. His name is Tiger. He looks like a Tiger Kitten. Me and Nana have been looking in photograph albums. I never knew about photograph albums. There is a cedar tree I am going to make a tree house for me and Hannah. We have 3 dogs 2 cats and fixing to be one fish. That's all for now. Me and Hannah love you so much and miss you.



These are the plans for me and Hannah's

AFFIDAVIT

Notice to Principal is Notice to Agent and Notice to Agent is Notice to Principal

I, Janet Amick, of sound mind make this affidavit because the facts set forth in this affidavit are within my own personal knowledge, except as to those matters which are stated on information and belief, and as to those matters, I believe it to be true. I affirm under penalty of perjury the following:

1. I, Janet Amick, am a non-legal entity and a Tennessean of the freely associated state, the republic of Tennessee. I explicitly reserve all of my rights as recorded and acknowledged under the Ninth and Tenth Amendments of the Constitution of the United States of America.
2. The purpose of this Affidavit is to quell and to bar any false conjecture surrounding the letter dictated by Seth James Amick hereinafter Seth, dictated to and transcribed by myself, Janet Amick for and to Seth's father, Matthew James Amick hereinafter Matthew on or about September 22nd, 2019. SEE ENCLOSURE 1, 4 PAGES
3. I am the paternal grandmother of Seth James Amick hereinafter Seth.
4. I am the mother of Matthew James Amick, Seth's father.
5. Seth was 9 and then 10 years old at the time of the events stated herein.
6. In 2019, I kept Seth approximately three (3) days per week assisting his mother Rebecca Ashton Seaborn Amick hereinafter Rebecca and his father Matthew with child care..
7. Seth was a homeschool student.
8. Rebecca and Matthew requested my assistance in instructing Seth in reading, writing, language arts and other subjects and I agreed.
9. Seth's father and my son, Matthew was incarcerated on August 8th, 2019 in Hickman County Tennessee.
10. On or about September 22nd, 2019 I kept Seth.
11. I stated to Seth that I was going to write a letter to his father, Matthew.
12. Seth asked me if he could write a letter to his dad too.
13. Seth was not yet reading or writing.
14. I stated to Seth that he could dictate a letter and I would assist him with the writing of the letter.
15. I described to Seth how he could verbally make his statements and that is called dictation and I can write down his statements and that is called transcription.
16. I explained to Seth that when his father Matthew was young and not yet writing on his own that Matthew would dictate and I would transcribe his stories, letters and written communications.
17. I observed excitement in Seth as he began speaking his letter and I began writing his statements.
18. Seth stated "Hi Dad, This is Seth. Rachel has been teaching me to barrel race and I came 8th and 7th the next time. And it was 4th the last time."
19. I then read the sentences back to Seth and asked "Is this what you want to say?".
20. Seth affirmed to me that the statements were correct.
21. Seth continued "Me and Hannah have been playing a lot. And having lots of fun playing at Aunt Julie's and the creek. Dozier died of parvo last Sunday. Then on Monday Jack and Duck died. Then on Tuesday the rest of them died except Scoot. He held up the longest. We gave them all kinds of shots and Gatorade"

22. Seth stopped and I read the sentences back to Seth.
23. I observed a sad countenance when I read back the sentences relating to the death of the puppies Seth had just related.
24. Seth again confirmed the statements were correct and continued his letter "I've been missing you a lot. And Crazy. Me and Hannah love you a lot. Tomorrow we are going to Pulaski for Nana to get her treatments and Victoria. Tomorrow we are doing reading work and sometimes I get to help a lot at the clinic. Donnie is going to take me deer hunting sometime in deer season. I can't wait to see you. I caught a pretty big 5 pounder bass the other day in the big pond. I'm going to be getting a horse probably in spring. Hannah and I are going on a nature walked day after tomorrow with Remy and Gus."
25. I again stopped as is my habit, to read Seth's statements back to him for the purpose of providing an opportunity to make corrections or changes.
26. Seth concluded his oral dictation "I got a new cat from Rachel. His name is Tiger. He looks like a tiger kitten. Me and Nana have been looking in photograph albums. I never knew about photograph albums. There is a cedar tree. I am going to make a tree house for me and Hannah. We have 3 dogs, 2 cats and fixing to be one (1) fish. That's all for now. Me and Hannah love you so much and miss you."
27. I made several true and correct copies of Seth's letter to Matthew.
28. I kept Seth overnight and the following day.
29. I returned Seth home to Rebecca the following evening and told her that both Seth and I had written letters to Matthew.
30. I stated to Rebecca that Seth asked me if he could write a letter to his dad and I stated that he could and that I would and did assist Seth with his letter.
31. I stated to Rebecca that I believed Seth having an opportunity to express his own thoughts and feelings was healthy and good.
32. I asked Rebecca if she objected to Seth "writing a letter" to his dad, Matthew.
33. Rebecca stated to me that she had no objection and that it was fine to mail Seth's letter to his father, Matthew.
34. I provided a copy of Seth's letter to Matthew to Rebecca and stated this is for you to see what Seth wrote to his dad and also help encourage communication between you and Seth.
35. Rebecca thanked me and I hugged her and Seth and drove away.
36. I mailed my letter and Seth's letter together to Matthew on or about the following day.

This declaration is made based on my direct knowledge and experiences related to the matters described herein. I am no expert in the law however I do know right from wrong. If there is any human being damaged by any statements herein, if he will inform me by facts, I will sincerely make every effort to amend my ways that the truth may be ascertained. I hereby and herein reserve the right to amend this document, as necessary, that the truth may be ascertained and the proceedings justly determined, and further;

If the parties given notice by means of this document have information that would controvert and overcome this affidavit, please advise me in written affidavit form within 30 days from receipt hereof. Provide me with your counter affidavit proving with particularity, stating all request actual evidentiary facts and all requisite actual law and not merely the ultimate facts or conclusions of law, that this affidavit statement is substantially and materially false, sufficiently to change materially my status and factual declarations. Your silence stands as consent to and tacit approval of the factual declarations herein being established as fact as a matter of law.

By the will of our heavenly father above and through the power, authority and blood of his son Jesus Christ, may it be done on earth as it is in heaven.

Further, Affiant sayeth naught.

Janet Amick
Affiant Janet Amick, All Rights Reserved

Jurat:

Sworn to and subscribed before me, the 12 day of July 2024, by, Notary Public in
PERRY County, Tennessee and for State of Tennessee.

Printed Name of Notary: AMANDA HAMM

Notary Signature: Amanda Hamm



exp. 07-26-25

STATE OF TENNESSEE, Plaintiff v. Matthew Amick, Defendant in Circuit Court of Hickman County at Centerville, Tennessee Cause No: 19-5081-CR, 19-5144-CR, 21-5100-CR AND 17-5274-CR.

EXHIBIT # J AS RULE 103(a)(1)(2)

OFFER OF PROOF NO. 10

“EMAIL OF BATES, ADMISSION of
QUESTIONABLE SEARCH
WARRANT VALIDITY” – 1 Page


Matthew Amick

Dated this 15 day of July, A.D. 2025

_____, TSBA # 32498
Amanda J. Gentry

Dated this _____ day of _____, A.D. 2025

(Signature of Assigned Counsel Amanda J. Gentry is Required).



Janet Amick <janetamick@gmail.com>

Question regarding Property

Douglas Bates <dtbates4@bellsouth.net>

Thu, Aug 25, 2022 at 10:53 AM

To: Janet Amick <janetamick@gmail.com>

Cc: Carrie Meehan <carrie_dbateslaw@bellsouth.net>, Karey Amick <kareyamick@gmail.com>

If the bus was not within the strict confines of 512 E Kelly Road, then it could have been a debatable point.

It is something that Matthew can use to petition the Court about in stating my services failed him on the machine gun.

On the mobile home/bus; the warrant was sufficiently requested both.

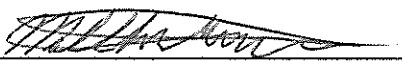
[Quoted text hidden]

STATE OF TENNESSEE, Plaintiff v. Matthew Amick, Defendant in Circuit Court of Hickman County at Centerville, Tennessee Cause No: 19-5081-CR, 19-5144-CR, 21-5100-CR AND 17-5274-CR.

EXHIBIT # K AS RULE 103(a)(1)(2)

OFFER OF PROOF NO. 11

“AFFIDAVIT OF KAREY AMICK
LOCATION OF MOTOR HOME BUS
REGARDING SEARCH” – 2 Pages


Matthew Amick

Dated this 15 day of July, A.D. 2025

_____, TSBA # 32498
Amanda J. Gentry

Dated this _____ day of _____, A.D. 2025

(Signature of Assigned Counsel Amanda J. Gentry is Required).

Affidavit of Fact

Notice to agent is notice to principal; Notice to principal is notice to agent

I, Karey Amick, the undersigned, being over the age of eighteen, of sound mind and fully competent to state the facts herein, do hereby affirm under penalty of perjury:

- 1) I am the owner of a motorhome style bus.
- 2) I believe and have reason to believe my bus was searched on or about August 2019 without my permission.
- 3) I believe and have reason to believe that this search was conducted in connection to criminal charges against Matthew Amick, my offspring.
- 4) My bus is located at 404 E Kelly Rd. Pleasantville, TN 37033.
- 5) My bus is **not** located at 512 E. Kelly Rd. Pleasantville, TN 37033.

I have personal first-hand knowledge of the facts stated herein. I am no expert in the law; however, I do know right from wrong. If there is any human being damaged by any statements herein, if he will inform me by facts, I will sincerely make every effort to amend my ways that the truth may be ascertained. I hereby and herein reserve the right to amend this document, as necessary, that the truth may be ascertained and the proceedings justly determined, and further:

If the parties given notice by means of this document have information that would controvert and overcome this affidavit, please advise me in written affidavit form within 30 days from receipt hereof. Provide me with your counter affidavit proving with particularity, stating all requisite actual evidentiary facts and all requisite actual law and not merely the ultimate facts or conclusions of law, that this affidavit statement is substantially and materially false, sufficiently to change materially my status and factual declarations. Your silence stands as consent to, and tacit approval of, the factual declarations herein being established as fact as a matter of law.

By the will of our heavenly father above and through the power, authority and blood of his son Yeshua, may it be done on earth as it is in heaven.

Further, Affiant says naught.

Karey Amick
Affiant – Karey Amick, without prejudice

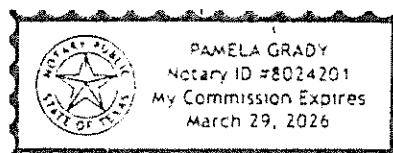
Jurat:

Sworn to and subscribed before me, the 10th day of April ~~March~~ 2024,
by Karey Amick _____, Notary Public in
Jefferson County, Texas, and for State of Texas.

Printed Name of Notary: Pamela Grady

Notary Signature: Pamela Grady

Notary Stamp or seal:



STATE OF TENNESSEE, Plaintiff v. Matthew Amick, Defendant in Circuit Court of Hickman County at Centerville, Tennessee Cause No: 19-5081-CR, 19-5144-CR, 21-5100-CR AND 17-5274-CR.

EXHIBIT # L AS RULE 103(a)(1)(2)

OFFER OF PROOF NO. 12

“AFFIDAVIT OF DENNIS JONES, ASSESSMENT OF
BATES BIAS BEFORE HIRE” – 3 Pages


Matthew Amick

Dated this 15 day of July, A.D. 2025

_____, TSBA # 32498
Amanda J. Gentry

Dated this _____ day of _____, A.D. 2025

(Signature of Assigned Counsel Amanda J. Gentry is Required).

Affidavit

Notice to agent is notice to principal; Notice to principal is notice to agent

I, Dennis Jones, of sound mind and fully competent to state the facts herein, do hereby declare and affirm under penalty of perjury based upon personal knowledge except those matters which are therein affirmed on information and belief and as to those matters, I believe to be true:

Purpose of Affidavit

The purpose of this affidavit is to state my personal first hand interactions with and on behalf of Matthew Amick with parties named herein.

1. I have a longstanding relationship with Karey and Janet Amick and their son, Matthew Amick hereinafter Matthew, whom I have known for many years as a family friend.
2. In 2017, Matthew was accused of aggravated assault by his then wife Rebecca Ashton Seaborn Amick.
3. Matthew asked me for help with finding and interviewing assistance of counsel.
4. Matthew hired Douglas Bates hereinafter Mr. Bates, as his attorney.
5. I believe this case to be public record 17-5274-CR in the Circuit Criminal Court of Hickman County Tennessee.
6. Matthew stated to me his difficulty in establishing effective communication with Mr. Bates and expressed his perception that Mr. Bates doubted his claim of innocence.
7. I observed frustration in Matthew and so I agreed to accompany Matthew to multiple meetings with Mr. Bates, where we thoroughly discussed 17-5274-CR.
8. I have reason to believe and do believe and affirm that Mr. Bates received testimony of Richard Cortez and text messages from Officer Jonathan Pitts of Hohenwald that stated the true facts in that matter.
9. In August of 2019, Matthew called me stating he had been arrested and was in Hickman County jail and had been unable to reach his mother or father.
10. I reached out on Matthew's behalf to Michael Flanagan hereinafter Mr. Flanagan, to see if he would provide assistance of counsel to Matthew.
11. Mr. Flanagan provided a price of \$7500 and I assisted Matthew and his family in selling Matthew's assets and paying Mr. Flanagan.

12. I met Mr. Flanagan on two occasions to pay him in October, 2019.

13. On or about November 5th, 2019, I called Mr. Flanagan to ask for receipt of payment to be provided.

14. Mr. Flanagan then stated that there were additional charges and he would need a lot more money to provide assistance of counsel to Matthew.

15. I stated to Mr. Flanagan that I did not believe there was more money to pay him.

16. No agreement was reached at that time to retain Mr. Flanagan as assistance of counsel.

17. I did not pay Mr. Flanagan any more money and have reason to believe and do believe no one else did.

18. In March 2021 Mr. Bates contacted me to discuss his consideration of whether to represent Matthew in 19-5081 CR, 19-5144 CR and 21-5100 CR.

19. In this conversation with Mr. Bates, I expressed disappointment with the new legal issues.

20. Mr. Bates expressed a personal opinion that Matthew had not learned from his previous encounter with the legal system in 2017, and suggested that Matthew should have served jail time then.

21. Mr. Bates statement alarmed me because I saw him read the text messages of Officer Jonathan Pitts that revealed the true facts of the 2017 allegations.

22. I perceived Mr. Bates statement as a prejudgment of allegations against Matthew's in this new matter.

23. As a result of my concern, I urged Karey Amick, Matthew's father, to consider other assistance of counsel options for Matthew to ensure he received unbiased legal representation.

24. I have reason to believe and do believe and affirm that Matthew's father did not make my concerns known to Matthew until after his trial.

25. I have reason to believe and do believe and affirm that Douglas Bates represented Matthew at trial.

26. I have reason to believe and do believe that Matthew received a 47 year sentence.

27. Based upon my statements made herein, I believe Mr. Bates assistance of counsel was not in Matthew's best interest.

29. I expressed to Janet Amick my willingness to make an Affidavit statement of my experience regarding Michael Flanagan and Douglas Bates.

30. Janet Amick informed me on May 3rd, 2023 that attorney Rodger Waynick would assist with my statement.

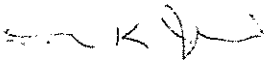
31. I texted Janet Amick May 4th, 2023 that she could give Rodger Waynick my phone number.

32. I did not receive the expected communication from Rodger Waynick.

This declaration is made based on my direct knowledge and experiences related to the matters described herein. I am no expert in the law however I do know right from wrong. If there is any human being damaged by any statements herein, if he will inform me by facts, I will sincerely make every effort to amend my ways that the truth may be ascertained. I hereby and herein reserve the right to amend this document, as necessary, that the truth may be ascertained and the proceedings justly determined, and further;

If the parties given notice by means of this document have information that would controvert and overcome this affidavit, please advise me in written affidavit form within 30 days from receipt hereof. Provide me with your counter affidavit proving with particularity, stating all request actual evidentiary facts and all requisite actual law and not merely the ultimate facts or conclusions of law, that this affidavit statement is substantially and materially false, sufficiently to change materially my status and factual declarations. Your silence stands as consent to and tacit approval of the factual declarations herein being established as fact as a matter of law.

Further, Affiant says naught.



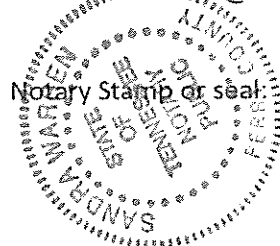
Affiant, Dennis Jones, All Rights Reserved
Hurricane Mills, Tennessee

Jurat:

Sworn to and subscribed before me, the 8th day of August 2024, by the Notary Public named herein, in Perry County, Tennessee and for State of Tennessee.

Printed Name of Notary: Sandra Warren

Notary Signature: Sandra Warren

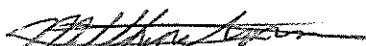
Notary Stamp or seal:  Notary Expires March 3, 2027

STATE OF TENNESSEE, Plaintiff v. Matthew Amick, Defendant in Circuit Court of Hickman County at Centerville, Tennessee Cause No: 19-5081-CR, 19-5144-CR, 21-5100-CR AND 17-5274-CR.

EXHIBIT # M AS RULE 103(a)(1)(2)

OFFER OF PROOF NO. 13

“TEXT MESSAGES AND PHOTOS BETWEEN
BATES AND MATTHEW AMICK, REBECCA'S
DOMESTIC ASSAULT OF MATTHEW, BATES
ASSISTANCE WITH DISPOSAL” – 19 Pages



Matthew Amick

Dated this 25 day of July, A.D. 2025

_____, TSBA # 32498
Amanda J. Gentry

Dated this _____ day of _____, A.D. 2025

(Signature of Assigned Counsel Amanda J. Gentry is Required).

No Service

10:59 AM



Doug Bates



Hey buddy holler back
at me whenever you get
a chance please

I will around 1ish. Can
you text me what's
going on.

Jun 14, 2019

Yeah I was going to tell
you about what
happened the other
night I came home and
me and Becky got into a
argument and she hit
me in the face a couple
of times and then grab a
ice pick and as soon as I
got service I called the
sheriffs department and

Enclosure 2
Page 1



No Service

11:00 AM



Doug Bates



sheriffs department and they came out and charged her with a domestic I did not want to charge her with anything but they went ahead and did that all I wanted them to do was explain to her that she could not be violent towards me when I came here to see the kids The kids were asleep anyways they took her to jail and she bonded out with \$250 and now is staying with my mom and I was just wondering if there was anyway that I could help her get back home with the kids and I could go stay somewhere else

Enclosure 2
Page 2



No Service

11:00 AM



Doug Bates



stay somewhere else
and try to get it throw it
out because she is not
normally like that I was
wondering i could get
her Bon restrictions
dropped I wished I
would have never called
them if I knew that they
were going to take her
to jail but I did not know
the law on that and I
know after this there will
be no more problems
and I would not mind
paying for her to go to a
few anger management
classesg is there
anything that I can do to
help?

It's just a simple
domestic not anything

Enclosure 2
Page 3



No Service

11:00 AM



Doug Bates



domestic not anything
like aggravated or
anything big

I was wondering if I talk
to the DA if they could
drop it or if I did not get
subpoenaed and did not
testify against her if
they would throw it out
that way?

Jan 14, 2019, 11:24 AM

Are you still going to call
me?

Sorry, I was driving on
the phone. Im qbout to
start a meetinf that will
last til 315. Call me at
330.

Enclosure 2
page 4



No Service

11:01 AM



Doug Bates



330.

Your mom has already
tried to call me. Im not
gonna discuss anything
with her.

OK do you think you can
help me or not on this
situation

I can help buddy.

I appreciate it bud I
really do!

Jan 14, 2019, 1:36 PM

994-1469

If she doesn't answer
I'm sure you can just

Enclosure 2
page 5



No Service

11:01 AM



Doug Bates



I'm sure you can just
Texter with the
information Doug I really
OU on this one I surely
do appreciate you!!!!

I got word to her that
you're going to call
she's waiting on your
call now

Johnny Davis called her
and let her know that
you were going to be
contacting her

Jan 14, 2019, 11:24 AM

Becky asked one of my
good friends if you were
going to call her this
evening or text her

Enclosure 2
page 6



No Service

11:01 AM



Doug Bates



evening or text her

I am, just finishing my daughter's jr pro basketball.

Good man I appreciate it calling her would probably mean a lot more to her

Does it sound like she's going to be OK

Yes.

Good deal I surely do appreciate it buddy

Jan 18, 2019, 11:01 AM

Enclosure 2
page 7

Court is on January



No Service

11:03 AM



Doug Bates



Jan 18, 2019, 11:03 AM

Court is on January
28th.

Nothing will be done
before now and then.

Do you think
everything's gonna
work out all right

?

yes, becca is upset she
thinks you are gonna
take her to court fir full
custody of the childreb.

And she really wants
space from you.

Enclosure 2
page 8



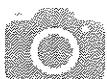
**Doug Bates**

space from you.

No I would have no intention of that except for she has not talk to them or had anyone come pick them up since that happened and they are wanting to see their mom

I'm not sure what to do about their school and was thinking about signing them up for public school if she's not going to interact with them because I do not know how to do their schoolwork with them

Enclosure 2
Page 9



No Service

11:05 AM



Doug Bates



I am absolutely not going to do anything without talking to you about it first I have no intention of taking her to court over custody at this time it might comfort her if you would let her know that and she doesn't have to worry about space as soon as she moves back in I will go stay at Denise

All I want is what's best for our children they are the most important thing at this time

Jan 20, 2019, 11:05 AM

Enclosure 2
page 10

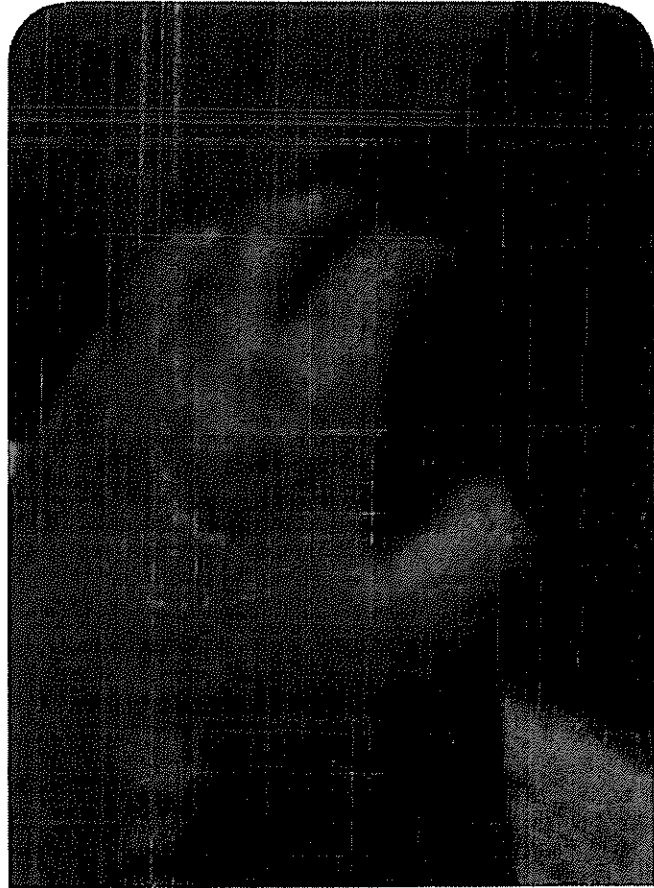


No Service

11:05 AM



Doug Bates



End of 2
page 11



No Service

11:05 AM



Doug Bates



End
12



**Doug Bates**

Hey bud before we get to feeling too sorry for Becky on this situation, there something else you should probably know she attacked me two weeks before this happened also. But I did not call the law and it could've been way more severe, I was unhooking her phone from the phone charger to plug my phone up and she jumped on top of me and tried to bite my nose off before I could get away she also bit me in the hand but I did not say anything to anyone about this except for Dennis which is who took these

Enclosure 2
page 13



No Service

11:06 AM



Doug Bates



except for Dennis which is who took these pictures i'm sure she has a different story but that's what happened

I just want to stay away from her because it seems like every time we spend any time with each other we get into an argument but I also want to drop the charges on her. But Dennis wanted me to ask you by calling the law on her on this last episode is going to affect my dismissal all I want to do is for all of this to go away and for our family to have a peaceful life

Enclosure 2
page 14



No Service

11:06 AM



Doug Bates



our family to have a peaceful life

I don't mind peacefully arguing about things but I'm not a violent person and she is that's why I mentioned that she might be possibly bipolar she hasn't seen her kids and almost 10 days and there's no restrictions for her on that all she has to do is send one of my sisters down and pick them up I don't mind watching them one bit but at some point in time I'm going to have to go to work that is why I was offering to possibly take over custody and

Enclosure 2
page 15



No Service

11:06 AM



Doug Bates



offering to possibly take over custody and possibly put them into public school i'm just running all the information I can buy you so that you know how to handle everything to the best of your ability I do not mean to be bothering you I just wanna make sure we make the right decisions for me Becky and the children

Jan 21, 2019, 9:42 AM

Hey Matthew, I was deep int the woods at a cabin all weekend. Thanks for the information. I think

Enclosure 2
page 16



**Doug Bates**

Thanks for the information. I think Becca is having some unresolved mental problems. Not sure How you want to handle this, but my suggestion js to not rush to any decision. You need to really think about what you want insofar as requesting custody.

Jan 21, 2019, 3:43 PM

I think the custody is fine For now I just don't want to get in any trouble and having this thing backfire on me and me losing my retirement on my other case that's the only

Enclosure 2
page 17



No Service

11:07 AM



Doug Bates



case that's the only thing that I'm worried about right now Dennis just wanted me to make sure with you that that was not a possibility

I don't think retirement is implicated by this at all.

OK well we won't worry about that then

Thanks for letting us know

Jan 27, 2019, 5:26 PM

Hey what time do I need to come up there

Enclosure 2
page 18

9 am



No Service

11:07 AM



Doug Bates



OK well we won't worry about that then

Thanks for letting us know

Jan 27, 2019, 8:28 PM

Hey what time do I need to come up there

9 am

OK thank you

Jan 28, 2019, 4:39 PM

Hey call me when you get a chance

Feb 24, 2019, 1:11 PM

Enclosure 2
page 19



STATE OF TENNESSEE, Plaintiff v. Matthew Amick, Defendant in Circuit Court of Hickman County at Centerville, Tennessee Cause No: 19-5081-CR, 19-5144-CR, 21-5100-CR AND 17-5274-CR.

EXHIBIT # N AS RULE 103(a)(1)(2)

OFFER OF PROOF NO. 14

“PHOTOS AND MESSAGES WITH GRAND JURY
FOREMAN ANDERSON” – 12 Pages



Matthew Amick

Dated this 15 day of July, A.D. 2025

_____, TSBA # 32498
Amanda J. Gentry

Dated this _____ day of _____, A.D. 2025

(Signature of Assigned Counsel Amanda J. Gentry is Required).

AFFIDAVIT

Notice to Principal is Notice to Agent and Notice to Agent is Notice to Principal

I, Matthew Amick, of sound mind make this affidavit because the facts set forth in this affidavit are within my own personal knowledge, except as to those matters which are stated on information and belief, and as to those matters, I believe it to be true. I affirm under penalty of perjury the following:

1. I, Matthew Amick, am a non-legal entity and a Tennessean of the freely associated state, the republic of Tennessee. I explicitly reserve all of my rights as recorded and acknowledged under the Ninth and Tenth Amendments of the Constitution of the United States of America.

PURPOSE OF AFFIDAVIT

The People of the State of Tennessee have an inviolate unalienable right protected and secured by the Constitution of the State of Tennessee and the Constitution of the United States of America to an impartial, independent and dis-interested grand jury; The People of the State of Tennessee have an inviolate unalienable right protected and secured by the Constitution of the State of Tennessee and the Constitution of the United States of America to an impartial, independent and dis-interested grand jury foreman.

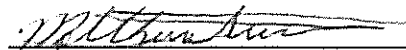
2. I became acquainted with David Anderson about 2014 at Four Seasons Outdoors and Sports store in Centerville Tennessee, hereinafter Mr. Anderson.
3. Mr. Anderson and I spoke of our shared interest in hunting and fishing.
4. I began learning to trap beaver and otter in 2014 from my then brother-in-law Ben Seaborn hereinafter Ben, older brother to my then wife Rebecca Ashton Seaborn Amick.
5. I posted pictures of beaver trapped by myself and Ben on Facebook and Mr. Anderson commented. SEE ENCLOSURE 1, 4 PAGES.
6. I remarked to Ben that Mr. Anderson had commented on my post and Ben stated that Mr. Anderson was a family friend who had taught him a lot about hunting.
7. Sometime after these events, I accepted a friend request from Mr. Anderson on Facebook and have reason to believe and do believe his account was renamed. SEE ENCLOSURE 2, 1 PAGE.
8. I have reason to believe and do believe that Mr. Anderson acted as and was appointed to grand jury foreman in criminal cases 17-5274-CR, 19-5081-CR, 19-5144-CR, 21-5100-CR in Hickman County Tennessee. ENCLOSURE 3, 3 PAGES
9. Indictment for 17-5274-CR is unavailable to me and I have reason to believe and do believe it was expunged by Douglas T. Bates, Stacey B. Edmonson and Michael E. Spitzer without my consent or knowledge. ENCLOSURE 4, 2 PAGES.
10. Cases 17-5274-CR, 19-5081-CR, 19-5144-CR, 21-5100-CR in Hickman County Tennessee involve members of the Seaborn family or friends of the Seaborn Family.

This declaration is made based on my direct knowledge and experiences related to the matters described herein. I am no expert in the law however I do know right from wrong. If there is any human being damaged by any statements herein, if he will inform me by facts, I will sincerely make every effort to amend my ways that the truth may be ascertained. I hereby and herein reserve the right to amend this document, as necessary, that the truth may be ascertained and the proceedings justly determined, and further;

If the parties given notice by means of this document have information that would controvert and overcome this affidavit, please advise me in written affidavit form within 30 days from receipt hereof. Provide me with your counter affidavit proving with particularity, stating all request actual evidentiary facts and all requisite actual law and not merely the ultimate facts or conclusions of law, that this affidavit statement is substantially and materially false, sufficiently to change materially my status and factual declarations. Your silence stands as consent to and tacit approval of the factual declarations herein being established as fact as a matter of law.

By the will of our heavenly father above and through the power, authority and blood of his son Jesus Christ, may it be done on earth as it is in heaven.

Further, Affiant sayeth naught.

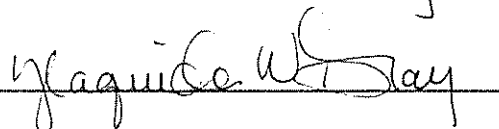


Affiant, Matthew Amick, All Rights Reserved

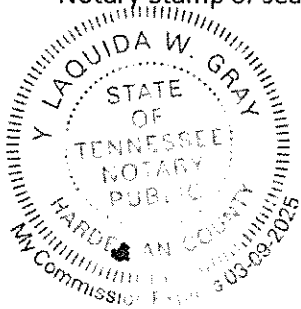
Jurat:

Sworn to and subscribed before me, the 5 day of December 2024, by, Notary Public in
Harde man County, Tennessee and for State of Tennessee.

Printed Name of Notary: Y. Laquida W. Gray

Notary Signature: 

Notary Stamp or seal:



9:37

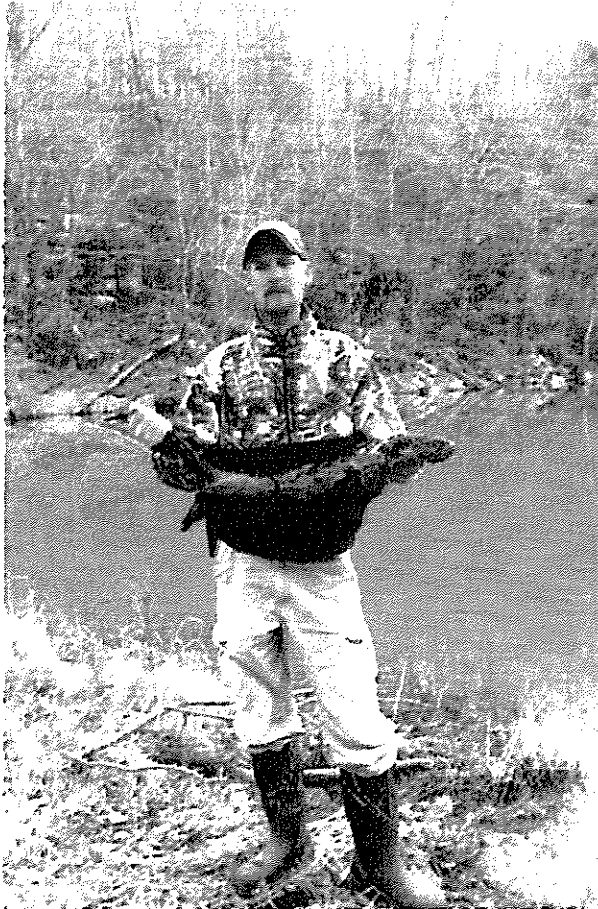


Stretch Amick

Dec 27, 2014 · 🌐



Having lots of fun with My good friend Ben Seaborn teaching me how to water trap



Like



Comment



Copy



Share



Jonathan Freeman and 17 others

Most relevant ▾



Mike Rivers
Good stuff

0.0 1 like



Comment as Jan...



9:38



Stretch Amick

Dec 27, 2014 · 🌐



Like



Comment



Copy



Share



Jonathan Freeman and 17 others

Most relevant ▾



Mike Rivers
Good stuff

9y Like

1



Marsha Anderson
Well, he knows how. He's strudied trapping since he was a little boy.

9y Like

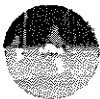
2



Stretch Amick
yes sir Mr. Anderson he's got it down!

9y Like

1



Ryan McDonald
Go to Lemon's lake next

9y Like

1



Comment as Jan...





Marsha Anderson
April 11, 2016

Diane D Bolton
It's Mule Day luck! Rick got his first
ever on a Mule Day. 🍀

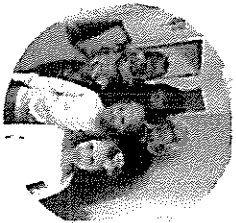
PhilDiane Coatas
Congratulations David.

Barry Anderson
Success

Teresa Carroll
Congratulations



Touch Facebook



Marsha Anderson (Marsha Anderson)

754 friends · 15 mutual



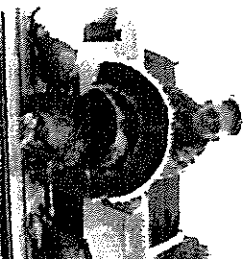
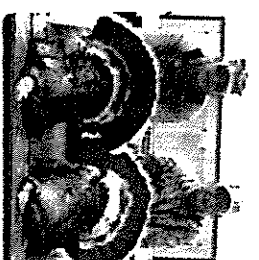
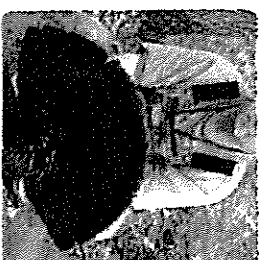
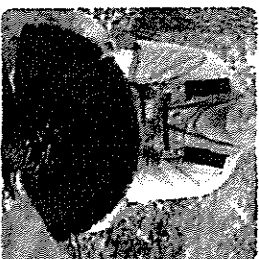
Add friend

Message

Posts About Friends Photos Videos Check-ins More

Photos

Photos of Marsha Marsha's Photos Albums



State of Tennessee

Marriage Certificate

County of Montgomery

This certifies that David Thomas Anderson

and Marsha Delane Harris

were united by Vincent Walkup, Minister in the

Bonds of Matrimony

on the 23rd day of November

in the year of our Lord 1974, as appears of record in my

office in Marriage Record Book 95, Page 170

This 30th day of October, 2024

Mutali By
Deputy Clerk

Teresa Cottrell
Montgomery County Clerk

CIRCUIT COURT NUMBER

19-5144CR

STATE OF TENNESSEE

v.

MATTHEW JAMES AMICK

A TRUE BILL

Donald J. [Signature]
[Signature]
Wing J. [Signature]
[Signature]
James [Signature]
Bonnie [Signature]
Gore [Signature]

Melba Hutchinson
James [Signature]
Barry [Signature]
Robert [Signature]
[Signature]

David [Signature]

GRAND JURY FOREMAN

TO THE CLERK:

SUBPOENA THE FOLLOWING WITNESSES FOR THE STATE OF TENNESSEE

Investigator Barry Carroll, 21st Judicial District Attorney's Office
Detective Charles Pierce, CPD
Detective Brady Cartwright, HCSD
Becky Amick, 512 West Kelley Road Centerville, TN 37033
Minor Child, 9/3/2009
Daniel Amick

Kim R. Helper
KIM R. HELPER
District Attorney General

Filed and entered

10/3, 2019

CIRCUIT COURT CLERK

By *Dana [Signature]*

CIRCUIT COURT NUMBER

19-508 CR

STATE OF TENNESSEE

v.

MATTHEW JAMES AMICK

A TRUE BILL

Julie K. Hall's
Delia Dickinson
James L. Hall
James Hall
Robert D. Hall
Buy Diner

John L. Hall
James L. Hall
James L. Hall
James L. Hall
James L. Hall
James L. Hall
James L. Hall
James L. Hall

GRAND JURY FOREMAN

TO THE CLERK:

SUBPOENA THE FOLLOWING WITNESSES FOR THE STATE OF TENNESSEE

Barry Carroll, District Attorney's Office
Alice Riley
Michael Cornelius Jr
Harold Bowers
Ruben Balmez
Stephen Hodgins
Christina Hart Davis
Joseph Wolford
Emanuel Balmez
Ashley Amick Balmez

Kim R. Helper
KIM R. HELPER
District Attorney General

Filed and entered

8/7, 20 19

CIRCUIT COURT CLERK

By

Matthew Amick

CIRCUIT COURT NUMBER 21-51000

STATE OF TENNESSEE

v.

MATTHEW JAMES AMICK

A TRUE BILL

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

[Signature]
GRAND JURY FOREMAN

TO THE CLERK:

SUBPOENA THE FOLLOWING WITNESSES FOR THE STATE OF TENNESSEE

Special Agent Barry Carroll, District Attorney General's Office

Special Agent Denver Hall Forensic Scientist, TBI Crime Lab, 901 R.S. Gass Blvd.,

Nashville, TN, 37216, "To bring and send any and all documentation concerning the testing of evidence in lab case #191022028, subject, MATTHEW AMICK, and bring and send all documentation pertaining to the results thereof."

Deputy Cole Parks, HCSD

Emanuel Balmez

SBE/ad

[Signature]
KIM R. HELPER
District Attorney General

Filed and entered

6/8, 2021

CIRCUIT COURT CLERK

By [Signature]

(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 Matthew Amick Circuit Docket Number 17-5274 CR
Date Original Case was filed in Clerk's Office 5-25-17 General Sessions Docket Number 17-CR-1361 + 1360
In the Circuit Court of Hickman County, Tennessee at Centerville
On the Motion or Petition of _____ Defendant/Arrest Information:

<u>Matthew James Amick</u> Defendant (name used at time of arrest)	<u>W</u> Race	<u>M</u> Sex	<u>7/28/86</u> Date of Birth
<u>Hickman County Sheriff's Office</u> Arresting Agency	<u>6-10-17</u> Date of Arrest		
<u>aggravated assault</u> Charge 1 (As shown on arrest fingerprint card)	<u>409-69-6189</u> OCA#		
<u>aggravated assault</u> Charge 2 (As shown on arrest fingerprint card)	<u>SN#</u>		
<u>Charge 3 (As shown on arrest fingerprint card)</u>			

Disposition Information:

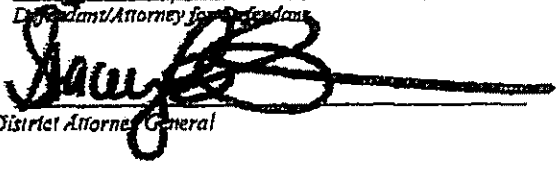
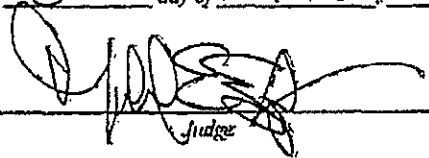
<u>aggravated assault</u> Final Charge 1	FILED OCT 09 2020 10:00 am Dana Nelson, Circuit Court Clerk
<u>Final Charge 2</u>	
<u>Final Charge 3</u>	
<u>Dismissed</u> Final Disposition	
<u>Diversion Date (if applicable)</u>	

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:	Provisions relating to Juveniles:
☒ Charge has been dismissed (T.C.A. § 40-32-101)	☐ Petition alleging delinquency not filed (T.C.A. § 37-1-155)
☐ No true bill returned by Grand Jury (T.C.A. § 40-32-101)	☐ 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)
☐ Verdict of not guilty returned by jury (T.C.A. § 40-32-101)	☐ Adjudicated not to be a delinquent child (T.C.A. § 37-1-155)
☐ Conviction which has by appeal been reversed (T.C.A. § 40-32-101)	☐ 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)
☐ Nolle Prosequi entered in case (T.C.A. § 40-32-101)	☐ 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(c)(3)
☐ 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	

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

<u>DETZ</u> Defendant/Attorney for Defendant  District Attorney General	Entered this <u>8th</u> day of <u>October</u>, 20<u>20</u>  Judge
---	---

Form EX-1 (Rev. 2003)

STATE OF TENNESSEE, Plaintiff v. Matthew Amick, Defendant in Circuit Court of Hickman County at Centerville, Tennessee Cause No: 19-5081-CR, 19-5144-CR, 21-5100-CR AND 17-5274-CR.

EXHIBIT # O AS RULE 103(a)(1)(2)

OFFER OF PROOF NO. 15

“LETTERS AND EMAILS OF MICHAEL
FLANAGAN” – 39 Pages



Matthew Amick

Dated this 15 day of July, A.D. 2025

_____, TSBA # 32498
Amanda J. Gentry

Dated this _____ day of _____, A.D. 2025

(Signature of Assigned Counsel Amanda J. Gentry is Required).

MICHAEL J. FLANAGAN

Attorney at Law

95 White Bridge Road, Suite 507
Nashville, TN 37205
(615)356-1580/615-351-6891
mflanagan513@yahoo.com

December 10, 2019

Matthew Amick
Hickman County Jail
108 College Avenue
Centerville TN 37033

State v. Amick

Dear Mr. Amick:

I understand your frustration with the delay. You are entitled to a bond and a motion for bond has been filed. The court granted a continuance to the State so they can produce witnesses for the hearing. Normally, the court would have another docket before January 28, 2020 but the judge has to be in another county.

In addition, I learned today that the State has contacted federal authorities to have them prosecute in Federal court. I don't want your family to spend money on a bond only to lose it if you are indicted I federal court. I will come next week to review all your matters, including option of treatment.

Lets keep working toward a favorable resolution.

IN THE Civil - 1430000 COURTS OF HICKMAN COUNTY, TENNESSEE

AT Centerville

Matthew Amick
MOVANT/PETITIONER

FILED

17.23.19

am 12 pm

Tana Nicholson, Circuit Court Clerk

Dep. Clk.

VS

DOCKET NO: 195144

STATE OF TENNESSEE
Respondent

MOTION FOR A FAST AND SPEEDY TRIAL

Comes now the Pro se Movant/Petitioner Matthew Amick, and pursuant to Tennessee Code Annotated 40-14-101, the Tennessee Rules of Criminal Procedures, Rule 48 (b) (2). The sixth amendment of the United States Constitution and Article 1, section 9 of the Constitution for the State of Tennessee, does hereby moves this Honorable Court for a Fast and Speedy trial based upon a detainer warrant and/or indictment lodged against the Movant herein. In support of this motion, the Movant would respectfully show unto this Court the following.

(1). That on or about 10/11/19, a detainer was lodged against the Movant/Petitioner under warrant/cause # 195144, charging said Movant with the offense of Aggravated Kidnapping based upon an indictment # now known to the Movant/Petitioner as 195144, arising out of Hickman County, Centerville, Tennessee.

(2). That currently the Movant/Petitioner is in the custody of the Tennessee Department of Corrections, hereinafter referred to as (T.D.O.C.) presently residing at Southeastern Tennessee State Regional Correctional facility in Pikeville, Tennessee. Wherein said Movant is serving a sentence based upon a criminal conviction.

STATE OF TENNESSEE, HICKMAN COUNTY
I, the undersigned Circuit Court Clerk
do hereby certify that this is a true
and correct copy of the original of
this instrument filed in this cause.
This 17 day of Nov, 2019

(3). That based upon this current detainer/indictment the Movant/Petitioner does hereby duly assert his Constitutional right to a fast and speedy trial on all untried charge(s) in accordance with the sixth & Fourteenth amendments of the United States Constitution, Article 1, section 9 of the Constitution of the State of Tennessee and Tennessee Code Annotated 40-14-101.

(4). That based upon the Movant's current status of incarceration, he moves that he be scheduled for Trial as soon as possible on said charges in accordance with Rule 50 of the Tennessee Rules of Criminal Procedures and that Counsel be appointed to represent the Movant/Petitioner through-out these proceedings.

(5). That any further delay in bringing the Movant/Petitioner to trial in this matter would only serve to unduly prejudice said Movant in that

(a) This is not a factually or legally complex case.

(b) The delay would be wholly the fault of the State, as it is the responsibility of the State to bring the Movant to trial upon assertion of his right to a fast and Speedy trial.

(c) That the detainer currently placed against the Movant/Petitioner has caused the Movant to be classified at a higher security level, thus denying said Movant placement in programs and/or facilities which would be beneficial to the Movant's term of incarceration.

(d) That any delay in bringing the Movant/Petitioner to trial would serve to deny the Movant the possibility of receiving at least a partially concurrent sentence.

REQUESTED RELIEF

Wherefore, Premises considered; the Movant/Petitioner prays that this Honorable Court order the State of Tennessee to bring said Movant/Petitioner before the Honorable Court to begin the pre trial process as soon as possible to preserve the Movant/Petitioner's right to a Fast and Speedy Trial or in the alternative that this Court issue dismissal of the charge(s) based upon the detainer/warrant and/or indictment(s) lodged against said Movant.

Respectfully submitted.

Matthew Carson Arick
Pro se Movant/Petitioner

CERTIFICATE OF SERVICE

I, the undersigned do hereby attest that a true and exact copy of the foregoing has been mailed via First class mail to the District Attorney General for Lawrence, County, at the known address of

104 College Avenue, Centerville, Tennessee. On this 25 day
of

December, 2019.

Matthew James Amick
Pro se Movant/Petitioner

MICHAEL J. FLANAGAN

Attorney at Law

95 White Bridge Road, Suite 507
Nashville, TN 37205
(615)356-1580/615-351-6891
mflanagan513@yahoo.com

December 26, 2019

Matthew Amick
108 College Street
Centerville TN 37033

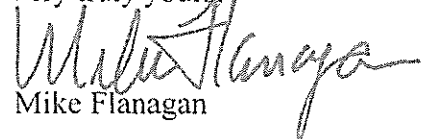
RE: State v. Amick

Dear Mr. Amick:

Per your instructions, I prepared an agreed order directing mental evaluation. The order has been presented to Judge Spitzer. I expect to know more about the process after January 1st.

I will keep you updated.

Very truly yours,


Mike Flanagan

EVALLE

59-13-305

MICHAEL J. FLANAGAN
Attorney at Law

95 White Bridge Road, Suite 507
Nashville, TN 37205
(615)356-1580/615-351-6891
mflanagan513@yahoo.com

January 16, 2020

Matthew Amick
Hickman County Jail
108 College Street
Centerville TN 37033

RE: State v. Amick

Dear Mr. Amick:

I have asked the State to make an offer. The DA indicated she will try to have something to me in a few days. The court wants to wait for the mental evaluation before taking up the bond issue..

Hopefully, we can get you over to Centerstone very soon. I will keep you updated.

Very truly yours,


Mike Flanagan

FILED

4/3/20

10:45 am

pm

Dana Nicholson, Circuit Court Clerk

DOCKET NO: 195144

02/28/2020

by RAU

CLK

CIRCUIT COURTS OF HICKMAN COUNTY
CENTERVILLE

MOTION TO FIRE ATTORNEY

I MATTHEW AMIK WOULD LIKE TO
FIRE MY ~~OLD~~ LAWYER DUE TO THE FACT
THAT HE HAS NOT PERFORMED AS A LAWYER
SHOULD ON MY BEHALF! MY LAWYER NAME OR
MICHAEL J. FLANAGAN HAS NOT CONTACTED ME
OR HAS NOT COME TO SEE ME TO DISCUSS
MY CASE. WILL DISCUSS FURTHER IN COURT
ABOUT FULL REFUND \$7,500

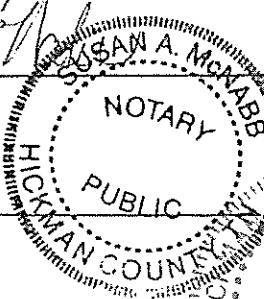
MATTHEW AMIK

[Signature]

[Signature]
NOTARY PUBLIC

7-27-20
COMM. EXPIRES

3-3-20
DATE



STATE OF TENNESSEE, HICKMAN COUNTY
I, the undersigned Circuit Court Clerk
do hereby certify that this is a true
and correct copy of the original of
this instrument filed in this cause,
This 10th day of NOV, 20 20

[Signature]
CIRCUIT COURT CLERK

Abuse March, 2020 by J

Dear Mr Flanagan,

In regards to my last 2 court dates, I feel as if we never got a proper meeting which is unacceptable. In your own words I am entitled to a bond, I feel as you have put that on the back burner again. First I was told the Feds are looking into my case, now we are waiting for a mental evaluation. So I'd like to know why my bond hearing is not being made a priority. I'm starting to have concerns about your ability to handle my case and I am having extreme doubts on your ability to sway the court on my way of thinking. Mr Flanagan you need to understand I have a mass amounts of witnesses and evidence to destroy the evidence and credibility of what is being brought against me. That being said I'm toying with the idea of representing myself since I can't seem to get you aboard. I need you to understand my life is at stake here. At this time I feel like we have wasted the last 6 months going back and forth and still no progress. At this time I have a few demands if we are going to continue. First I'd

like a copy of the judgement to have a
mental evaluation. Second I want a copy
of the judgement saying I can't have a
bond until I get evaluated. 3rd I'd like
to ~~know~~ know when my appointment is
because from my understanding these things
have to be scheduled. These are a few things
that need to be prioritized immediately. Also
are you aware that Rebecca Amick which is
my ex wife wrote a detailed letter on my
prior charges of 1st degree assault which Mr Bates is
having retired, on how her father forced her
to commit org. perjury? The letter was wrote
to officer Johnathan Pitts. All this can be gathered
with a few more calls. I feel like the the
DA needs to have discovery as much as we
do. Also I'd like you to send me a copy
of all your discovery. I'd like you to include
Michael Hodgus is who you can talk to about
my case. Include Denise Jones as well and Jarett
Amick. 931 593 3180 (Jarett) 931 622 5027 (Michael Hodgus)
931 209 6140 (Denise Jones). Plz take my concerns
seriously or we can start talking about a refund.
Thanks for your time Mr. Flanagan.

Thanks,

Matthew Amick



MICHAEL J. FLANAGAN

Attorney at Law

95 White Bridge Road, Suite 507
Nashville, TN 37205
(615)356-1580
mflanagan513@yahoo.com

June 3, 2020

Matthew Amick
Hickman County Jail
108 College Ave
Centerville TN 37033

Re: State v. Amick

Dear Mr. Amick:

As you instructed me to do, I requested that you undergo a mental evaluation. You have been examined by Centerstone. Further evaluation has been indicated. You will be sent to Middle Tennessee Mental Health for an inpatient evaluation.

Therefore, nothing can be done on your case pending this evaluation. I remain confident we will get a favorable result in your case.

Very truly yours,


Mike Flanagan



Matthew J. Amick - Hickman Co. TN

1 message

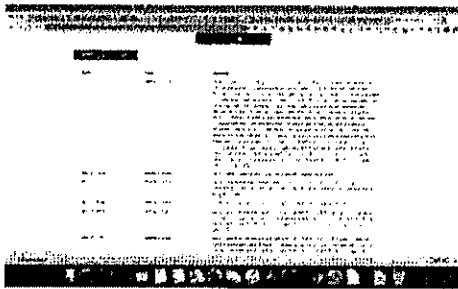
Janet Amick <janetamick@gmail.com>
To: mflanagan513@yahoo.com

Mon, Jul 20, 2020 at 8:17 PM

Dear Mr. Flanagan,

I hope this email finds you well. My name is Janet Amick. I am the mother of Matthew Amick whom I believe you represent in a case in Hickman County, TN. I was emailing to see if you would be willing to speak with me regarding Matthew's case. Attached you will find a screenshot of a message from Matthew which gives you permission to speak with me. I will leave you with my landline number 931-593-3180 or I can be reached by text on my cell phone 931-623-4903 and this email address is equally fine. Thank you for your time and attention to this matter.

Respectfully,
Janet Amick



Screen Shot 2020-07-20 at 10.04.02 PM.png
1481K

MICHAEL J. FLANAGAN
Attorney at Law

95 White Bridge Road, Suite 507
Nashville, TN 37205
(615)356-1580
mflanagan513@yahoo.com

August 12, 2020

Matthew Amick
Hickman County Jail
108 College Street
Centerville TN 37033

Re: State v. Amick

Dear Mr. Amick:

I have received your most recent correspondence and wanted to give you a status report. Due to Covid, your scheduled evaluation at MTMHI has been moved several times. I am trying my best to get you sent there. Remember, the evaluation was your suggestion and I working on getting that done.

Clearly, it would not be advisable to pursue bond issues until the evaluation is completed. I am sure the Court would insist on the report prior to any bond decisions. I know you are *frustrated* but we are going to get a favorable result in your case. I am with you for the duration of this and have already done considerable work on your behalf. If you insist that I withdraw from your case, the ethical rules require that I do that. However, I have long since earned the fee that was paid to me and there will be no refund.

Very truly yours,


Mike Flanagan

MICHAEL J. FLANAGAN

Attorney at Law

95 White Bridge Road, Suite 507
Nashville, TN 37205
(615)356-1580
mflanagan513@yahoo.com

August 21, 2020

Matthew Amick
Hickman County Jail
108 College Street
Centerville TN 37033

Re: State v. Amick

Dear Mr. Amick:

I have received your letter postmarked August 19, 2020 and offer the following response. You have instructed me to cease representing you. Normally, I would proceed to file a Motion to Withdraw from your case.

I am reluctant to do that since Centerstone is of the opinion that you need an in patient evaluation. Therefore, I am going have the clerk place your case back on the docket so the Court can address what steps need to be taken at this point.

Very truly yours,


Mike Flanagan

8/26/20

Dear honorable Judge Spitzer, I am writing you concerning the fact that I am having a problem hiring a specific attorney. That I am having a problem hiring Mr Michael J. Flannagan due to ineffective counsel. Your honor Mr Flannagan has not only been ineffective in counsel but has neglected to follow my instructions. In the end of November I instructed Mr Flannagan that we should subpoena a psychiatrist that I have been to at centerstone since my arrest. As he instructed me stating the he could explain to the court that my charges were a result of overmedication. Instead of Mr Flannagan follow ~~my instruction~~ our (me and the psychiatrist I have been seeing) instruction. I received a letter 01/16/20 that ~~my instruction~~ The court wants to wait for taking up a bond issue which I had also asked for. And that I would be sent to centerstone for a mental evaluation. Instead of simply contacting or even considering my previous psychiatrist. After waiting for several months I ended up going to a mental health evaluation around the middle of May. So let me explain to you as best I can what happened as I arrived. I was placed in a room with a TV screen. The door was half open with a police officer sitting no more than 3 feet away from me with a body camera on. The screen came on and I met with the evaluation doctor. And I proceeded to explain to him.

That I was not comfortable with the evaluation as it was. First, being I never initiated one in the first place. Second, it was most definitely not court ordered. And third being I was not going to reveal my case in front of the corrections officer who could hear everything (indetail). Due to the fact that I do not trust them and have lived with them the past year. The last thing I would like to do is feed the District Attorney information on my ongoing case through a CO. I may just be paranoid but I still was not comfortable with proceeding. Now back to the problem at hand with Mr Flannagan. After I had returned I waited for several months to go back to court and proceed with my case. During that time I had a friend try to contact Mr Flannagan several times for me on my behalf. Until finally I received a letter on June 3rd. After my friend and I had told him several times he was fired. I had also filed a motion to have him withdrawn from my case. And the letter stated that I had instructed a mental evaluation and that I had been examined and that I would now be sent to middle Tennessee mental health for a mental evaluation. Therefore nothing can be done on my case pending the evaluation. That is when I contacted the medical staff here at the jail to find out when I was expected to be sent to MEMH. That's when the nurse said she would contact

Centerstone and she would let me know what was going on. I was called to her office the next day and she proceeded to tell me that she had contacted centerstone. And I had learned about the evaluation and had discovered that it was not required as Mr Flannagan had told me but it was only a suggestion. And they had long since contacted Flannagan and were waiting on his proceeding on whether or not they should proceed to set a date. So I immediately called my friend and sent letters to Flannagan. To proceed with my case. As I have filed for a fast and speedy trial which I am sure you are aware of. And I am seriously beginning to wonder if my constitutional rights are at stake. So now I have had my friend and mother call and email Mr Flannagan at least 100 times with no reply. I have even had friends and family do investigating on Mr Flannagan on the outside and have found that on numerous occasions Mr Flannagan has proven to be an ineffective counselor and has had to be removed from their cases. To the point that I have found several people that are willing to testify against Mr Flannagan for taking their money and doing absolutely nothing. His reputation for that in this jail surpasses him. And I now have 5 letters from him contradicting himself or why he cannot or will not proceed with my case. And I ~~can~~ without a doubt prove that Mr Flannagan is ineffective counsel and is dishonest and has cast me and several others mental anguish and time. I pray your honor that you will take this matter serious for it is enough stress to be confined here in this terrible place.

away from our families and friends. And is it not enough that we should have to prove our innocence and contend with a District Attorney. Then to have such a terrible thing as to end up hiring an ineffective lawyer such as Michael Flannagan as to when you simply ask him to cease representing you. He indicated that he would have no problem withdrawing from my case but had no intention of refunding me. That is when I informed him that I was monitoring him through the medical staff at the jail and that I had saved all of his letters that contradict one another. I also informed him that I would let your honor see all of the evidence I have accumulated against him and let you decide on if a refund is necessary or not. I also made it perfectly clear again that he was fired. I understand there is a COVID pandemic and Flannagan claims to have scheduled me a evaluation but that proves to be a falsehood. Simply due to the court orders of Mr. Dale Hopkinson and Andrew Romans that live in the same pod. Yes your honor Flannagan is taking full advantage of the covid pandemic at the cost of others freedom. As for the other inmates that were sent they simply went for a COVID test and left the next day. Neither of these gentlemen had private Attorneys your honor. I pray upon you your honor to rid me of this person and grant me my hard earned money back so that I may be able to seek appropriate counsel. For I did not ask for a evaluation to begin with and would like to proceed with



Janet Amick <janetamick@gmail.com>

Matthew Amick

4 messages

Janet Amick <janetamick@gmail.com>
To: mflanagan513@yahoo.com

Thu, Dec 3, 2020 at 12:54 PM

Hello Mr. Flanagan,

I hope you are well. I have been asked by my son Matthew J. Amick to reach out to you again. He has written a letter to you to request that you please step down as his attorney. He is requesting that you do so in Hickman County Circuit Court on December 8, 2020. Thank you for your attention to this matter.

Respectfully,
Janet Amick

Sent from my iPad

Mike Flanagan <mflanagan513@yahoo.com>
To: Janet Amick <janetamick@gmail.com>

Thu, Dec 3, 2020 at 5:04 PM

Thanks for reaching out. A bond motion has been filed and I'm doing my best to get it on the docket. Due to the covid surge, dockets have been adjusted. I hope to have an update on Monday. I will keep you advised. Thank you. Mike Flanagan

Sent from my iPad
[Quoted text hidden]

Janet Amick <janetamick@gmail.com>
To: Mike Flanagan <mflanagan513@yahoo.com>
Cc: kareyamick@gmail.com, Michael Hodgens <michaelhodgens.mh@gmail.com>

Wed, Dec 9, 2020 at 11:23 PM

Mr. Flanagan,

What is the update sir?
Thank you,
Janet Amick

Sent from my iPhone
[Quoted text hidden]

Janet Amick <janetamick@gmail.com>
To: Mike Flanagan <mflanagan513@yahoo.com>, michaelhodgens.mh@gmail.com, Karey crane <kareyamick@gmail.com>

Mon, Jan 4, 2021 at 9:27 AM

Hello Mr. Flanagan,

I hope you are well and have enjoyed the holidays. I am contacting you to find out if you can give us an update yet on Matthew's case please. Thank you and have a good day.
Blessings!
Janet Amick

Sent from my iPad

> On Dec 3, 2020, at 7:04 PM, Mike Flanagan <mflanagan513@yahoo.com> wrote:

>

> Thanks for reaching out. A bond motion has been filed and I'm doing my best to get it on the docket. Due to the covid

surge, dockets have been adjusted. I hope to have an update on Monday. I will keep you advised. Thank you. Mike
Flanagan

[Quoted text hidden]



Janet Amick <janetamick@gmail.com>

Thank you & Group update via this email

2 messages

Janet Amick <janetamick@gmail.com>

Sat, Dec 5, 2020 at 12:22 PM

To: mflanagan513@yahoo.com

Cc: Karey crane <kareyamick@gmail.com>, michaelhodgens.mh@gmail.com

Mr. Flanagan,

Thank you for your response to my email on 12/3/20.

>>" Thanks for reaching out. A bond motion has been filed and I'm doing my best to get it on the docket. Due to the covid surge, dockets have been adjusted. I hope to have an update on Monday. I will keep you advised. Thank you. Mike Flanagan"

I am creating this group email to additionally include Mr. Karey Amick and Mr. Michael Danny Hodgens in hopes of setting up easier communication. We will look forward to hearing from you on Monday.

Respectfully,
Janet Amick

Sent from my iPad

Michael Hodgens <michaelhodgens.mh@gmail.com>

Sat, Dec 5, 2020 at 1:18 PM

To: Janet Amick <janetamick@gmail.com>

Matthew has read the email also. He says you have had plenty of time to get him on the docet, since you can't get him on the docet he would like you to show up to withdrawal from his case and be fired. He no longer wants your representation. Be sure to show up on the 8th at court so you can be removed from the case and he can hire another lawyer. Failure to do so will be in violation of his 6th admindment rights and you will be held accountable.

[Quoted text hidden]



Janet Amick <janetamick@gmail.com>

Update Please -

4 messages

Janet Amick <janetamick@gmail.com>

Tue, Jan 12, 2021 at 9:29 AM

To: mflanagan513@yahoo.com, michaelhodgens.mh@gmail.com, Karey crane <kareyamick@gmail.com>

Hello Mr. Flanagan,

I hope that you are well. I am again reaching out to you for an update regarding Matthew Amick. I have reached out to you for an update in December and again at the beginning of the year and heard nothing. Are you updating Mr. Amick or Mr. Hodgens? Are you still Matthew's attorney? We can all 3 be updated simultaneously via this email if you will be so kind. We love and care about Matthew and would very much appreciate some communication from you. Have a blessed 2021. Respectfully,

Janet Amick
931-593-3180

Sent from my iPad

Mike Flanagan <mflanagan513@yahoo.com>

Tue, Jan 12, 2021 at 10:33 AM

To: Janet Amick <janetamick@gmail.com>

The Tennessee Supreme Court has suspended all in person court hearings through January, due to covid surge. Looks like feb 9 for our hearing.

Sent from my iPad
[Quoted text hidden]

Janet Amick <janetamick@gmail.com>

Tue, Jan 12, 2021 at 12:54 PM

To: Michael Hodgens <michaelhodgens.mh@gmail.com>, Karey Amick <kareyamick@gmail.com>

[Quoted text hidden]

--
Blessings!
Janet Amick

Janet Amick <janetamick@gmail.com>

Tue, Jan 12, 2021 at 12:54 PM

To: Mike Flanagan <mflanagan513@yahoo.com>

Thank you for the update.
Janet Amick

On Tue, Jan 12, 2021 at 12:34 PM Mike Flanagan <mflanagan513@yahoo.com> wrote:
[Quoted text hidden]

--
Blessings!

Re: Update Please -Hope you are doing well and thank your for the updates. I have spoken with Hickman county court clerk and they are providing different information than what you provided in your last email to Ms. Amick, Mr. Amick and myself. The court clerk has stated Mathew Amick is on the court docket for 1/26/21 via zoom. Please comment on this. Is this information correct? Do you plan on being there to represent Mathew Amick on that date. We have been informed that you will be representing another client also on the same date for Hickman county court. We also ask that you continuously update the three of us via this email.

2 messages

Michael Hodgens <michaelhodgens.mh@gmail.com>
To: Janet Amick <janetamick@gmail.com>
Cc: Karey Amick <kareyamick@gmail.com>

Sat, Jan 23, 2021 at 7:45 PM

On Tue, Jan 12, 2021, 2:54 PM Janet Amick <janetamick@gmail.com> wrote:

On Tue, Jan 12, 2021 at 12:34 PM Mike Flanagan <mflanagan513@yahoo.com> wrote:

The Tennessee Supreme Court has suspended all in person court hearings through January, due to covid surge. Looks like feb 9 for our hearing.

Sent from my iPad

> On Jan 12, 2021, at 11:29 AM, Janet Amick <janetamick@gmail.com> wrote:

>

> Hello Mr. Flanagan,

>

> I hope that you are well. I am again reaching out to you for an update regarding Matthew Amick. I have reached out to you for an update in December and again at the beginning of the year and heard nothing. Are you updating Mr. Amick or Mr. Hodgens? Are you still Matthew's attorney? We can all 3 be updated simultaneously via this email if you will be so kind. We love and care about Matthew and would very much appreciate some communication from you. Have a blessed 2021.

> Respectfully,

>

> Janet Amick

> 931-593-3180

>

>

>

> Sent from my iPad

--
Blessings!
Janet Amick

Janet Amick <janetamick@gmail.com>
To: Michael Hodgens <michaelhodgens.mh@gmail.com>

Wed, Jan 3, 2024 at 7:22 AM

Dear Mr. Flannigan,

1-28-2021

1-28-2021

Dear Sir, this is to inform you that I am very disappointed with the way you are representing me in my legal cases. I retained you as counsel because of your good name as a highly qualified attorney. But I must admit that I am not impressed & I feel that your representation of me is very under par as far as the ABD mandates. I have been incarcerated for 18 months & you & I have had only 1 meeting, further, my cases keep getting pushed further away with no explanation from you. What is going on? I have explained my legal concerns in the matter & I am hesitant to do so but if your slack representation continues you will lose me. The clock is ticking but to not miss this last chance to speak to you.

Therefore, I am directing you as my legal counsel if you intend to do the following: get my cases in front of the courts to be heard; get me an acceptable bond; & come to the jail to speak to me upon receipt of this correspondence.

Thank you for your time & prompt reply.

Respectfully,

Matthew Amick

Matthew Amick

Cc: J.L.



Janet Amick <janetamick@gmail.com>

Court Date Confirmation

4 messages

Janet Amick <janetamick@gmail.com>

Mon, Feb 1, 2021 at 5:51 AM

To: mflanagan513@yahoo.com, michaelhodgens.mh@gmail.com, Karey crane <kareyamick@gmail.com>

Hello Mr. Flanagan,

I hope this email finds you well. In your previous email you said that Matthew's next court date was February 9th. Would you please confirm for us that that is still correct, Matthew does have a court date on February 9th and that you will also be there. Is this an in-person court appearance or a Zoom court appearance? Thanks so much and have a great day!

Respectfully,
Janet Amick

Sent from my iPad

Mike Flanagan <mflanagan513@yahoo.com>

Mon, Feb 1, 2021 at 5:51 PM

To: Janet Amick <janetamick@gmail.com>

Cc: michaelhodgens.mh@gmail.com, Karey crane <kareyamick@gmail.com>

Hoping for that date. Now unlikely.

Sent from my iPhone

> On Feb 1, 2021, at 7:51 AM, Janet Amick <janetamick@gmail.com> wrote:

>

> Hello Mr. Flanagan,

[Quoted text hidden]

Janet Amick <janetamick@gmail.com>

Fri, Feb 12, 2021 at 1:03 PM

To: Mike Flanagan <mflanagan513@yahoo.com>

Cc: Michael Hodgens <michaelhodgens.mh@gmail.com>, Karey Amick <kareyamick@gmail.com>

Mr. Flanagan,

This is not genuine communication. You are not keeping any of us, including Matthew, informed of anything. This is not effective counsel for which you were hired one and a half years ago.

Good day,
Janet Amick
[Quoted text hidden]

--

Blessings!
Janet Amick

Mike Flanagan <mflanagan513@yahoo.com>

Fri, Feb 12, 2021 at 1:24 PM

To: Janet Amick <janetamick@gmail.com>

Just mailed letter yesterday to Mr. Amick explaining the Judge Spitzer's position on covid. I have tried to accommodate you. I will now only communicate with my client.

Sent from my iPad

[Quoted text hidden]

IN THE CIRCUIT COURT OF HICKMAN COUNTY
TENNESSEE, AT CENTERVILLE

MATTHEW JAMES AMICK)

PLAINTIFF,

) CASE NO.

V.

)

195144

STATE OF TENNESSEE)

DEFENDANT.)

MOTION TO WITHDRAWAL COUNSEL

COMES NOW, MATTHEW AMICK, PLAINTIFF, BY AND
THRU HIMSELF, AND WOULD SUBMIT HIS ABOVE
STYLED AND NUMBERED MOTION UNTO THIS
HONORABLE COURT. PLAINTIFF WOULD SUBMIT THE
FOLLOWING FACTS IN SUPPORT OF HIS MOTION:

STATEMENT OF CASE

- 1) PLAINTIFF IS AN INMATE IN THE HICKMAN
COUNTY JAIL;
- 2) PLAINTIFF IS REPRESENTED BY ATTD. COUNSEL,
MICHAEL J. FLANAGAN, 95 WHITE BRIDGE ROAD
SUITE 507, NASHVILLE, TN. 37025,
- 3) MR FLANAGAN'S REPRESENTATION OF PLAINTIFF HAS
FAILED DRAMATICALLY BELOW THE ABA STANDARDS
OF REASONABLENESS AND HAS ALSO VIOLATED OR

OUTRIGHT IGNORED MANY OF THE RULES SET FORTH IN THE RULES OF PROFESSIONAL CONDUCT.

- 4) PLAINTIFF HAS SOUGHT COMMUNICATION FROM MR. FLANAGAN OVER AN EIGHTEEN MONTH PERIOD ONLY TO RECEIVE TAKEN CORRESPONDENCE OR NONE AT ALL,
- 5) PLAINTIFF HAS DIRECTED MR. FLANAGAN TO FILE NUMEROUS MOTIONS ON HIS BEHALF, I.E. MOTION TO SET BOND, MOTION FOR A FAST AND SPEEDY TRIAL, MOTION TO SUPPRESS AND MOTION TO DISMISS, MR. FLANAGAN HAS FILED NONE OF THESE AND HAS ONLY REPLIED AS TO WHY HE DOESN'T THINK ITS A GOOD IDEA;
- 6) MR. FLANAGAN FILED A MOTION FOR A MENTAL EVALUATION AGAINST PLAINTIFF'S WISHES AND AFTER HE HAD ALREADY HAD A MENTAL EVALUATION, THAT HE WAS AWARE OF,
- 7) PLAINTIFF HAS REPEATEDLY ASKED FOR MR. FLANAGAN TO COME TO THE JAIL TO MEET WITH HIM TO DISCUSS HIS CASE AND THE POSSIBLE DEFENSES HE IS ENTITLED, MR. FLANAGAN REFUSES THESE MEETINGS AND HAS ONLY MET WITH PLAINTIFF ON ONE OCCASION IN AN EIGHTEEN MONTH PERIOD,
- 8) MR. FLANAGAN HAS DONE NOTHING TO FURTHER PLAINTIFF'S CAUSE THROUGH THE COURTS TO A RESOLUTION OF HIS CASE AND REFUSES TO SHOW UP TO COURT WHEN HE KNOWS THE PLAINTIFF IS SCHEDULED ON THE DCKET (1-26-2021, AND IS EVIDENCED BY AN E-MAIL TO PLAINTIFF'S MOTHER, STATING, "THEY'RE PROBABLY GOING TO CANCEL COURT ANYWAY")

- 9) MR. FLANAGAN'S REPRESENTATION AND WORK ETHIC HAVE
FALLEN SO BELOW PAR THAT PLAINTIFF HAS NO FURTHER
TRUST IN MR. FLANAGAN'S ABILITIES TO REPRESENT HIM.
FURTHER,

BELIEF SOUGHT

- 1) THAT THE COURT ALLOW HIS MOTION TO FILE IN FORMA
PAUPERIS,
- 2) THAT THE COURT ISSUE AN ORDER REMOVING MR. FLANAGAN
AS HIS COUNSEL OF RECORD, BUT ORDERING HIM TO
APPEAR BEFORE THE COURT ON PLAINTIFF'S BEHALF
UNTIL SUCH TIME AS HE IS APPOINTED ANOTHER COUNSEL
OF RECORD, AND TO COOPERATE TO PLAINTIFF'S NEW
COUNSEL IN ANY CAPACITY THAT HE IS NEEDED,
- 3) THAT THE COURT APPOINT ATTORNEY MARK SCRUGGS OR
JONATHAN TURNER AS PLAINTIFF'S COUNSEL OF RECORD,
- 4) THAT THE COURT INSTRUCT MR. FLANAGAN TO PRESENT
PLAINTIFF AND HIS NEW COUNSEL WITH ANY AND ALL
DOCUMENTS IN HIS POSSESSION RELATING TO HIS CASES,
- 5) THAT THE COURT ISSUE AN ORDER UPON MICHAEL J. FLANAGAN
INSTRUCTING HIM TO REFUND ALL OF PLAINTIFFS RETAINER
AND/OR ANY UNUSED PORTION THERE-OF (PLAINTIFF AND
COUNSEL HAVE NO WRITTEN OR VERBAL CONTRACT, AGREEING
ON A NON-REFUNDABLE FEE AS SET FORTH IN RULES OF
PROFESSIONAL CONDUCT OR TENNESSEE RULES OF COURT)

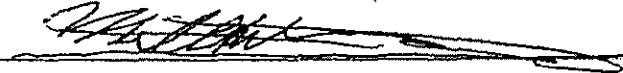
PETITIONER BELIEVES THAT HE HAS PRESENTED

CONCRETE FACTS TO SHOW THAT HIS COUNSEL IS
INEFFECTIVE ON HIS BEHALF AND SHOULD BE REMOVED
AS COUNSEL.

PETITIONER ASKS THE COURT TO ACCEPT HIS MOTION IN
GOOD FAITH AND GRANT HIM THE FULL RELIEF SOUGHT
HERE-IN.

SUBMITTED INTO THE HONORABLE COURT ON THIS THE 8TH
DAY FEBRUARY, 2021.

IT IS PRAYED,



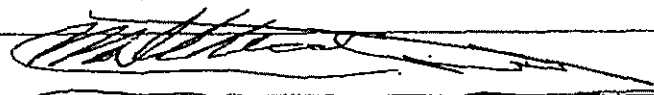
MATTHEW JAMES AMICK

108 COLLEGE AVE.

CENTERVILLE, TN 37033

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT A TRUE AND EXACT COPY OF
THE FOREGOING HAS BEEN SERVED UPON THE FOLLOWING
VIA THE US POSTAL SERVICE WITH ADEQUATE POSTAGE
POSTAGE AFFIXED, MICHAEL J. FLANNAGAN, 95 WHITE BRIDGE
RD. NASH, TN. 37205, AND DAMA NICHOLSON, CLERK OF
COURT, 101 COLLEGE AVE 37033, ON THE THE 8TH DAY
OF FEBRUARY, 2021.



MATTHEW JAMES AMICK



BOARD OF PROFESSIONAL RESPONSIBILITY

of the

SUPREME COURT OF TENNESSEE

10 Cadillac Drive Suite 220

Brentwood, TN 37027

FAX No: 615-367-2480

EMAIL: complaints@tbpr.org

Complaint/Assistance Form

Please check **ONE** of the following:

I would like to file a formal complaint: ☒

OR

I would rather file an informal request for assistance: ☒

Your Name: Mr. ☒ Mrs. ☐ Ms. ☐ Miss ☐ MATTHEW JAMES AMICK

Your Home Address: 108 COLLEGE AVE. CENTERVILLE TN 37033
City State Zip

Email _____ Check box if incarcerated: ☒ Inmate ID#: 7348

Your Home Phone: _____ Your Work Phone: _____ Your Cell Phone: _____

Your Employer: _____

Your Work Address: _____
City State Zip

Where do you prefer to receive correspondence? Home address ☒ Work Address ☐

Lawyer's Name: MICHAEL J. FLANAGAN Lawyer's Phone: 615) 356-1580

Lawyer's Address: 95 WHITE BRIDGE RD. STE. 507 NASHVILLE TN 37205
City State Zip

(Fill out a **separate form** for each lawyer you are complaining about. Do not include the name of the law firm.)

The above lawyer is: My attorney: ☒ Opposing attorney: ☐ Other: ☐

Date of first contact with Lawyer: Approx 12-10-2019 Date of last contact with Lawyer: 8-21-2020

Is your case: Criminal ☒ Civil ☐ Case# 195144 County: HICKMAN

If your case is in a Federal District, please check one of the following districts: Eastern ☐ Middle ☐ Western ☐

Please check the case type:

Bankruptcy _____ Domestic (Family) _____ General Civil _____ Personal Injury _____ Workers Comp _____ Estate _____

Social Security _____ Real Estate _____ Other (please describe): CRIMINAL

Criminal (If this is a Criminal case, please list the charge[s]): AGGRAVATED KIDNAPPING X 2

Stage of the Criminal Case:

Trial or Pre-Trial ☒ Direct Appeal _____ Post-Conviction _____ Post-Conviction Appeal _____ Habeas Corpus _____

Violation of Probation/Parole _____ Other: _____

LEARLY DESCRIBE YOUR CONCERNS AND ATTACH SUPPORTING DOCUMENTS: I RETAINED MR. FLA-
AGAN 18 MONTHS AGO AND SINCE THEN HE HAS VISITED ME ONLY 1 TIME AND
REFUSES TO COME SPEAK WITH ME. I HAVE INSTRUCTED HIM TO FILE NUMEROUS MOTIONS
ON MY BEHALF THAT HE REFUSES TO FILE. HE FILED FOR A MENTAL EVALUATION AFTER
I HAD ALREADY COMPLETED ONE THAT HE WAS FULLY AWARE OF. HE WILL NOT SHOW
UP FOR COURT ON THE DATES THAT HE KNOWS THAT I AM DCKETED FOR. HE
COMPLETELY IGNORES RULES OF PROFESSIONAL CONDUCT AND TENN. R. CRIM. PROC.
AND RULES OF COURT. I HAVE PREVIOUSLY FIRED HIM AS MY COUNSEL BUT HE
REFUSED TO WITHDRAW OR REFUND MY RETAINER (SEE ATTACHED) MR. FLA-
GAN REFUSED TO SEEK A BOND AS I REQUESTED AND HE REFUSED TO MOVE
MY CASES TOWARD A FINAL RESOLUTION. HIS LAST CORRESPONDENCE PERTAINING
TO ME WAS VIA E-MAIL TO MY MOTHER ON OR ABOUT 2-3-21, STATING "MY SHOW-
ING UP TO MY 1-26-2021 SCHEDULED COURT APPEARANCE DOESN'T LOOK GOOD FOR ME
SO THEY WILL PROBABLY CANCEL COURT ANYWAY" HE WILL NOT RESPOND TO ME OR SEE ME.

If more space is needed, please attach extra pages. Please do not write on the back of this form.

If the event our office is unable to reach you, please provide the name and address of an alternate contact person:

OTHER - JANET AMICK - 325 WEST KELLY RD. CENTERVILLE, TN. 37033
931-593-3180

NOTE: The filing of this complaint does not create an attorney-client relationship and the Board will not provide you any legal advice. The Board does not intervene in any on-going legal matter. The Board cannot require a lawyer to do, or not do, anything until a finding of misconduct is made. Filing a complaint with the Board will not preserve your legal rights and remedies. You should pursue independent legal advice and counsel concerning your legal matters. You may have limited time (statute of limitations) to file a legal malpractice lawsuit.

The information given in this complaint is true to the best of my knowledge and belief. I am aware that the lawyer may be notified of my complaint.

YOUR SIGNATURE: _____ Date: _____

FORWARD TO: Board of Professional Responsibility
10 Cadillac Drive Suite 220
Brentwood, TN 37027
FAX NO: 615-367-2480
EMAIL: complaints@tbpr.org

OFFICE USE ONLY

Log: / /
DC: Action:
Case Type:

Board of Professional Responsibility
of the Supreme Court of Tennessee

CONSUMER ASSISTANCE PROGRAM

Beverly P. Sharpe, Counsel
Director of Consumer Assistance

10 CADILLAC DRIVE, SUITE 220
BRENTWOOD, TENNESSEE 37027
TELEPHONE: (615) 361-7500
FAX: (615) 367-2480
E-MAIL: cap@tbpr.org
WEBSITE: www.tbpr.org

February 19, 2021

Michael Joseph Flanagan Esquire

RE: Complaint Number: 66755c-5
Complainant: Mathew James Amick

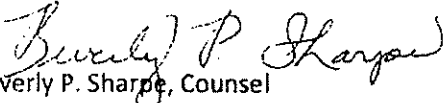
Dear Mr. Flanagan,

Mathew James Amick has contacted the Consumer Assistance Program (CAP) with concerns, which we are forwarding to you by an enclosure to this letter.

Your prompt and direct communication to Mathew James Amick about these concerns would be appreciated. If we do not hear back from Mathew James Amick within 30 days of the date of this letter, we will consider this matter resolved as far as this program is concerned.

Please respond to Mathew James Amick within 10 days of the date of this letter.

Sincerely,


Beverly P. Sharpe, Counsel
Director of Consumer Assistance

Enclosure: Mathew James Amick Correspondence of February 11, 2021

cc: Mr. Mathew James Amick 7348
HCl
108 College Ave
Centerville, TN 37033-1430

Enclosure: General Information: Criminal Defendants

NOTICE TO ATTORNEY: No written response to CAP regarding this letter is needed at this time. Your response should be directed to the party who has contacted CAP (or their attorney), and may be oral or written, as you deem appropriate. If the party reports to CAP that no timely response was made, you may receive a second request from CAP. If this second request is ignored, the file will be turned over to disciplinary counsel for further action. Also, note that the above concerns are stated as presented to this program and no judgment has been made as to their validity at this time.

NOTICE TO COMPLAINANT: If the attorney does not respond to you after 20 days, email CAP at cap@tbpr.org or write to CAP, so further steps may be taken.

MICHAEL J. FLANAGAN

Attorney at Law

95 White Bridge Road, Suite 507
Nashville, TN 37205
(615)356-1580
mikeflanagan.law@gmail.com

February 20, 2021

Matthew Amick
Hickman County Jail
108 College Street
Centerville TN 37033

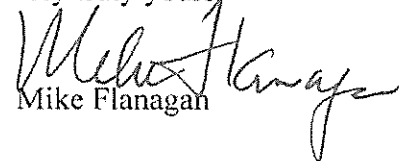
Re: State v. Amick

Dear Mr. Amick:

The Tennessee Supreme Court has modified its Covid 19 order, which had suspended all in person court proceedings through March 31, 2021. In person court hearings will now be allowed to resume on March 15, 2021.

I am reaching out to Judge Spitzer about getting your bond motion set on the next available docket.

Very truly yours,


Mike Flanagan

MICHAEL J. FLANAGAN

Attorney at Law

95 White Bridge Road, Suite 507

Nashville, TN 37205

(615)356-1580

mikeflanagan.law@gmail.com

February 24, 2021

Matthew Amick
Hickman County Jail
108 College Street
Centerville TN 37033

Re: State v. Amick

Dear Mr. Amick:

Subsequent to the last correspondence I sent, I received the complaint you filed against me with the Board of Professional Responsibility. I have been directed to respond to that complaint.

There have been delays in your case, none of which I could control. Covid 19 has disrupted the entire criminal justice system. In addition, the delay in obtaining the mental evaluation also set things back.

I will follow your directive and will file a Motion to Withdraw from your case. I will take no further action on your behalf.

Once the Court relieves me from any further obligation in your representation, I will provide you with a detailed accounting of the time and expenses I have spent on your case. I expect you will be able to determine that the fee has been more than earned and you are due no refund.

Very truly yours,


Mike Flanagan



BOARD OF PROFESSIONAL RESPONSIBILITY

of the

SUPREME COURT OF TENNESSEE

10 Cadillac Drive Suite 220

Brentwood, TN 37027

FAX No: 615-367-2480

EMAIL: complaints@tbpr.org

Complaint/Assistance Form

ase check ONE of the following:

I would like to file a formal complaint: ☒ **OR**

I would rather file an informal request for assistance: ☒

r Name: Mr. ☒ Mrs. ☐ Ms. ☐ Miss ☐ MATTHEW JAMES AMICK

r Home Address: HCS-108 College Ave. Centerville TN. 37033
City State Zip

all (Mother's Phone) Check box if incarcerated: ☒ Inmate ID#: _____

ir Home Phone: 931-593-3180 Your Work Phone: _____ Your Cell Phone: _____

ir Employer: N/A

ir Work Address: N/A
City State Zip

ere do you prefer to receive correspondence? Home address ☒ Work Address ☐

vyer's Name: Michael J. Flanagan Lawyer's Phone: 615-356-1580

vyer's Address: 95 White Bridge Rd. Ste 507 Nashville TN 37205
City State Zip

(Fill out a separate form for each lawyer you are complaining about. Do not include the name of the law firm.)

above lawyer is: My attorney: ☒ Opposing attorney: ☐ Other: Was fired due to incompetence

of first contact with Lawyer: 12-10-14 Date of last contact with Lawyer: 8-21-20

our case: Criminal ☒ Civil ☐ Case# 195144 County: Hickman

our case is in a Federal District, please check one of the following districts: Eastern ☐ Middle ☐ Western ☐

ase check the case type:

nkruptcy _____ Domestic (Family) _____ General Civil _____ Personal Injury _____ Workers Comp _____ Estate _____

cial Security _____ Real Estate _____ Other (please describe): Criminal

iminal (if this is a Criminal case, please list the charge[s]): AGG Kidnapping X2

ge of the Criminal Case:

al or Pre-Trial ☒ Direct Appeal _____ Post-Conviction _____ Post-Conviction Appeal _____ Habeas Corpus _____

lation of Probation/Parole _____ Other: _____

CLEARLY DESCRIBE YOUR CONCERNS AND ATTACH SUPPORTING DOCUMENTS: I fired Mr. Flanagan
due to ineffectiveness & diligence. He would NOT come to counsel me.
would NOT follow thru with any of my requests, never met with
me to sign a contract to determine his fee he charged of
\$7,500 to go to trial. He filed several things, i.e. psychological
evaluation, but only after the Jail had already had it done.
He refused to allow me to fire him several times and it was not
until I filed the complaint with you (#667550-5, 2-19-21)
Mr. Flanagan has done nothing to earn the full \$7,500 & I'm
aware that he has put forth some efforts & earned a
portion of his fee, but he was retained & paid to continue
all the way through trial but refused his Diligence (RPC
minimum) & was withdrawn due to his lack thereof so I'm
entitled to a large portion of my \$7,500 refunded.

If more space is needed, please attach extra pages. Please do not write on the back of this form.

In the event our office is unable to reach you, please provide the name and address of an alternate contact person

Mother - Janet Amick - 325 West Kelly Rd. Centerville, TN
37033 - 931 - 593 - 3180

NOTE: The filing of this complaint does not create an attorney-client relationship and the Board will not provide you any legal advice. The Board does not intervene in any on-going legal matter. The Board cannot require a lawyer to do, or not do, anything until a finding of misconduct is made. Filing a complaint with the Board will not preserve your legal rights and remedies. You should pursue independent legal advice and counsel concerning your legal matters. You may have limited time (statute of limitations) to file a legal malpractice lawsuit.

The information given in this complaint is true to the best of my knowledge and belief. I am aware that the lawyer may be notified of my complaint.

YOUR SIGNATURE: *Matthew Amick* Date: 4-6-2021

FORWARD TO: Board of Professional Responsibility
10 Cadillac Drive Suite 220
Brentwood, TN 37027
FAX NO: 615-367-2480
EMAIL: complaints@tbpr.org

OFFICE USE ONLY

Log: 1 / 1
DC: Action:
Case Type:

Board of Professional Responsibility

of the Supreme Court of Tennessee

CONSUMER ASSISTANCE PROGRAM

Beverly P. Sharpe, Counsel
Director of Consumer Assistance

10 CADILLAC DRIVE, SUITE 220
BRENTWOOD, TENNESSEE 37027
TELEPHONE: (615) 361-7500
FAX: (615) 367-2480
E-MAIL: cap@tbpr.org
WEBSITE: www.tbpr.org

April 20, 2021

Michael Joseph Flanagan, Esquire

RE: Complaint Number: 66755c-5
Complainant: Mathew James Amick

Dear Mr. Flanagan,

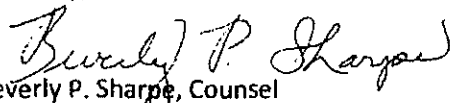
The enclosed correspondence has been assigned to the Consumer Assistance Program (CAP) for the purpose of a preliminary inquiry into the matter. Please provide a brief written statement concerning the enclosed Complaint, Request for Assistance (RA) or letter.

Please reply to CAP and copy Mathew James Amick within ten (10) days of your receipt of this letter.

Failure to respond by the due date above will result in this complaint being turned over to Disciplinary Counsel.

Thank you for your assistance in resolving this matter promptly.

Sincerely,


Beverly P. Sharpe, Counsel
Director of Consumer Assistance

Enclosure: Mathew James Amick Correspondence of April 13, 2021

cc: Mr. Mathew James Amick 7348
HCJ
108 College Ave
Centerville, TN 37033-1430

Enclosure: General Information: Criminal Defendants
General Information: Fee Disputes

NOTICE TO COMPLAINANT: If you do not receive the attorney's response within 20 days, email cap@tbpr.org or write to CAP referencing the complaint number above. If you disagree with the attorney's response, email or send your written reply within ten (10) days of receiving the attorney's response and reference the complaint number above. If CAP does not receive a timely written reply, the matter will be considered concluded in most cases.

NOTICE TO ATTORNEY: For questions or extensions, email cap@tbpr.org. CAP seeks to promptly resolve issues by informal mediation before they become a disciplinary file. To request a closure letter from CAP, email cap@tbpr.org 45 days after the last correspondence you send.

STATE OF TENNESSEE, Plaintiff v. Matthew Amick, Defendant in Circuit Court of Hickman County at Centerville, Tennessee Cause No: 19-5081-CR, 19-5144-CR, 21-5100-CR AND 17-5274-CR.

EXHIBIT # P AS RULE 103(a)(1)(2)

OFFER OF PROOF NO. 16

“AFFIDAVIT OF JANET AMICK, BATES
REPRESENTATION OF REBECCA” – 10 Pages



Matthew Amick

Dated this 15 day of July, A.D. 2025

_____, TSBA # 32498
Amanda J. Gentry

Dated this _____ day of _____, A.D. 2025

(Signature of Assigned Counsel Amanda J. Gentry is Required).

AFFIDAVIT

Notice to Principal is Notice to Agent and Notice to Agent is Notice to Principal

I, Janet Amick, am a non-legal entity and a Tennessean of the freely associated state, the republic of Tennessee being of sound mind, make this affidavit because the facts set forth in this affidavit are within my own personal knowledge, except as to those matters which are stated on information and belief, and as to those matters, I believe it to be true. I explicitly reserve all of my rights as recorded and acknowledged under the Ninth and Tenth Amendments of the Constitution of the United States of America. I affirm under penalty of perjury the following:

PURPOSE OF AFFIDAVIT

The purpose of this affidavit is to state my personal first-hand knowledge of actions taken and statements made by Matthew Amick hereinafter Matthew, Rebecca Ashton Seaborn Amick (Ward) hereinafter Rebecca and Douglas T. Bates, IV hereinafter Bates, and myself Janet Amick, that the truth may be ascertained and the proceedings justly determined in 17-5274-CR; 19-5081-CR; 19-5144-CR; 21-5100-CR.

- 1) I am the mother of Matthew Amick.
- 2) Matthew and Rebecca married in May 2007. Seth Amick and Hannah Amick are my grandchildren and were born of that marriage. The marriage ended in divorce in September 2018, 18-CV-6384.
- 3) Approximately May 2017, Rebecca and John Shaffer alleged Matthew "clicked a gun" at them which became case number 17-5274-CR. I accompanied Matthew to doctors' appointments, attorney meetings and court proceedings.

- 4) Matthew was legally represented by Bates in 17-5274-CR from approximately May 2017 through October 8, 2020.
- 5) Approximately September 2017, Rebecca stated to me that the charges she alleged in 17-5274-CR were not true. She stated that she was sorry and offered that she did not know exactly why she had consented to the pressure of others to pursue legal action. She asked my forgiveness and stated that she wanted to work on her marriage with Matthew.
- 6) I transported Matthew to many doctor's appointments for a Traumatic Brain Injury he believed he sustained in an automobile accident. I rented a van and took Matthew, Rebecca and their children to Atlanta, Georgia in September 2017 to the Amen Clinic for examination, diagnosis and a treatment plan. I bought specialized medical equipment, notably a hyperbaric oxygen chamber and supplements to assist with the financial expenses of the prescribed treatment of Traumatic Brain Injury.
- 7) Matthew divorced Rebecca in 2018 and allowed her to continue to live in his home. I have reason to believe Bates assisted them in a non-contested divorce in 2018, 18-CV-6384.
- 8) On about January 2019, Rebecca was charged with domestic assault of Matthew Amick. I accompanied Rebecca to her court appearance on January 28, 2019.
- 9) Rebecca and I were met at Hickman County Circuit court by Bates and Matthew. Bates instructed Rebecca , Matthew and I to wait in the hall outside the courtroom while he proceeded into the courtroom.
- 10) Approximately 45 minutes later Bates returned. He stated - we agree, there might be a conflict of interest. No explanation of this statement was provided. Bates expressed that he thought he would be able to get Rebecca's domestic assault charge dismissed or discharged.
- 11) Bates asked Rebecca if she would be willing to attend anger management and I believe he also asked her to submit to a drug and alcohol assessment. Rebecca stated that she would consent.

Bates stated that he would present Rebecca's agreement to the prosecutor and the court. He reentered the court room and instructed Rebecca, Matthew and I to continue waiting in the hall.

- 12) Bates returned in approximately 30 minutes and handed documents to Rebecca. Rebecca confirmed Bates instructions and thanked him. Rebecca and I exited the building.
- 13) Matthew was arrested August 8, 2019. The allegations became court case numbers 19-5081-CR, 19-5144-CR, 21-5100-CR.
- 14) Bates represented to myself and Karey Amick the existence of a valid search warrant for the residential address 404 East Kelly Road Centerville, Tennessee to search Karey Amick's motorhome bus in relation to the case numbers cited. I now have reason to believe a search warrant of that description does not exist.
- 15) Bates acknowledged in an email that Matthew would be able to petition the court that Bates provided ineffective assistance of counsel regarding the search warrant.
- 16) I accepted Matthew's grant of durable power of attorney and special power of attorney, to assist him in any act that he himself can perform such as signing his name, preparing and filing documents and communicating on his behalf, for his benefit and in his interest.
- 17) Matthew stated to me that the acknowledged perjury of Rebecca, in 17-5274-CR, was never presented to the court in 19-5081-CR, 19-5144-CR, 21-5100-CR. On March 22, 2024, I asked Clerk of Court Dana Nicholson, for access to inspect the public case file 17-5274-CR. I was informed by Dana Nicholson that 17-5274-CR was expunged and she was required to deny Matthew access to his case file.
- 18) Consequently, on behalf of Matthew, I wrote to Bates, his retained attorney for 17-5274-CR. Matthew requested and demanded the whole complete entire file 17-5274-CR pursuant to

Tennessee R. Sup. Cr. 1.16(d)(4)(5) and Article 1, Section 9 of the Tennessee State Constitution.

19) I began writing to Bates in March 2024 and he refused to provide Matthew's file. In May 2024, I requested help from the Board of Professional Responsibility. Bates then responded by providing some random documents.

1) In October 2024, I again requested assistance from the Board of Professional Responsibility. Bates provided these documents:

- a. 17-5274-CR, Partial email between yourself, Douglas T Bates, Dana Nicholson, Clerk of Court Hickman County, Amy B. Davis (Tennessee Attorney Generals Conference tndagc.org, and Holly Folsom tn.gov regarding an expungement order for 17-5274-CR.
- b. 17-5274-CR, CASE STATUS ORDER, FILED APR 5, 2018.
- c. 17-5274-CR, MOTION FOR DISCOVERY, UNFILED, dated November 14th, 2017.
- d. 17-CR-1361, 17-CR-1360, ORDER, FILED 9-14-17, dated September 13th, 2017.
- e. 17-CV-6092, AGREED ORDER TO MODIFY THE TEMPORARY AGREED ORDER ENTERED JUNE 24, 2017, FILED SEP 05, 2017, Dated August 30th, 2017.
- f. 17-CV-6092, AGREED ORDER, FILED SEP 05 2017, Dated September 5th, 2017.
- g. 17-CV-6092, AGREED ORDER DISMISSING COMPLAINT FOR DIVORCE AND COUNTER COMPLAINT, FILED SEP 05 2017, Dated September 5th, 2017. [
- h. 17-CV-6092, AGREED ORDER DISMISSING COMPLAINT FOR DIVORCE AND COUNTER COMPLAINT, UNFILED
- i. Email from Janet Amick, UNFILED, Dated August 5th, 2017.
- j. Email from Janet Amick, UNFILED, dated July 28th, 2017.
- k. Letter signed John Seaborn, UNFILED, no date.
- l. Email from Janet Amick, UNFILED, Dated June 9, 2017.
- m. Email from Janet Amick, UNFILED, Dated June 19, 2017.
- n. 17-5274-CR, ORDER FOR THE EXPUNGEMENT OF CRIMINAL OFFENDER RECORD, FILED OCT 9, 2020 signed by Douglas T. Bates, Stacey B. Edmonson, Michael E. Spitzer.
- o. 17-5274-CR, MOTION TO DISMISS, UNFILED, Dated April 18th, 2018.
- p. DUPLICATE 17-5274-CR, CASE STATUS ORDER, FILED APR 05 2018.
- q. Amen Clinic Report

- r. Maury Regional Report
- s. Centerstone Report
- t. Walk-in Medical Clinic of Linden Report

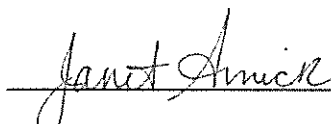
- 20) November 25, 2025 Matthew requested that Bates certify that the documents he provided constitute the whole entire complete file 17-5274-CR.
- 21) Bates corresponded January 20, 2025 but failed to respond to the request for certification that documents sent do in fact, constitute the whole entire complete file 17-5274-CR.
- 22) 17-5274-CR is expected to contain text messages from Rebecca Ashton Seaborn Amick to Officer Jonathan Pitts (Lewis County Constable) that substantiate the claim made in 17-CV-6092, MOTION TO BIND JOHN SEABORN and BIND HIM TO STATUTORY INJUNCTION, #2 "The mother's [Rebecca Ashton Seaborn Amick] testimony at a preliminary hearing [under oath implied] presented an acknowledged falsehood"
- 23) I believe that the prior act of "acknowledged falsehood" committed by Rebecca was not presented to the court during the proceedings of 19-5081-CR, 19-5144-CR, 21-5100-CR. I believe that both the prosecution and the defense have a duty to present prior acts of "acknowledged falsehood" of any witness, to the court.
- 24) Additionally, Bates has not provided documents consistent with the existence of a criminal proceeding and reasonably believed to exist, such as - an Affidavit of Complaint, An arrest warrant or summons, Initial Appearance documentation, A grand jury indictment or presentment, Preliminary hearing documents or transcripts, Arraignment and Scheduling order, Search Warrant and Search Warrant Return and others.
- 25) I certify that as of the date of this affidavit, I am not in receipt of the instruments specified in number 22 and 24, and I am not in receipt of certification that the instruments mailed, constitute the whole entire complete file held by the records custodian, Bates.

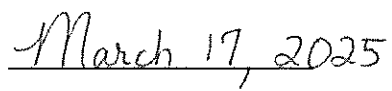
This declaration is made based on my direct knowledge and experiences related to the matters described herein. I am no expert in the law however I do know right from wrong. If there is any human being damaged by any statements herein, if he will inform me by facts, I will sincerely make every effort to amend my ways that the truth may be ascertained. I hereby and herein reserve the right to amend this document, as necessary, that the truth may be ascertained and the proceedings justly determined, and further;

If the parties given notice by means of this document have information that would controvert and overcome this affidavit, please advise me in written affidavit form within 30 days from receipt hereof. Provide me with your counter affidavit proving with particularity, stating all request actual evidentiary facts and all requisite actual law and not merely the ultimate facts or conclusions of law, that this affidavit statement is substantially and materially false, sufficiently to change materially my status and factual declarations. Your silence stands as consent to and tacit approval of the factual declarations herein being established as fact as a matter of law.

By the will of our heavenly father above and through the power, authority and blood of his son Jesus Christ, may it be done on earth as it is in heaven.

Further, Affiant sayeth naught.


Affiant, Janet Amick, All Rights Reserved


Date

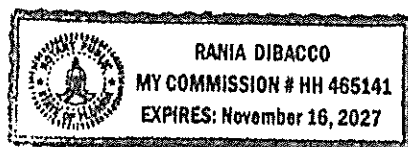
Jurat:

Sworn to and subscribed before me, the 17 day of March 2025, by, Notary Public in
Bay County, PCB and for State of Florida.

Printed Name of Notary: Rania DiBacco

Notary Signature: Rania DiBacco

Notary Stamp or seal:



CERTIFICATE OF SERVICE

Republic of Florida)
Subscribed and Affirmed)
County of Bay)

I, Sherlynn Johnson, the undersigned mailer/server, being of sound mind and under no duress, do hereby certify, attest and affirm that the following facts are true and correct, to wit:

1. That at the city of Panama City Beach, County of Bay and the Republic of Florida, on the 17 day of March, 2025, that on behalf of Janet Amick, a human being and natural woman, the undersigned personally deposited the following documents listed below, inside the envelope, sealed them and transmitted them via the carrier indicated in 2 below, to wit:

a. Item #1 Affidavit - AFFIDAVIT & CERTIFICATE OF NON-RESPONSE - BATES
7 pages

b. Item #2 Enclosure #3 Certificate of Service 3 pages

Total of 10, (TEN) Pages

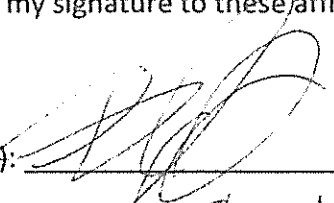
2. That I personally mailed documents(s) via United States Postal Office, by Certified Mail # Listed below , Return Receipt Requested at said City and State, one complete set of Copied documents, as described in item 1 above, properly enveloped and addressed to:

BATES & BATES LAW OFFICE, Douglas T. Bates, PO Box 1, Centerville, Tennessee 37033.
Certified Mail # 9589 0710 5270 2605 9495 21

3. That I am at least 18 years of age; and further
4. That I am not related to Janet Amick by blood, marriage, adoption, or employment, but serve as a "disinterested third party" (herein "Server"); and further,

5. That I am in no way connected to, or involved in or with, the person and/or matter at issue in this instant action.

I now affix my signature to these affirmations.

(Signature): , Mailer/Server

(Printed Name): Sherlynn Johnson

NOTARY PUBLIC'S JURAT

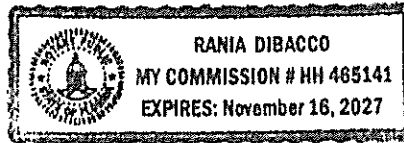
BEFORE ME, the undersigned authority, Notary Public, of the County of Bay, Republic of Florida, this 17 day of March, 2025, ²⁰March Sherlynn Johnson mailer/server did appear and was identified by 1. Passport 2. Driver's License; 3. Other: FCDL, and who upon first being duly sworn and/or affirmed, deposes and says that the foregoing acervation is true to the best of his/her knowledge and belief.

I certify under PENALTY OF PERJURY under the laws of the State of Florida that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

/s/ Rania Dibacco SEAL

NOTARY PUBLIC



My Commission Expires On: Nov 16, 2027

STATE OF TENNESSEE, Plaintiff v. Matthew Amick, Defendant in Circuit Court of Hickman County at Centerville, Tennessee Cause No: 19-5081-CR, 19-5144-CR, 21-5100-CR AND 17-5274-CR.

EXHIBIT # Q AS RULE 103(a)(1)(2)

OFFER OF PROOF NO. 17

“PUBLIC NOTICE AND DEMAND – Offer to
REMEDY ALL CLAIMS, Published FOR 3
CONSECUTIVE WEEKS IN HICKMAN, LEWIS
PERRY COUNTIES” – 5 Pages



Matthew Amick

Dated this 15 day of July, A.D. 2025

_____, TSBA # 32498
Amanda J. Gentry

Dated this _____ day of _____, A.D. 2025

(Signature of Assigned Counsel Amanda J. Gentry is Required).

Notice is Hereby given to all interested parties:

The results of the attached public notice published in Hickman, Lewis and Perry Counties for 3 consecutive weeks on or about June and July of 2024 produced one individual woman, Sue Ann Hart Tucker, who is not connected with these or any public proceedings whatsoever alleging a claim upon Matthew Amick. No claim for which relief can be granted has yet been stated however the parties have entered a verbal agreement to resolve the matter privately. Matthew Amick herein reaffirms his intent to settle and close this private claim with Sue Ann Hart Tucker.

Additionally, my brother Daniel Amick and his wife, Alisha Amick, believed to have made a claim in relation to this proceeding, have now stated to me by private letter and not attached, their desire to quit all attachment to and participation in, any public proceeding and settle all matters privately. Matthew Amick herein reaffirms his intent to settle and close this private claim with Daniel Amick and with Alisha Amick.

I do herein certify that the above statements are true and correct to the best of my knowledge.



Matthew-James: Amick, all rights reserved, without prejudice

AFFIDAVIT OF PUBLIC NOTICE

Notice to Agent is Notice to Principal; Notice to Principal is Notice to Agent

I, Brad Martin, am the Editor or Publisher of Hickman County Times Newspaper and I do swear or affirm that I have published the public notice contained herein on the following dates: June 24, July 1, & July 8, 2024.

Public Notice is hereby made in good faith to remedy controversy and provide service by publication. If you have any claim against MATTHEW JAMES AMICK, Matthew Amick aka "Stretch" please email within 30 days of the date of this notice scf@startmail.com. All claims will be subject to private arbitration subject to Tennessee Rules of Arbitration. Parties given notice by means of this publication should provide all evidentiary facts and all requisite actual law, giving rise to your claim, that the truth may be ascertained. Please state what action or remedy you believe may be taken to make you whole. This is a good-faith effort to remedy controversy and all communications will be timely answered. Your silence stands as tacit agreement and acknowledgement that no claim of harm, injury or loss exists. All correspondence prepared, received and related to these matters may be used, and shall be admissible in evidence in any current or resulting action or proceeding whatever without objection.

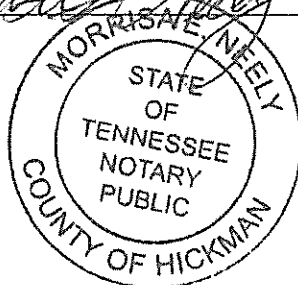
Jurat:

Sworn to and subscribed before me, the 24 day of July 2024, by Notary Public in Hickman County, Tennessee and for State of Tennessee.

Printed Name of Notary: Morrissa E. Neely

Notary Signature: Morrissa E. Neely

Notary Stamp or seal:



My Commission Expires
June 27, 2028

AFFIDAVIT OF PUBLIC NOTICE

Notice to Agent is Notice to Principal; Notice to Principal is Notice to Agent

I, Aulon Dunn, am the Editor or Publisher of LEWIS County Herald Newspaper and I do swear or affirm that I have published the public notice contained herein on the following dates: June 27, July 4, & July 11, 2024.

Public Notice is hereby made in good faith to remedy controversy and provide service by publication. If you have any claim against MATTHEW JAMES AMICK, Matthew Amick aka "Stretch" please email within 30 days of the date of this notice scf@startmail.com. All claims will be subject to private arbitration subject to Tennessee Rules of Arbitration. Parties given notice by means of this publication should provide all evidentiary facts and all requisite actual law, giving rise to your claim, that the truth may be ascertained. Please state what action or remedy you believe may be taken to make you whole. This is a good-faith effort to remedy controversy and all communications will be timely answered. Your silence stands as tacit agreement and acknowledgement that no claim of harm, injury or loss exists. All correspondence prepared, received and related to these matters may be used, and shall be admissible in evidence in any current or resulting action or proceeding whatever without objection.

Jurat:

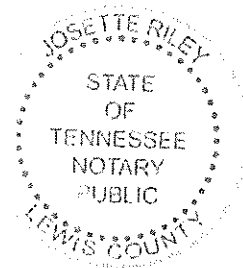
Aulon Dunn

Sworn to and subscribed before me, the 15th day of July 2024, by Notary Public in Lewis County, Tennessee and for State of Tennessee.

Printed Name of Notary: Josette Riley

Notary Signature: Josette Riley

Notary Stamp or seal:



Buffalo River Review



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RE:

AMICK

AFFIDAVIT OF PUBLICATION

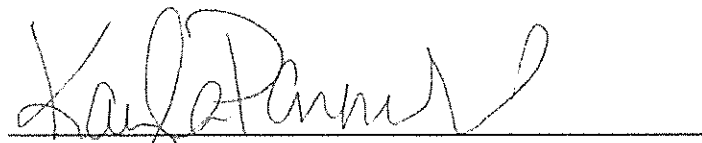
STATE OF TENNESSEE
COUNTY OF PERRY

I, Kayla Parnell, do swear that I am Office Manager of the *Buffalo River Review*, a weekly news paper published in Perry County, Tennessee, Town of Linden, having an actual and bona fide circulation in Perry County and that the NOTICE, of which the annexed and attached is a true copy, was published for THREE (3) consecutive week(s), as follows, to-wit:

___6/19/2024___

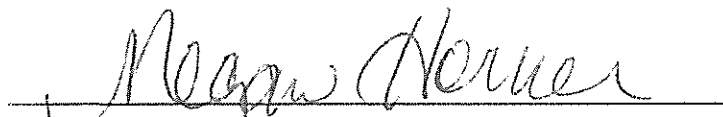
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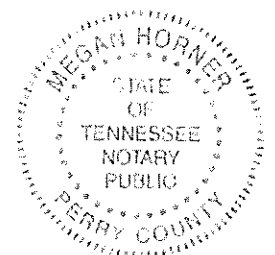
___7/3/2024___



Kayla Parnell, Office Manager
The *Buffalo River Review*

Subscribed and sworn to before me this 12th day of July, 2024.


Notary Public



My commission expires 12/7/2027

Annexed and Attached to Affidavit of Publication
Buffalo River Review July 12th, 2024

AFFIDAVIT OF PUBLIC NOTICE

Notice to Agent is Notice to Principal; Notice to Principal is Notice to Agent

I, _____, am the Editor or Publisher of _____
Newspaper and I do swear or affirm that I have published the public notice contained herein on
the following dates: _____, _____, &
_____.

Public Notice is hereby made in good faith to remedy controversy and provide service by publication. If you have any claim against MATTHEW JAMES AMICK, Matthew Amick aka "Stretch" please email within 30 days of the date of this notice scf@startmail.com. All claims will be subject to private arbitration subject to Tennessee Rules of Arbitration. Parties given notice by means of this publication should provide all evidentiary facts and all requisite actual law, giving rise to your claim, that the truth may be ascertained. Please state what action or remedy you believe may be taken to make you whole. This is a good-faith effort to remedy controversy and all communications will be timely answered. Your silence stands as tacit agreement and acknowledgement that no claim of harm, injury or loss exists. All correspondence prepared, received and related to these matters may be used, and shall be admissible in evidence in any current or resulting action or proceeding whatever without objection.

Jurat:

Sworn to and subscribed before me, the _____ day of _____ 2024, by Notary Public in
_____ County, Tennessee and for State of Tennessee.

Printed Name of Notary: _____

Notary Signature: _____

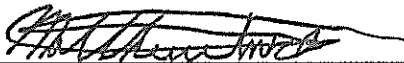
Notary Stamp or seal:

STATE OF TENNESSEE, Plaintiff v. Matthew Amick, Defendant in Circuit Court of Hickman County at Centerville, Tennessee Cause No: 19-5081-CR, 19-5144-CR, 21-5100-CR AND 17-5274-CR.

EXHIBIT # R AS RULE 103(a)(1)(2)

OFFER OF PROOF NO. 18

“BOND HEARING TRANSCRIPT & DECLARATION” – 18 Pages



Matthew Amick

Dated this 15 day of July, A.D. 2025

_____, TSBA # 32498
Amanda J. Gentry

Dated this _____ day of _____, A.D. 2025

(Signature of Assigned Counsel Amanda J. Gentry is Required).

IN THE CIRCUIT COURT of HICKMAN COUNTY at CENTERVILLE, TENNESSEE

STATE OF TENNESSEE v. MATTHEW JAMES AMICK

Case Nos. 19-5081-CR, 19-5144-CR, 21-500-CR, 17-5274-CR

DECLARATION IN SUPPORT OF RULE 24(c) STATEMENT OF EVIDENCE

(Bond Hearing – May 20, 2021)

Pursuant to Tennessee Rule of Appellate Procedure 24(c), I, Janet Amick, hereby declare and affirm under penalty of perjury as follows:

1. I, Janet Amick am one of the People of the freely associated state of Tennessee and do hereby reserve all natural and unalienable rights protected by the ninth and tenth amendments to the Constitution for the United States of America, am of the age of majority and competent to make this declaration. I am the natural birth-mother of Matthew James Amick.
2. On May 20, 2021, after 22 months of incarceration, the trial court conducted a hearing concerning the Defendant's pretrial release and bond status. This hearing was conducted via Zoom video conference and I personally attended.
3. The Defendant's formal Pro Se Motion for Transcripts at Public Expense was denied by the court October 9, 2024.
4. I personally partially recorded the bond hearing via Zoom as it occurred in real time, and I later prepared a substantially verbatim transcript of the proceeding.
5. The attached transcript, labeled Exhibit R, was both recorded and transcribed by me based on the original, unaltered recording.
6. The recording has been securely preserved, has not been modified and the audio recording is available in the public domain for self-verification at www.Justice4Matthew.com/bondhearing
7. To the best of my knowledge, information, and belief, the attached transcript is true, accurate, and complete, and reflects the statements and events that occurred during the May 20, 2021 hearing.
8. This declaration and the attached transcript are submitted in accordance with Tennessee Rule of Appellate Procedure 24(c) for the purpose of preserving the evidentiary record in support of the Defendant's Amended Motion for New Trial, particularly as it relates to:

denial of due process, ineffective assistance of counsel, improper denial of bond, and failure to object to inadmissible and prejudicial testimony.

I declare and affirm under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Respectfully submitted,

Janet Amick

Janet Amick, all rights are reserved and none are waived

Attorney-in-Fact for Matthew James Amick

Recorded POA: Hickman Co. Reg. #24003775

Date: 8/18/24

Bond Hearing Transcript from Verbatim Private Partial Recording

Held: May 20, 2021

Recorded in Real Time by: Janet Amick

Transcribed Verbatim by: Janet Amick

Speakers:

Stacey B. **Edmonson**, Prosecutor, also "General"

Douglas T. **Bates**, Attorney for the defendant Matthew Amick

Judge, Michael E. **Spitzer**, 32nd Judicial District

Karey Amick, defendants father, also "Mr. Amick"

Rebecca Ashton Amick, ex-wife of the defendant, State's Witness

Barry **Carroll**, Tennessee Bureau of Investigations Officer

Unknown Speaker 1

Unknown Speaker 2

Spitzer: We'll wait for you to come back in.

Do you have his number, Mr. Bates, where you could give him a call to see if he'd kick back in?

Bates: yes your honor, if I can mute myself, if that's ok.

Spitzer: certainly. Certainly.

Unknown Speaker 1: Any contact, Mr. Bates?

Bates: I have. He's back on. He's trying to get back on.

Unknown Speaker 1: He could also try to call in by phone if the internet keeps on being a problem.

Bates: General, would you oppose that?

Edmonson: No, that's fine.

Unknown Speaker 1: Okay

Bates: Hey Karey, I'm going to just put you on speakerphone to finish this up by phone. Okay. I'm going to put you on speaker. Okay Karey can you say something?

Karey: Yes sir, I'm here. You're on speaker phone here.

Bates: Okay, speak as loud as you can.

Karey: Okay?

Bates: Can everyone hear?

Unknown Speaker 1: If it's not loud enough, there's a phone number that he can call in. To zoom, and then it'll transmit the audio a little better.

Bates: Okay Karey. I'm going to hang up with you. On the email that I sent with the zoom link, there's a phone number.

Karey: [muted audio]

Unknown Speaker 1: It's under dial by location.

Bates: 1550 or 551-285-1373

Karey: [muted audio]

Bates: and just call in. Thank you.

Unknown Speaker 1: He may have to put in the meeting id and passcode on that as well.

Karey: Hello

Spitzer: Mr. Amick, are you on?

Karey: Yes Sir, I'm here.

Spitzer: You'll need to speak loudly please.

Karey: Yes sir, Okay. How about now?

Spitzer: That's a little better.

Karey: Okay.

Bates: Okay, Mr. Amick, my question was while Matthew is in Texas, can you ensure he does not drink alcohol?

Karey: yes sir

Bates: If he does, are you prepared to contact his bond company and the district attorney to advise them that he's in violation of a bond order?

Karey: Yes

Bates: Will you be able to get Matthew some form of insurance or some ability to stay on the medications he's on now?

Karey: Yes

Bates: Do you have insurance? Currently?

Karey: No.

Bates: Will Matthew be able to get to doctor visits in Texas?

Karey: yes

Bates: Will you be able to travel back to court from Port Arthur to Tennessee for Matthew's court appearances?

Karey: We'll try to make the arrangements for that.

Bates: And do you and Miss Janet get along when it comes to working for Matthew's best interest?

Karey: Yes

Bates: Do you have any desire to help Matthew flee the country by boat or stay out to sea for the rest of his life?

Karey: No, no.

Bates: Those are my questions Mr. Amick. The Attorney General will have some for you.

Spitzer: General Edmonson.

Edmonson: Thank you your Honor. Mr. Amick, just a few questions for you. First of all how do you plan to ensure that your son will not drink alcohol?

Karey: Well, I will have a briefing with him on a daily basis concerning that and any other thing that you might or anybody else would suggest. I'm open for anything that would pertain to that and helping him cope with that, if that still is a problem. I'm not sure that he even has that problem now for he's been incarcerated for a very long time.

Edmonson: Well, Mr. Amick, would it be fair to say that his use of alcohol and drugs was exacerbated by his traumatic brain injury?

Karey: Oh I can't say. I don't know that.

Edmonson: Okay. Over the years, did you see an increase in his use of alcohol and drugs?

Karey: I really can't answer that question. I've not been around him that much in the last few years. I know he's complained about his head injuries quite often. I've got calls from his mother concerning him. About his headaches.

Edmonson: Okay, how do you intend to get him to court?

Karey: If we've got some time, like a day or two notice, we'll make arrangements through his mother or myself.

Edmonson: Okay, I guess more specifically, what I'm asking is, are you going to drive him? Are you going to put him on a bus, on an airplane? What is your plan?

Karey: Either or any one of those ways, methods to get him there. The plane would probably be the best because we're about 900 miles away. But if it's something really important and the court really needs me or calling on me to get him up there right now, then I would make every effort to do that.

Edmonson: Okay. Are you prepared to travel with him to ensure he makes it from point a to point b?

Karey: Yes, I will certainly try to. Sometimes I might be called for emergency because I do a rescue boat here, and I may be on a rescue or a salvage operation, but I can usually get away one everybody's established to the crews and everything to do that. But if I have a notice, a heads up, like a date to go by where I have at least a couple of days' notice.

Edmonson: So Mr. Amick, it sounds like your job is pretty busy. Is that a fair statement?

Karey: Sometimes, not always. I'm basically here on the island Ninety percent of the time.

Edmonson: Okay

Karey: Because I'm taking all this into consideration of the situation, him coming here, and he is a responsible person when it comes to dealing with the boats and the people that come to have their repairs made like that. So I feel like this is a great opportunity for him to heal and begin to get his life back. I've had a lot of thought that's been put into this.

Edmonson: Well, Mr. Amick, let me ask you this, your son testified earlier that he's only spent about ten days in Texas previously. How is it that you that he can deal with the customers and work on the boats, given that he's only spent about ten days there?

Karey: Well, he's had responsibility on him before with the CSX railroad and the Texas Eastern Pipe yard in LaVergne, Tennessee. So he's been engaged in supervising crane riggers and other chores and duties there that involved equipment and painting and stuff like that. He's participating in painting containers that went to Iraq. We've done over 50 containers. And so he's got a good track record and he has been able to do these sort of things in the past.

Edmonson: Okay, how long ago was that?

Karey: Back in 2005, through the times we worked at the boatyard 2008.

Edmonson: Okay, so several years ago.

Karey: yes

Edmonson: So that track record isn't really a recent track record. Would that be fair to say?

Karey: Well, he was here on the island. I had to go back and look, but around 2012, 13, somewhere in that neighborhood at time. 2014, somewhere in there like that. And he did work on the CSX railroad in 2019 in Atlanta, Georgia, also. That's where he went for his evaluation of his head injuries. So yeah, he worked with me down there. I don't about a month, I think.

Edmonson: Okay. Mr. Amick do you have any weapons in your residence?

Karey: No

Edmonson: You don't have any guns or firearms or any kind?

Karey: No

Edmonson: Your honor, that's all I have.

Spitzer: Mr. Bates? You're muted. Mr. Bates.

Bates: Just very briefly your honor. Mr. Amick the court dates will be provided to Mr. Amick weeks or months in advance. Will you be able to account for those in getting Mr. Amick, Matthew up to Tennessee for court dates?

Karey: Yes

Bates: If you're called out on an emergency, will you be able to communicate that to Janet Amick?

Karey: Yes

Bates: Thank you. Those are my questions.

Spitzer: Any further General?

Edmonson: No sir.

Spitzer: Mr. Amick, just on the side and has nothing to do with this case. But do you know whether or not they've let the dams open at Lake Rayburn?

Karey: Oh yeah. Dam B. and I was just looking for that this morning. We do have significant flooding right now. The tide's up about two foot above normal here on the coast and everyone's concerned about the release of water from Dam B. I'm not sure at this time.

Spitzer: Are you located in a position where you might get flooded?

Karey: We're on the gulf side, so were in behind the levee system, mouth of the Sabine river and the Sabine pass. It flows out. So during Hurricane Harvey, we really didn't get flooded on the island.

Spitzer: That's good. You probably eaten there at the Natures' River Wheelhouse Restaurant, then you?

Karey: It's my favorite place, Yes sir. The attorney's there, actually I work on their boats, so I have a relationship there with the judge here in Jefferson county also.

Spitzer: Good deal Mr. Amick, thank you very much. You can either stay on or you can click off. It's your choice on that.

Karey: Okay, thank you. I'll stay on.

Spitzer: Okay. Mr. Bates, you have another witness?

Bates: Those are our witnesses and proof, your honor.

Spitzer: Okay, general?

Edmonson: Your honor, the state would call Rebecca Amick. She should be with Trina Falls. If you'll let in Trina.

Unknown Speaker 2: Can y'all hear us?

Spitzer: Yeah, we can hear you now. Mr. Rebecca, can you hear me?

Rebecca: Yes, sir.

Spitzer: You raise your right hand, please. Swear and affirm the testimony about to give the truth whole truth, nothing but truth so help you God.

Rebecca: Yes sir.

Edmonson: Please state your full name and spell for the court reporter.

Rebecca: Rebecca Ashton Amick. R-E-B-E-C-C-A A-S-H-T-O-N A-M-I-C-K.

Spitzer: Thank you ma'am. General Edmonson.

Edmonson: Thank you your honor. Ms. Amick, let's start by telling the court you've remarried haven't you?

Rebecca: Yes, sir. Yes ma'am.

Edmonson: Okay and when did that occur?

Rebecca: April of 2020

Edmonson: Okay. And have you legally changed your last name from Amick yet?

Rebecca: No, ma'am, not yet. Because of Covid.

Edmonson: Okay, When you are able to change your last name, what will your new last name be?

Rebecca: Ward

Edmonson: Okay. Alright, and tell us how long were you married to Matthew Amick?

Rebecca: Eleven years.

Edmonson: Okay. And do you have any children?

Rebecca: Yes ma'am.

Edmonson: How many?

Rebecca: Two.

Edmonson: How old are they?

Rebecca: Eleven and nine.

Edmonson: And the eleven year old, what is his name?

Rebecca: Seth

Edmonson: Okay. And the nine year old?

Rebecca: Hannah

Edmonson: Okay. And do you recall exactly when your divorce from Mr. Amick was finalized?

Rebecca: It was September of 2018 or 2019. 2019. 2018.

Edmonson: Okay. Did you continue to reside with Mr. Amick after your divorce?

Rebecca: Not by choice but yes.

Edmonson: Okay. So who was living in the house?

Rebecca: Myself, my two children and him.

Edmonson: Oday. And where was this house located?

Rebecca: 512 West Kelly Road.

Edmonson: And what county is that?

Rebecca: Hickman

Edmonson: Okay. Alright. Do you recall August 7 of 2019?

Rebecca: Yes ma'am.

Edmonson: Do you recall August 8, 2019?

Rebecca: Yes, ma'am

Edmonson: Do you know, or can you tell us why those two dates stick out to you?

Rebecca: Because that was the dates that Matthew tried to kill me and my son.

Edmonson: Okay. Tell us what happened, please.

Rebecca: Well the night before, he had gotten drunk as usual, and he seemed okay. Nothing was real bad. We stayed up late, and he wanted to have sex. And I just said no and went to sleep. And then he woke us up at probably five or six in the morning, yelling at us, just being crazy, yelling at in Andy Griffith voice. And woke Seth up and made him go outside and was yelling at him to deal with the animals. And it just escalated from there. He got out the gun, started threatening us, shooting up the house, holding me and Seth at gunpoint, knife point. It was very horrific for both of us.

Edmonson: Explain to the court, if you will, what type of gun we're talking about.

Rebecca: he had an AR 15 and one of his Glock pistols. Then he had a little, a little like axe he had made and a big knife.

Edmonson: And during all this, how long did this last?

Rebecca: Several hours from, like I said, five or six in the morning till, I believe it was close to ten before I was able to leave to go find Seth.

Edmonson: Okay, well, tell us about Seth. How long was this going on with Seth?

Rebecca: The same amount of time. Maybe minus 30 minutes or so.

Edmonson: How was Seth able to get away?

Rebecca: Matthew told him to go into the bathroom because he was going to kill me and he didn't want him to see it.

Edmonson: Okay. And what did Seth do at that point?

Rebecca: He snuck out the bathroom door, had, like, a door. The bathroom had a door going into our bedroom and a door going into the kitchen. And he snuck out of the one going into the kitchen and ran out the door and ran to his uncle's house.

Edmonson: Okay. Ultimately did you meet with law enforcement later that day?

Rebecca: Yes ma'am.

Edmonson: Okay. Was Seth forensically interviewed?

Rebecca: Yes ma'am.

Edmonson: Okay, and you gave an interview and a statement?

Rebecca: Yes ma'am.

Edmonson: Okay. Tell the court, how were you able to finally get away?

Rebecca: after Matthew realized that Seth was gone, he kind of just, I really don't understand why he didn't shoot me then. But he kind of realized that the cops were going to come, and he got worried about Seth, where Seth was going. And he kept pressuring me, holding the gun to my head, asking me where he went. I didn't know where he went. And he eventually left, came back once or twice to get some stuff and then left and didn't come back. So I grabbed a few things, jumped in my truck, and went to find Seth.

Edmonson: Okay, and by the time that you found Seth, had the police been notified?

Rebecca: Yes

Edmonson: And who notified the police?

Rebecca: Daniel Amick, Matthew's brother.

Edmonson: Okay. Were any shots fired?

Rebecca: yes.

Edmonson: And tell the court about that.

Rebecca: he shot the house up. He shot in our general direction. I think eight or nine bullet holes in the house. And then he shot my phone. He emptied an entire Glock mag into my phone, which I believe is about 17 to 19 shots, because he had the double, he had the bigger mag, so.

Edmonson: How many guns total were in your residence?

Rebecca: Oh, I don't know. A lot. Several. I know he had three, maybe four built AR's, if that. I really don't remember how many. And then there's a bunch of hunting rifles, several shotguns, several pistols. It was a lot.

Edmonson: Okay, Now, you stated earlier that you and Mr. Amick had been married for eleven years. When you divorced, were you married to him when he suffered the traumatic brain injury?

Rebecca: Yes ma'am.

Edmonson: Okay. If you can tell the court, prior to the traumatic brain injury, did he exhibit any violent behavior or any use of alcohol or drugs?

Rebecca: Yes

Edmonson: Okay. Which was it? Violent behaviors? Alcohol and drugs?

Rebecca: Alcohol and drugs. And towards the later years, violent behaviors, not physical but definingly that type of behavior.

Edmonson: Okay. After the traumatic brain injury, did any of that get worse?

Rebecca: Yes

Edmonson: Was he willing to seek treatment?

Rebecca: For a little while, he did for a little while. Then he pretty much stopped and went back to his old ways of just drinking and stuff like that.

Edmonson: Okay. How many different doctors, to your knowledge, did he see about his traumatic brain injury?

Rebecca: Um, his mother may be able to answer that one better because they saw a few doctors before I was back in the picture. I know he was three or four that I know of, but there was more that he saw before. A couple more.

Edmonson: Okay. Did any of those doctors prescribe any medications or any sorts of treatment?

Rebecca: yes ma'am.

Edmonson: Was he compliant with that medication or treatment?

Rebecca: For a little while, maybe six months, six or eight months.

Edmonson: Ms. Amick are you afraid of him?

Rebecca: Yes

Edmonson: Is your son afraid of him?

Rebecca: Yes, he is terrified.

Edmonson: Have you had any contact with him since he was arrested?

Rebecca: No ma'am.

Edmonson: Have you received any letters from him?

Rebecca: Indirectly, yes.

Edmonson: Okay. And how did you receive that letter?

Rebecca: He had sent a letter to his mother, and in it, there was a little note to me and the kids, and she gave me a copy of it.

Edmonson: All right.

Rebecca: I think that was in September.

Edmonson: Of what year?

Rebecca: That year that 2019.

Edmonson: Okay. Thank you. Alright Ms. Amick, based on your history with Mr. Amick, do you believe he will be compliant with any conditions of bond?

Rebecca: No not at all.

Edmonson: That's all your honor.

Spitzer: Mr. Bates?

Bates: Ms. Amick, in 2017, you caused Mr. Amick to be arrested for aggravated assault. Is that correct?

Rebecca: Yes, sir.

Bates: And you alleged that Mr. Amick had a gun and pointed it at you and pointed it at the children, correct?

Rebecca: No it was me and Mr. um, Mr. Schafer.

Bates: Okay. And the children were present during that time?

Rebecca: Yes. They were in their room.

Bates: You swore out an Order of Protection, alleging those facts?

Rebecca: yes

Bates: And you said that you were in fear of your life?

Rebecca: Yes

Bates: You filed a divorce.

Rebecca: Yes

Bates: You later recanted all of that didn't you?

Rebecca: Yes, I dropped the charges because he was seeking medical help. He was doing good. He seemed like he had changed. He had stopped drinking, he had stopped smoking weed. He had stopped doing everything and was seeking medical treatment. He was my husband for eleven years. I wanted to try to work it out. We had kids together.

Bates: But you acknowledged that part of your statement then was not true.

Rebecca: No, it was all true. I dropped the charges and took it back. I dropped the order of Protection against him.

Bates: Did you go to court and tell a judge some of these statements were not true?

Rebecca: I don't recall that.

Bates: You do acknowledge you dismissed the divorce proceeding after saying you were scared for your life with Mr. Amick?

Rebecca: Yes

Bates: And do you agree that when Mr. Amick is drunk with his traumatic brain injury, those are the two things that come together that make Mr. Amick scare you?

Rebecca: yes, but he had gotten very, even without the alcohol, right in those last few months, he had become very aggravated, very angry all the time, very verbally and mentally abusive towards me and the kids, that last summer, building up to that day. So it was, it was a wild summer for all of us. He was angry all the time.

Bates: If Mr. Amick is in Texas, are you still scared of him?

Rebecca: Yes. He ain't going to stay in Texas. And yes, I am terrified of him. I am terrified of what he'll do before he gets to Texas and what he'll do when he comes back.

Bates: Will you be scared of him if he serves a 15 year prison sentence and is released?

Rebecca: Yes

Bates: You will be scared of him no matter when he is released from prison. Is that a fair statement?

Rebecca: Yes

Bates: Those are my questions, your honor.

Spitzer: Anything further General Edmonson?

Edmonson: No, your honor.

Spitzer: Thank you ma'am. Next witness.

Edmonson: Your honor, the state would call Agent Barry Carroll.

Spitzer: You know where he might be?

Edmonson: I don't because he is in Lewis county and I'm in Hickman County. Let me text, let me text him.

Edmonson: Oh there he is.

Spitzer: Mr. Carroll

Spitzer: Mr. Carroll are you with us?

Carroll: Yes sir I am.

Spitzer: You raise your right hand to be sworn in. Swear and affirm testimony about to give the truth the whole truth, but truth so help you God.

Carroll: yes sir, I do.

Spitzer: You state your full name to the court reporter, please.

Carroll: Barry Carroll, C-A-R-R-O-L-L. General.

Edmonson: Thank you, Honor. If you would, Agent Carroll, tell us where you work.

Carroll: I'm a criminal investigator with the 21st judicial district attorney general's office.

Edmonson: How long have you been with the district attorney general's office?

Carroll: 20 years it'll be 21 in July.

Edmonson: Okay. In July of 2019, did you receive information from Sheriff Weems regarding um Matthew Amick?

Carroll: Yes ma'am, I did.

Edmonson: Okay. And the information, what sort of allegations were you being asked to look into?

Carroll: Um, Criminal responsibility or criminal impersonation. One um was vandalism of a building in the Coble area.

Edmonson: Okay. And did you actually start an investigation?

Carroll: Yes ma'am, I did.

Edmonson: Okay. And why were you doing the investigation as opposed to the Hickman county sheriff's department?

Carroll: Um, the sheriff Weems advised that Mr. Amick, Matthew Amick was allegedly posing as a deputy sheriff of the Hickman County Sheriff's department, which would have been a conflict for them, I think.

Edmonson: Okay. And during the course of your investigation, how many different individuals did you speak with?

Carroll: Um, I guess probably about five or six um altogether.

Edmonson: Okay.

Carroll: um some of which really didn't have any information other than they heard this or they heard that. um I talked to several.

Edmonson: Okay. And based on your interviews, did you determine that you needed to take a case to the Hickman county grand jury?

Carroll: Yes ma'am

Edmonson: Okay. And that case, do you recall what date you presented that to the grand jury?

Carroll: um I don't recall what day I presented it. It seemed like it might have been in October 2019.

Edmonson: Okay. Do you recall if you presented a case prior to October 2019?

Carroll: It was the grand jury that followed the instance or the investigation in July

Edmonson: Okay

Carroll: so I guess it would have been October.

Edmonson: Okay, If the indictment indicates that it was August of 2019, do you think that's accurate?

Carroll: That's more accurate. Yes ma'am.

Edmonson: And that August grand jury, what charges did you present to the grand jury?

Carroll: Um, I believe it was um a sexual battery charge, um, impersonating police officer, or criminal impersonation, and maybe a reckless endangerment involving a Mr. Cornelius? I don't really recall what his charge or what the charge was regarding Mr. Cornelius.

Edmonson: Okay. And did you, after presenting this case to the grand jury, receive a phone call the next day regarding new allegations of Matthew Amick?

Carroll: yes, ma'am, I did. It was early morning the following day.

Edmonson: Okay. And based on that allegation, did you begin an investigation, along with some other deputies and investigators within Hickman county.

Carroll: yes, ma'am.

Edmonson: Okay. And what um ultimately, did you all determine you needed to do related to the charges you had presented the day prior to grand jury?

Carroll: Um, could you repeat that again? You kind of cut out a little bit, Stacey.

Edmonson: Okay. Let me try to be a little more concise. Sorry um. After you heard about the new allegations. And you began an investigation in August of 2019. What did you do related to the charges you already presented to the grand jury in order to get Mr. Amick picked up?

Carroll: I immediately contacted you, of course. And then a decision was made for me to go to Judge Spitzer to have the um Capiases issued so that I could get him arrested.

Edmonson: Okay. And were you all able to take him into custody later that day?

Carroll: yes, ma'am.

Edmonson: Tell the court about that situation.

Carroll: We were advised early on um that morning that Mr. Amick had possibly made claims that he would not be taken alive, uh which prompted me to ask the Hickman County Sheriff's Department, Centerville Police Department, sort team, special operations response team to assist me in serving these warrants. We knew that Mr. Amick was heavily armed. Um a plan was put together. We started that way through the Coble area up Morgan Branch Road, got to the top of the hill. We had six to eight deputies and police officers in a M ramp. It's a military armored vehicle. When they got to the top of the hill, Mr. Amick was standing in the middle of the road with a AR 15 and a Glock pistol with several rounds of ammunition on it. I believe once he saw the vehicle and deputies out, the gun patches gunports that he gave up, laid his guns down, and went face down on the ground.

Edmonson: Okay. After you placed him into custody, did you at a later point, do a search warrant for his residence?

Carroll: yes, ma'am.

Edmonson: And during the execution of the search, warrant, did you collect several weapons?

Carroll: yes, ma'am. We did.

Edmonson: In those weapons, was one of them a machine gun?

Carroll: Um, It was an AR 15 that had been modified to fire fully automatic, which would consider to be a machine gun. Yes.

Edmonson: Your honor. That's all the questions I have at this time.

Spitzer: Mr. Bates

Bates: Your honor, I don't have any questions for detective Carroll.

Spitzer: Okay, Mr. Carroll, thank you very much. You can either stay on or you can sign off at your desire.

Carroll: Okay, thank you Judge.

Spitzer: Further witnesses?

Edmonson: No, your honor.

Spitzer: Argument Mr. Bates?

Bates: yes your honor. It's unusual that the case is the way it is, and that especially aggravated kidnapping is a \$30,000 bond. And I understand that there was some issues relating to the arrest of Mr. Amick but respectfully to say that now Mr. Amick is not entitled to bond, I would suggest is not in compliance with the statute. If the court looks at, and I appreciate Ms. Amick's honesty, the truth is she's going to be afraid no matter when Mr. Amick is not in jail or prison, and this is not a death penalty case, and it's not a life without parole case. So Mr. Amick is going to be released at some point, provided he continues to live. I think the plan that the family has put together is the best plan for the, for a bond. That he should be allowed to leave, he should be mandated to leave, he should be mandated to stay in Texas, and that he should be mandated to comply with no alcohol, no contact, and not to leave the area in which he is working at Port Arthur, Texas, except to come to court, go to a doctor's visit, go to church, go to, go to, go to groceries. I believe both parents. I'm glad they both stayed on. I think they needed to hear what the proof is in this case, and I think they both need to understand how serious the charges are against Mr. Amick and how serious it is for him to comply with the bond orders. Of course... heard enough bond hearings to apply the factors regarding his length of residence, his ties to the community, which are not extremally relevant as it relates to the defendant's request, where he want to go on bond, or when he should go. His financial assets are small, and the concerns that the state presents are not, certainly not frivolous concerns, but I believe they're rationally calmed by the orders of this court and therefore would request a bond. I would submit the \$30,000 bond is sufficient for all charges with the conditions the court places on the bond. The defendant stayed in jail 22 months, and that is a significant amount of time to stay while we have been waiting on competency and other delays, regarding Covid. I appreciate the court's ability to take the witnesses via Zoom who are out of state.

Spitzer: General?

Edmonson: Your honor um, the state filed a response to the defendant's motion, but we're also asking that the bond be increased and that conditions be set. The fact of the matter is, I hate to agree with Mr. Bates in principal, but he is correct. I do believe that Mr. Amick is entitled to a bond being set given that he is not charged with a capital offense. The issue, however, is what should that reasonable bond be, given these facts and circumstances? The charges that he is facing are extremally serious, um ya know, he has the Especially Aggravated Kidnapping charge which is a class A felony. The sentence on it alone is 15 to 25 years at 100%. Um, then he has several Class C felonies, a class b felony um and two class E felonies that he's got pending

before this court. Um Your honor, the state would submit that he is a danger to the community, he is an danger to the victims, and even though Mr. Amick states that it's been a blessing for him to be in jail so that he could get the treatment that he needed, that, quite honestly doesn't give us any assurances that once he's out of jail that his patterns of behavior that Ms. Amick testified to, Ms. Rebecca Amick testified to, wouldn't continue. We heard testimony that there was, prior to this an indictment of aggravated assault where the charges were ultimately dropped. But that is criminal behavior that the court can take into account. Um Mr. Amick had very violent tendencies. He had an arsenal in his home, and there is no guarantees that he cannot still go and and access guns at this point. Um taking Mr. Bates' argument regarding the length of residence in the community, community ties, that sort of um, part of the bond statute that the court is asked to look at, the state would disagree that that's not an important factor. Right now, that request to leave Texas or leave Tennessee and go to Texas is an unusual one. Typically, we are asking for defendants who are on bond to remain in the community so that we can ensure that they come to court and so that we can have them picked up if they fail to appear. At this point, we have not guarantees at to that will happen fi Mr. Amick goes to Texas. And, so the state would submit that those factors should be looked at and the fact that um, his ties to the community are there. But at the same time, his mother, who lives here, isn't offering for him to stay. The plan is to send him away. And I just would submit that...is not.....um, what the bond statute and those factors are refencing. Um Your honor, the state would submit that Ms. Amick is terrified, and Mr. Bares is correct in that she will always be terrified because this incident was traumatic and she is a mother who is terrified for her children um and what will happen to them. And the state submits that a bond should be set, but the state would ask that bond be set at \$500,000, with conditions.

Spitzer: The court appreciates the extent the lawyers have gone to in this case to present a picture for the court concerning a bond request on Mr. Amick. Let me clarify very quickly. In this case, the bond in 19-5081-CR was set in August of 2019 on a hold without. And then in the courts mind, extremely more serious charges came in October of 2019, several months later, concerning an event that happened recent in time after the August allegations, the court had knowledge that Mr. Amick was on a hold without already. So the \$30,000 bond was basically a bond that had no meaning. Mr. Amick being incarcerated on a hold without so if there's any question about that's the reason for that.

The court does believe that the charges in case number 19-5144-CR are extremely serious charges for which \$30.000 bond is low. The court has some grave concerns about this bond hearing without any information whatsoever about Mr. Amicks psychological condition. Now, we know that he has been assessed for competency, but it give the court absolutely no information about DSM five potential conditions. And if I were inclined to set a bond for Mr.

Amick to be released upon, I would want to know that. I think General Edmonson makes an excellent point. It's pretty rare for us to want to allow someone out on the bond but send them away and the reason why we send them away is because we're afraid of them here. So it intrigues me, the argument that we have in that regard.

The court has concerns when looking at c. At this point on the mental condition of Mr. Amick, and there may not be anything there, but I don't know that. And if I were to set a bond and Mr. Amick make that bond, I would hope that he does not have some psychosis that would cause an issue. I just don't know. In looking at 40-11-118, number 4, I have that concern in number 6. The nature of the offense, in both of these indictments to me, is very serious, certainly 19-5144-CR with class A felonies and several B felonies and C felonies is very concerning to me. The likelihood that Mr. Amick would pose a threat to the community. I...I...received some good testimony from Ms. Amick, Ms. Rebecca Amick in that regard. It appears, there's a pattern. I don't know if there's ever been a drug and alcohol assessment. I think we need that. So what the court is going to do is not remove the hold without today on 19-5081-CR. So I'm concerned about the bond, which is certainly too low in the court's eyes on 19-5144-CR and want to reset a decision on the request made by Mr. Bates to July 27, 2021. In the meantime, I would like to have a drug and alcohol assessment on Mr. Amick along with a DSM five psychological evaluation to consider.

Bates: Your honor is that for the defendant to fund? If it cannot, can it be funded through the state?

Spitzer: ... don't mind it being funded through the state, if the order can be provided for that, if not the defendant would fund it. I think you're going to have anyways as time goes on for any consideration of when you're talking about the traumatic brain injury, if that had some impact from the defense perspective. General?

Edmonson: Your honor, just since were on the record, I know Mr. Amick filed a pro se motion for speedy trial. I would go ahead and put on the record that the state can be ready to go forward with trial at any point. So if they choose to get set on the trial date, then we'll be ready to go.

Spitzer: Mr. Bates, where are you? Are you coming into the case a little bit late but where are you in terms of being prepared for a trial on either of these cases?

Bates: Well, a lot depends on the definition of a speedy trial, to be perfectly frank. I do think, as the court alluded to, and I've already reached out to one neuropsychologist. Who I think I

would anticipate possibly calling as a witness to discuss the Mens rea component of the crimes involved. Both as to a defense and possible sentencing considerations. I would anticipate a four month window would be necessary for that work. There's multiple states involved of neurological work, of medical records that have to be reviewed and discussed. I would think a four month window from now, which would put us sometime into October at the earliest. Anything before that, I'd be reluctant to agree to. Anything after that, I think would be appropriate.

Spitzer: If you could just file, based on the pro se motion that's been made by Mr. Amick, Mr. Bates, and certainly no one's pushing you. You need to be prepared on either one of these indictments. And general, we need to identify how we want to go forward as far as 19-5081-CR or 19-5144-CR. And Mr. Bates, if you could just certify to the court when you are ready on either of those. And what I anticipate is back, coming back on the July 27, 2021. If there is any information for me to consider, then I'll make a ruling on the divine request and the response by the state.

Edmonson: Your honor, I would submit that 19-5144-CR would be the case that the state would try first.

Spitzer: Okay. Anything further, Mr. Bates?

Bates: No your Honor, thank you very much.

Janet Amick is the natural birth mother of Matthew Amick, the defendant and an Authorized Special Power of Attorney, on behalf of Matthew Amick, recorded in Hickman County, Tennessee, Registration #24003775 and certifies this is a true and correct transcript of the private audio recording of the Bond Hearing on May 20, 2021 via Zoom provided in accordance with Tennessee Rule of Appellate Procedure 24(c) for the purpose of preserving the evidentiary record in support of the Defendant's Amended Motion for New Trial, particularly as it relates to: denial of due process, ineffective assistance of counsel, improper denial of bond, and failure to object to inadmissible and prejudicial testimony.