



**BOARD OF PROFESSIONAL RESPONSIBILITY  
OF THE  
SUPREME COURT OF TENNESSEE**

10 CADILLAC DRIVE, SUITE 220  
BRENTWOOD, TENNESSEE 37027  
TELEPHONE: (615) 361-7500  
(800) 486-5714  
FAX: (615) 367-2480  
E-MAIL: [ethics@tbpr.org](mailto:ethics@tbpr.org)  
Website: [www.tbpr.org](http://www.tbpr.org)

**RELEASE OF INFORMATION**  
**RE: DON W. COOPER, BPR #1286**  
**CONTACT: WILLIAM C. MOODY**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

August 21, 2017

**SULLIVAN COUNTY LAWYER SUSPENDED**

On August 18, 2017, the Tennessee Supreme Court suspended Don W. Cooper from the practice of law until further orders of the Court pursuant to Tennessee Supreme Court Rule 9, Section 22.3. Mr. Cooper was suspended based upon entering "best interest" pleas to ten counts of a serious crime; i.e., theft.

Mr. Cooper was previously disbarred by the Supreme Court on February 23, 2017. The Supreme Court ordered the Board to institute a new formal proceeding to determine the extent of final discipline to be imposed as a result of Mr. Cooper's pleas.

Mr. Cooper must comply with Tennessee Supreme Court Rule 9, Section 28, regarding the obligations and responsibilities of suspended attorneys.

Cooper 2757-1 rel.doc

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

FILED

08/18/2017

Clerk of the  
Appellate Courts

**IN RE: DON W. COOPER, BPR #1286**  
An Attorney Licensed to Practice Law in Tennessee  
(Sullivan County)

---

**No. M2017-01630-SC-BAR-BP**  
BOPR No. 2017-2757-1-WM-22.3

---

**ORDER OF ENFORCEMENT**

This matter is before the Court pursuant to Tenn. Sup. Ct. R. 9, § 22.3, upon a Notice of Submission filed by Disciplinary Counsel for the Board of Professional Responsibility consisting of certified copies of plea agreements in the matter of *State of Tennessee v. Don W. Cooper* in the Criminal Court for Sullivan County, Tennessee (attached as Collective Exhibit A) demonstrating that Don W. Cooper, an attorney licensed in Tennessee, has entered “Alford/Best Interest” pleas to ten counts of a serious crime, i.e., theft, in violation of T.C.A. § 39-14-103.

IT IS THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT THAT:

1. Don W. Cooper is suspended from the practice of law on this date pending further orders of this Court, pursuant to Tenn. Sup. Ct. R. 9, § 22.3;
2. This matter shall be referred to the Board of Professional Responsibility for the institution of a formal proceeding in which the sole issue to be determined shall be the extent of the final discipline;
3. Don W. Cooper shall fully comply with the provisions of Tenn. Sup. Ct. R. 9, § 28, concerning suspended attorneys; and
4. The Board of Professional Responsibility shall cause notice of this suspension to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

PER CURIAM

10/01/14

MINUTES, 22 day of May, 2017

G7

IN THE CRIMINAL COURT FOR THE  
SECOND JUDICIAL DISTRICT OF THE STATE OF TENNESSEE  
SULLIVAN COUNTY

STATE OF TENNESSEE

CASE NO. SI 7,835Place of Birth Kingsport, TNDOB: 9/1/45 Race: W Sex: MLast Four Digits of SS# 6370Registered Voter: ✓ Yes: ✓ No: ✓If yes, Sullivan County

V.

Don W. Cooper  
Defendant

WAIVER OF RIGHTS  
REQUEST FOR ACCEPTANCE OF PLEA OF

☐ GUILTY ☐ NO CONTEST ☒ ALFORD/BEST INTEREST

1. My full and correct name is Don W. Cooper and I am represented by E. Lynn Dougherty, attorney, who was (hired) (appointed by the Court) to represent me.
2. I have received a copy of the charges against me and have discussed them with my attorney. I understand the nature of the charge(s) against me and defenses that could be raised on my behalf.

3. I understand the minimum and maximum penalties provided by law for each of the charge(s) to be:

Minimum &amp; Maximum Sentence/Minimum &amp; Maximum Fine

Count 1 3-15 yrs; 0 - \$10,000

Count 2 \_\_\_\_\_

Count 3 \_\_\_\_\_

Count 4 \_\_\_\_\_

Count 5 \_\_\_\_\_

Count 6 \_\_\_\_\_

Count 7 \_\_\_\_\_

Count 8 \_\_\_\_\_

Minimum &amp; Maximum Sentence/Minimum &amp; Maximum Fine

Count 9 \_\_\_\_\_

Count 10 \_\_\_\_\_

Count 11 \_\_\_\_\_

Count 12 \_\_\_\_\_

Count 13 \_\_\_\_\_

Count 14 \_\_\_\_\_

Count 15 \_\_\_\_\_

Count 16 \_\_\_\_\_

4. My attorney has explained the difference between concurrent and consecutive sentences, and I understand that the sentences imposed on me in this case can be concurrent or consecutive.

5. I understand that my sentence, if my plea is accepted by the Court, will be as follows:

☐ GuiltyI plead ☐ No Contest to (offense)☒ Alford/Best Interest

\* Check one.

\*\*If probation is included in agreement, specify supervised (S) or unsupervised (U)  
sentence range RED fine jail DOC CC Prob  
\* \* \* S/U\*\*

Count 1 3yrs + 0/10,000 - 60,000TCA: 39-14-1036yrs | I | 30% | \$200 | \* | \_\_\_\_\_TYPE: F CLASS: C LESSER: No

Count 2 \_\_\_\_\_

TCA: \_\_\_\_\_

TYPE: \_\_\_\_\_ CLASS: \_\_\_\_\_ LESSER: \_\_\_\_\_

Count 3 \_\_\_\_\_

TCA: \_\_\_\_\_

TYPE: \_\_\_\_\_ CLASS: \_\_\_\_\_ LESSER: \_\_\_\_\_

Collective  
Exhibit A

5. (continued from page 2)

CASE NO. 567,835

Count(s) 567,835 (is/are) (concurrent) (consecutive) to Count(s) 566,861  
and (concurrent) (consecutive) to 566,328 & 567,836

TOTAL EFFECTIVE SENTENCE: 6 yrs w/ 30.1 PEN TOTAL EFFECTIVE FINE: \$200

SPECIAL CONDITIONS: \_\_\_\_\_

- DWC 6. I (am) (am not) waiving a probation hearing.  
DWC 7. My attorney has advised that my sentence(s) in Count No(s) 1 (IS) (ARE) NOT PROBABLE.  
(Mark out if not applicable.)  
DWC 8. I understand that I will be assessed court cost and fines upon conviction and if not paid within one year my license may be suspended due to failure to pay.

I have discussed with my attorney and fully understand that:

- DWC 1. I have the right to plead not guilty.  
DWC 2. If I enter a plea of not guilty, I am entitled to a speedy and public trial by a jury or by a judge sitting without a jury.  
DWC 3. At a trial I have the right to the assistance of counsel, the right to confront and cross-examine witnesses testifying against me and the right to compel witnesses to appear and testify on my behalf.  
DWC 4. If I have a trial, I cannot be compelled to take the witness stand and incriminate myself; no one can prevent my testifying if I so choose.  
DWC 5. If this plea is accepted, there will not be a trial and this case is at an end, other than the imposing of the above sentence on me.  
DWC 6. In accepting this plea the Court may ask me questions and may require that I answer under oath, on the record, with the assistance of my attorney; if I do not answer any question truthfully my answers may later be used against me in a prosecution for perjury or aggravated perjury.  
DWC 7. If I should be found guilty of another criminal offense, the judgment of conviction in this case may be used to increase the punishment for the later offense.  
N/A 8. If this plea is accepted, I understand that my conviction may have an effect upon my Immigration or Naturalization status and that I have been advised by Counsel of the Immigration consequences of a plea.  
N/A 9. If this plea is accepted to an offense for which I will receive an additional sentence of Community Supervision for Life or for which I must register with and be placed on the Sex Offender Registry, I understand that this additional sentence shall be imposed and that I have been advised by Counsel of the Community Supervision for Life sentence and its consequences, as well as the consequences of being required to register and be placed upon the Sex Offender Registry.

I do hereby request that my plea to the charges set forth above be accepted by the Court. If this plea is accepted, I do hereby expressly and knowingly waive my right to a trial by jury or by a judge sitting without a jury and my right to have a jury impose the fine and submit my case to the trial judge for decision both as to my guilt and the punishment to be imposed on me. I fully understand my right to have my case reviewed by an Appellate Court, but hereby expressly and knowingly waive my right to file a motion for a new trial or otherwise appeal the conviction(s) in my case here today.

I certify that I am not under the influence of alcohol, narcotics, drugs, medication or any other mind altering substances, that I fully understand the nature of my actions here today, and that my actions are voluntary and not the result of force, threats, coercion or promises of any nature.

[Signature]  
District Attorney General

[Signature]  
Defendant

[Signature]  
Attorney for Defendant

## ORDER ACCEPTING PLEA OF GUILTY

After reviewing the defendant's Waiver of Rights set out above, the Court did then interrogate the defendant personally as to all matters previously set out and the Court did interrogate the defendant as to the intelligent and voluntary waiver of all rights previously set out.

Based upon this personal interrogation the Court concludes that the defendant understands the nature of the charge(s) against him/her and the rights which he/she is giving up by this plea.

The Court concludes that there is a factual basis for the defendant's plea, and therefore the defendant's plea is being entered freely, knowingly, and voluntarily after waiving the above set out rights.

The Court accepts the defendant's plea.

Defendant is rendered infamous and disqualified from holding public office, voting, serving on a Jury, possessing a firearm, and must provide a Biological Specimen for DNA analysis by the Tennessee Bureau of Investigation.

☒ Yes ☐ No

In Count(s) \_\_\_\_\_ Defendant is prohibited from driving on the public ways of Tennessee for \_\_\_\_\_ years.

COMMUNITY SERVICE: (NO) (YES) \_\_\_\_\_ HOURS \_\_\_\_\_

PROBATIONARY BOND: (NO) (YES) \$ \_\_\_\_\_

RESTITUTION: (NO) (YES) \$ 57,000

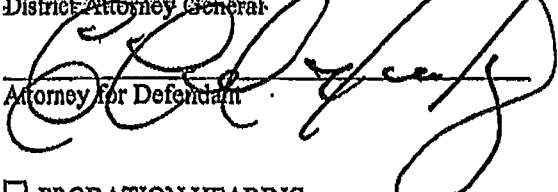
VICTIM NAME: Estate of Helen Shipley  
Co Atty. William Rogers

This the 22 day of May, 2017.

  
JUDGE

APPROVED:

  
District Attorney General

  
Attorney for Defendant

Don W. Coyle  
Defendant

300 ROYAL OAK DR  
Address  
Blountville TN 37617

☐ PROBATION HEARING

☐ SENTENCING HEARING

☐ JUDICIAL DIVERSION HEARING

This the 22 day of May, 2017.

SET FOR HEARING - WAIVED

  
Judge

Defendant is to report to probation by: \_\_\_\_\_

Filed 5-22-17 at 8:47 PM by Jimmy R. Kline, Clerk

10/01/14

MINUTES, 22 day of May, 2017

G1

IN THE CRIMINAL COURT FOR THE  
SECOND JUDICIAL DISTRICT OF THE STATE OF TENNESSEE  
SULLIVAN COUNTY

STATE OF TENNESSEE

V.

Don Cooper  
Defendant

CASE NO. Sl66 861  
Place of Birth Kingsport, TN  
DOB: 9/1/95 Race: W Sex: M  
Last Four Digits of SS# 6370  
Registered Voter: ✓ Yes: ✓ No: ✓  
If yes, Sullivan County

WAIVER OF RIGHTS  
REQUEST FOR ACCEPTANCE OF PLEA OF  
☒ GUILTY ☐ NO CONTEST ☐ ALFORD/BEST INTEREST

1. My full and correct name is Don W. Cooper and I am represented by E. Lynn Dougherty, attorney, who was (hired) (appointed by the Court) to represent me.
2. I have received a copy of the charges against me and have discussed them with my attorney. I understand the nature of the charge(s) against me and defenses that could be raised on my behalf.
3. I understand the minimum and maximum penalties provided by law for each of the charge(s) to be:

Minimum & Maximum Sentence/Minimum & Maximum Fine

Count 1 3-15 yrs; 0-10,000  
Count 2 \_\_\_\_\_  
Count 3 \_\_\_\_\_  
Count 4 \_\_\_\_\_  
Count 5 \_\_\_\_\_  
Count 6 \_\_\_\_\_  
Count 7 \_\_\_\_\_  
Count 8 \_\_\_\_\_

Minimum & Maximum Sentence/Minimum & Maximum Fine

Count 9 \_\_\_\_\_  
Count 10 \_\_\_\_\_  
Count 11 \_\_\_\_\_  
Count 12 \_\_\_\_\_  
Count 13 \_\_\_\_\_  
Count 14 \_\_\_\_\_  
Count 15 \_\_\_\_\_  
Count 16 \_\_\_\_\_

4. My attorney has explained the difference between concurrent and consecutive sentences, and I understand that the sentences imposed on me in this case can be concurrent or consecutive.

5. I understand that my sentence, if my plea is accepted by the Court, will be as follows:

☐ Guilty

I plead ☐ No Contest to (offense)

☒ Alford/Best Interest

\* Check one.

\*\*If probation is included in agreement, specify supervised (S) or unsupervised (U)  
sentence range RED fine jail DOC CC Prob  
\* \* \* S/U\*\*

Count 1 Shift \$10,000 - \$60,000 10 yrs I 30d. \$200 \*  
TCA: 39-14-103 TYPE: F CLASS: C LESSER: No  
Count 2 \_\_\_\_\_  
TCA: \_\_\_\_\_ TYPE: \_\_\_\_\_ CLASS: \_\_\_\_\_ LESSER: \_\_\_\_\_  
Count 3 \_\_\_\_\_  
TCA: \_\_\_\_\_ TYPE: \_\_\_\_\_ CLASS: \_\_\_\_\_ LESSER: \_\_\_\_\_

5. (continued from page 2)

CASE NO. 566, 861

Count(s) 566, 861 is/are (concurrent) (consecutive) to Count(s) 566, 328  
and (concurrent) (consecutive) to 567, 835 + 567, 836

TOTAL EFFECTIVE SENTENCE: 6 yrs w/ 3D! RED TOTAL EFFECTIVE FINE: \$200

SPECIAL CONDITIONS: \_\_\_\_\_

- DWC 6. I ☒ (am) (am not) waiving a probation hearing.  
DWC 7. My attorney has advised that my sentence(s) in Court No(s) 1 ☒ (IS) (ARE) NOT PROBABLE.  
(Mark out if not applicable.)  
DWC 8. I understand that I will be assessed court cost and fines upon conviction and if not paid within one year my license may be suspended due to failure to pay.

I have discussed with my attorney and fully understand that:

- DWC 1. I have the right to plead not guilty.  
DWC 2. If I enter a plea of not guilty, I am entitled to a speedy and public trial by a jury or by a judge sitting without a jury.  
DWC 3. At a trial I have the right to the assistance of counsel, the right to confront and cross-examine witnesses testifying against me and the right to compel witnesses to appear and testify on my behalf.  
DWC 4. If I have a trial, I cannot be compelled to take the witness stand and incriminate myself; no one can prevent my testifying if I so choose.  
DWC 5. If this plea is accepted, there will not be a trial and this case is at an end, other than the imposing of the above sentence on me.  
DWC 6. In accepting this plea the Court may ask me questions and may require that I answer under oath, on the record, with the assistance of my attorney; if I do not answer any question truthfully my answers may later be used against me in a prosecution for perjury or aggravated perjury.  
DWC 7. If I should be found guilty of another criminal offense, the judgment of conviction in this case may be used to increase the punishment for the later offense.  
N/A 8. If this plea is accepted, I understand that my conviction may have an effect upon my Immigration or Naturalization status and that I have been advised by Counsel of the Immigration consequences of a plea.  
N/A 9. If this plea is accepted to an offense for which I will receive an additional sentence of Community Supervision for Life or for which I must register with and be placed on the Sex Offender Registry, I understand that this additional sentence shall be imposed and that I have been advised by Counsel of the Community Supervision for Life sentence and its consequences, as well as the consequences of being required to register and be placed upon the Sex Offender Registry.

I do hereby request that my plea to the charges set forth above be accepted by the Court. If this plea is accepted, I do hereby expressly and knowingly waive my right to a trial by jury or by a judge sitting without a jury and my right to have a jury impose the fine and submit my case to the trial judge for decision both as to my guilt and the punishment to be imposed on me. I fully understand my right to have my case reviewed by an Appellate Court, but hereby expressly and knowingly waive my right to file a motion for a new trial or otherwise appeal the conviction(s) in my case here today.

I certify that I am not under the influence of alcohol, narcotics, drugs, medication or any other mind altering substances, that I fully understand the nature of my actions here today, and that my actions are voluntary and not the result of force, threats, coercion or promises of any nature.

DWC  
District Attorney General

Don W Cooper  
Defendant  
[Signature]  
Attorney for Defendant

## ORDER ACCEPTING PLEA OF GUILTY

After reviewing the defendant's Waiver of Rights set out above, the Court did then interrogate the defendant personally as to all matters previously set out, and the Court did interrogate the defendant as to the intelligent and voluntary waiver of all rights previously set out.

Based upon this personal interrogation the Court concludes that the defendant understands the nature of the charge(s) against him/her and the rights which he/she is giving up by this plea.

The Court concludes that there is a factual basis for the defendant's plea, and therefore the defendant's plea is being entered freely, knowingly, and voluntarily after waiving the above set out rights.

The Court accepts the defendant's plea.

Defendant is rendered infamous and disqualified from holding public office, voting, serving on a Jury, possessing a firearm, and must provide a Biological Specimen for DNA analysis by the Tennessee Bureau of Investigation.

☒ Yes ☐ No

In Count(s) \_\_\_\_\_ Defendant is prohibited from driving on the public ways of Tennessee for \_\_\_\_\_ years.

COMMUNITY SERVICE: (NO) (YES) \_\_\_\_\_ HOURS \_\_\_\_\_

PROBATIONARY BOND: (NO) (YES) \$ \_\_\_\_\_

RESTITUTION: ☒ (NO) ☐ (YES) \$ \_\_\_\_\_

VICTIM NAME: St. Jude's Research Hospital  
Clo. Atty. Steve Fox

This the 22 day of MAY 2017.

  
JUDGE

APPROVED:

  
District Attorney General

  
Attorney for Defendant

  
Defendant

300 ROYAL DAK DR

Address

Blountville TN 37617

☐ PROBATION HEARING

☐ SENTENCING HEARING

☐ JUDICIAL DIVERSION HEARING

This the 22 day of MAY 2017.

SET FOR None - waived

  
Judge

Defendant is to report to probation by: \_\_\_\_\_

Filed 5-22-17 at 8:46 by Bonny R. Kern Clerk



10/01/14

MINUTES, 22 day of May, 2017

07

IN THE CRIMINAL COURT FOR THE  
SECOND JUDICIAL DISTRICT OF THE STATE OF TENNESSEE  
SULLIVAN COUNTY

STATE OF TENNESSEE

V.

Don W. Cooper  
Defendant

CASE NO. SL7,831  
Place of Birth Kingsport, TN  
DOB: 9/1/45 Race: W Sex: M  
Last Four Digits of SS#: 6370  
Registered Voter: Yes No  
If yes, SULLIVAN County

WAIVER OF RIGHTS  
REQUEST FOR ACCEPTANCE OF PLEA OF  
~~NOT GUILTY~~ ~~NO CONTEST~~ ~~ALFORD/BEST INTEREST~~

1. My full and correct name is Don W. Cooper and I am represented by E. Lynn Dougherty, attorney, who was (hired) (appointed by the Court) to represent me.
2. I have received a copy of the charges against me and have discussed them with my attorney. I understand the nature of the charge(s) against me and defenses that could be raised on my behalf.

3. I understand the minimum and maximum penalties provided by law for each of the charge(s) to be:

Minimum & Maximum Sentence/Minimum & Maximum Fine

Count 1 8-30 yrs; 0 - \$25,000

Count 2 8-30 yrs; 0 - \$25,000

Count 3 3-15 yrs; 0 - \$10,000

Count 4 3-15 yrs; 0 - \$10,000

Count 5 3-15 yrs; 0 - \$10,000

Count 6 3-15 yrs; 0 - \$10,000

Count 7 3-15 yrs; 0 - \$10,000

Count 8 \_\_\_\_\_

Minimum & Maximum Sentence/Minimum & Maximum Fine

Count 9 \_\_\_\_\_

Count 10 \_\_\_\_\_

Count 11 \_\_\_\_\_

Count 12 \_\_\_\_\_

Count 13 \_\_\_\_\_

Count 14 \_\_\_\_\_

Count 15 \_\_\_\_\_

Count 16 \_\_\_\_\_

4. My attorney has explained the difference between concurrent and consecutive sentences, and I understand that the sentences imposed on me in this case can be concurrent or consecutive.
5. I understand that my sentence, if my plea is accepted by the Court, will be as follows:

☐ Guilty

I plead ☐ No Contest to (offense)  
☒ ~~Alford/Best Interest~~

\* Check one.

\*\*\*If probation is included in agreement, specify supervised (S) or unsupervised (U).  
sentence range RED fine jail DOC CC Prob  
\* \* \* S/U\*\*

Count 1 - 2 Theft 0/\$60,000 - \$250,000  
TCA: 39-14-103

12 yrs | I | 30% | \$100 each | \* |  
TYPE: F CLASS: B LESSER: No

Count 2, 3-7 Theft 0/\$10,000 - \$100,000  
TCA: 39-14-103

6 yrs | I | 130% | \$100 each | \* |  
TYPE: F CLASS: C LESSER: No

Count 3 \_\_\_\_\_  
TCA: \_\_\_\_\_

TYPE: \_\_\_\_\_ CLASS: \_\_\_\_\_ LESSER: \_\_\_\_\_

5. (continued from page 2)

CASE NO. 567,836

Count(s) 567,836 is/are (concurrent) (consecutive) to Count(s) 566,861  
and (concurrent) (consecutive) to 567,835 + 566,328

TOTAL EFFECTIVE SENTENCE: 12 yrs w/ 30%. TOTAL EFFECTIVE FINE: \$700

SPECIAL CONDITIONS: \_\_\_\_\_

- Def 6. I (am) (am not) waiving a probation hearing.  
Def 7. My attorney has advised that my sentence(s) in Court No(s) all (IS) ARE NOT PROBABLE.  
(Mark out if not applicable.)  
Def 8. I understand that I will be assessed court cost and fines upon conviction and if not paid within one year my license may be suspended due to failure to pay.

I have discussed with my attorney and fully understand that:

- Def 1. I have the right to plead not guilty.  
Def 2. If I enter a plea of not guilty, I am entitled to a speedy and public trial by a jury or by a judge sitting without a jury.  
Def 3. At a trial I have the right to the assistance of counsel, the right to confront and cross-examine witnesses testifying against me and the right to compel witnesses to appear and testify on my behalf.  
Def 4. If I have a trial, I cannot be compelled to take the witness stand and incriminate myself; no one can prevent my testifying if I so choose.  
Def 5. If this plea is accepted, there will not be a trial and this case is at an end, other than the imposing of the above sentence on me.  
Def 6. In accepting this plea the Court may ask me questions and may require that I answer under oath, on the record, with the assistance of my attorney; if I do not answer any question truthfully my answers may later be used against me in a prosecution for perjury or aggravated perjury.  
Def 7. If I should be found guilty of another criminal offense, the judgment of conviction in this case may be used to increase the punishment for the later offense.  
Def 8. If this plea is accepted, I understand that my conviction may have an effect upon my Immigration or Naturalization status and that I have been advised by Counsel of the Immigration consequences of a plea.  
Def 9. If this plea is accepted to an offense for which I will receive an additional sentence of Community Supervision for Life or for which I must register with and be placed on the Sex Offender Registry, I understand that this additional sentence shall be imposed and that I have been advised by Counsel of the Community Supervision for Life sentence and its consequences, as well as the consequences of being required to register and be placed upon the Sex Offender Registry.

I do hereby request that my plea to the charges set forth above be accepted by the Court. If this plea is accepted, I do hereby expressly and knowingly waive my right to a trial by jury or by a judge sitting without a jury and my right to have a jury impose the fine and submit my case to the trial judge for decision both as to my guilt and the punishment to be imposed on me. I fully understand my right to have my case reviewed by an Appellate Court, but hereby expressly and knowingly waive my right to file a motion for a new trial or otherwise appeal the conviction(s) in my case here today.

I certify that I am not under the influence of alcohol, narcotics, drugs, medication or any other mind altering substances, that I fully understand the nature of my actions here today, and that my actions are voluntary and not the result of force, threats, coercion or promises of any nature.

SA  
District Attorney General

Don W. Cooper  
Defendant

[Signature]  
Attorney for Defendant

## ORDER ACCEPTING PLEA OF GUILTY

After reviewing the defendant's Waiver of Rights set out above, the Court did then interrogate the defendant personally as to all matters previously set out and the Court did interrogate the defendant as to the intelligent and voluntary waiver of all rights previously set out.

Based upon this personal interrogation the Court concludes that the defendant understands the nature of the charge(s) against him/her and the rights which he/she is giving up by this plea.

The Court concludes that there is a factual basis for the defendant's plea, and therefore the defendant's plea is being entered freely, knowingly, and voluntarily after waiving the above set out rights.

The Court accepts the defendant's plea.

Defendant is rendered infamous and disqualified from holding public office, voting, serving on a Jury, possessing a firearm, and must provide a Biological Specimen for DNA analysis by the Tennessee Bureau of Investigation.

       Yes        No

In Count(s)        Defendant is prohibited from driving on the public ways of Tennessee for        years.

COMMUNITY SERVICE: (NO) (YES)        HOURS       

PROBATIONARY BOND: (NO) (YES) \$       

RESTITUTION: (NO) (YES) \$ See Attached

VICTIM NAME: C/O Atty. Ken Hale

This the 22 day of May 20 17.

[Signature]  
JUDGE

APPROVED:

[Signature]  
District Attorney General

[Signature]  
Attorney for Defendant

☐ PROBATION HEARING

☒ SENTENCING HEARING

☐ JUDICIAL DIVERSION HEARING

SET FOR HEARINGS CTS 1-2 - N/A  
CTS 3-7 - WAIVED

This the 22 day of May 20 17.

[Signature]  
Judge

Defendant is to report to probation by:       

Filed 5-22-17 at 8:48 PM by Shirley R. Kline, Clerk

10/01/14

MINUTES, 22 day of May, 2017

G7

IN THE CRIMINAL COURT FOR THE  
SECOND JUDICIAL DISTRICT OF THE STATE OF TENNESSEE  
SULLIVAN COUNTY

STATE OF TENNESSEE

V.

Don W. Cooper  
Defendant

CASE NO. SL6, 328  
Place of Birth Birmingham, TN  
DOB: 9/1/45 Race: W Sex: M  
Last Four Digits of SS# 6370  
Registered Voter: ✓ Yes: ✓ No: ✓  
If yes, Sullivan County

WAIVER OF RIGHTS  
REQUEST FOR ACCEPTANCE OF PLEA OF  
☒ GUILTY ☐ NO CONTEST ☐ ALFORD/BEHIND INTEREST

1. My full and correct name is Don W. Cooper and I am represented by E. Lynn Dougherty, attorney, who was (hired) (appointed by the Court) to represent me.
2. I have received a copy of the charges against me and have discussed them with my attorney. I understand the nature of the charge(s) against me and defenses that could be raised on my behalf.
3. I understand the minimum and maximum penalties provided by law for each of the charge(s) to be:

Minimum & Maximum Sentence/Minimum & Maximum Fine

Count 1 15 - 60 yrs; 0 - \$50,000

Count 2 \_\_\_\_\_

Count 3 \_\_\_\_\_

Count 4 \_\_\_\_\_

Count 5 \_\_\_\_\_

Count 6 \_\_\_\_\_

Count 7 \_\_\_\_\_

Count 8 \_\_\_\_\_

Minimum & Maximum Sentence/Minimum & Maximum Fine

Count 9 \_\_\_\_\_

Count 10 \_\_\_\_\_

Count 11 \_\_\_\_\_

Count 12 \_\_\_\_\_

Count 13 \_\_\_\_\_

Count 14 \_\_\_\_\_

Count 15 \_\_\_\_\_

Count 16 \_\_\_\_\_

4. My attorney has explained the difference between concurrent and consecutive sentences, and I understand that the sentences imposed on me in this case can be concurrent or consecutive.

5. I understand that my sentence, if my plea is accepted by the Court, will be as follows:

☐ Guilty

I plead No Contest to (offense)

☒ Alford/Best Interest

\* Check one.

\*\* If probation is included in agreement, specify supervised (S) or unsupervised (U).  
sentence range RED fine jail DOC CC Prob-  
\* \* \* S/U\*\*

Count 1 Shift \$250,000 or more

TCA: 39-14-103

15yrs | I | 30% | \$200 | \* | \_\_\_\_\_

TYPE: F CLASS: A LESSER: No

Count 2 \_\_\_\_\_

TCA: \_\_\_\_\_

TYPE: \_\_\_\_\_ CLASS: \_\_\_\_\_ LESSER: \_\_\_\_\_

Count 3 \_\_\_\_\_

TCA: \_\_\_\_\_

TYPE: \_\_\_\_\_ CLASS: \_\_\_\_\_ LESSER: \_\_\_\_\_

5. (continued from page 2)

CASE NO. Sl66, 328

Count(s) Sl66, 328 (is are) (concurrent) (consecutive) to Count(s) Sl67, 836  
and (concurrent) (consecutive) to Sl67, 835 + Sl68, 861

TOTAL EFFECTIVE SENTENCE: 15 yrs w/ 30% RED TOTAL EFFECTIVE FINE: \$200

SPECIAL CONDITIONS: \_\_\_\_\_

- DWC 6. Am (Am) waiving a probation hearing. Probation not applicable to A felony.
- DWC 7. My attorney has advised that my sentence(s) in Count No(s) 1 (IS/ARE) NOT PROBABLE.  
(Mark out if not applicable.)
- DWC 8. I understand that I will be assessed court cost and fines upon conviction and if not paid within one year my license may be suspended due to failure to pay.

I have discussed with my attorney and fully understand that:

- DWC 1. I have the right to plead not guilty.
- DWC 2. If I enter a plea of not guilty, I am entitled to a speedy and public trial by a jury or by a judge sitting without a jury.
- DWC 3. At a trial I have the right to the assistance of counsel, the right to confront and cross-examine witnesses testifying against me and the right to compel witnesses to appear and testify on my behalf.
- DWC 4. If I have a trial, I cannot be compelled to take the witness stand and incriminate myself; no one can prevent my testifying if I so choose.
- DWC 5. If this plea is accepted, there will not be a trial and this case is at an end, other than the imposing of the above sentence on me.
- DWC 6. In accepting this plea the Court may ask me questions and may require that I answer under oath, on the record, with the assistance of my attorney; if I do not answer any question truthfully my answers may later be used against me in a prosecution for perjury or aggravated perjury.
- DWC 7. If I should be found guilty of another criminal offense, the judgment of conviction in this case may be used to increase the punishment for the later offense.
- MA 8. If this plea is accepted, I understand that my conviction may have an effect upon my Immigration or Naturalization status and that I have been advised by Counsel of the Immigration consequences of a plea.
- MA 9. If this plea is accepted to an offense for which I will receive an additional sentence of Community Supervision for Life or for which I must register with and be placed on the Sex Offender Registry, I understand that this additional sentence shall be imposed and that I have been advised by Counsel of the Community Supervision for Life sentence and its consequences, as well as the consequences of being required to register and be placed upon the Sex Offender Registry.

I do hereby request that my plea to the charges set forth above be accepted by the Court. If this plea is accepted, I do hereby expressly and knowingly waive my right to a trial by jury or by a judge sitting without a jury and my right to have a jury impose the fine and submit my case to the trial judge for decision both as to my guilt and the punishment to be imposed on me. I fully understand my right to have my case reviewed by an Appellate Court, but hereby expressly and knowingly waive my right to file a motion for a new trial or otherwise appeal the conviction(s) in my case here today.

I certify that I am not under the influence of alcohol, narcotics, drugs, medication or any other mind altering substances, that I fully understand the nature of my actions here today, and that my actions are voluntary and not the result of force, threats, coercion or promises of any nature.

District Attorney General

Defendant

Attorney for Defendant

## ORDER ACCEPTING PLEA OF GUILTY

After reviewing the defendant's Waiver of Rights set out above, the Court did then interrogate the defendant personally as to all matters previously set out and the Court did interrogate the defendant as to the intelligent and voluntary waiver of all rights previously set out.

Based upon this personal interrogation the Court concludes that the defendant understands the nature of the charge(s) against him/her and the rights which he/she is giving up by this plea.

The Court concludes that there is a factual basis for the defendant's plea, and therefore the defendant's plea is being entered freely, knowingly, and voluntarily after waiving the above set out rights.

The Court accepts the defendant's plea.

Defendant is rendered infamous and disqualified from holding public office, voting, serving on a Jury, possessing a firearm, and must provide a Biological Specimen for DNA analysis by the Tennessee Bureau of Investigation.

☒ Yes ☐ No

In Count(s) \_\_\_\_\_ Defendant is prohibited from driving on the public ways of Tennessee for \_\_\_\_\_ years.

COMMUNITY SERVICE: (NO) (YES) \_\_\_\_\_ HOURS \_\_\_\_\_

PROBATIONARY BOND: (NO) (YES) \$ \_\_\_\_\_

RESTITUTION: (NO) (YES) \$ 304,000.00

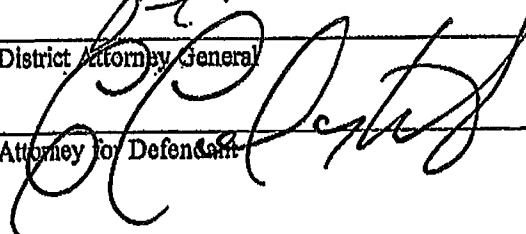
VICTIM NAME: Estate of Alva Frye  
Susan Frye  
Clo Atty. Ann Fowler

This the 22 day of MAY 2017

  
JUDGE

APPROVED:

  
District Attorney General

  
Attorney for Defendant

Don W Cooper  
Defendant  
300 ROYAL OAK DR  
Address  
Blountville TN 37617

☐ PROBATION HEARING

☐ SENTENCING HEARING

☐ JUDICIAL DIVERSION HEARING

This the 22 day of MAY 2017

SET FOR NONE - N/A

  
Judge

Defendant is to report to probation by: \_\_\_\_\_

Filed 5-22-17 at 8:46 AM by Jerry R. Kern, Clerk