

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 THIS AFFIDAVIT

2. I am creating this Affidavit for the following reasons:
 - a. to provide an accurate record of events leading up to and surrounding case no. 17-5274-CR.
 - b. to quell and bar all false conjecture associated with case no. 17-5274-CR.
 - c. to expressly rebut statements made by Emanuel Nutu Balmez hereinafter Manny Balmez, Rebecca Ashton Seaborn Amick, hereinafter Rebecca, Tennessee Bureau of Investigations, investigating and arresting Officer Barry Carroll hereinafter Officer Carroll, STATE OF TENNESSEE's Attorneys Kim Helper and Stacey B. Edmonson in their references to 17-5274-CR in the context of 21-5100 CR, 19-5081 CR and 19-5144 CR.
 - d. to document history of attorney client relationship(s) by and between myself and Douglas Bates IV Attorney at Law; and by and between my then wife Rebecca Ashton Seaborn Amick and Douglas Bates IV Attorney at Law in all matters referenced herein.

EVENTS LEADING UP TO A MISREPRESENTATION OF AGGRAVATED ASSAULT resulting in 17-5274-CR

3. The afternoon of May 24th, 2017 I was at the home of Len Stewart of Coble, Tennessee to complete the installation of an engine into a dirt track race car that I had purchased from him.
4. Present with me were Danny Hodgins, Alex Hart, hereinafter Alex, and John Schafer, hereinafter John.
5. The dirt track car had been sitting for several years and was not running.
6. Over the course of a couple of days with the help of friends named herein, I had installed a different engine in the car and gotten it running.
7. As late afternoon approached, I decided to drive the car home.
8. I asked Alex and John to follow me to my home at 512 E. Kelly Rd., Pleasantville, Tennessee approximately 8 miles away.
9. I left my truck at Len Stewart's house and drove the dirt track car followed by Alex and John.
10. Alex, John and I departed together.
11. While traveling on Sulphur Creek Road in Coble, Tennessee, I pressed the brakes of the car and they locked up on one side causing the car to veer and hit a tree.
12. I sustained a head injury which resulted in an open wound on my forehead, bleeding, and disorientation.
13. The wreck occurred approximately half way between Len Stewart's house and my house.

14. Alex and I attempted to fix the brakes.
15. I decided to continue so Alex, John and I resumed our route to my house.
16. I drove the car more slowly and cautiously.
17. John passed Alex and I and drove away.
18. Alex continued to follow me until I reached my home and then he departed.
19. I arrived home to find John in my home with my then wife Rebecca Ashton Seaborn Amick, hereinafter Rebecca and our two (2) minor children then five (5) and seven (7)
20. Rebecca's mannerisms indicated to me that she was angry.
21. Rebecca did not support my decision to buy the dirt track car and it was a source of controversy between us.
22. Rebecca and John were drinking wine and discussing my car wreck.
23. Rebecca stated that I deserved to get hurt in the car because she had not wanted me to buy it and I did it anyway.
24. I tried to rest.
25. I told Rebecca I may need medical attention.
26. Rebecca ignored my requests and continued talking with John.
27. I considered texting someone else for help and looked for my phone.
28. I discovered my phone had been broken in the wreck preventing me from using it to contact anyone.
29. Rebecca instructed the children to go to bed around 10 pm.
30. I kissed the children good night and they went to their room where they remained throughout the night.
31. I observed Rebecca and John laughing together.
32. I attributed their behavior to alcohol consumption.
33. I expressed that I was in pain and needed peace and quiet to sleep.
34. Rebecca continued to make jeering remarks.
35. I told Rebecca and John to leave and they went outside.
36. I heard what I believed to be John's car start and drive away.
37. I assumed John had left and Rebecca stayed at home outside.
38. I then fell asleep.
39. I was awakened from sound sleep by my dogs loud barking.
40. I did not look at a clock when I awoke; however, I perceived the time to be somewhere between 1 to 3 AM by the night sky and night sounds.
41. I picked up my gun equipped with a high powered flashlight beam as was my habit when startled from sleep at night by my dogs.
42. I stepped out on my porch to investigate the reason for the dogs barking.
43. I turned on the high powered light and shined it out into the dark.
44. Rebecca and John came out from behind my pickup truck.
45. Rebecca and John appeared startled upon seeing me.
46. I immediately suspected a romantic relationship between Rebecca and John.
47. I sat down on the porch and unloaded my gun which is attached to my high powered flash light.
48. I confronted Rebecca and John and asked what they were doing.
49. I told John he needed to leave.
50. Rebecca yelled that I did not know what I was talking about and I should go back to bed.
51. I repeated that John needed to get off my property right now.
52. I went back into the house and fell asleep.
53. I awoke the morning of May 25th, 2017 around 10 AM and was still in pain.
54. I went to soak in the bath and fell asleep.

55. When I exited the bath, I noted that Rebecca and the children were not there.
56. I got dressed and ate.
57. I found an old cell phone, charged it and put in the sim card from my broken phone to see if I could make it work.
58. It did work and I called Richard Cortez of Hohenwald, Tennessee hereinafter Richard, to come over and give me a ride back to my truck at Len Stewart's house where I had left it the previous evening.
59. I felt deep concern and shock over the events of the previous evening and my belief regarding Rebecca's actions.
60. I recounted to Richard the events of the previous evening while we looked at the dirt track car.
61. I expressed my desire to speak with and see Rebecca and the children.
62. Richard and I proceeded towards Len Stewarts and stopped en route at the home of John and Ruth Seaborn, Rebecca's parents in Coble, Tennessee.
63. While at John and Ruth Seaborn's home I spoke with Rebecca's brother, Ben Seaborn hereinafter Ben.
64. I noticed that Ben's demeanor towards me was out of character as he fidgeted and avoided eye contact with me while speaking.
65. Ben stated that Rebecca was not there and he did not know where she was.
66. Richard and I left the Seaborn's home and continued en route to my truck at Len Stewart's home.
67. Richard expressed concern with Ben Seaborn's behavior and demeanor.
68. Richard dropped me off at my truck, said good bye and drove away.
69. Driving my truck, I proceeded back toward my home and went to Cane Creek Market on Hwy 438 Lobelville, Tennessee to get fuel.
70. I went back home to see if Rebecca and the children had returned where I remained until around dark.
71. Rebecca had not returned home so, I drove back towards Rebecca's parents' home in Coble, Tennessee.
72. At the junction of Hwy 438 and Russell Creek Rd., I saw the car of Janet Amick hereinafter my mother, on the side of the road in a cleared area.
73. I pulled over to talk with my mother.
74. My mother was on the phone so I waited to speak to her.
75. My mother said hello to me and continued talking on the phone.
76. My mother then handed me the phone and said this is Dennis Jones.
77. I said hello to Dennis Jones of Hurricane Mills, Tennessee hereinafter Dennis, and he stated to me that he was informed and had reason to believe that Rebecca and John had gone to the Sheriff's department to make a report involving me.
78. Dennis stated Rebecca and John had represented to the Sheriff's department that I had "snapped a gun" at them and endangered our children.
79. Dennis stated that he had reason to believe and did believe that a warrant for my arrest had been issued.
80. I observed numbness in my body and increased heart palpitations.
81. I said good-bye to Dennis and to my mother and proceeded towards home.
82. I went to my father's motorhome bus located at 404 E Kelly Road, Pleasantville, Tennessee to think.
83. I did not know what to do in this situation.
84. I decided to just camp in the woods and think about what to do.

85. I did not want to be shot and did not know how to safely turn myself in or defend myself against the allegations.
86. After several days, I went to my friend Dennis for advice.
87. Dennis called my mother and Karey Amick, hereinafter my father.
88. My mother and father met with Dennis and I and discussed how I should safely turn myself in to the Sheriff's Department.
89. My father suggested that we call Ronnie Bell of Centerville, Tennessee to ask his advice and I consented.
90. My father called and explained the situation, hung up and stated that Ronnie Bell would call us back.
91. I have reason to believe and do believe and affirm that Ronnie Bell called Douglas Bates, Attorney at Law, hereinafter Douglas to ask his advice.
92. My father answered a call a short time later and then stated that it was Ronnie Bell and that Mr. Bell advised us to proceed to the Hickman County Sheriff's Department where we would be expected.
93. My father accompanied by my mother, drove me to the Hickman County Sheriff's department where we were met by Detective Johnny Davis of the Hickman County Sheriff's Department and Hickman County Magistrate Cindy Bowman.
94. I spent 12 hours at the jail and then bonded out.

**I HIRE DOUGLAS BATES IV
STATE OF TENNESSEE v MATTHEW JAMES AMICK
17-5274-CR**

95. My mother and father picked me up from the Hickman County Jail.
96. We met with Douglas Bates IV Attorney at Law the following day.
97. The events described herein became the instant case 17-5274-CR, STATE OF TENNESSEE v. MATTHEW JAMES AMICK, in the CRIMINAL COURT OF HICKMAN COUNTY, TENNESSEE.
98. Associated with 17-5274-CR, Rebecca filed for a protective order on May 30th, 2017 which the record shows was disposed of June 14th, 2017, 17-CV-256.
99. I sought and relied upon the legal expertise of Douglas Bates as a learned legal professional to secure all of my lawful rights, waive none and act in my best interest at all times.
100. I asked Douglas to file for my divorce from Rebecca, which he did on June 14th, 2017 and that case number is 17-CV-6092.
101. Douglas Bates disclosed to me that he was concurrently representing Stephanie Schafer, Plaintiff in a divorce proceeding against John Schafer, Defendant which he believed would benefit my case.
102. Rebecca and our children moved to her parents, Ruth and John Seaborn's house in Coble, Tennessee.
103. When I met with Douglas, I related the events of my case to him.
104. Douglas Bates voiced skepticism with the facts I presented to him.
105. As a result of Douglas' doubt, I took my trusted friend Dennis Jones with me to assist me in communication with Douglas.
106. Dennis was present with Douglas and I in the meetings that took place at Douglas's office.
107. Rebecca's father, John Seaborn left a message on my phone which I perceived as a threat which stated "my dog hunts at night" and I shared this concern with Douglas.
108. Douglas stated to me that John Seaborn pressured the prosecution to charge me with attempted first degree murder in 17-5274-CR.

109. Douglas stated to me that he was informed that Detective Johnny Davis of the Hickman County Sheriff's Department had been approached by John Seaborn requesting that I be arrested on "drug charges".
110. Douglas informed me by email that he would motion the court to provide me relief from John Seaborn's harassment and bind him as a party in the divorce case 17-CV-6092. **ENCLOSURE 1, 2 PAGES**
111. I was informed by Richard Cortez that a mutual friend, Officer Jonathan Pitts of Hohenwald hereinafter Officer Pitts, had received important communication from Rebecca and he was of the opinion that it was vital and relevant to my defense.
112. I contacted Officer Pitts who confirmed that he had received text messages from Rebecca.
113. I met with Officer Pitts who showed me his phone and messages from Rebecca.
114. I confirmed the text messages were sent from Rebecca's phone number to Officer Pitts and I read "I was too drunk to know what happened that night and I do not remember" and other messages from Rebecca.
115. I provided Officer Pitt's text messages from Rebecca to Douglas Bates prior to my preliminary hearing in 17-5274-CR.
116. Douglas Bates read the text messages and subpoenaed Officer Pitts to the preliminary hearing as a witness in my defense.
117. At court, Douglas observed and read the text messages on Officer Pitts phone.
118. In the preliminary hearing of 17-5274-CR, Rebecca represented to the open court that she knew and remembered the events of the night of May 24th, 2017 when the true fact was that she was drunk and had no knowledge.
119. Rebecca represented to the court that I had "snapped a gun" at her and John Schafer when the true fact was that I shined a flashlight at them albeit attached to my gun.
120. Rebecca represented to the court that I threatened to harm our children when the true fact was that no reference to the children was made.
121. While Rebecca was on the witness stand Douglas Bates asked her three separate and distinct times if she had sent any texts to anyone stating that she really did not know what happened that night and she was too drunk to know or remember.
122. I observed that each time Rebecca replied no she had not texted anyone.
123. I witnessed Rebecca state that she had consumed a gallon of wine the night of May 24th, 2017.
124. Douglas Bates withheld both Officer Pitt's testimony and Officer Pitt's telephone text messages during the preliminary hearing.
125. On information and belief I believe and affirm that STATE OF TENNESSEE lacked a witness with personal first-hand knowledge to substantiate any claim and therefore had insufficient evidence to support a conviction in 17-5274-CR.
126. I was subsequently indicted by the grand jury for aggravated assault in 17-5274-CR.
127. On information and belief, I believe and affirm that Douglas provided the text messages to the prosecuting attorney privately after the preliminary hearing.
128. Douglas stated to me that he believed the prosecutor would settle the case.
129. I have reason to believe and do believe and affirm that Douglas did not motion to dismiss 17-5274-CR.

**REBECCA AND I AGREE
TO CONTINUE OUR MARRIAGE and
I SEEK MEDICAL ASSISTANCE**

130. Rebecca later stated to me and to attorney Douglas Bates that she had been pressured by her father John Seaborn, my sister Ashley Balmez and Ashley's husband, Manny Balmez to make a criminal complaint against me.
131. I still cared for Rebecca and wanted to make our marriage work.
132. I disposed of the divorce proceedings 17-CV-6092, on September 5th, 2017.
133. I continued to experience headaches and vision issues and I attributed that to my car wreck and hitting my head.
134. My mother made an appointment for me with Dr. Muneer Ali, a Traumatic Brain Injury specialist at the Amen Clinic in Atlanta, Georgia hereinafter Dr. Ali, in September 2017.
135. My mother took myself, Rebecca and our children to Atlanta, Georgia for my appointment where we stayed for several days of testing.
136. Dr. Ali, based upon numerous tests informed us that I had sustained a Traumatic Brain Injury in the car wreck.
137. Dr. Ali stated that the type of injury he observed in my tests as well as the symptoms I described to him are typical of "whiplash" patients involved in car accidents.
138. I began treatments for my head injury which included natural supplements, prescription medications, and the use of a hyperbaric oxygen chamber as recommended by Dr. Ali.
139. I had difficulty using the hyperbaric chamber because it was very painful to my ears but continued with prescription medication and the recommended supplementation.
140. I adhered to the protocol of Dr. Ali but continued to experience frequent headaches and abnormal vision.
141. Dr. Ali advised me to find a doctor in the State of Tennessee to assist with prescriptions and I sought help at both Centerstone in Dickson, Tennessee and Perry County Walk-in-Clinic in Linden, Tennessee.
142. Rebecca and I continued to have a strained relationship.
143. I have reason to believe and do believe that the statements that Rebecca misrepresented to the court in 17-5274-CR and the community did lasting harm, loss and damage to my character.
144. Officer Pitts forwarded to me an email letter sent to him from Rebecca wherein I read Rebecca state she did make false allegations which she represented to be true and why she had done so.
145. I observed Rebecca state to my brother Daniel Amick and my father Karey Amick that she had been pressured to file a criminal complaint.
146. John Seaborn, Ruth Seaborn, Ashley Balmez and Manny Balmez remained estranged from both Rebecca and myself and I have reason to believe Rebecca did not disclose the misrepresentations to them.

JUNE 2018, I DIVORCE REBECCA, 18-CV-6374

147. Due to events described herein, I experienced a strong sense of betrayal towards Rebecca.
148. I doubted Rebecca's loyalty and commitment to me and our family.
149. I no longer trusted Rebecca.
150. I hired Douglas Bates to file for divorce which he did on June 27th, 2018 which became 18-CV-6374 in the Civil Court of Hickman County Tennessee.
151. Rebecca did not hire a separate attorney for her own representation in our divorce.
152. On information and belief, I believe and affirm that Rebecca and Douglas worked together on the details of mine and Rebecca's divorce.
153. On information and belief, I believe and affirm that Douglas entered all court filings in 18-CV-6374.

154. The marital home of Rebecca and I was and is located on 512 E Kelly Rd. Pleasantville, Tennessee owned by my father and used by Rebecca and I by private agreement.
155. I believe and affirm that Rebecca had limited means to relocate so I agreed in the divorce settlement of 18-CV-6374 to allow Rebecca to continue to live in my house with the stipulation that she not have any romantic male partners while living in my house and I would pay all rent.
156. Rebecca and I agreed to joint custody of the minor children.
157. I lived in my house and also stayed away from home more.

**A CONFLICT OF INTEREST ARISES when DOUGLAS BATES IV concurrently
REPRESENTS MY EX-WIFE, JANUARY 2019
STATE OF TENNESSEE v REBECCA ASHTON SEABORN AMICK (unknown
case number)**

158. On or about January 7th, 2019 Rebecca and I had a fight.
159. Rebecca and I stayed up late and had both had several glasses of wine.
160. Rebecca began raising her voice, yelling and hitting me..
161. Rebecca grabbed an icepick laying in the window ceil.
162. Rebecca lunged toward me and hit me in the face.
163. I wrestled the icepick away from her and then left the house.
164. I left our house to avoid any further violence and to call the Sheriff's department.
165. The cell phone service at our home on 512 E. Kelly Rd. was unreliable and sporadic.
166. I proceeded to the top of Morgan Branch Road near Hwy 438 where I knew I could get better cell phone reception and called the Sheriff's Department.
167. I reported the incident to the dispatch department describing what had taken place.
168. I was told by dispatch to wait there for officers to arrive.
169. About 45 minutes later, several officers arrived and questioned me about the incident.
170. I recognized Officer Bowman, the husband of Hickman County Magistrate Cindy Bowman.
171. Several officers inspected my wound and took photographs.
172. I stated that I did not want Rebecca to be criminally charged.
173. I stated that I would like for them to speak with her about her behavior.
174. Officer Bowman stated that Rebecca would be arrested and taken to the Hickman County jail overnight.
175. Officer Bowman stated that Rebecca would be charged with Domestic Assault.
176. I am uncertain of the specific statute Rebecca was actually charged with violating.
177. I followed Officer Bowman to my house where Rebecca was arrested and placed inside the officer's car.
178. On information and belief, I believe and affirm that my sister Victoria Amick paid Rebecca's bail the following day and took Rebecca back to my mother's home at 325 W. Kelly Rd., Pleasantville, Tennessee.
179. On information and belief, I believe and affirm, Rebecca agreed to the terms of her release from custody to have no contact with myself as the victim and STATE OF TENNESSEE's witness, until our court date which I believe was January 28th, 2019. **SEE ENCLOSURE 2, 19 PAGES**
180. Rebecca stayed at the home my mother during the time awaiting our court date.
181. I discussed the new criminal charges against my ex-wife Rebecca with my criminal defense attorney Douglas.
182. I expressed to Douglas that I did not want to press criminal charges against Rebecca for Domestic Violence or Aggravated Assault or any other charges.
183. Douglas stated in a text message January 14th, 2019 "I can help buddy".

184. Douglas came to the preliminary hearing wherein I was the State's witness against Rebecca for Aggravated Assault.
185. My mother brought Rebecca to court.
186. Douglas stated to us that he thought he could work something out with the prosecutor in Rebecca's favor.
187. Douglas stated that the case against Rebecca might "hurt" the case against me; 17-5274-CR and I do not know what that meant.
188. Douglas went into the proceeding privately while my mother and Rebecca and I waited in the hall.
189. I have reason to believe and do believe and affirm that Douglas met with the prosecutor and judge.
190. Douglas returned to the three of us, Rebecca, my mother and I waiting in the hall and asked Rebecca if she would agree to an anger management class and stated that, if so, that the case against her would be dismissed.
191. Upon information and belief, I believe and affirm that Douglas Bates performed the role of an attorney on behalf of Rebecca Ashton Seaborn Amick in the matter of Domestic Assault or a similar charge and the case number is unknown to me.
192. Upon information and belief, I affirm Rebecca did not hire a different criminal defense attorney and no public prosecutor was appointed to her.
193. I now have reason to believe and do believe and affirm that Douglas Bates engaged in a concurrent conflict of interest in his representation of Rebecca albeit at my request, to the Rules of Professional Conduct 3.7(a) which states:

a lawyer shall not represent a client if the representation involves conflict of interest exists if: (1) the representation of one client will be directly adverse to another client; or

(2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

194. Rebecca and I were married at the time of; STATE OF TENNESSEE v MATTHEW JAMES AMICK 17-5274-CR and newly divorced at the time of STATE OF TENNESSEE v REBECCA ASHTON SEABORN AMICK (unknown case number), wherein we were witnesses against each other and Douglas Bates acted as criminal defense attorney in both matters.
195. I now have reason to believe and do believe that Douglas Bates representation of my ex-wife Rebecca represented a conflict of interest which materially limited his assistance of counsel as my criminal defense attorney in 17-5274-CR and future cases 21-5100 CR, 19-5081 CR and 19-5100 CR.

17-5274-CR and THE AGREEMENT

196. I was told to return to court by Douglas to address the matter of 17-5274-CR each month for several months.
197. Douglas Bates related to me the STATE OF TENNESSEE'S offer to settle 17-5274-CR and advised me to agree, which was as follows:
- I would agree to plead guilty as charged.
 - I would be supervised by STATE OF TENNESSEE on probation for four (4) years,

- c. STATE OF TENNESSEE would keep all my arms and guns worth approximately \$6000 which it had seized.
 - d. at the end of the 4 year probation, STATE OF TENNESSEE would dismiss the case.
- 198. I stated to Douglas that false statements were made; I am innocent and I do not want to enter that agreement.
- 199. At a subsequent court date, Douglas related modifications to the original offer to settle with the STATE OF TENNESSEE and advised me to agree, which were as follows:
 - a. I would agree to plead guilty as charged.
 - b. I would agree to be supervised by STATE OF TENNESSEE on probation for two (2) years.
 - c. STATE OF TENNESSEE would keep all of my arms and guns which it had seized approximately \$6000.
 - d. At the end of 2 years of probation, STATE OF TENNESSEE would dismiss the case.
- 200. I again stated to Douglas that false statements were made; I am innocent and I do not want to enter that agreement.
- 201. At another court date on or before March 2018, Douglas related an offer to settle and stressed that I must enter this agreement which follows:
 - a. I would not agree to plead guilty.
 - b. I would agree to "stay out of trouble" for one year while the case remained open and if I did not remain "out of trouble" the STATE OF TENNESSEE would continue this proceeding and any new proceeding.
 - c. STATE OF TENNESSEE would dismiss 17-5274-CR in April 2019.
 - d. STATE OF TENNESSEE would then return all my arms and guns, approximately \$6000 which it had seized.
- 202. Under undue pressure from Douglas Bates, I accepted this offer to settle 17-5274-CR hereinafter "the agreement".
- 203. I am innocent of the allegations that were made against me in 17-5274-CR.
- 204. I have reason to believe and do believe and affirm that Douglas Bates withheld evidence in the preliminary hearing that would have gone to the Grand Jury and mitigated any indictment in 17-5274-CR.
- 205. I have reason to believe and do believe and affirm "the agreement" which I was unduly pressured to enter benefited both Douglas Bates and the STATE OF TENNESSEE.
- 206. I have reason to believe, do believe and affirm that "the agreement" presented by Douglas Bates and STATE OF TENNESSEE encroached upon my right to freedom of locomotion and freedom of liberty unincumbered.
- 207. I did fulfill the terms of "the agreement" with the STATE OF TENNESSEE in 17-5274-CR.
- 208. I have reason to believe and do believe and affirm that STATE OF TENNESSEE breached "the agreement" with me in its failure to timely dismiss all action in April 2019 and in its failure to return my property; approximately \$6000 of arms and guns.
- 209. I have reason to believe and do believe and affirm that "the agreement" I was pressured to enter by Douglas Bates and STATE OF TENNESSEE were misrepresented to me and fraudulent.

**FAILURE of STATE OF TENNESSEE
to TIMELY DISMISS 17-5274-CR PREJUDICES
#21-5100 CR, #19-5081 CR, #19-5144 CR**

210. I have reason to believe and do believe based upon statements made by Officer Carroll on August 8th, 2019 that 17-5274-CR prejudiced me in cases 21-5100 CR, 19-5081 CR, 19-5144 CR.
211. Officer Carroll stated to me, upon arrest that the Aggravated Assault charge alleged in 17-5274-CR would be "recharged" or "reinstated" against me.
212. I have reason to believe and do believe and affirm that the record of 17-5274-CR was improperly maintained upon my person beyond the agreed upon time period, constituting a breach of agreement by STATE OF TENNESSEE.
213. I have reason to believe and do believe and affirm that the secret investigation of my person, MATTHEW JAMES AMICK originated with Officer Carroll at the request of non-affirmed statements made by Manny Balmez related to 21-5100 CR, 19-5081 CR and 19-5144 CR.

**UNAUTHORIZED EXPUNGMENT of 17-5274-CR
DESTRUCTION OF EVIDENCE and
GOVERNMENT RECORDS**

214. I received by mail a copy of a letter from Douglas Bates on or about January 2020 to Clerk of Court Dana Nicholson requesting a hearing date of February 11th, 2020 for a Motion to Dismiss 17-5274-CR while I was in the Hickman County Jail awaiting action in 21-5100 CR, 19-5081-CR and 19-5144 CR. **SEE ENCLOSURE 3, 2 PAGES**
215. I did not initiate the Motion to Dismiss 17-5274-CR nor did I discuss the matter with Douglas.
216. I was NOT notified of and did NOT initiate an expungement of 17-5274-CR.
217. I have reason to believe and do believe and affirm that the misrepresentation made to the court by Rebecca in the matter of 17-5274-CR made her a Non-Credible Witness.
218. I have reason to believe and do believe and affirm that Rebecca Ashton Seaborn Amick's status as a Non-Credible witness was not disclosed by the prosecution or the defense in 21-5100 CR, 19-5081 CR and 19-5144 CR.
219. On information and belief, I believe and affirm that by negligence or by conspiracy by an unauthorized person, either STATE OF TENNESSEE or Douglas Bates, or both, moved to destroy the record through expungement of 17-5274-CR destroying government records of the STATE OF TENNESSEE's breach of agreement and Non-Credible Witness testimony and evidence.
220. I did not and would not knowingly destroy evidence of a Non-Credible Witness and have a sixth (6th) amendment constitutional right to produce witnesses and evidence for my benefit.
221. As a paid legal professional, Douglas Bates has a duty to protect my sixth (6th) amendment right to produce witnesses and evidence for my benefit.
222. The expungement actions of 17-5274-CR were taken by Douglas Bates and STATE OF TENNESSEE without my knowledge and consent and prior to April 22nd, 2021 when I hired Douglas for assistance of counsel for cases 21-5100 CR, 19-5081 CR, 19-5144 CR and was unknown to me until March 22nd, 2024.
223. I learned of the expungement of 17-5274-CR from Clerk of Court Dana Nicholson on March 22nd, 2024. **SEE ENCLOSURE 4, 1 PAGE**
224. Due to no actions of my own, I have no recourse and means to produce the evidence from 17-5274-CR for my defense in 21-5100 CR, 19-5081 CR and 19-5144 CR and I, being held in custody was denied an initial appearance and a preliminary hearing to do so at that time.

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 9 day of July 2024, by, Notary Public in
Hardeman County, Tennessee and for State of Tennessee.

Printed Name of Notary: Y. Laquida W. Gray 07-09-2024

Notary Signature: Y. Laquida W. Gray

Notary Stamp or seal:



Deuteronomy 19:15 At the mouth of two witnesses, or at the mouth of three witnesses shall the matter be established.

WITNESS 1 - Signed Autograph - Printed Name

WITNESS 2 - Signed Autograph - Printed Name

WITNESS 3 - Signed Autograph - Printed Name

ENCLOSURE/S/

- 1) MOTION TO ADD JOHN SEABORN AS PARTY... AND BIND HIM TO STATUTORY INJUNCTION...EMAIL...FROM DOUGALS BATES, 2 PAGES
- 2) TEXT MESSAGES BETWEEN....DOUGLAS BATES AND MATTHEW AMICK...REGARDING 2 CASES, 19 PAGES
 - a. 17-5274-CR ...STATE OF TENNESSEE V MATTHEW AMICK
 - b. [UNKNOWN CASE NUMBER]...STATE OF TENNESSEE V REBECCA ASHTON SEABORN AMICK
- 3) MOTION TO DISMISS 17-5274-CR, 2 PAGES
- 4) CLERK'S CERTIFICATION OF EXPUNGEMENT OF 17-5274-CR, 1 PAGE

THESE ENCLOSURES SHALL REMAIN PERMANATLY INCORPORATED AND AFFIXED TO THIS AFFIDAVIT AND REFERENCED FULLY HEREIN.

TOTAL PAGE COUNT.... 36 PAGES

FW: AMICK

2 messages

Douglas T. Bates IV <dtbates4@bellsouth.net>
To: Janet Amick <janetamick@gmail.com>

Sat, Aug 5, 2017 at 1:39 PM

Janet,

Please get this to Matthew to show him that I am working on his case.

NEXT... Please have Matthew come to the office Monday and sign a release and then if at all possible, he needs to take the release to CENTERSTONE immediately and get his records so we can have them as soon as possible.

Douglas T. Bates IV

From: Douglas T. Bates IV [mailto:dtbates4@bellsouth.net]
Sent: Saturday, August 5, 2017 1:37 PM
To: 'Tina Clifton' <tina_dbateslaw@bellsouth.net>
Subject: AMICK

1. 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.

ENCLOSURE 01

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

AUGUST 23rd, 2017.

2. MOTION TO PROHIBIT THE MINOR CHILDREN FROM HAVING CONTACT WITH JOHN SEABORN

Comes now the Father, by and through Counsel, and moves the Court to prohibit any contact between the minor children and the maternal grandfather, John Seaborn. For cause, the Father would show unto the Court:

1. Since the entry of the temporary-temporary order in this case, the paternal grandfather has gone on a systematic attack on the relationship between the father and the minor children. The Father will show unto the Court the following:
 - a. Mr. Seaborn has attempted to violate Mr. Amick multiple times on the order of protection on bogus facts, including that Mr. Amick drove past his home on Highway 438—which located on the convenient way between Mr. Amick's home and Centerville.
 - b. Mr. Seaborn has pressed the prosecution to charge Mr. Amick with attempted first degree murder.
 - c. Mr. Seaborn has asked that Johnny Davis of the Hickman County Sherriff Department arrest Mr. Amick on "drug charges."
 - d. Mr. Seaborn sent the attached letter prior to the first court order setting "his terms" for the visitation—not the Court's orders. Interestingly, he states that "according to the court order visitation is to be supervised by Janet Amick and myself. No one else should be there." Mr. Seaborn continued to bring his own wife over the objection of Counsel. In essence, of Mr. Seaborn says it is so—the orders of this Court are meaningless.
 - e. Mr. Seaborn has also used the visitation to go into the Amick household uninvited and spend significant portions of time in the home unattended. It is believed that Mr. Seaborn is planting evidence against Mr. Amick in light of the history of him.
2. Mr. Amick is living in a home away from the marital residence. He has recently had his mailbox destroyed. It is believed that Mr. Seaborn is orchestrating an attack on Mr. Amick as retaliation for the alleged drunken incident when, by the mother's own admission, she drank a gallon of wine.
3. Mr. Amick will allow the mother to live at the former marital residence and will not reside there until further orders of this Court.

WHEREFORE, PREMISES CONSIDERED, FATHER PRAYS UPON THE COURT TO:

1. Prohibit Mr. Seaborn from having any contact with the minor children.
2. Alternatively, prohibit Mr. Seaborn from communicating in any way with anyone about this case, Mr. Amick or the visitation between the children and Father in the presence of the children.
3. For such further and general relief to which the Father is entitled.

Douglas T. Bates IV

Bates & Bates

P.O. Box 1

Centerville, TN 37033

P: (931) 729-4085

ENCLOSURE 01

**Doug Bates**

Jan 14, 2019, 10:43 AM

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

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

Jan 14, 2019, 12:25 PM

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



**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



Text Me



**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



**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, 1:52 PM

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



**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, 4:00 PM

994-1469

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

Enclosure 2
page 5



Text Me...



**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, 7:24 PM

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

Enclosure 2
page 6



Text Me



**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, 7:05 PM

Enclosure 2
page 7

Court is on January



Send Message



**Doug Bates**

Jan 18, 2019, 7:05 PM

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



Text Message



**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



Text Message



**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, 5:47 PM

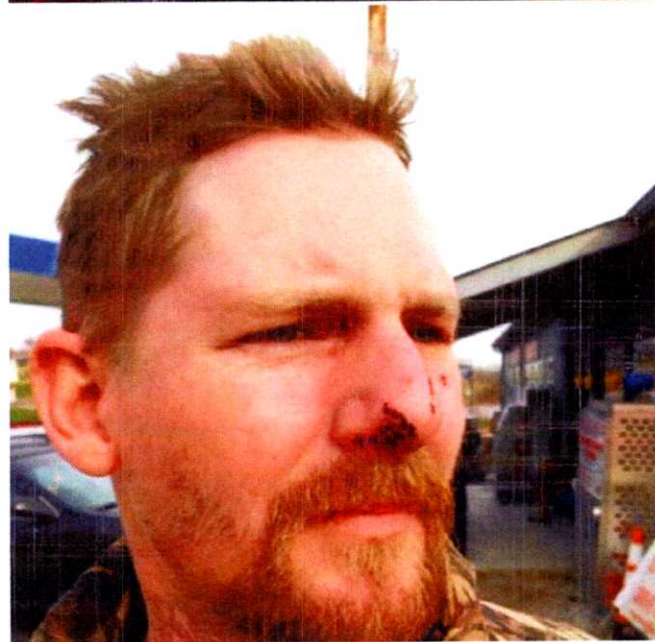
Enclosure 2
page 10



Doug Bates



Jan 20, 2019, 5:47 PM

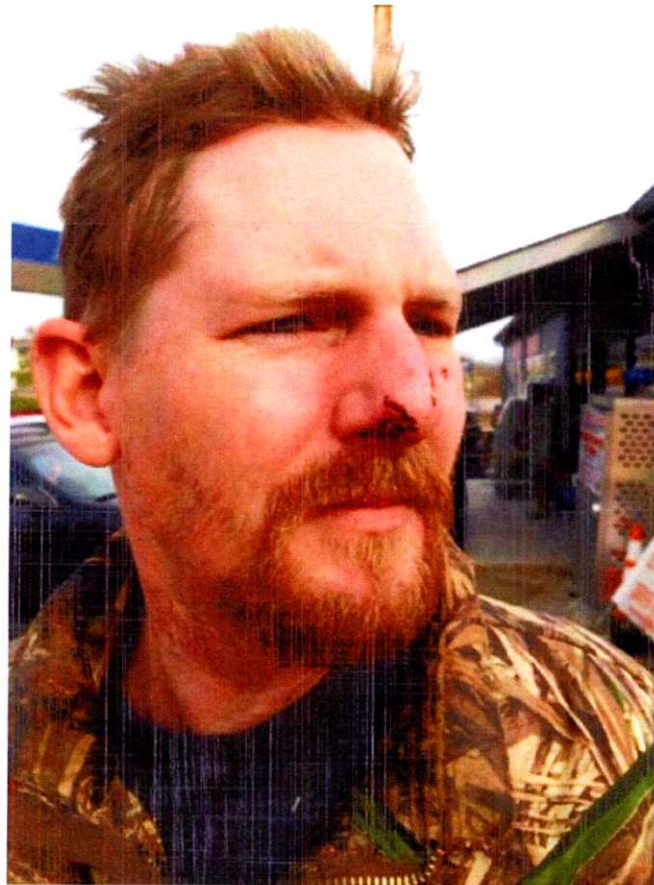


Enclosure 2
page 11





Doug Bates



Enclosure 2
page 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



**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



Text Me...



**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



Text Message



**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



Text Message



**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



Text Me...



**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, 5:28 PM

Hey what time do I need to come up there

Enclosure 2
page 18

9 am



Text Message



**Doug Bates**

OK well we won't worry about that then

Thanks for letting us know

Jan 27, 2019, 5:28 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, 7:20 PM

Enclosure 2
page 19



Text Message



BATES & BATES
LAW OFFICE

DOUGLAS T. BATES, III*

Tele. No. (931) 729-4085
*of Counsel

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P.O. Box 1
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DOUGLAS T. BATES, IV

Tele. No. (931) 729-1510

DOUGLAS T. BATES, II
(1912 - 1981)

January 9, 2020

Hon. Dana Nicholson
Circuit Court Clerk of Hickman County
Hickman Co. Justice Center
104 College Ave., STE. 204
Centerville, TN 37033

**RE: STATE VS AMICK
HICKMAN COUNTY CIRCUIT COURT
DOCKET NO. 17-5274CR**

Dear Ladies:

Enclosed please find a motion to dismiss in the matter stated above. I would appreciate you filing this accordingly and place this motion on the docket for **February 11th, 2020 at 9 a.m.**

Thank you for your attention to this matter.

Very Truly Yours,



Tc

Enclosure

Cc: General Jennifer Mason
Matthew Amick

ENCLOSURE 03

IN THE CIRCUIT COURT OF HICKMAN COUNTY
AT CENTERVILLE, TENNESSEE

STATE OF TENNESSEE
PLAINTIFF

VS.

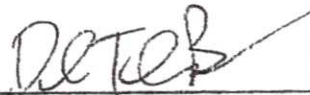
MATTHEW S. AMICK
DEFENDANT

NO. 17-5274-CR

MOTION TO DISMISS

Comes now the Defendant, by and through Counsel, and moves this Court to dismiss this underlying case. For cause, the Defendant would show unto this Court that all matters have been disposed of and the retirement conditions set forth on the case status order have been fulfilled. While the Defendant has been charged with new charges after the retirement period, it is the Defendant's understanding that the underlying case should still be dismissed based upon the completion of the requirements set forth in the April 9th, 2018 case status order.

Respectfully Submitted,



DOUGLAS THOMPSON BATES, IV (#027089)
ATTORNEY FOR MATTHEW AMICK
BATES & BATES LAW OFFICE
406 W. PUBLIC SQ., 2ND FLOOR BATES BUILDING
P.O. BOX 1
CENTERVILLE, TN 37033
PHONE: 931-729-4085 FAX: 931-729-9888

ENCLOSURE 03

March 21, 2024

Dana Nicholson
Circuit Court Clerk
104 College Ave.
Suite 204
Centerville, TN 37033

FILED 3:28
3/22/24 AM
PM
Dana Nicholson, Circuit Court Clerk
By [Signature] DC

SUBJECT REQUEST: REGISTER OF ACTION or RULE DOCKET REPORT – PRINTOUT

Dear Ms. Nicholson,

I hope this letter finds you well. Please provide the **REGISTRY OF ACTION or RULE DOCKET REPORT— printout** for cases 21-5100 CR, 19-5081 CR, 19-5144 CR, 17-5274 CR.

21-5100 CR	Provided: <u>✓</u>	Denied & Basis: <u>Provided in ascending</u>
19-5081 CR	Provided: <u>✓</u>	Denied & Basis: <u>"</u>
19-5144 CR	Provided: <u>✓</u>	Denied & Basis: <u>✓</u>
17-5274 CR	Provided: <u>✓</u>	Denied & Basis: <u>Expunged</u>

Thank you for your time and attention to this matter.

[Signature]

Matthew Amick, Requestor, all rights reserved

Court Seal:

Court Certification:

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 22 day of Mar, 2024

[Signature]
CIRCUIT COURT CLERK

ENCLOSURE '04