

IN THE CRIMINAL COURT FOR HAMILTON COUNTY, TENNESSEE

STATE OF TENNESSEE
Plaintiff,

Division: II

vs.

Petition(s): 305661


LAWANDE CHARLES HAGGARD
Defendant.

**DEFENDANT LEWANDE CHARLES HAGGARD'S MOTION NO. 8 TO DISMISS
PRESENTMENT UNDER TENN. CODE ANN. § 39-12-204(E)**

COMES NOW Defendant LAWANDE CHARLES HAGGARD, by and through counsel, pursuant to Tenn. Code Ann. § 39-12-204(e) and prays that this Honorable Court grant a dismissal as to the Presentment against him. A copy of the Presentment as it relates to Defendant is presented as Exhibit A and incorporated therein. The Hamilton County District Attorney's Office, (hereafter "DA"), seeks to convict Defendant of a violation of § Tenn. Code Ann. § 39-12-204(c-d) while the Defendant has already been convicted of two of the predicate acts, and the third predict act is pending before this Honorable Court in Docket No. 303453. Defendant would therefore argue that the Presentment is defective as it is contrary to Tenn. Code Ann. § 39-12-204(e) and does not appropriately charge Defendant of a violation of Tenn. Code Ann. §39-12-204(c-d).

WHEREFORE, the Defendant respectfully requests this Honorable Court dismiss the Presentment against him.

Respectfully Submitted,




Robert DeBusk
Attorney for Defendant
1502 McCallie Ave, Suite A
Chattanooga, TN 37404

FILED IN OFFICE
2018 NOV 26 AM 8:50
JANICE DICKERSON

CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing document by providing a true and exact copy of the same via hand delivery, fax, email, or United States mail, properly addressed with postage thereon, upon the following at their last known address:

Hamilton County District Attorney's Office
600 Market Street, Chattanooga TN 37402

 on this the 23rd day of November, 2018
Attorney at Law