

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

DARREN JAMES SCOGGINS, BPR #018881

An Attorney Licensed in Tennessee
(Shelby County)

FILED

MAR 26 2010

Clerk of the Courts

No. MA 2010-00700-SC-BPO-BP

BOPR Docket No. 2010-1910-9-CM(14)

ORDER

This matter is before the Court pursuant to Section 14 of Rule 9 of the Rules of the Supreme Court of Tennessee, upon a certificate filed by Disciplinary Counsel for the Board of Professional Responsibility consisting of a certified copy of the Judgments, Petition to Enter Plea of Guilty and Final Order in the criminal case, *State of Tennessee vs. Darren Scoggins*, Case No. 2008-C-2880 (attached hereto as Collective Exhibit A) filed in the Criminal Court of Davidson County, Tennessee on January 21, 2010, demonstrating that Darren James Scoggins, a Tennessee attorney, has pled guilty to serious crimes: False Imprisonment, Aggravated Burglary, Aggravated Assault, and Possession of a Weapon.

It is therefore **ORDERED, ADJUDGED** and **DECREED** by the Court:

1. That Darren James Scoggins is suspended from the practice of law on this date pending further orders of this Court, pursuant to Section 14 of Rule 9, Rules of the Supreme Court of Tennessee.
2. That this matter 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 to be imposed as a result of the conviction.
3. That Darren James Scoggins shall fully comply with the provisions of Tennessee Supreme Court Rule 9, Section 18, concerning disbarred or suspended attorneys.
4. That the Board of Professional Responsibility shall cause notice of this suspension to be published as required by Supreme Court Rule 9.

FOR THE COURT:

Cornelia A. Clark
CORNELIA A. CLARK, JUSTICE



DAVID C. TORRENCE
CRIMINAL COURT CLERK
Twentieth Judicial District


DAVIDSON COUNTY
Justice A. A. Birch Building
Suite 2120
408 2nd Avenue North
Nashville, TN 37201
615-862-5601
ccc.nashville.gov

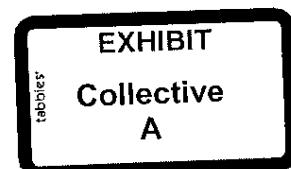
STATE OF TENNESSEE

COUNTY OF DAVIDSON

I, David Torrence, Clerk of the General Sessions and Criminal Courts of Davidson County, Tennessee, do hereby certify that the foregoing copy of the court file regarding State of Tennessee vs. Darren Scoggins / Case No. 2008-C-2880 is a true and perfect copy of the same now in the Criminal Court of Davidson County, Tennessee, as the same appears of record in the office of the Clerk of the General Sessions and Criminal Court of Davidson County, Tennessee.

Witness my hand and seal of office at Nashville, Davidson County, Tennessee, this 2nd day of March, 2010.


Clerk of General Sessions and Criminal Court
Nashville, Davidson County, Tennessee



IN THE ~~CRIMINAL~~ CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

Case Number: 2008-C-2880 Count # 7 Attorney for the State: SARAH DAVIS
 Judicial District: 20th Judicial Division: VI Counsel for Defendant: Patrick Frogge
 State of Tennessee
 vs.
 Defendant: Darren J. Scoggins Alias: _____
 Date of Birth: 7/28/70 Sex: M Race: W SSN: _____
 Indictment Filing Date: _____ TDOC # _____ State Control # _____
 State ID # _____ County Offender ID # _____

Retained Appointed Public Defender
 Counsel Waived Pro Se

JUDGMENT

Original Amended Corrected

Comes the District Attorney General for the State and the defendant with counsel of record for entry of judgment.

On the 21 day of JANUARY, 2010, the defendant:

<input checked="" type="checkbox"/> Pled Guilty	<input type="checkbox"/> Dismissed/Nolle Prosequi	Indictment: Class (circle one) 1 st A B C D <u>E</u>	<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
<input type="checkbox"/> Nolo Contendere	<input type="checkbox"/> Retired/Unapprehended Defendant	Offense: <u>Possession of Weapon (non firearm) in commission</u>	
<input type="checkbox"/> Guilty Plea - Pursuant to 40-35-313		Amended Charge: <u>dangerous felony</u>	
Is found:	<input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty	Offense Date: <u>1/7/08</u>	County: <u>DAVIDSON</u>
<input type="checkbox"/> Jury Verdict	<input type="checkbox"/> Not Guilty by Reason of Insanity	Conviction Offense: <u>same</u>	
<input type="checkbox"/> Bench Trial		Is this conviction offense methamphetamine related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
		TCA #: <u>39-17-1307(2)(1)</u>	Sentence Imposed Date: <u>1/21/10</u>
		Conviction: Class (circle one) 1 st A B C D <u>E</u>	<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor

After considering the evidence, the entire record, & all factors in T.C.A. Title 40 Chapter 35, all of which are incorporated by reference herein, the Court's findings & rulings are:

Sentence Reform Act of 1989		Concurrent with:	Pretrial Jail Credit Period(s):
Offender Status (Check One)	Release Eligibility (Check One)		
<input checked="" type="checkbox"/> Mitigated <input checked="" type="checkbox"/> Standard <input type="checkbox"/> Multiple <input type="checkbox"/> Persistent <input type="checkbox"/> Career <input type="checkbox"/> Repeat Violent	<input type="checkbox"/> Mitigated 20% <input type="checkbox"/> Mitigated 30% <input checked="" type="checkbox"/> Standard 30% <input type="checkbox"/> Multiple 35% <input type="checkbox"/> Persistent 45% <input type="checkbox"/> Career 60% <input type="checkbox"/> Violent 100%	Consecutive to: <u>ct 4, 5</u>	From _____ to _____ From _____ to _____ From _____ to _____ From _____ to _____
<input type="checkbox"/> Multiple Rapist 100% <input type="checkbox"/> Child Rapist 100% <input type="checkbox"/> Repeat Violent 100% <input type="checkbox"/> Child Predator 100%	<input type="checkbox"/> 1 st Degree Murder <input type="checkbox"/> Drug Free Zone <input type="checkbox"/> Gang Related		

Sentenced To: TDOC County Jail Workhouse

Sentence Length: 2 Years _____ Months _____ Days _____ Hours _____ Weekends Life Life w/out Parole Death

Mandatory Minimum Sentence Length: _____ 39-17-417, 39-13-513, 39-13-514 in Drug Free Zone or _____ 55-10-401 DUI 4th Offense
 or _____ 39-17-1324 Possession/Employment of Firearm

Period of incarceration to be served prior to release on probation: _____ Months _____ Days _____ Hours _____ Weekends

Minimum service prior to eligibility for work release, furlough, trusty status and rehabilitative programs: _____ % (Misdemeanor Only)

Alternative Sentence: Probation Diversion Drug Court Community Based Alternative - Specify Community Corrections

2 Years _____ Months _____ Days Effective: _____

Court Ordered Fees and Fines:	Cost to be Paid by	Restitution: Victim Name _____ Address _____ Total Amount \$ _____ Per Month \$ _____
\$ _____ Court Costs	<input type="checkbox"/> Defendant <input type="checkbox"/> State	
\$ _____ Fine Assessed		<input type="checkbox"/> Unpaid Community Service: _____ Hours _____ Days _____ Weeks _____ Months
\$ _____ Traumatic Brain Injury Fund (Drag Racing)		
\$ _____ Drug Testing Fund (TN Drug Control Act)		
\$ _____ CICF \$ _____ Sex Offender Tax		
\$ _____ Other:		

The Defendant having been found guilty is rendered infamous and ordered to provide a biological specimen for the purpose of DNA analysis.
 Pursuant to 39-13-521 the defendant is ordered to provide a biological specimen for the purpose of HIV testing.
 Pursuant to 39-13-524 the defendant is sentenced to community supervision for life following sentence expiration.

Special Conditions
Mr. Scoggins may transfer to Memphis & report by phone until transfer approved
Community Corrections provides to special needs (DB A/mental health)
stay away from victim; continue treatment (DUA diagnosis)
SARAH bracelet must be worn until further notice

Hon. Judge M Fishburn Judge's Signature M Fishburn Date of Entry of Judgment 1/21/10

IN THE CRIMINAL CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

Case Number 2008-C-2080 Count # 5 Attorney for the State: SARAH DAVIS
 Judicial District: 20th Judicial Division: V1 Counsel for Defendant: Patrick Frogge
 State of Tennessee
 vs.
 Defendant: Darren J. Scoggins Alias: _____
 Date of Birth: 7/28/70 Sex: M Race: W SSN: _____
 Indictment Filing Date: _____ TDOC # _____ State Control # _____
 State ID # _____ County Offender ID # _____

Retained Appointed Public Defender
 Counsel Waived Pro Se

JUDGMENT

Original Amended Corrected

Comes the District Attorney General for the State and the defendant with counsel of record for entry of judgment.

On the 21 day of January, 2010, the defendant:

<input checked="" type="checkbox"/> Pled Guilty	<input type="checkbox"/> Dismissed/Nolle Prosequi	Indictment: Class (circle one) 1 st A B <u>C</u> D E	<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
<input type="checkbox"/> Nolo Contendere	<input type="checkbox"/> Retired/Unapprehended Defendant	Offense: <u>Aggravated Assault</u>	
<input type="checkbox"/> Guilty Plea - Pursuant to 40-35-313		Amended Charge: _____	
Is found:	<input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty	Offense Date: <u>1/7/08</u> County: <u>DAVIDSON</u>	
<input type="checkbox"/> Jury Verdict	<input type="checkbox"/> Not Guilty by Reason of Insanity	Conviction Offense: <u>Same</u>	Is this conviction offense methamphetamine related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<input type="checkbox"/> Bench Trial		TCA #: <u>39-13-102</u> Sentence Imposed Date: <u>1/21/10</u>	
		Conviction: Class (circle one) 1 st A B <u>C</u> D E	<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor

After considering the evidence, the entire record, & all factors in T.C.A. Title 40 Chapter 35, all of which are incorporated by reference herein, the Court's findings & rulings are:

Sentence Reform Act of 1989 Offender Status (Check One) <input type="checkbox"/> Mitigated <input checked="" type="checkbox"/> Standard <input type="checkbox"/> Multiple <input type="checkbox"/> Persistent <input type="checkbox"/> Career <input type="checkbox"/> Repeat Violent		Release Eligibility (Check One) <input type="checkbox"/> Mitigated 20% <input checked="" type="checkbox"/> Standard 30% <input type="checkbox"/> Multiple 35% <input type="checkbox"/> Persistent 45% <input type="checkbox"/> Career 60% <input type="checkbox"/> Violent 100%		Concurrent with: Consecutive to: <u>ct 7, 4</u>		Pretrial Jail Credit Period(s): From _____ to _____ From _____ to _____ From _____ to _____ From _____ to _____	
Sentenced To: <input checked="" type="checkbox"/> TDOC <input type="checkbox"/> County Jail <input type="checkbox"/> Workhouse		Sentence Length: <u>4</u> Years _____ Months _____ Days _____ Hours _____ Weekends <input type="checkbox"/> Life <input type="checkbox"/> Life w/out Parole <input type="checkbox"/> Death		Mandatory Minimum Sentence Length: _____ 39-17-417, 39-13-513, 39-13-514 in Drug Free Zone or _____ 55-10-401 DUI 4 th Offense		Period of incarceration to be served prior to release on probation: _____ Months _____ Days _____ Hours _____ Weekends	
Alternative Sentence: <input type="checkbox"/> Probation <input type="checkbox"/> Diversion <input type="checkbox"/> Drug Court <input checked="" type="checkbox"/> Community Based Alternative - Specify <u>community corrections</u>		Minimum service prior to eligibility for work release, furlough, trusty status and rehabilitative programs: _____ % (Misdemeanor Only)		Effective: _____		Court Ordered Fees and Fines:	
\$ _____ Court Costs <input type="checkbox"/> Defendant <input type="checkbox"/> State \$ _____ Fine Assessed \$ _____ Traumatic Brain Injury Fund (Drag Racing) \$ _____ Drug Testing Fund (TN Drug Control Act) \$ _____ CICF \$ _____ Sex Offender Tax \$ _____ Other: _____		Restitution: Victim Name _____ Address _____ Total Amount \$ _____ Per Month \$ _____		<input type="checkbox"/> Unpaid Community Service: _____ Hours _____ Days _____ Weeks _____ Months			

The Defendant having been found guilty is rendered infamous and ordered to provide a biological specimen for the purpose of DNA analysis.

Pursuant to 39-13-521 the defendant is ordered to provide a biological specimen for the purpose of HIV testing.

Pursuant to 39-13-524 the defendant is sentenced to community supervision for life following sentence expiration.

Special Conditions

Mr. Scoggins may transfer to Memphis & report by phone until transfer approved
Community corrections pursuant to special needs (D&A and mental health)
Continue D&A diagnosis treatment, stay away from [V] - Kati Lohr, remain on SRAM
bracelet pending further notice

Hon Judge M Fishburn
 Judge's Name

[Signature]
 Judge's Signature

1/21/10
 Date of Entry of Judgment

Attorney for State/Signature (optional)

Defendant's Attorney/Signature (optional)

IN THE CRIMINAL/CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

Case Number: 2008-C-2880 Count # 4 Attorney for the State: SARAH DAVIS
 Judicial District: 20th Judicial Division: VI Counsel for Defendant: Patrick Frogge
 State of Tennessee vs. Darren J. Scoggins Retained Appointed Public Defender
 Defendant: Darren J. Scoggins Alias: _____ Counsel Waived Pro Se
 Date of Birth: 7/28/70 Sex: M Race: W SSN: _____
 Indictment Filing Date: _____ TDOC # _____ State Control # _____
 State ID # _____ County Offender ID # _____

JUDGMENT

Original Amended Corrected

Comes the District Attorney General for the State and the defendant with counsel of record for entry of judgment.

On the 21 day of JANUARY, 2010, the defendant:

<input checked="" type="checkbox"/> Pled Guilty <input type="checkbox"/> Dismissed/Nolle Prosequi	Indictment: Class (circle one) 1 st A B <input checked="" type="radio"/> C D E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
<input type="checkbox"/> Nolo Contendere <input type="checkbox"/> Retired/Unapprehended Defendant	Offense: <u>Aggravated Burglary</u>
<input type="checkbox"/> Guilty Plea - Pursuant to 40-35-313	Amended Charge: _____
Is found: <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty	Offense Date: <u>1/7/08</u> County: <u>DAVIDSON</u>
<input type="checkbox"/> Jury Verdict <input type="checkbox"/> Not Guilty by Reason of Insanity	Conviction Offense: <u>Same</u>
<input type="checkbox"/> Bench Trial	Is this conviction offense methamphetamine related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	TCA #: <u>39-14-403</u> Sentence Imposed Date: <u>1/21/10</u>
	Conviction: Class (circle one) 1 st A B <input checked="" type="radio"/> C D E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor

After considering the evidence, the entire record, & all factors in T.C.A. Title 40 Chapter 35, all of which are incorporated by reference herein, the Court's findings & rulings are:

Sentence Reform Act of 1989		Concurrent with:	Pretrial Jail Credit Period(s):
Offender Status (Check One)	Release Eligibility (Check One)		From _____ to _____
<input type="checkbox"/> Mitigated <input checked="" type="checkbox"/> Standard <input type="checkbox"/> Multiple <input type="checkbox"/> Persistent <input type="checkbox"/> Career <input type="checkbox"/> Repeat Violent	<input type="checkbox"/> Mitigated 20% <input type="checkbox"/> Mitigated 30% <input checked="" type="checkbox"/> Standard 30% <input type="checkbox"/> Multiple 35% <input type="checkbox"/> Persistent 45% <input type="checkbox"/> Career 60% <input type="checkbox"/> Violent 100%		From _____ to _____
	<input type="checkbox"/> Multiple Rapist 100% <input type="checkbox"/> Child Rapist 100% <input type="checkbox"/> Repeat Violent 100% <input type="checkbox"/> Child Predator 100%	Consecutive to:	From _____ to _____
	<input type="checkbox"/> 1 st Degree Murder <input type="checkbox"/> Drug Free Zone <input type="checkbox"/> Gang Related	<u>ct 5, 7</u>	From _____ to _____
Sentenced To: <input checked="" type="checkbox"/> TDOC <input type="checkbox"/> County Jail <input type="checkbox"/> Workhouse			
Sentence Length: <u>4</u> Years _____ Months _____ Days _____ Hours _____ Weekends <input type="checkbox"/> Life <input type="checkbox"/> Life w/out Parole <input type="checkbox"/> Death			
Mandatory Minimum Sentence Length: _____ 39-17-417, 39-13-513, 39-13-514 in Drug Free Zone or _____ 55-10-401 DUI 4 th Offense or _____ 39-17-1324 Possession/Employment of Firearm			
Period of incarceration to be served prior to release on probation: _____ Months _____ Days _____ Hours _____ Weekends			
Minimum service prior to eligibility for work release, furlough, trusty status and rehabilitative programs: _____ % (Misdemeanor Only)			
Alternative Sentence: <input type="checkbox"/> Probation <input type="checkbox"/> Diversion <input type="checkbox"/> Drug Court <input checked="" type="checkbox"/> Community Based Alternative - Specify <u>community corrections</u>			
<u>4</u> Years _____ Months _____ Days Effective: _____			
Court Ordered Fees and Fines:		Restitution: Victim Name _____	
Cost to be Paid by		Address _____	
\$ _____ Court Costs <input type="checkbox"/> Defendant <input type="checkbox"/> State		Total Amount \$ _____ Per Month \$ _____	
\$ _____ Fine Assessed		<input type="checkbox"/> Unpaid Community Service: _____ Hours _____ Days _____ Weeks _____ Months	
\$ _____ Traumatic Brain Injury Fund (Drag Racing)			
\$ _____ Drug Testing Fund (TN Drug Control Act)			
\$ _____ CICF \$ _____ Sex Offender Tax			
\$ _____ Other: _____			

The Defendant having been found guilty is rendered infamous and ordered to provide a biological specimen for the purpose of DNA analysis.
 Pursuant to 39-13-521 the defendant is ordered to provide a biological specimen for the purpose of HIV testing.
 Pursuant to 39-13-524 the defendant is sentenced to community supervision for life following sentence expiration.

Special Conditions
Mr. Scoggins may transfer to Memphis and report by phone UNTIL transfer approved
Comm. corrections provides a special needs - D&A/mental health
continue alcohol treatment, remain on SURAM bracelet
GUARDIAN stay away from victim

Hon Judge M. Fishburn _____ Judge's Name
 _____ Judge's Signature
 _____ Date of Entry of Judgment 1/21/10

IN THE CRIMINAL CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

Case Number: 2008-C-2880 Count # 1 Attorney for the State: ARATH DAVIS
 Judicial District: John Judicial Division: VI Counsel for Defendant: Patrick Froese
 State of Tennessee vs. Defendant: Darren J. Scoggins Alias: [REDACTED]
 Date of Birth: 7/28/70 Sex: M Race: W SSN: [REDACTED]
 Indictment Filing Date: _____ TDOC # _____ State Control # _____
 State ID # _____ County Offender ID # _____

Retained Appointed Public Defender
 Counsel Waived Pro Se

JUDGMENT

Original Amended Corrected

Comes the District Attorney General for the State and the defendant with counsel of record for entry of judgment.

On the 21 day of January, 2010, the defendant:

<input checked="" type="checkbox"/> Pled Guilty <input type="checkbox"/> Dismissed/Nolle Prosequi <input type="checkbox"/> Nolo Contendere <input type="checkbox"/> Retired/Unapprehended Defendant <input type="checkbox"/> Guilty Plea - Pursuant to 40-35-313 Is found: <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> Jury Verdict <input type="checkbox"/> Not Guilty by Reason of Insanity <input type="checkbox"/> Bench Trial	Indictment: Class (circle one) 1 st A <input checked="" type="checkbox"/> B C D E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Offense: <u>Aggravated Kidnapping</u> Amended Charge: _____ Offense Date: <u>1/7/08</u> County: <u>DAVIDSON</u> Conviction Offense: <u>False Imprisonment</u> Is this conviction offense methamphetamine related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No TCA #: <u>39-13-302</u> Sentence Imposed Date: <u>1/21/10</u> Conviction: Class (circle one) 1 st A <input checked="" type="checkbox"/> B C D E <input type="checkbox"/> Felony <input checked="" type="checkbox"/> Misdemeanor
--	--

After considering the evidence, the entire record, & all factors in T.C.A. Title 40 Chapter 35, all of which are incorporated by reference herein, the Court's findings & rulings are:

Sentence Reform Act of 1989 Offender Status (Check One) Release Eligibility (Check One) <input type="checkbox"/> Mitigated <input type="checkbox"/> Mitigated 20% <input type="checkbox"/> Multiple Rapist 100% <input checked="" type="checkbox"/> Standard <input type="checkbox"/> Mitigated 30% <input type="checkbox"/> Child Rapist 100% <input type="checkbox"/> Multiple <input checked="" type="checkbox"/> Standard 30% <input type="checkbox"/> Repeat Violent 100% <input type="checkbox"/> Persistent <input type="checkbox"/> Multiple 35% <input type="checkbox"/> Child Predator 100% <input type="checkbox"/> Career <input type="checkbox"/> Persistent 45% <input type="checkbox"/> 1 st Degree Murder <input type="checkbox"/> Repeat Violent <input type="checkbox"/> Career 60% <input type="checkbox"/> Drug Free Zone <input type="checkbox"/> Violent 100% <input type="checkbox"/> Violent 100% <input type="checkbox"/> Gang Related	Concurrent with: <u>4, 5, 7</u> Consecutive to: _____	Pretrial Jail Credit Period(s): From _____ to _____ From _____ to _____ From _____ to _____
Sentenced To: <input checked="" type="checkbox"/> TDOC <input type="checkbox"/> County Jail <input type="checkbox"/> Workhouse <u>CONC. W/ OTHER CTS</u> Sentence Length: _____ Years <u>11</u> Months <u>29</u> Days _____ Hours _____ Weekends <input type="checkbox"/> Life <input type="checkbox"/> Life w/out Parole <input type="checkbox"/> Death Mandatory Minimum Sentence Length: _____ 39-17-417, 39-13-513, 39-13-514 in Drug Free Zone or _____ 55-10-401 DUI 4 th Offense or _____ 39-17-1324 Possession/Employment of Firearm Period of incarceration to be served prior to release on probation: _____ Months _____ Days _____ Hours _____ Weekends Minimum service prior to eligibility for work release, furlough, trusty status and rehabilitative programs: _____ % (Misdemeanor Only) Alternative Sentence: <input type="checkbox"/> Probation <input type="checkbox"/> Diversion <input type="checkbox"/> Drug Court <input checked="" type="checkbox"/> Community Based Alternative - Specify <u>community conditions</u> _____ Years <u>11</u> Months <u>29</u> Days Effective: _____	Court Ordered Fees and Fines: Cost to be Paid by \$ _____ Court Costs <input type="checkbox"/> Defendant <input type="checkbox"/> State \$ _____ Fine Assessed \$ _____ Traumatic Brain Injury Fund (Drag Racing) \$ _____ Drug Testing Fund (TN Drug Control Act) \$ _____ CICF \$ _____ Sex Offender Tax \$ _____ Other: _____	Restitution: Victim Name _____ Address _____ Total Amount \$ _____ Per Month \$ _____ <input type="checkbox"/> Unpaid Community Service: _____ Hours _____ Days _____ Weeks _____ Months

The Defendant having been found guilty is rendered infamous and ordered to provide a biological specimen for the purpose of DNA analysis.
 Pursuant to 39-13-521 the defendant is ordered to provide a biological specimen for the purpose of HIV testing.
 Pursuant to 39-13-524 the defendant is sentenced to community supervision for life following sentence expiration.

Special Conditions

Same conditions as cts. 4, 5, 7

Hon Judge M Fishburn [Signature] 1/21/10
 Judge's Name Judge's Signature Date of Entry of Judgment

Attorney for State/Signature (optional) Defendant's Attorney/Signature (optional)

IN THE CRIMINAL COURT OF
DAVIDSON COUNTY, TENNESSEE
DIVISION VI

STATE OF TENNESSEE

vs.

DOCKET NO. 2008-C-2880

DARREN SCOGGINS

PETITION TO ENTER PLEA OF GUILTY

I, the above named defendant, pursuant to Rule 11 of the Tennessee Rules of Criminal Procedure, respectfully state to the Court as follows:

1. My full legal name is Darren J. Scoggins
2. I am represented in this case by a lawyer and the name of my attorney is Patrick Frogge
3. I received a copy of the indictment, which states the charges against me, before I was required to plead to the charges. I have read and discussed the indictment or information with my attorney.
4. I have told my lawyer everything I know about the facts and circumstances surrounding the charge(s) against me.
5. My lawyer has told me and I understand the definitional elements of the crime(s) I am charged with; that is, my lawyer has explained to me what the State has to prove beyond a reasonable doubt to convict a person of the offense(s). My attorney has also informed me in detail and I understand what the State's evidence against me would be in regard to the charge(s). My lawyer has explained all possible defenses I might have. My attorney has counseled and advised me on all of these matters and I understand them. Thus, I believe I presently understand every charge against me
6. My attorney has told me and I understand that the punishment I could receive, including both possible incarceration and/or fine, is:
COUNTS 1 & 2: Aggravated Kidnapping, B Felonies, 8-30 years incarceration, \$25,000
COUNT 3: Aggravated Sexual Battery, B Felony, 8-30 years incarceration, \$25,000
COUNT 4: Aggravated Burglary, C Felony, 3-15 years incarceration, \$10,000
COUNT 5: Aggravated Assault, C Felony, 3-15 years incarceration, \$10,000
COUNT 6: Theft of Property valued more than \$10,000, C Felony, 3-15 years incarceration, \$10,000
COUNT 7: Possession of a Weapon, E Felony, 1-6 years, \$3000
COUNT 8: Violation of an Order of Protection, A misdemeanor, 11/29, \$2500.

7. My attorney has explained that, but for the plea agreement, the Court would consider each count of each indictment or information to which I plead "GUILTY" as a separate offense, and may order that I serve the sentences for multiple offenses consecutively, that is, one after the other.

8. I understand that in making its sentencing determination the Court would consider all of my prior criminal convictions.

9. I understand that the Court's authority to impose punishment is the same if I plead "GUILTY" as it is if I plead "NOT GUILTY". have a jury trial, and am convicted.

10. My attorney has discussed with me whether I would be eligible for alternative sentencing, including probation, if I were convicted following trial. I understand my attorney's statements on this issue. Although, if eligible, I hope to receive probation or other alternative sentencing, I agree to accept any punishment which the law permits the Court to impose.

11. I understand that the Tennessee Constitution guarantees me the right to have any fine greater than fifty dollars (\$50.00) set by a jury. I wish to give up that right and want the Court to set any fine which is part of my punishment.

12. My attorney has explained enhanced sentencing to me, and I understand that if I am presently eligible for enhanced sentencing, I have a statutory right to a delay of ten (10) days after the State files a notice of intent to seek enhanced punishment before the Court accepts my plea of "GUILTY". I hereby acknowledge that I am subject to enhanced sentencing as a multiple, persistent and/or career criminal, and give up my right to the filing of such notice and/or to some or all of the ten (10) day waiting period before conviction.

13. I understand that my plea of "GUILTY" will be a criminal conviction on my record, and that if I am convicted of any crimes in the future, this conviction may be used against me as a basis for giving me greater punishment for the future conviction(s) as a multiple, persistent and/or career offender.

14. I understand that I am presumed innocent of the charge(s) against me, and I I went to trial, the presumption would remain with me throughout the trial unless and until overcome by all of the evidence presented by the State.

15. I understand that I have the right to plead "NOT GUILTY" to any offense(s) charged against me and to persist in that plea, and that if I choose to plead "NOT GUILTY" the Constitution guarantees me (a) the right to a speedy and public trial by jury; (b) the right to see, hear and cross-examine all witnesses against me; (c) the right to use the power and process of the Court to compel the production of any evidence, including the attendance of any witnesses, in my favor; (d) the right to have the assistance of counsel in my defense at all stages of the proceedings; and (e) the right to remain silent and not testify,

and that my silence cannot be used against me. I understand that if I plead "GUILTY" I will be waiving my right to a jury trial and to the other rights set out above.

16. I understand that by pleading "GUILTY", I am giving up the right I would have if I were convicted by a jury to have an appellate court review the basis of my conviction.

17. I understand that in conjunction with my plea of "GUILTY" I may be asked questions about the offense(s) and if I answer those questions under oath, on the record, and in the presence of my attorney, and do not tell the truth, my answers could later be used against me in a prosecution for perjury, which is a crime punishable by incarceration and/or fine.

18. I declare that no government officer or agent (federal, state or local), or any other person, has made any promise or suggestion of any kind in exchange for my plea of "GUILTY", with the exception of the agreement between me and the State's attorney to recommend to the Court the plea and punishment set out in paragraph twenty-two (22) below.

19. I declare that no person has pressured, forced, threatened, or intimidated me into pleading "GUILTY"

20. I believe my lawyer has done everything any lawyer could have done to represent me and I am satisfied with my legal representation and assistance in this case. I have had no problem communicating with my attorney.

21. I declare that during my discussions with my lawyer about this case, and while I read and/or discussed this petition with my lawyer, I was not under the influence of any alcoholic beverage or intoxicating drug.

22. I know that the Court will not ordinarily accept a plea of "GUILTY" from anyone who claims to be innocent, and with that in mind, and because I make no claim of innocence, I wish to plead "GUILTY" and respectfully request the Court to accept my pleas as follows:

COUNT 1 (Lesser Included) False Imprisonment, 11 months 29 days

COUNT 4: Aggravated Burglary, C Felony, 4 Years

COUNT 5: Aggravated Assault, C Felony, 4 Years

COUNT 7: Possession of a Weapon, E Felony, 2 Years;

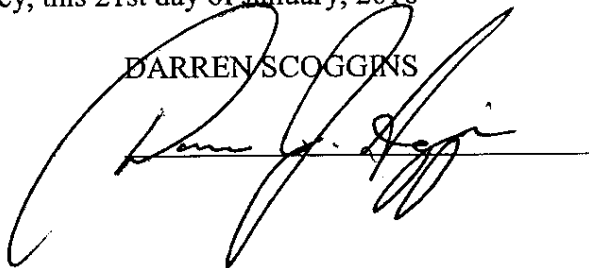
Counts 4, 5 & 7 Consecutive to each other, Count 1 concurrent to Count 4, for a total effective sentence of 10 years to be suspended and served on Community Corrections.

Stay away from victim
continue DUA DIAGNOSIS treatment
placed on SURAM device
until further notice

On the basis of my statements in this petition, I request that the Court accept my plea of "GUILTY". I agree that the Assistant District Attorney General may summarize what the State's witnesses would say if called to testify in this case, and I give up my right to confront and cross-examine those witnesses.

Signed by me in the presence of my attorney, this 21st day of January, 2010

DARREN SCOGGINS

A handwritten signature in black ink, appearing to read "Darren Scoggins", is written over a horizontal line. The signature is stylized and cursive.

CERTIFICATE OF DEFENDANT'S COUNSEL

The undersigned, as attorney for the foregoing named Defendant Darren Scoggins in Criminal Case number 2008-C-2880, hereby certifies as follows

1. I have read and fully explained to the defendant the charge(s) against him/her as set out in the indictment or information. I have discussed with the defendant the defendant's knowledge of the facts and circumstances surrounding the charge(s). I have also discussed all possible defenses with the defendant.

2. To the best of my knowledge and belief each statement set forth in the foregoing petition is in all respects accurate and true.

3. The plea of "GUILTY" as offered by the defendant in paragraph twenty-two (22) of the foregoing petition accords with my understanding of the facts as related to me by the defendant, and is consistent with my advice to the defendant.

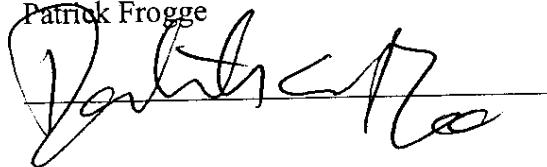
4. In my opinion, the defendant's waiver of his/her constitutional and statutory rights is voluntarily and understandingly made; and I recommend to the Court that the plea of "GUILTY" be now accepted and entered on behalf of the defendant as requested in paragraph twenty-two (22) of the foregoing petition.

5 I have explained to the defendant any/all potentially applicable forms of alternative sentencing, including probation.

6. I have read the foregoing Petition to Enter a Plea of Guilty to the defendant and/or discussed each provision with him/her in detail.

Signed by me in the presence of the defendant, this the 21st day of January, 2010.

Patrick Frogge



CERTIFICATE OF DISTRICT ATTORNEY GENERAL

I, SPYAN DAULS, am the Assistant District Attorney General assigned to represent the State in the subject case. I certify that I have read the recommendation for the guilty plea and punishment set forth in paragraph twenty-two (22) in the foregoing Petition To Enter Plea of Guilty, and find that it accurately states the terms and scope of the plea agreement.

ATTORNEY FOR STATE 

TWENTIETH JUDICIAL DISTRICT
DAVIDSON COUNTY, TENNESSEE
DIVISION VII

STATE OF TENNESSEE

VS.

DARRIN SCOGGINS

)
)
)
)
)
ORDER

DOCKET NO. 2008-L-2880

This cause came on to be heard before the undersigned Judge upon the defendant's petition to enter a plea of guilty and accompanying certificates of counsel, all of which are attached hereto and incorporated herein by reference. Based on the petition and certificates, and the defendant's responses to questions personally addressed to him/her by the Court under oath, on the record, and in the presence of his/her attorney, together with statements made by the parties' attorneys, the Court finds as a matter of fact:

1. That the defendant understands the nature of the charge(s) against him/her, the nature of the charge(s) to which the plea is offered, the mandatory minimum penalty provided by law, and the maximum possible penalty provided by law.
2. That the defendant understands that he/she has the right to plead not guilty and to persist in that plea.
3. That the defendant has been fully advised and understands his/her right to trial by jury to determine guilt or innocence; that at such trial, he/she has the right to assistance of counsel, the right to confront and cross-examine witnesses against him/her, and the right not to be compelled to incriminate himself/herself or to have an election not to testify used against him/her.
4. That the defendant understands that if he/she pleads guilty there will be no further trial of any kind except as to sentence, so that by pleading guilty, he/she waives the right to a trial and appellate review of the conviction. The defendant understands that if there is a hearing as to sentencing, no jury will be involved.
5. That the defendant understands that if he/she pleads guilty, he/she may be asked questions about the offense(s) to which he/she has pleaded, and that such answers, made under oath, on the record, and in the presence of counsel, may, if untrue, form the basis for later prosecution and punishment for the crime of perjury.
6. That the defendant fully understands that should the Court accept the plea of guilty and the recommended sentence, the sentence will constitute a conviction which, if considered with prior and/or subsequent convictions, may form the basis for enhanced punishment under T. C. A. 40-35-106-108.
7. That the Court after inquiry is satisfied that the plea resulted from prior discussions between the District Attorney General, the defendant, and his/her attorney.
8. That the defendant's plea of guilty, as well as his/her waiver of every right enumerated herein, is voluntary, and not made as a result of force or threats or of promises apart from the plea bargaining process.
9. That from the entire record the Court is satisfied that there is a factual basis for the plea of guilty.

The Court therefore finds that the plea of guilty heretofore entered by the defendant is acceptable to the Court.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED by the Court that the petition filed herein be, and the same is, in all respects, granted.

This the 21ST day of January, 2010.

Mark J. Prohlman
JUDGE

CERTIFICATE OF DEFENDANT'S COUNSEL

The undersigned, as attorney for the foregoing named defendant, _____, in Criminal Case No. _____, hereby certifies as follows:

1. I have read and fully explained to the defendant the charge(s) against him/her as set out in the indictment or information. I have discussed with the defendant the defendant's knowledge of the facts and circumstances surrounding the charge(s). I have also discussed all possible defenses with the defendant.
2. To the best of my knowledge and belief each statement set forth in the foregoing petition is in all respects accurate and true.
3. The plea of "GUILTY" as offered by the defendant in paragraph twenty-two (22) of the foregoing petition accords with my understanding of the facts as related to me by the defendant, and is consistent with my advice to the defendant.
4. In my opinion, the defendant's waiver of his/her constitutional and statutory rights is voluntarily and understandingly made; and I recommend to the Court that the plea of "GUILTY" be now accepted and entered on behalf of the defendant as requested in paragraph twenty-two (22) of the foregoing petition.
5. I have explained to the defendant any/all potentially applicable forms of alternative sentencing, including probation.
6. I have read the foregoing Petition to Enter a Plea of Guilty to the defendant and/or discussed each provision with him/her in detail.

Signed by me in the presence of the defendant, this the _____ day of _____, _____.

ATTORNEY FOR DEFENDANT

CERTIFICATE OF DISTRICT ATTORNEY GENERAL

I, _____, am the Assistant District Attorney General assigned to represent the State in the subject case. I certify that I have read the recommendation for the guilty plea and punishment set forth in paragraph twenty-two (22) in the foregoing Petition To Enter Plea of Guilty, and find that it accurately states the terms and scope of the plea agreement.

ATTORNEY FOR STATE