

IN THE CRIMINAL COURT OF HAMILTON COUNTY, TENNESSEE

STATE OF TENNESSEE

No. 305687

v

Div II

JESSE EDWARD STAMPS

DEFENDANT JESSE STAMPS MOTION # 8

MOTION TO DISMISS INDICTMENT OR FOR THE STATE TO PROVIDE A
DETAILED BILL OF PARTICULARS REGARDING CHARGES AGAINST MR. STAMPS
(REFILING OF PRIOR MOTION NUMBER 6)

Comes Defendant Jesse Stamps, through counsel Charles P. Dupree, and Moves this Court Pursuant to Rule 12, TRCP to either Dismiss the Indictment Pending against him or to Order the state to provide a detailed Bill of Particulars as to the dates, times, offences and any monetary payment by Stamps and to whom and what criminal offences he is alleged to have committed that the state claims are in violation of 39-12-204 et seq, and for cause would show:

This Motion was filed prior as Motion # 6 under the Prior Indictment/Presentment in this case and was held until further discovery was to be filed by the State. Sine that time, the State has filed discovery and a new Presentment has been filed. Neither discovery nor the new indictment has clarified or addressed the issues raised in the prior motion. Because of this, the Current motion is filed incorporating the matters raised earlier but not addressed at the time.

SCANNED

The indictment in counts I and II set out the RICO allegations in TCA39-12-202-4, but totally fail to set a time frame or alleged activities against Mr. Stamps. In fact, all alleged against Mr. Stamps is allegations that at some unknown time he was a member of the Group known as the "Athens Park Bloods". There are no specific allegations. of any criminal activity or any criminal participation with any of the other specifically named individuals in the other twenty five counts. The Counts as to Defendant Stamps only reference the prior offences of which he has already been convicted (and for some, served his sentence).

This is not sufficient notice under state or federal law and does not identify any activities he is charged with that may have brought any money, funds or advantages to the "Athens Park Bloods of Chattanooga".

Since he is charged only in Counts I and II, it is necessary for the State to set out specifically what additional illegal activity he is charges with, when, and what monetary benefit or other his alleged actions provided to the benefit of the Athens Park Bloods. If the State is unable to provide any of the requested specific information as to charges against him, there is no necessity to continue wasting the valuable time of the Court until the case is dismissed.

For these reasons, Defendant requests that the Court dismiss the Indictment against him or, in the alternative, require the State to provide a specific Bill of Particulars as to Mr. Stamps charges by a reasonable date certain.

Respectfully submitted,



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Service is Certified on October 9, 2018

FILED IN OFFICE

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VINCE DEAN, CLERK

DC