

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

1. **Name:** State full name (include any former names used).

David Michael Dunavant

2. **Position:** State the position for which you have been nominated.

United States Attorney for the Western District of Tennessee

3. **Address:** List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Office of the District Attorney General
25th Judicial District of Tennessee
121 North Main Street
Ripley, Tennessee 38063

Residence: Atoka, Tennessee

4. **Birthplace:** State date and place of birth.

1970; Millington, Tennessee

5. **Education:** List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

University of Mississippi School of Law, August 1992 – May 1995
Juris Doctor, May 1995

University of Tennessee at Knoxville, August 1988 – May 1992
Bachelor of Arts in Political Science, May 1992

6. **Employment Record:** List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

September 2006 – present

District Attorney General
25th Judicial District of Tennessee
Lauderdale, Tipton, Fayette, Hardeman & McNairy counties
121 North Main Street
Ripley, Tennessee 38063

October 1995 – August 2006
Partner/Solo Practitioner
Carney, Wilder & Dunavant
Attorneys at Law
134 North Jefferson Street
P.O. Box 150
Ripley, Tennessee 38063
(Office closed in 2006)

August 1995 - October 1995
May 1994 - August 1994
May 1993 – August 1993
Law Clerk
Carney & Wilder
Attorneys at Law
134 North Jefferson Street
P.O. Box 150
Ripley, Tennessee 38063
(Office closed in 2006)

May 1992 – August 1992
Summer Camp Staff Member
Lakeshore United Methodist Assembly Camp & Retreat Center
1458 Pilot Knob Road
Eva, Tennessee 38333

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have not served in the U.S. Military. I have registered for selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

District Attorney General
2016 Tennessee Highway Safety Office Lifesavers Conference Director's Award
2015 Tennessee Governor's Highway Safety Office West Tennessee Law Enforcement Network DUI Prosecutor of the Year Award

- 2014 “Champion of Victim Rights Award” by the Trauma, Faith, and Resilience Initiative, Union University
- 2013 Animal Legal Defense Fund “America’s Top Ten Animal Defenders.”
- 2009 Tennessee CAC Child Protective Investigative Team Excellence Award Winner

Community

- 2004 Ripley Rotary Club Citizen of the Year

University of Mississippi School of Law

- 1994 Moot Court Board
- 1993 Phi Delta Phi Legal Fraternity
- 1993 Contract Negotiation award

9. Bar Associations: List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

Tennessee District Attorneys General Conference (TNDAGC)

- Executive Committee President, 2017 - present
- Executive Committee Vice-President, 2016-2017
- Executive Committee Secretary, 2015-2016
- Justice & Professionalism Committee Chairman, 2014-present
- Public Education Committee member, 2014-present
- Legislative Committee member, 2009-present
- Child Support Committee member, 2009-present
- Attorney General Liaison Committee member, 2009-present

National District Attorneys Association (NDAA)

- Legislative Committee Member, 2015-present

Tennessee Medical Examiner Advisory Council

- Appointed by Governor Bill Haslam, 2013-present

Tennessee Department of Homeland Security Sovereign Citizen Working Group

- Member, 2012-2014

Tennessee Joint Task Force on Children’s Justice and Child Sexual Abuse

- Member, 2011-present

Tennessee Public Safety Coalition

- Chairman 2010-2011
- District Attorneys Delegate 2009-2010

DEA Task Force, Memphis Resident Office

- Participating member Agency, 2008-present

Gulf Coast High Intensity Drug Trafficking Area (HIDTA)

Participating member agency, 2008-present

Tennessee Bar Association Board of Governors
District Attorneys Designee 2008-2011

25th Judicial District Drug Task Force
Board of Directors 2007-present

West Tennessee Criminal Investigators Association (WTCIA)
Member and Annual training speaker, 2007-present

Tennessee Board of Professional Responsibility
Hearing Committee Member, 2000-2006

10. **Bar and Court Admission:**

- a. **List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.**

State Bar of Tennessee, Admitted October 24, 1995, Active
There have been no lapses in membership.

- b. **List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.**

Federal District Court

United States District Court for the Western District of Tennessee, Admitted November 29, 1995, Active
There have been no lapses in membership

State Courts

Tennessee Supreme Court, Admitted October 31, 1995, Active
Circuit Court of the 25th Judicial District of Tennessee, Admitted October 24, 1995, Active
There have been no lapses in membership

11. **Memberships:**

- a. **List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.**

Tipton County Anti-Drug Coalition, Covington, Tennessee, 2014-present

Covington First Baptist Church, Covington, Tennessee, Finance Committee Member, 2014-2015

Covington Rotary Club, Covington, Tennessee, Member, 2012-present

Lauderdale County Carl Perkins Child Advocacy Center, Ripley, Tennessee, Advisory Board Member, 2006-2014

Professional Care Services, Covington, Tennessee, Board of Directors, 2002-2006

First Citizens National Bank, Ripley, Tennessee, Advisory Board, 2002-2006

Tina Turner Family Center, Ripley, Tennessee, Board of Directors 1999-2002

Leadership Lauderdale Graduate, Ripley, Tennessee, 1998

Lauderdale County Exchange Club, Ripley, Tennessee, Board of Directors, 1997-2004

Ripley Rotary Club, Ripley, Tennessee, Member, 1995-2012
President, 2009-2010

Rolling Hills Country Club, Ripley, Tennessee, 1995-2008

- b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.**

To the best of my knowledge, none of the organizations discriminate on the basis of race, sex, religion or national origin, either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.**

I have done my best to identify all books, articles, reports, letters to the editor, editorial pieces and other published material, including through a review of my personal files, and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find, or

remember. I have located the following:

“Hard time can make life tougher for criminals.” *The Commercial Appeal*, May 23, 2007. Copy supplied.

“New Law allowing immigration status in sentencing slammed”, *Tennessee Ledger*, June 9, 2017. <https://www.tnledger.com/editorial/Article.aspx?id=97939>
Copy supplied.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.**

I have done my best to identify any reports, memoranda, or policy statements I prepared or contributed to, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials I have been unable to identify, find, or remember. I have located the following:

During my service as the Chairman of the Justice & Professionalism Committee of the Tennessee District Attorneys General Conference (TNDAGC) since 2014, I have participated with other state prosecutors and contributed to the committee work in developing various best practices, protocols, and training materials for prosecutors. Copies of available reports, materials, or policy statements are attached.

February 2017 – TNDAGC Justice & Professionalism Pro Tem Protocol. Copy supplied

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.**

I have done my best to identify any testimony, official statements, or other communications related, in whole or in part, to matters of public policy or legal interpretation, including a thorough review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials I have been unable to identify, find, or remember. I have located the following:

110th Tennessee General Assembly, House Civil Justice Subcommittee, March 29, 2017 – I provided testimony in support of HB 1126, by Parkinson, regarding child custody and support, which specifies that in any action for retroactive child support

filed on or after July 1, 2017, retroactive child support may not be awarded for a period more than five years from date the action for support is filed unless the court determines, for good cause shown, that a different award of retroactive child support is in the interest of justice. Copy unavailable

110th Tennessee General Assembly, Senate Judiciary Committee, March 28, 2017 – I provided testimony in support of SB 1241, by Norris, which increases the penalty for unlawfully possessing a firearm with a prior conviction for a felony involving use of force or violence from Class C felony to Class B felony; increases from Class D felony to Class C felony penalty for person unlawfully possessing firearm with prior felony drug offense; increases penalty for unlawfully possessing a handgun with a prior felony from Class E felony to Class D felony; and makes person convicted of unlawfully possessing a firearm with a prior conviction involving use of force or violence ineligible for probation. Copy unavailable

109th Tennessee General Assembly, Juvenile Justice Realignment Task Force, January 9, 2017 – Upon request, I provided testimony regarding the statistical reports of assaultive incidents at the Wilder Youth Development Center in Somerville, Fayette County, Tennessee, which were prosecuted during the prior 3 year period. Copy unavailable

109th Tennessee General Assembly, Juvenile Justice Realignment Task Force, November 3, 2016 – I provided testimony on behalf of the Tennessee District Attorneys General Conference regarding the need for a legislative proposal to change state law to create a new state law to address the problem of juvenile “sexting” behavior as an unruly offense by the illegal or improper use of a telecommunication device to possess, create, or disseminate sexually explicit images of a minor child. Copy unavailable

109th Tennessee General Assembly, Senate Judiciary Committee, November 2, 2016 – I was called on to provide testimony and answer questions about SB 1117, by Kyle, which is bill to expand the offense of reckless endangerment to include a person's reckless failure to render inoperable or safely secure or lock a firearm, resulting in a child under 13 years of age gaining possession of the firearm and injuring or killing the child or another. Copy unavailable

109th Tennessee General Assembly, Juvenile Justice Realignment Task Force, September 12, 2016 – Upon request, I provided testimony about the general procedural and substantive due process involved when a juvenile enters the justice system on a delinquent petition or criminal charge. Copy unavailable

109th Tennessee General Assembly, Civil Justice Subcommittee, February 24, 2016 - I provided testimony in support of HB 1567, by Moody, regarding child custody and support, which specifies that in any action for retroactive child support filed on or after July 1, 2016, retroactive child support may not be awarded for a period more than five years from date the action for support is filed unless the court

determines, for good cause shown, that a different award of retroactive child support is in the interest of justice. Copy unavailable

During my service as District Attorney General since 2006, I have made myself available for, and have been called upon to give testimony on a wide range of criminal law, procedure, and sentencing issues related to proposed state legislation in the Tennessee General Assembly. While attending the meetings of the Tennessee Senate Judiciary Committee and the House Criminal Justice and Civil Justice Committees, I have been called upon from time to time in an unexpected, unscheduled, and extemporaneous manner to respond to questions, give legal interpretations, and state District Attorneys' positions on various criminal law, procedure and sentencing bills being considered at that time. Due to the nature of the business of the committees, there are no prepared remarks or testimony available. Copy unavailable

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.**

I have done my best to include transcripts and recordings of all speeches or talks delivered, including through a review of personal files and searches of publicly available electronic databases. I frequently use the text of a speech from a prior event, speak without notes, or speak from a handwritten outline. I did not retain the majority of the handwritten outlines and have attached all that I could find. Despite my searches, there may be other materials I have been unable to identify, find, or remember. I have located the following:

Victim Witness Coordinators Conference (October 2013) in Chattanooga, TN, Tennessee District Attorneys General Conference (TNDAGC), 226 Capitol Blvd, Suite 800, Nashville, TN 37243. The subject matter of the talk was new legislation. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

Victim Witness Coordinators Conference (October 2015) in Chattanooga, TN, Tennessee District Attorneys General Conference (TNDAGC), 226 Capitol Blvd, Suite 800, Nashville, TN 37243 . The subject matter of the talk was new legislation. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

New Prosecutors Academy (May 5-9, 2014) in Franklin, TN, Tennessee District Attorneys General Conference (TNDAGC), 226 Capitol Blvd, Suite 800, Nashville, TN 37243. I gave remarks on the subject matter of the Ethical Role of the Prosecutor (1.25 dual hours). I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

New Prosecutors Academy (May 18-22, 2015), in Franklin, TN, Tennessee District Attorneys General Conference (TNDAGC), 226 Capitol Blvd, Suite 800, Nashville, TN 37243; I gave remarks on the subject matter of the Ethical Role of the Prosecutor (1.25 dual hours). I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

New Prosecutors Academy (May 8-12, 2017), in Franklin, TN , Tennessee District Attorneys General Conference (TNDAGC), 226 Capitol Blvd, Suite 800, Nashville, TN 37243; I gave remarks on the subject matter of the Ethical Role of the Prosecutor (1.25 dual hours). I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

Justice and Professionalism Committee; First Annual Symposium on Current and Emerging Issues and Ethics (June 22-24, 2016), in Franklin, TN, Tennessee District Attorneys General Conference (TNDAGC), 226 Capitol Blvd, Suite 800, Nashville, TN 37243 and the Prosecutor's Center for Excellence (PCE), P.O. Box 1558, New York, NY 10159. I gave the Welcome and Introductions and served as the host throughout the training. Additionally, I was the moderator for panel on an Officer Involved Shooting program. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

2015 Annual Fall Conference (October 21-23, 2015), in Chattanooga, TN, Tennessee District Attorneys General Conference (TNDAGC), 226 Capitol Blvd, Suite 800, Nashville, TN 37243. I was the moderator for breakout on Working with Victims. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

2016 Annual Fall Conference (October 12-13, 2016), in Pigeon Forge, TN, Tennessee District Attorneys General Conference (TNDAGC), 226 Capitol Blvd, Suite 800, Nashville, TN 37243. I spoke on the topic of Legislative Update. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

Body Worn Cameras Statewide Symposium (June 23-24, 2016), in Franklin, TN, Tennessee District Attorneys General Conference (TNDAGC), 226 Capitol Blvd, Suite 800, Nashville, TN 37243 and the Tennessee Department of Safety and Homeland Security, 312 Rosa L. Parks Avenue, Nashville, TN 37243. I gave the Welcome and Introductions, and served as the host throughout the training. Additionally, I served as the moderator for the breakout session on Body Worn Cameras (1.5 hrs). Throughout this event, I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

Carl Perkins Child Advocacy Center Annual Dinner and Auction events, in Lauderdale, Tipton, Fayette, Hardeman, and McNairy counties; 168 N. Main Street, Ripley, TN 38063; 707 S. Main Street, Covington, TN 38019; 202 Kay Avenue, Somerville, TN 38068; 149 Tennessee Street, Bolivar, TN 38008; and 574 Mulberry Avenue, Selmer, TN 38375 during National Child Abuse Awareness (April 2017, April 2016, April 2015, April 2014, April 2013, April 2012, April 2011, April 2010, April 2009, April 2008, April 2007). These annual remarks are made extemporaneously regarding the issues of child abuse, neglect, and endangerment, and copies of my remarks were not written, retained, or available. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

West Tennessee Criminal Investigators Association (WTCIA), 121 Executive Drive, Jackson, TN 38305, Meeting (July 2016, July 2015, July 2014, July 2013, July 2012, July 2011, July 2010, July 2009) in Covington, TN. These annual remarks consist of a legislative review and update of new public chapters from the immediately previous session of the Tennessee General Assembly. Copies of my remarks were not written, retained, or available and there was no press coverage to my knowledge. Copy unavailable

Tennessee Bureau of Investigation Medicaid Fraud Control Unit, 901 R.S. Gass Blvd, Nashville, TN 37216, at Paris Landing State Park, in Buchanan, TN, Legislative update (November 2016, November 2015, November 2014, November 2013). These annual remarks consist of a legislative review of new public chapters from the immediately previous session of the Tennessee General Assembly, and copies of my remarks were not written, retained, or available. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

Tennessee Joint Task Force on Children's Justice and Child Sexual Abuse, 193 F Polk Avenue, Nashville, TN 37210, Legislative update (August 2016, August 2015, August 2014) in Nashville, TN. These annual remarks consist of a review of new public chapters from the immediately previous session of the Tennessee General Assembly, and copies of my remarks were not written, retained, or available. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

Annual Tree of Remembrance memorial service to honor homicide victims, 125 Court Avenue, Sevierville, TN 37862 (December 2016), and Tennessee Season to Remember, December 2014, sponsored by the Tennessee District Attorneys General Conference (TNDAGC), 226 Capitol Blvd, Suite 800, Nashville, TN 37243. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

Homicide victims' memorial service sponsored by the Trauma, Faith, and Resilience Initiative at Union University (September 2014) 1050 Union University Drive, Jackson, TN 38305. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

Tipton County Law Enforcement memorial service, National Police Week (May 2016) , 1801 South College Street Covington, TN 38019. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

Lauderdale County Law Enforcement memorial service, National Police Week (May 2015) 675 Highway 51 South, Ripley, TN 38063. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

Fayette County Law Enforcement memorial service, National Police Week (May 2014) 705 Justice Drive, Somerville, TN 38068. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

Tennessee District Attorneys General Conference, 226 Capitol Blvd, Suite 800, Nashville, TN 37243, and Mothers Against Drunk Driving (MADD) (December 2016) in Nashville, TN. I made remarks regarding victim issues in DUI cases during a vehicular homicide training. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

Pharmaceutical Diversion and Opioid Abuse training, Tipton County Anti-Drug Coalition and the Tennessee Pharmaceutical and Dangerous Drug Task Force (September 2016) 1997 Highway 51 South, Covington, TN 38019. I made an overview presentation of Tennessee Prescription Drug Abuse statistics and recent legislation. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

The First Annual Symposium of Emerging Issues in Franklin, TN , Justice & Professionalism Committee of the Tennessee District Attorneys General Conference 226 Capitol Blvd, Suite 800, Nashville, TN 37243,(June 2016). I led and participated in a panel discussion of law enforcement and prosecutors about the legal, ethical, and prosecutorial considerations regarding the use of body-worn cameras and evidence, and the investigation of officer-involved shooting incidents. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

Annual Statewide Prosecutor and Victim-Witness Coordinator Training in Chattanooga, TN, Tennessee District Attorneys General Conference, 226 Capitol Blvd, Suite 800, Nashville, TN 37243,(October 2015). My wife and I participated in a panel discussion of prosecutors, judges, and victim-witness coordinators about victims' rights and considerations during a criminal prosecution. I spoke without

notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

Western District of Tennessee Schools and Juvenile Courts; Tipton County Juvenile Court (March 2017) 1801 South College Street, Covington, TN 38019. Co-presenter: Assistant United States Attorney Deb Ireland. The presentations were regarding internet safety and the dangers and consequences of sexting, child pornography, and internet online predators. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

Tennessee Middle School (May 2015), 13100 Highway 194, Oakland, TN 38060. Co-presenter: Assistant United States Attorney Deb Ireland. The presentations were regarding internet safety and the dangers and consequences of sexting, child pornography, and internet online predators. I spoke without notes and there was no press coverage or transcripts to my knowledge. Copy unavailable

- e. **List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.**

I have done my best to identify any interviews to newspapers, magazines, or other publications, or radio or television stations, including a thorough review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials I have been unable to identify, find, or remember. I have located the following:

“Rossville TN Teacher Charged with Exploitation of Minors”, *Local Memphis News*, March 30, 2017. Copy supplied

“Munford police searching for person who killed elderly Munford woman”, *Fox 13 News Memphis*, March 30, 2017. Copy supplied

“Attorney General Dunavant on 1998 Cold Case”, *Jackson Sun News*, March 23, 2017. Copy supplied

“Bills seek tougher sentencing for convicted rapists, aggravated burglars”, *WMC Action News 5*, February 16, 2017. Copy supplied

“State Prosecutors Fighting for Funds Threatened by Haslam’s IMPROVE Act”, *Memphis Daily News*, January 26, 2017. Copy supplied

“Lawmakers seek to modernize antiquated TN sexting laws”, *WMC Action News 5*, January 20, 2017. Copy supplied

“Revised gun bill already drawing resistance from state GOP-led committee”, *USA Today Network – Tennessee*, November 2, 2016. Copy supplied

“8 Jackson men included in alleged Gangster Disciple indictments”, *WBBJ 7 Eyewitness News*, May 4, 2016. Copy supplied

“‘Sea Of Blue’ Honors Fallen Officers”, *Local Memphis News*, January 6, 2016. Copy supplied

“DA calls for sentencing reform after death of Memphis officer”, *WMC Action News 5*, August 6, 2015. Copy supplied

“Attorneys frustrated after Noura Jackson Bond Hearing Delay”, *Local Memphis News*, April 9, 2015. Copy supplied

“McNairy County Sheriff Guy Buck and District Attorney General Mike Dunavant discuss child abuse homicide case”, *Jackson Sun News*, August 5, 2014. Copy supplied

“Snapped: Melissa Cole”, *Oxygen Network*, Season 11, Episode 5, September 29, 2013. Copy supplied

“Mike Dunavant responds to plea agreement of Mayes”, *Bolivar Bulletin Times*, August 9, 2013. Copy supplied

“Juveniles, workers from inside detention center recently prosecuted”, *WMC Action News 5*, June 13, 2013. Copy supplied

“District Attorney Mike Dunavant discusses Mayes case”, *WMC Action news 5*, May 11, 2012. Copy supplied

“Sheriff and D.A. want McNairy Co. Pseudo Free”, *WBBJ 7 Eyewitness News*, March 14, 2011. Copy supplied

“The Preacher’s Wife”, Mary Winkler, *Dateline NBC*, November 5, 2010. Copy supplied

“DA Dunavant voices his concern about rape center crisis”, *WMC Action News 5*, May 15, 2009. Copy supplied

“Snapped: Mary Winkler”, *Oxygen Network*, Season 6, Episode 1, October 7, 2007. Copy supplied

“The Preacher’s Wife”, Mary Winkler, *Dateline NBC*, July 9, 2007. Copy supplied

13. Public Office, Political Activities and Affiliations:

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.**

In 2013, I was appointed by Tennessee Governor Bill Haslam to serve on the Tennessee Medical Examiner Advisory Council, which appointment is still in effect.

On August 3, 2006, I was elected to the position of District Attorney General for the 25th Judicial District of Tennessee, which includes Lauderdale, Tipton, Fayette, Hardeman, and McNairy counties in West Tennessee. I was sworn into office and began that employment with the State of Tennessee on September 1, 2006. After serving that original full 8-year term as District Attorney General, I ran for re-election to the same position, and on August 7, 2014, I was re-elected as the District Attorney General for the 25th Judicial District of Tennessee. I was sworn into office for my second term and continued employment with the State of Tennessee on September 1, 2014, and I am currently serving and employed in that position today.

In 2002, I was appointed by Tennessee Governor Phil Bredesen to serve as a Tennessee Department of Education Administrative Law Judge. That appointment terminated upon my election in 2006 to the position of District Attorney General.

In September, 2000, I was appointed by the Mayor Brenda Carter and Board of Aldermen to serve as the City Judge for the Town of Gates, Tennessee. That appointment terminated upon my election in 2006 to the position of District Attorney General.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.**

I have not been a member nor held office in or rendered services to any political party or election committee. I have never held a paid position in any political campaign. However, my spouse and I have both been active volunteers on numerous campaigns for various federal, state, and local elected positions. That volunteer activity has primarily been in the form of contributions and fund-raising, social media, attendance at campaign events, door-to-door campaigning, and general promotion of particular candidates, as follows:

Mike Dunavant, campaign for re-election as District Attorney General, 2014

Mark Norris, campaigns for re-election as State Senator, 2012 and 2016

Debra Moody, campaigns for election as State Representative, 2012, 2014, 2016

Bo Burk, campaign for election as District Public Defender, 2014
Stephen Fincher, campaigns for re-election as Congressman, 2012 and 2014
David Kustoff, campaign for election as Congressman, 2016
Justin Hanson, campaign for election as Mayor, City of Covington, 2014

14. Legal Career: Answer each part separately.

a. Describe chronologically your law practice and legal experience after graduation from law school including:

i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I have not served as a clerk to a judge.

ii. whether you practiced alone, and if so, the addresses and dates;

I engaged in the solo private practice of law from June 1996, until August 2006, at the following address:

Carney, Wilder & Dunavant
Attorneys at Law
134 North Jefferson Street
P.O. Box 150
Ripley, Tennessee 38063
(Office closed in 2006)

iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

September 2006 – present
District Attorney General
25th Judicial District of Tennessee
Lauderdale, Tipton, Fayette, Hardeman & McNairy counties
121 North Main Street
Ripley, Tennessee 38063

October 1995 – August 2006
Partner/Solo Practitioner
Carney, Wilder & Dunavant
Attorneys at Law
134 North Jefferson Street
P.O. Box 150
Ripley, Tennessee 38063
(Office closed in 2006)

August 1995 - October 1995
May 1994 - August 1994
May 1993 – August 1993
Law Clerk
Carney & Wilder
Attorneys at Law
134 North Jefferson Street
P.O. Box 150
Ripley, Tennessee 38063
(Office closed in 2006)

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.**

I have not served as a mediator or arbitrator in alternative dispute resolution proceedings.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.**

From the beginning of my private practice in 1995 until 2006, I was engaged as a small town, general practitioner of law, handling criminal defense cases, divorce and child custody cases, property and loan closing transactions, wills and probate matters, some plaintiffs' personal injury and workers compensation cases, representing creditors in bankruptcy cases, and defending correctional officers in 42 U.S.C. 1983 civil rights cases. However, the majority of my private practice developed around indigent criminal defense cases to which I was appointed by my local county and state courts.

Upon my election as the District Attorney General for the 25th Judicial District, obviously my practice changed to criminal prosecution and representation of the State of Tennessee on a dedicated, 100% basis.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.**

I have never specialized in any area of the law during my legal career. However, as stated, the majority of my private practice developed around indigent criminal defense cases to which I was appointed by my local county and state courts. Therefore, my typical clients included indigent persons charged with state criminal offenses, and the local citizens and residents of the small, rural communities in West Tennessee where I engaged in the general private practice of law.

Upon my election as the District Attorney General for the 25th Judicial District, my only client became the State of Tennessee, and my typical interaction is with law enforcement officers, crime victims, material witnesses, clerks of court, Judges, defense counsel, and the general public which I represent as an elected prosecutor.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.**

During my years of private practice, I estimate that approximately 75% of my practice was in litigation, and 25% was in other transactional work. I further estimate that approximately 60% of my practice was in criminal proceedings as defense counsel, and 40% was in general civil proceedings. Approximately 90% of my private practice was engaged in state courts in West Tennessee, and 10% in the federal courts in the Western District of Tennessee.

During my service and practice as the District Attorney General, I have represented the State of Tennessee and engaged in criminal prosecution proceedings in state courts 100% of the time.

i. Indicate the percentage of your practice in:

- | | | |
|-----------------------------|-------------|------------------|
| 1. federal courts: | 10% private | 0% prosecution |
| 2. state courts of record: | 90% private | 100% prosecution |
| 3. other courts: | 0% | |
| 4. administrative agencies: | 0% | |

ii. Indicate the percentage of your practice in:

- | | | |
|--------------------------|-------------|------------------|
| 1. civil proceedings: | 40% private | 0% prosecution |
| 2. criminal proceedings: | 60% private | 100% prosecution |

- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.**

As the District Attorney General, I engage in the final charging decision in all felony cases in the state criminal courts in my jurisdiction. As a supervisor of 14 Assistant District Attorneys on my staff, including an ADA who is assigned to U.S. Attorney's Office for the Western District of Tennessee as a Special Assistant United States Attorney (SAUSA), I oversee the litigation of all criminal prosecutions in the 25th Judicial District. However, due to my other administrative, investigative, legal, and political duties as the District Attorney General, I am only able to engage in the personal handling and litigation of criminal cases at trial in a limited number of the cases. During my almost 11 years as the chief prosecutor, I

estimate that I have been involved as co-counsel with one of my Assistant District Attorneys in approximately 15 cases tried to verdict by jury.

While engaged in private practice for almost 11 years, I estimate that I participated as sole counsel in the trial of approximately 20 cases to verdict by jury, and tried countless cases to a decision by a Judge in a non-jury hearing. Also in private practice, I have argued approximately 8-10 cases in the state appellate courts of Tennessee.

i. What percentage of these trials were:

- | | | |
|---------------------|----------------------|------------------|
| 1. Jury: | 20% private practice | 100% prosecution |
| 2. non-jury: | 80% private practice | 0% prosecution |

e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not practiced before the Supreme Court of the United States.

15. Litigation: Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;**
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and**
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.**

1. State of Tennessee v. Rickey Alvis Bell, Jr.
Case No. 6664
Circuit Court of Tipton County, Tennessee
Honorable Joseph H. Walker, III., presiding
June 2010 – March 2012

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A Tipton County jury convicted the defendant, Rickey Alvis Bell, Jr., of felony first degree murder in the perpetration of a kidnapping, felony first degree murder in the perpetration of a rape, aggravated kidnapping, and aggravated sexual battery of the victim, Starr Lynn Harris, who was the wife of Bell's employer, Thomas R. Harris, Jr. ("Rick"). During the evening hours of June 1, 2010, the victim's body was discovered by Nathan McKell in a wooded area behind the residence of Rick and the victim at Richardson Landing Lane in Drummonds, Tipton County, Tennessee. The medical examiner found that the cause of death was strangulation associated with blunt force injuries, some of which were so extensive that they could have caused death in and of themselves. Following the penalty phase, the jury sentenced the defendant to death on the two counts of felony first degree murder. The trial court merged the two felony first degree murder convictions and sentenced the defendant to twenty years each for the aggravated kidnapping and aggravated sexual battery convictions. The trial court ordered the defendant to serve the two twenty-year sentences concurrent to each other but consecutive to the death sentence, for an effective sentence of death plus twenty years. I coordinated the initial law enforcement investigation by the Tennessee Bureau of Investigation and the Tipton County Sheriff's Office. I made the ultimate charging decisions in the case, including the decision to file notice to seek the death penalty based upon applicable statutory aggravating factors; I communicated directly with the victim's family and the news media about the case; and also ultimately oversaw and participated in the prosecution and sentencing of the case on behalf of the State of Tennessee. The death sentence imposed in this case is believed to be the first imposition of the death penalty by a jury in Tipton County, Tennessee, in modern history.

2. State of Tennessee v. Jacob Andrew Brown, AKA "Paco"
Case No. 6861
Circuit Court of Tipton County, Tennessee

Honorable Joseph H. Walker, III., presiding
January 2011 – January 2012

Co-Counsel:
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Opposing Counsel:
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David Stockton
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On January 18, 2011, Ed and Bertha Walker were found beaten to death in their home. At the time of the brutal double homicide, Brown was high on bath salts, and told friends that he wanted to kill the elderly couple because they were "nosy neighbors". Brown broke into their home and bludgeoned the elderly couple to death with a baseball bat. In March 2011, Jacob Andrew "Paco" Brown, age 16, was indicted by the Tipton County Grand Jury for two counts of premeditated first degree murder, two counts of felony murder, and two counts of especially aggravated burglary. Brown was sixteen at the time the crimes were committed. The juvenile court held a transfer hearing and determined that Brown should be tried as an adult in the circuit court. At the conclusion of a jury trial, Brown was found guilty of each count. The trial court merged the two felony murder convictions into the two premeditated first degree murder convictions and merged one especially aggravated burglary charge into the other. Brown was sentenced to life without parole for the two murder convictions and eight years to be served at 100% for the especially aggravated burglary conviction. The trial court ordered that all the sentences were to be served consecutively. I coordinated the initial law enforcement investigation by the Tennessee Bureau of Investigation and the Munford Police Department. I made the decision to file the petition to transfer Brown to adult court and participated in the juvenile transfer hearing; I made the ultimate charging decisions in the case; I communicated directly with the victim's family and the news media about the case; and also ultimately oversaw and participated in the prosecution of the case on behalf of the State of Tennessee.

3. State of Tennessee v. Raymond Lee Myers
Case No. 7071
Circuit Court of Tipton County, Tennessee
Honorable Joseph H. Walker, III., presiding
June 2010 – November 2011

Co-Counsel:
Jennifer Gillis

Special Assistant United States Attorney
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Opposing Counsel:
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On June 14, 2010, confidential informants working with Agents for the ATF and the Tipton County Sheriff's Office developed information which led them to the residence of Raymond Lee Myers, a convicted felon, who sold the confidential informant a stolen Colt MS Carbine 5.56MM machine gun which had been reported missing/stolen from a United States Army base at Camp Atterbury, Indiana. The confidential informant paid Myers \$1,500.00, and the purchase transaction of the firearm was recorded. Thereafter, Myers made contact with two confidential informants, and threatened to commit bodily harm against them for their cooperation with law enforcement in the investigation. Myers had previous felony convictions for forgery and attempted escape. I coordinated the initial law enforcement investigation by the ATF and the Tipton County Sheriff's Office. I made the ultimate charging decisions in the case, and handled the case on behalf of the State of Tennessee. I indicted Myers for the state law felony offenses of Sale of a Prohibited Weapon, Felony Theft of Property, and 2 counts of Coercion of a Witness. I worked with the Special Assistant United States Attorney (SAUSA) which was assigned from my office to the U.S. Attorney's Office for the Western District of Tennessee to obtain a federal backing of my state offer upon a guilty plea in the case. In the event that Myers rejected the state offer, the case would have been referred to the U.S. Attorney's Office for prosecution in the federal court system for violation of 26 U.S.C. §5861, for illegal possession of a stolen machine gun, where he would be facing a federal sentencing guideline range of 33-41 months in the Federal Bureau of Prisons. Ultimately, as a result of that federally backed offer, Myers entered pleas of guilty as charged to the state law offenses of Sale of a Prohibited Weapon and Theft of Property, for which he received a sentence of 4 years at 35% in the Tennessee Department of Correction for each as a Multiple, Range II offender, with no further relief. This case was important because it was the first case in which I was able to obtain a significant state sentence on a dangerous felony firearm offender by working with the U.S. Attorney's office. As a result, I removed a dangerous offender from the community, provided specific and general deterrence for future firearms offenses, and achieved justice.

4. State of Tennessee v. Brenda Woods
Case No. 2010-CR-95
Circuit Court of Hardeman County, Tennessee
Honorable Weber McCraw, presiding
May 2009 – October 2010

Co-Counsel:

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On Monday, May 3, 2010, Bolivar City Councilwoman Brenda Woods was indicted by the Hardeman County Grand Jury for three counts of the Class E Felony offense of Procuring an Illegal Vote, and one count of the Class D Felony offense of Procurement or Inducement to violate T.C.A. 2-19-105 (false swearing). The indictment resulted from an investigation by the Tennessee Bureau of Investigation of Woods upon allegations from others previously charged with illegal voting that she procured, induced, aided, assisted, counseled, and advised them to illegally vote and/or falsely swear for the purpose of illegally registering to vote, knowing that they were disqualified from doing so as a result of a prior felony conviction. The charges arose from Woods' conduct leading up to and during the Bolivar city election in May, 2009, when Woods was a candidate in that election for both the positions of Mayor and City Council. I tried the case as lead counsel for the State of Tennessee to a Hardeman County jury, who found Woods guilty as charged. The defendant, Brenda Woods, was convicted by a Hardeman County jury of three counts of procuring an illegal vote, a Class E felony, and was sentenced by the trial court to concurrent terms of two years for each offense, with credit given for one day's jail service and the remainder of the time on supervised probation. The defendant was also disqualified from holding public office for the duration of her sentence pursuant to Tennessee Code Annotated section 40-20-114(a). Also, as a result of the voter fraud conviction, Woods was disqualified from voting or registering to vote for her lifetime. This case, as well as the other illegal voting cases charged and prosecuted across the 25th Judicial District, was very important because it made clear that the rule of law would be enforced against public officials; that there would be a consequence for voter fraud behavior; and that the integrity of the ballot box would be protected and restored.

5. State of Tennessee v. Angela P. Akins, AKA Polly A. Fleetwood
Case No. 6442
Circuit Court of Tipton County, Tennessee
Honorable Joseph H. Walker, III., presiding
November 2009 – April 2010

Co-Counsel:
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Opposing Counsel:
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After allegations of voter fraud and illegal voting in the election cycle in November, 2008, the Tennessee Secretary of State cross referenced voting records with convicted felon records from the Tennessee Department of Correction, to determine if and how many disqualified felons cast illegal votes. As a result of that inquiry, I investigated and indicted a total of 51 felons in 2009 for the Class D Felony offenses of Illegal Voter Registration and/or Illegal Voting, occurring in 4 counties of the 25th Judicial District. The indictments resulted from a cooperative investigation by and between the State Coordinator of Elections from the Tennessee Secretary of State's Office, the respective County Election Commissions, and the 25th Judicial District Attorney General's Office, and charged offenders with illegally registering to vote and/or illegally voting at various times during the election cycle of 2008, after they were convicted of disqualifying felony offenses. The defendant, Angela P. Akins, AKA Polly A. Fleetwood, was one of those persons charged, and was among the first to be tried for the offense of illegal voting. The Defendant was previously convicted of the offense of felony theft of property in Shelby County, Tennessee, and thereafter intentionally lied about her felon status on a voter registration form in Tipton County, Tennessee. It was because of this deception that she, as a disqualified felon, accomplished the crime of illegal voting in the 2008 federal election. I tried the case as lead counsel for the State of Tennessee to a Tipton County jury, who found Akins guilty as charged, and she was given a sentence of 2 years, a \$500.00 fine, and as a result of the voter fraud conviction, was disqualified from voting or registering to vote for her lifetime. This case, as well as the other illegal voting cases charged and prosecuted across the 25th Judicial District, was very important because it made clear that the rule of law would be enforced; that there would be a consequence for voter fraud behavior; and that the integrity of the ballot box would be protected and restored.

6. State of Tennessee v. William C. Mullins & Robert Tisdale
Case No. 6281
Circuit Court of Fayette County, Tennessee
Honorable Weber McCraw, presiding
April 2007 – March 2010

Co-Counsel:

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As a result of state investigative audit findings regarding evidence of fraud, waste, or abuse in the City of Oakland, Tennessee, I requested and coordinated a criminal investigation by the Tennessee Bureau of Investigation into allegations of public corruption and official misconduct by Oakland Mayor William Mullins and Oakland Police Chief Robert Tisdale. I made the ultimate charging decisions in the case; I communicated directly with the news media about the case; and also ultimately oversaw and participated in the prosecution of the case on behalf of the State of Tennessee, including the trial of one defendant and the guilty plea and sentencing of the other. Mullins and Tisdale were jointly indicted for multiple counts of felony official misconduct and tampering with evidence, for their individual and joint participation in a scheme as public servants to obtain personal benefits to which they were not entitled by engaging in and receiving compensation for prohibited municipal contracts for the performance of repair work by Mullins on transmissions of the city police cars. After the misconduct was discovered, and during the pendency of the investigation, Mullins and Tisdale also solicited and requested others within municipal government to alter or fabricate certain city records to cover up the illegal conduct. Tisdale pled no contest to the offenses of official misconduct and tampering with evidence, and received a sentence of 3 years judicial diversion and supervised probation; payment of restitution to the City of Oakland; cooperation to provide testimony against his co-defendant, Mullins; and a condition that he no longer be employed in law enforcement. After a trial, a Fayette County jury found Mullins guilty of 3 counts of official misconduct, for which he was sentenced to concurrent 1 year sentences to be served on judicial diversion and supervised probation; removal from public office as Mayor; and the defendant was prohibited by operation of law from holding any appointed or elected office for a period of 10 years after conviction. These cases were important to achieve justice by exposing long established municipal public corruption and holding public officials accountable for criminal conduct by removal from office.

7. State of Tennessee v. Orlando Daniel Garcia

Case No. 5551
Circuit Court of Tipton County, Tennessee
Honorable Joseph H. Walker, III., presiding
January 2007 – July 2008

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On January 6, 2007, while traveling from Texas to Tennessee to sell illegal narcotics, Orlando Daniel Garcia, age 19, and his co-defendant, Alejandro Chevo Guana, age 17, shot Tennessee Highway Patrol Trooper Calvin Jenks in the head twice at close range, and then fled to Nashville, where he and Guana were apprehended. Orlando Daniel Garcia, was tried and convicted of facilitation of first degree premeditated murder for killing Tennessee State Trooper Calvin Jenks during a routine traffic stop in Tipton County while Garcia was trafficking 2.5 pounds of marijuana from Austin, Texas to Nashville, Tennessee. He was sentenced to 19 years in prison. He was also convicted of possession of marijuana with intent to deliver, for which he was given a concurrent sentence of 18 months. I coordinated and led the initial law enforcement investigation by the Tennessee Highway Patrol, Tennessee Bureau of Investigation, and the Tipton County Sheriff's Office. I made the ultimate charging decisions in the case, communicated directly with the victim's family and the news media about the case, and also ultimately oversaw and participated in the prosecution of the case on behalf of the State of Tennessee. After the conviction and sentencing of Garcia in state court, I also made the request to and coordinated with the U.S. Attorney's Office in the Western District of Tennessee in the subsequent federal prosecution of Garcia for firearms and narcotics trafficking offenses resulting in death, for which Garcia received a federal life sentence.

8. State of Tennessee v. Alejandro Chevo Guana
Case No. 5561

Circuit Court of Tipton County, Tennessee
Honorable Joseph H. Walker, III., presiding
January 2007 – May 2008

Co-Counsel:
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Opposing Counsel:
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On January 6, 2007, while traveling from Texas to Tennessee to sell illegal narcotics, Alejandro Chevo Guana, age 17 told his codefendant, Orlando Daniel Garcia, that they "might have to do a cop". Guana shot Tennessee Highway Patrol Trooper Calvin Jenks in the head twice at close range, and then fled to Nashville, where he and Garcia were apprehended. Alejandro Chevo Guana, age 17, was transferred from juvenile court, and tried and convicted as an adult of first degree premeditated murder for killing Tennessee State Trooper Calvin Jenks during a routine traffic stop in Tipton County while Guana was trafficking 2.5 pounds of marijuana from Austin, Texas to Nashville, Tennessee. He was sentenced to life in prison with the possibility of parole after 51 years. He was also convicted of possession of marijuana with intent to deliver, for which he was sentenced to serve one year. I coordinated and led the initial law enforcement investigation by the Tennessee Highway Patrol, Tennessee Bureau of Investigation, and the Tipton County Sheriff's Office. I made the decision to file the petition to transfer Guana to adult court and participated in the juvenile transfer hearing; I made the ultimate charging decisions in the case; I communicated directly with the victim's family and the news media about the case; and also ultimately oversaw and participated in the prosecution of the case on behalf of the State of Tennessee.

9. State of Tennessee v. Mary Carol Winkler
Case No. 2053
Circuit Court of McNairy County, Tennessee
Honorable Weber McCraw, presiding
September 2006 – June 2007

Co-Counsel:
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On March 22, 2006, Selmer Church of Christ minister Matthew Winkler was found in the bedroom of his home in Selmer, Tennessee, deceased from a shotgun wound to his back. Upon investigation by the Tennessee Bureau of Investigation, Selmer Police Department, and the Alabama Bureau of Investigation, Matthew Winkler's wife, Mary Carol Winkler, was found in Orange Beach, Alabama, with the couple's 3 small children and the murder weapon. She later admitted to causing the death of her husband, Matthew, by shooting him with the shotgun. She also later testified that her husband committed domestic violence against her in the marriage. Winkler was originally charged and indicted by my predecessor in office for the offense of Premeditated First Degree Murder. When I was elected to the position of District Attorney General in September, 2006, I assumed the case, and ultimately oversaw and participated in the prosecution of the case on behalf of the State of Tennessee with my co-counsel. I also communicated directly with the victim's family and the news media about the case, the trial of which lasted 10 continuous days, and was covered live, gavel-to-gavel, by CourtTV and other national television broadcast outlets. The McNairy County jury ultimately found Mary Winkler guilty of the lesser-included offense of Voluntary Manslaughter, for which the trial court sentenced her to 3 years at 30%, all suspended except for 210 days in the McNairy County Jail, and supervised state probation. The case was important to me and many others because it highlighted in a very public way the problem of domestic abuse and domestic homicide; the inadequacies of state sentencing laws for violent offenses, and the need for legislation to strengthen sentences for violent offenses committed with firearms. It was also my first jury trial as an elected prosecutor.

10. State of Tennessee v. Robert Goss and Carl Hale
Case No. 6242
Circuit Court of Lauderdale County, Tennessee

Honorable Joseph H. Walker, III., presiding
October, 1995 – June, 1996

Co-Counsel:
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Opposing Counsel:
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I was appointed as a criminal defense attorney to represent and defend the defendant, Robert Goss, who was charged with the offenses of premeditated first degree murder and aggravated assault. The co-defendant, Robert Hale, was also charged with the same offenses, and was represented by then Assistant Public Defender Julie Pillow. Goss and Hale were inmates at the West Tennessee State Penitentiary at the time of the offenses, and were accused of killing another inmate, Willis McDonald, by stabbing him multiple times in a housing unit of the prison, and thereafter threatening and assaulting a correctional officer with the same deadly weapon. After a joint 3-day jury trial, a Lauderdale County jury found both Goss and Hale guilty of the offenses as charged. The trial court sentenced Goss to life in prison for the first degree murder, consecutive to a sentence of 10 years for the aggravated assault conviction, and consecutive to prior sentences that he was already serving at the time of the murder. I fully investigated and litigated the defense of Mr. Goss as sole legal counsel for him at various stages of the case, including pretrial motions, jury trial, sentencing hearing, and direct appeal. The case is important to me because having been licensed in October, 1995, this was my first indigent defense appointed case, and was the first jury trial of my legal career, which I conducted at the age of 25.

- 16. Legal Activities: Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)**

Throughout my career as a District Attorney General, I believe that I have developed, fostered, promoted, and maintained good and productive working relationships with local, state, and federal law enforcement agencies and officers in the 25th Judicial District and across the State of Tennessee. Examples of activities/meetings/operations that I have participated in jointly with law enforcement include: Undercover drug investigations and

roundups with Judicial District Drug Task Forces and the DEA in West Tennessee; No refusal DUI enforcement operations with the Tennessee Highway Patrol; Active shooter training with the Tennessee Department of Safety and other local law enforcement agencies; Operation FALCON for the location and apprehension of fugitives by the U.S. Marshal's Service; Undercover investigation of child predators by the FBI Internet Crimes Against Children Task Force; Active joint case investigations with the FBI, ATF, DEA, U.S. Secret Service, and U.S. Postal Inspection Service; Active joint case investigations with the Tennessee Bureau of Investigation (TBI), the Tennessee Highway Patrol Identity Crimes Unit, Tennessee Department of Revenue, and Tennessee Alcoholic Beverage Commission; Joint training on Pharmaceutical Diversion and Opioid overdose deaths with the U.S. Attorney's Office for the Western District of Tennessee; Joint contraband investigations with the Tennessee Department of Correction; and Joint law enforcement training with the Tennessee Bureau of Investigation regarding officer-involved shooting incidents.

Since my election, I have worked to develop various programs which serve the interests of public safety. In 2007, I reorganized and established the 25th Judicial District Drug Task Force, which includes a Highway Interdiction Unit in Fayette County, and a DTF Agent assigned to the DEA Task Force in the Memphis Resident Office.

In 2008, I assumed the responsibility for child support enforcement in the 25th Judicial district, and established a new Child Support division, with offices located in Covington and Bolivar. Since that time, DHS Monthly Performance Measures Reports indicated on more than one occasion that the 25th Judicial District has shown marked improvement and increase in collection of current and past due child support, percentage of cases with child support orders and paternity establishment percentages

Also in 2008, my office was awarded a grant from the Tennessee Governor's Highway Safety Office for the creation of a DUI Prosecution Unit that currently serves Fayette and Hardeman counties. Since that time, the DUI Prosecution Unit has shown a dramatic increase in DUI conviction rates, as well as a reduction in the percentage of alcohol related traffic fatalities in Fayette and Hardeman counties.

In 2009, my office was the recipient of a federal grant from the Tennessee Office of Criminal Justice Programs for the creation of a Domestic Violence Prosecution Unit that has served Tipton County, and more recently, I have hired and dedicated a Domestic Violence prosecutor and Domestic Violence victim coordinator to serve that unit.

I am a member of the Tennessee Joint Task Force on Children's Justice and Child Sexual Abuse, and I have also previously served on the Advisory Board of Directors for the Lauderdale County Carl Perkins Child Advocacy Center. Since 2006, the 25th Judicial District has not only increased the number of convictions for crimes committed against children as compared with prior years, but also has had more cases accepted for prosecution and secured more overall child abuse convictions during that period of time than any other county or judicial district in West Tennessee, excluding Shelby County.

I have participated in and promoted public education of the dangers of methamphetamine use and manufacture, through the Tennessee “Meth is Death” campaign, and is also promoting a new public education initiative, entitled “What’s the Rush?”, which advises young people about the legal and financial consequences of becoming a teen parent. I am also actively presenting a new educational video, entitled “Deceptive Danger”, which warns young people of the dangers of prescription drug abuse and synthetic drug use.

As a District Attorney General, I have served as a member of the Legislative Committee of the Tennessee District Attorneys General Conference (TNDAGC), and have actively engaged in the advocacy for various state legislative proposals that enhance public safety, support law enforcement, and protect victims, by drafting proposed state legislation and testifying in committee hearings in the Tennessee General Assembly. Through that service, I have worked with Tennessee legislators over the past few years to strengthen criminal penalties for violent felonies committed with firearms, under the “Crooks with Guns” and Aggravated Robbery enhanced sentencing laws that passed in 2009, and more recently, to enhance criminal penalties for manufacturing methamphetamine in the presence of a child; eliminating pretrial diversion relief for felony offenses; exclusionary rule reform for good faith errors on search warrants; increased punishment for drive-by shootings; requirements for juvenile sex offender registry; criminal gang surveillance by wiretap; increased range of punishment for rape of a child; increased sentencing for aggravated child neglect and attempted first degree murder involving serious bodily injury; and preserving the right to show a life photo of homicide victims as admissible evidence at trial. I also currently serve on the Legislative Committee of the National District Attorneys Association (NDAA), and have engaged with other state prosecutors from across the country to help the organization consider and take positions on various proposed federal legislative proposals before Congress.

In 2012, I assigned and dedicated an Assistant District Attorney General position from my staff to serve as a Special Assistant United States Attorney (SAUSA) for the Western District of Tennessee, in order to specifically target and prosecute offenders from Lauderdale, Tipton, and Fayette counties for federal criminal offenses involving narcotics trafficking and firearm violations. I consider this assignment of a SAUSA to be among the most important and impactful decisions that I have made to improve and protect public safety in the 25th Judicial District.

- 17. Teaching: What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.**

I have not taught any courses at a college, university or law school.

- 18. Deferred Income/ Future Benefits: List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be**

compensated in the future for any financial or business interest.

State of Tennessee Consolidated Retirement System
State of Tennessee 401(K) plan, Empower Retirement

- 19. Outside Commitments During Service: Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.**

No.

- 20. Sources of Income: List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).**

See my SF-278 as provided by the Office of Government Ethics.

- 21. Statement of Net Worth: Please complete the attached financial net worth statement in detail (add schedules as called for).**

A copy of my Net Worth Statement is attached.

- 22. Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.**

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Justice's designated agency ethics official to identify potential conflicts of interest. Any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics official.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.**

In the event of a potential conflict of interest, I will consult with the ethics officials in the Executive Office for United States Attorneys, Department of Justice.

- 23. Pro Bono Work: An ethical consideration under Canon 2 of the American Bar**

Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

In addition to my official duties and public speaking as District Attorney General, I along with my wife, Marianne, actively engage in volunteer opportunities to support and assist the poor, abused, and disadvantaged in our community. We have supported, volunteered and served in non-profit organizations as listed above to address and assist victims of domestic violence and child abuse, as well as personally and financially assisting individual needy persons to obtain education, employment, drivers' licenses, and other available public assistance.

While engaged in private practice, I routinely represented indigent persons charged with criminal offenses, often at a reduced cost or no cost to them. Additionally, I represented a community Adult Developmental Center for the intellectually and physically disabled in court proceedings without charging a fee therefor.