

**IN THE FIFTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE**

CARL VONHARTMAN,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
<i>v.</i>	§	Case No.: 20C740
	§	
KORTNI BUTTERTON,	§	JURY DEMANDED
	§	
<i>Defendant.</i>	§	

**MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT KORTNI
BUTTERTON’S MOTION TO DISMISS AND TENN. CODE ANN. § 20-17-
104(a) PETITION TO DISMISS THE PLAINTIFF’S COMPLAINT PURSUANT
TO THE TENNESSEE PUBLIC PARTICIPATION ACT**

I. INTRODUCTION

This is a Strategic Lawsuit Against Public Participation (a “SLAPP-suit”) filed by Plaintiff Carl Vonhartman—an ex-convict with a sordid reputation for both criminality¹ and terrorizing women²—against Defendant Kortni Butterton, a woman who rejected the Plaintiff on a dating website. For myriad reasons, all of the Plaintiff’s claims are meritless and require immediate dismissal under Tennessee Rule of Civil Procedure 12.02(6), Tennessee Code Annotated § 20-17-105(c), or both. Moreover, several of the Plaintiff’s claims are frivolous enough to be sanctionable. Severe sanctions are warranted as a

¹ See, e.g., **Exhibit A** (Plaintiff’s Criminal History).

² See, e.g., **Exhibit B** (MPD Incident No. 2018-0782853), p. 3 (“[S]he advised that [s]he told [Plaintiff] she was going to call the police due to the assault. [S]he advised that [Plaintiff] told her ‘if you call the police [I] am going to post naked pictures of you on the internet.’ [Victim] advised she changed her mind at that time about calling the police.”); **Exhibit C** (Affidavit of Melissa Ingram), Attachment #1 (threatening “war” over Facebook posts that warned women not to date him); **Exhibit D** (Order of Protection Hearing Transcript), p. 28, lines 16–20 (testifying that Plaintiff was “[s]creaming, telling me I was a ‘fat bitch,’” and that “he was going to figure out where I lived[.]”).

consequence.

On January 28, 2020, the Plaintiff threatened to sue Ms. Butterton over a statement that she made on a private Facebook group that functions to protect single Nashville women from badly behaved men. Specifically, Mr. Vonhartman protested that he had not, in fact, been “aggressive” with Ms. Butterton when he demanded to know why she would not date him, and he warned Ms. Butterton that if she “ke[pt] running [her] mouth” about him, he would sue her for defamation.³

The following morning, on January 29, 2020, the Plaintiff contacted Melissa Ingram—the administrator of the Facebook group at issue—to express his general apoplexy regarding posts by Ms. Butterton and several other women discussing the Plaintiff’s abysmal reputation.⁴ The Plaintiff’s correspondence reflects a demeanor that Ms. Ingram generously described as “unstable.”⁵ Displeased that the Facebook posts warning women not to date him would not be removed, Mr. Vonhartman also repeatedly threatened “war.”⁶

On the afternoon of January 29, 2020, Ms. Ingram contacted Ms. Butterton and shared the Plaintiff’s disturbing correspondence with her.⁷ In light of the facts that the Plaintiff had: (1) threatened to sue Ms. Butterton the day before;⁸ (2) just threatened

³ **Exhibit D**, p. 8, lines 1–3; p. 12, lines 16–23.

⁴ See **Exhibit C**, Attachment #1.

⁵ *Id.*

⁶ See *id.* (“I’m not going to sit by and let this happen. You’ve started a war with the wrong man . . . I’ll say it again, you’re starting a war with the wrong man. . . . If it’s a war you want then that’s what you’re going to get[.]”).

⁷ See **Exhibit C**, p. 3, ¶ 19.

⁸ **Exhibit D**, p. 12, lines 16–23.

“war” three separate times regarding the Facebook posts concerning him;⁹ and (3) indicated that he was both able and inclined to find out where those who displeased him lived so he could “come after” them,¹⁰ Ms. Butterton immediately became afraid for her safety.¹¹ Next—approximately an hour and a half later—an uninvited stranger who looked like, dressed like, and gave every appearance of being the Plaintiff showed up at Ms. Butterton’s home, began ringing her doorbell incessantly, and banged on her walls.¹²

Afraid for her life, Ms. Butterton locked herself in her bathroom with a loaded handgun, texted her mother, stepfather, and roommate seeking help, armed her security system, and called 911.¹³ By the time police arrived, though, the man at her home had fled. Ms. Butterton—who thought she was about to be killed¹⁴ and was so upset that she was visibly “hyperventilating, crying, and not speaking in complete sentences”¹⁵—quickly retained counsel and, acting on the advice of her counsel,¹⁶ petitioned for and then received a temporary order of protection against the Plaintiff.¹⁷

After a hearing on her petition, Ms. Butterton’s petition for an order of protection

⁹ See **Exhibit C**, Attachment #1.

¹⁰ *Id.* (“You told me by the end of today you would know where I live, where I work and who I am and you would come after me.”).

¹¹ See **Exhibit E** (Affidavit of Kortni Butterton).

¹² See *id.*; see also **Exhibit D**, p. 14, lines 5–9.

¹³ See generally **Exhibit E**; **Exhibit F** (Affidavit of Benita Lamp); **Exhibit G** (Affidavit of Craig Lamp); **Exhibit H** (Affidavit of Theresa Rawley).

¹⁴ See, e.g., Exhibit #1 to **Exhibit F** (texting her mother: “I’m seeing my life flash before my eyes.”).

¹⁵ **Exhibit I** (Affidavit of Megan Hassall), p. 1, ¶ 5.

¹⁶ **Exhibit J** (Affidavit of Rachel Welty). See also *id.* at Attachment #1 (text message correspondence with her counsel regarding Ms. Butterton’s petition for an order of protection).

¹⁷ **Exhibit K** (Petition for Order of Protection and Order Granting Temporary Order of Protection).

was dismissed.¹⁸ Thereafter, the Plaintiff filed the instant SLAPP-suit against Ms. Butterton. In his Complaint, the Plaintiff has specifically sued Ms. Butterton based on the following four independent theories of relief:

(1) Slander based on Ms. Butterton’s “testi[mony] in court on February 10, 2020” during her order of protection hearing;¹⁹

(2) Libel based on Ms. Butterton’s “swor[n] allegations in her Petition for [an] Order of Protection” in Davidson County General Sessions Case No. 20OP250;²⁰

(3) Malicious prosecution regarding Davidson County General Sessions Case No. 20OP250, the order of protection proceeding that Ms. Butterton initiated;²¹ and

(4) Slander based on supposed “false statements” that Ms. Butterton purportedly made when she “called 911 on January 29, 2020.”²²

As provided below, all four of the Plaintiff’s claims suffer from insurmountably fatal defects. As a consequence, each claim must be dismissed outright and with prejudice pursuant to Tennessee Rule of Civil Procedure 12.02(6) or the Tennessee Public Participation Act (TPPA), *see* TENN. CODE ANN. § 20-17-101, *et seq.*—Tennessee’s newly enacted Anti-SLAPP statute.

Separately, the Plaintiff’s lawsuit—which is premised upon Ms. Butterton’s communications with the Metropolitan Nashville Police Department and the Davidson County General Sessions Court—qualifies as a “threat of a civil action for damages in the

¹⁸ *See* **Exhibit L** (Dismissal of Order of Protection, Davidson Cty. Cir. Ct. Case No. 20OP250).

¹⁹ *See* Complaint, p. 4, ¶ 29; *id.* at ¶¶ 28–30 (Count III).

²⁰ *Id.* at p. 5, ¶ 32; *id.* at ¶¶ 31–32 (Count IV).

²¹ *Id.* at p. 4, ¶¶ 22–25 (Count I).

²² *Id.* at ¶¶ 26–27 (Count II).

form of a ‘strategic lawsuit against political participation’” under Tennessee Code Annotated § 4-21-1002(b). Accordingly, to enable each entity to exercise its statutory right to intervene in and defend against this action, Ms. Butterton has served notice of both her Motion and her Tennessee Code Annotated § 20-17-104(a) Petition to Dismiss the Plaintiff’s Complaint upon:

- (1) The Metropolitan Nashville Police Department;
- (2) Davidson County General Sessions Judge Ana Escobar;
- (3) The Davidson County General Sessions Court; and
- (4) The Office of the Tennessee Attorney General and Reporter.

See TENN. CODE ANN. § 4-21-1004(a) (“In order to protect the free flow of information from citizens to their government, an agency receiving a complaint or information under § 4-21-1003 may intervene and defend against any suit precipitated by the communication to the agency. In the event that a local government agency does not intervene in and defend against a suit arising from any communication protected under this part, the office of the attorney general and reporter may intervene in and defend against the suit.”).

II. SUMMARY OF ARGUMENT

All four of the Plaintiff’s claims—which Ms. Butterton has reordered for the Court’s convenience based on their respective frivolity—must be dismissed with prejudice pursuant to Tennessee Rule of Civil Procedure 12.02(6), Tennessee Code Annotated § 20-17-105(b)–(c), or both.

First, the Plaintiff’s claim for slander based on Ms. Butterton’s “testi[mony] in court on February 10, 2020,” during her order of protection hearing in Davidson County

General Sessions Court Case No. 20OP250²³ is barred by Tennessee’s absolute testimonial privilege, which affords witnesses like Ms. Butterton absolute immunity for testimony given during a judicial proceeding. *See, e.g., Wilson v. Ricciardi*, 778 S.W.2d 450, 453 (Tenn. Ct. App. 1989) (“It is a well-settled proposition of law in this jurisdiction that the testimony of a witness given in a judicial proceeding is absolutely privileged. Therefore, no civil action for damages may lie against a witness based upon his testimony in a case, though his testimony may have been damaging to one of the parties of the lawsuit in which he testified.”) (collecting cases). Accordingly, the Plaintiff’s slander claim based on Ms. Butterton’s testimony in Davidson County General Sessions Case No. 20OP250 must be dismissed outright and with prejudice pursuant to Tennessee Rule of Civil Procedure 12.02(6) for failure to state a claim. *See id.*

Second, the Plaintiff’s claim for libel based on Ms. Butterton’s “swor[n] allegations in her Petition for [an] Order of Protection” in Davidson County General Sessions Case No. 20OP250²⁴ is barred not only by the absolute testimonial privilege noted above, *see id.*—it is also barred by the absolute litigation privilege, which guarantees all litigants “the freedom to institute an action without fear of being sued based on statements made in the course of the proceeding[.]” *Goetz v. Autin*, No. W2015-00063-COA-R3-CV, 2016 WL 537818, at *10 (Tenn. Ct. App. Feb. 10, 2016), *perm. to app. denied* (Tenn. June 24, 2016). *See also Lambdin Funeral Serv., Inc. v. Griffith*, 559 S.W.2d 791, 792 (Tenn. 1978) (“[S]tatements made in the course of a judicial proceeding that are relevant and pertinent to the issues involved are absolutely privileged and cannot be the predicate for liability in

²³ *See id.* at ¶ 29; *id.* at ¶¶ 28–30 (Count III).

²⁴ *Id.* at p. 5, ¶ 32; *id.* at ¶¶ 31–32 (Count IV).

an action for libel, slander, or invasion of privacy.”). Accordingly, the Plaintiff’s libel claim, too, must be dismissed with prejudice under Tennessee Rule of Civil Procedure 12.02(6) for failure to state a cognizable claim for relief.

Third, the Plaintiff’s malicious prosecution claim is barred as a matter of law by both Tennessee Code Annotated § 36-3-617(a)(2)—which exclusively governs the assessment of attorney’s fees in order of protection proceedings—and the doctrine of *res judicata*, given that the issue has already been resolved adversely to the Plaintiff in a final judgment. As such, the Plaintiff’s malicious prosecution claim, too, must be dismissed under Tennessee Rule of Civil Procedure 12.02(6) for failure to state a claim.

Fourth, based on the extensive admissible evidence that Ms. Butterton has presented pursuant to Tennessee Code Annotated § 20-17-105(d),²⁵ the Plaintiff’s malicious prosecution claim must additionally be dismissed with prejudice under § 20-17-105(c) (providing that “the court shall dismiss the legal action if the petitioning party establishes a valid defense to the claims in the legal action.”). In particular, dismissal is compelled under § 20-17-105(c) because Ms. Butterton can establish each of the following independent and outcome-determinative defenses to the Plaintiff’s malicious prosecution claim:

(1) Ms. Butterton’s Petition for an Order of Protection was filed on the advice of counsel;

(2) Ms. Butterton had probable cause to file a petition for an order of protection;

(3) Ms. Butterton’s Petition for an Order of Protection was not filed with malice;

²⁵ See **Exhibits A–R**.

and

(4) The Davidson County General Sessions Court previously determined that Ms. Butterton had probable cause to seek an order of protection, and because that determination was not a product of fraud, it is controlling.

Fifth, the Plaintiff's claim for slander based on "false statements" that the Plaintiff alleges Ms. Butterton made to the police when she "called 911 on January 29, 2020,"²⁶ is barred—as an initial matter—by the aforementioned absolute litigation privilege that extends to communications preliminary to litigation. *See Phillips v. Woods*, No. E2007-00697-COA-R3-CV, 2008 WL 836161, at *8 (Tenn. Ct. App. Mar. 31, 2008), *no app. filed*. It is also barred, independently, by the conditional public interest and common interest privileges, which immunize from defamation liability good-faith reports to law enforcement. *See, e.g., Pate v. Serv. Merch. Co.*, 959 S.W.2d 569, 576–77 (Tenn. Ct. App. 1996). Consequently, the Plaintiff's 911-based slander claim must be dismissed both for failure to state a claim and pursuant to Tennessee Code Annotated § 20-17-105(c).

Sixth, as a matter of law, none of the statements in the 911 call regarding which the Plaintiff has sued Ms. Butterton for slander is capable of conveying a defamatory meaning as a matter of law.

Seventh, Tennessee Code Annotated § 4-21-1003(a) affords Ms. Butterton statutory immunity from all claims alleged in this action. *See id.* ("Any person who in furtherance of such person's right of free speech or petition under the Tennessee or United States Constitution in connection with a public or governmental issue communicates information regarding another person or entity to any agency of the

²⁶ *See* Complaint, p. 4, ¶ 27.

federal, state or local government regarding a matter of concern to that agency shall be immune from civil liability on claims based upon the communication to the agency.”).

Eighth, given his abysmal reputation for both criminality and terrorizing women, the Plaintiff is libel-proof.

Ninth and finally, barring the Plaintiff’s satisfaction of his burden as to each claim, all of the Plaintiff’s claims must be dismissed pursuant to Tennessee Code Annotated § 20-17-105(b).

III. LEGAL STANDARDS

A. MS. BUTTERTON’S MOTION TO DISMISS

“A motion to dismiss a complaint for failure to state a claim pursuant to Rule 12.02(6) of the Tennessee Rules of Civil Procedure asserts that the allegations in the complaint, accepted as true, fail to establish a cause of action for which relief can be granted.” *Conley v. State*, 141 S.W.3d 591, 594 (Tenn. 2004). Generally, a motion to dismiss is resolved by examining the pleadings alone. *See Leggett v. Duke Energy Corp.*, 308 S.W.3d 843, 851 (Tenn. 2010) (citing *Cook ex rel. Uithoven v. Spinnaker’s of Rivergate, Inc.*, 878 S.W.2d 934, 938 (Tenn. 1994)). This Court, however, may also consider “items subject to judicial notice, matters of public record, orders, items appearing in the record of the case, and exhibits attached to the complaint whose authenticity is unquestioned . . . without converting the motion into one for summary judgment.” *W. Exp., Inc. v. Brentwood Servs., Inc.*, No. M2008-02227-COA-R3-CV, 2009 WL 3448747, at *3 (Tenn. Ct. App. Oct. 26, 2009) (quoting *Ind. State Dist. Council of Laborers v. Bruhardt*, No. M2007-02271-COA-R3-CV, 2009 WL 426237, at *8 (Tenn. Ct. App. Feb.19, 2009), *perm. to app. denied* (Tenn. Aug. 24, 2009)), *no app. filed*.

(in turn quoting WRIGHT AND MILLER, FEDERAL PRACTICE AND PROCEDURE, CIVIL § 1357, at 376 (3d ed.2004)).

Thereafter, where—as here—“the plaintiff can prove no set of facts in support of the claim that would entitle the plaintiff to relief[,]” a defendant’s motion to dismiss for failure to state a claim must be granted. *See Crews v. Buckman Labs. Int’l, Inc.*, 78 S.W.3d 852, 857 (Tenn. 2002).

B. THE TENNESSEE PUBLIC PARTICIPATION ACT (TPPA)

The TPPA—which the legislature adopted in 2019 to deter, expediently resolve, and punish SLAPP-suits like this one—provides that “[i]f a legal action is filed in response to a party’s exercise of the right of free speech, right to petition, or right of association, that party may petition the court to dismiss the legal action” subject to the specialized provisions of Tennessee Code Annotated §§ 20-17-104 and 20-17-105. *See* TENN. CODE ANN. § 20-17-104(a). The TPPA “provide[s] an additional substantive remedy to protect the constitutional rights of parties” that “supplement[s] any remedies which are otherwise available . . . under the Tennessee Rules of Civil Procedure.” TENN. CODE ANN. § 20-17-109. As such, nothing in the Act “[a]ffects, limits, or precludes the right of any party to assert any defense, remedy, immunity, or privilege otherwise authorized by law[.]” TENN. CODE ANN. § 20-17-108(4).

In enacting the TPPA, the Tennessee General Assembly forcefully established that:

The purpose of this chapter is to encourage and safeguard the constitutional rights of persons to petition, to speak freely, to associate freely, and to participate in government to the fullest extent permitted by law and, at the same time, protect the rights of persons to file meritorious lawsuits for demonstrable injury. This chapter is consistent with and necessary to implement the rights protected by Article I, §§ 19 and 23, of the Constitution of Tennessee, as well as by the First Amendment to the United States Constitution, and shall be construed broadly to effectuate its purposes and

intent.

See TENN. CODE ANN. § 20-17-102. Substantively, the TPPA also provides, among other things, that:

(1) When a party has been sued in response to the party's exercise of the right of free speech or the right to petition, he or she "may petition the court to dismiss the legal action" pursuant to Tennessee Code Annotated § 20-17-104(a);

(2) "All discovery in the legal action is stayed" automatically by statute "until the entry of an order ruling on the petition" pursuant to § 20-17-104(d); and

(3) "The court's order dismissing or refusing to dismiss a legal action pursuant to a petition filed under this chapter is immediately appealable as a matter of right to the court of appeals." *See* TENN. CODE ANN. § 20-17-106.

A TPPA petition to dismiss "may be filed within sixty (60) calendar days from the date of service of the legal action or, in the court's discretion, at any later time that the court deems proper." TENN. CODE ANN. § 20-17-104(b). Under the TPPA, "[t]he petitioning party has the burden of making a prima facie case that a legal action against the petitioning party is based on, relates to, or is in response to that party's exercise of the right to free speech, right to petition, or right of association." TENN. CODE ANN. § 20-17-105(a). Thereafter, the Court "shall dismiss the legal action unless the responding party establishes a prima facie case for each essential element of the claim in the legal action." TENN. CODE ANN. § 20-17-105(b). Separately, "[n]otwithstanding subsection (b), the court shall dismiss the legal action if the petitioning party establishes a valid defense to the claims in the legal action." TENN. CODE ANN. § 20-17-105(c). "If the court dismisses a legal action pursuant to a petition filed under this chapter, the legal action or the challenged claim is dismissed with prejudice." TENN. CODE ANN. § 20-17-105(e).

C. THRESHOLD ISSUES OF LAW GOVERNING DEFAMATION CLAIMS

To establish a prima facie case of defamation in Tennessee, a plaintiff must plead and prove that: “(1) a party published a statement; (2) with knowledge that the statement was false and defaming to the other; or (3) with reckless disregard for the truth of the statement or with negligence in failing to ascertain the truth of the statement.” *Davis v. Tennessean*, 83 S.W.3d 125, 128 (Tenn. Ct. App. 2001). Additionally, damages cannot be presumed; instead, a plaintiff is “required to prove actual damages in all defamation cases.” *Hibdon v. Grabowski*, 195 S.W.3d 48, 68 (Tenn. Ct. App. 2005) (citing *Handley v. May*, 588 S.W.2d 772, 776 (Tenn. Ct. App. 1979)).

Here, the Plaintiff’s Complaint is premised exclusively upon express malice, and it specifically alleges that Ms. Butterton made the statements over which the Plaintiff has sued her for defamation with knowing falsity.²⁷ Accordingly, no claim based on alleged negligence or recklessness is asserted, and the Plaintiff must demonstrate knowing falsity in order to prevail.

Critically, to safeguard access to the judicial process and ensure that witnesses, litigants, and citizens generally are not subjected to baseless retaliatory lawsuits like this one, Tennessee has also adopted several categorical bars that prevent claimed defamations from being actionable as a matter of law, several of which are outcome-determinative in the instant case:

First, “[i]t is a well-settled proposition of law in this jurisdiction that the testimony of a witness given in a judicial proceeding is absolutely privileged.” *Wilson*, 778 S.W.2d

²⁷ See, e.g., *id.* at ¶ 27 (alleging that “[w]hen Ms. Butterton called 911 on January 29, 2020, she knowingly made false statements about Mr. Vonhartman which injured his reputation.”); *id.* at ¶ 30 (alleging that “Ms. Butterton made these statements with malice and knowledge that the statements were false.”); *id.* at p. 5, ¶ 32 (alleging that “[w]hen Ms. Butterton swore to the allegations in her Petition for Order of Protection, she published false written statements with malice and knowledge that the statements were false.”).

at 453 (collecting cases). “Therefore, no civil action for damages may lie against a witness based upon his testimony in a case, though his testimony may have been damaging to one of the parties of the lawsuit in which he testified.” *Id.* (collecting cases).

Second, under the litigation privilege, “[s]tatements made in judicial proceedings are absolutely privileged.” *Jones v. State*, 426 S.W.3d 50, 57 (Tenn. 2013) (citing *Lea v. White*, 36 Tenn. 111 (1856)). As such, “statements made in the course of a judicial proceeding that are relevant and pertinent to the issues involved are absolutely privileged and cannot be the predicate for liability in an action for libel, slander, or invasion of privacy.” *Lambdin Funeral Serv.*, 559 S.W.2d at 792 (collecting cases).

Third, the absolute litigation privilege immunizes not only statements made during judicial proceedings; it also immunizes “communications preliminary to . . . proposed litigation” as well. *See Phillips*, 2008 WL 836161, at *8 (“*Myers* also expressly stands for the proposition that ‘communications preliminary to proposed or pending litigation’ are absolutely privileged.” (quoting *Myers v. Pickering Firm, Inc.*, 959 S.W.2d 152, 161 (Tenn. Ct. App. 1997))); *Kilgore v. State*, No. E201801790COAR3CV, 2019 WL 6002126, at *5 (Tenn. Ct. App. Nov. 13, 2019), *no app. filed*.

Fourth, because “[t]he interests of the public in preventing crime and punishing criminals outweigh the interest of any plaintiff concerning statements of accusation,” as long as an accusation is made in good faith and without express malice, statements made to law enforcement are protected by the conditional “public interest privilege.” *Pate*, 959 S.W.2d at 576. Under the public interest privilege, a publication is privileged from defamation liability

if the circumstances induce a correct or reasonable belief that

(a) there is information that affects a sufficiently important public

interest, and

(b) the public interest requires the communication of the defamatory matter to a public officer or a private citizen who is authorized or privileged to take action if the defamatory matter is true.

Id. (quoting Restatement (Second) of Torts § 598 (1977)).

Fifth, given “the intent of the general assembly to provide protection for individuals who make good faith reports of wrongdoing to appropriate governmental bodies”—and because “[i]nformation provided by citizens concerning potential misdeeds is vital to effective law enforcement and the efficient operation of government”—Tennessee confers an additional layer of statutory immunity regarding communications to government agencies under the Tennessee Anti-SLAPP Act of 1997. *See* TENN. CODE ANN. § 4-21-1002(a). The express purpose of Tennessee Code Annotated § 4-21-1002(a) is to counteract both “[1] the threat of a civil action for damages in the form of a ‘strategic lawsuit against political participation’ (SLAPP), and [2] the possibility of considerable legal costs” associated with retaliatory lawsuits like this one. TENN. CODE ANN. § 4-21-1002(b). As a result, absent the circumstances set forth in § 4-21-1003(b):

Any person who in furtherance of such person’s right of free speech or petition under the Tennessee or United States Constitution in connection with a public or governmental issue communicates information regarding another person or entity to any agency of the federal, state or local government regarding a matter of concern to that agency shall be immune from civil liability on claims based upon the communication to the agency.

TENN. CODE ANN. § 4-21-1003(a).

Sixth, to ensure that only genuinely defamatory statements—which must clear a high bar of severity²⁸—proceed past a motion to dismiss, “the issue of whether a

²⁸ Merely unpleasant or embarrassing statements are not capable of conveying a defamatory meaning. Instead,

communication is capable of conveying a defamatory meaning is a **question of law** for the court to decide in the first instance[.]” *Brown v. Mapco Exp., Inc.*, 393 S.W.3d 696, 708 (Tenn. Ct. App. 2012) (emphasis added). *See also Aegis Scis. Corp. v. Zelenik*, No. M2012-00898-COA-R3CV, 2013 WL 175807, at *6 (Tenn. Ct. App. Jan. 16, 2013) (“[T]he preliminary question of whether a statement ‘is capable of conveying a defamatory meaning’ presents a question of law.” (quoting *Revis v. McClean*, 31 S.W.3d 250, 253 (Tenn. Ct. App. 2000))), *no. app. filed*; *McWhorter v. Barre*, 132 S.W.3d 354, 364 (Tenn. Ct. App. 2003) (“The question of whether [a statement] was understood by its readers as defamatory is a question for the jury, but the preliminary determination of whether [a statement] is ‘capable of being so understood is a question of law to be determined by the court.’” (quoting *Memphis Publ’g Co. v. Nichols*, 569 S.W.2d 412, 419 (Tenn. 1978))). Consequently, if an allegedly defamatory statement is not capable of being understood as defamatory as a matter of law, then a plaintiff’s cause of action must be dismissed outright for failure to state a claim. *Id.*

Seventh, because defamation claims are contingent upon actual damage to one’s reputation, a libel-proof plaintiff who lacks a good reputation to begin with cannot assert a defamation claim. *See Looper v. News Channel 5 Network*, No. CIV.A.6197C, 2002 WL 32163526, at *1 (Tenn. Cir. Ct. May 7, 2002) (citing *Davis*, 83 S.W.3d 125), *no app. filed*; *Coker v. Sundquist*, No. 01A01-9806-BC-00318, 1998 WL 736655 (Tenn. Ct. App. Oct.

[f]or a communication to be [defamatory], it must constitute a serious threat to the plaintiff’s reputation. A [defamation] does not occur simply because the subject of a publication finds the publication annoying, offensive or embarrassing. The words must reasonably be construable as holding the plaintiff up to public hatred, contempt or ridicule. They must carry with them an element “of disgrace.”

Davis v. Covenant Presbyterian Church of Nashville, No. M2014-02400-COA-R9-CV, 2015 WL 5766685, at *3 (Sept. 30, 2015) (quoting *Brown v. Mapco Exp., Inc.*, 393 S.W.3d 696, 708 (Tenn. Ct. App. 2012)), *perm. to app. denied* (Tenn. Feb. 18, 2016).

23, 1998)), *perm. to app. denied* (Tenn. May 10, 1999).

D. ELEMENTS OF—AND DEFENSES TO—MALICIOUS PROSECUTION CLAIMS

“In order to establish the essential elements of malicious prosecution, a plaintiff must prove that

- (1) a prior suit or judicial proceeding was instituted without probable cause,
- (2) defendant brought such prior action with malice, and
- (3) the prior action was finally terminated in plaintiff’s favor.”

Roberts v. Fed. Exp. Corp., 842 S.W.2d 246, 247–48 (Tenn. 1992) (citations omitted).

Notably, there is “a heavy burden of proof on the plaintiff in malicious prosecution actions in establishing malice and lack of probable cause[.]” *see Kauffman v. A.H. Robins Co.*, 448 S.W.2d 400, 404 (Tenn. 1969) (citing *Lipscomb v. Shofner*, 33 S.W. 818 (Tenn. 1896)), because Tennessee public policy dictates that “the reporting of valid complaints, if supported by probable cause to believe they are true, should not and will not be inhibited[.]” *id.* *See also Himmelfarb v. Allain*, 380 S.W.3d 35, 41 (Tenn. 2012) (“The threat of a malicious prosecution action may reduce the public’s willingness to resort to the court system for settlement of disputes. We decline to adopt a rule that would deter litigants with potentially valid claims from filing those claims because they are fearful of a subsequent malicious prosecution action.”) (internal citation omitted).

With respect to probable cause, “[t]he defendant in a malicious prosecution lawsuit may establish the existence of probable cause by demonstrating that he or she relied on the advice of counsel in initiating the underlying proceedings.” *Preston v. Blalock*, No. M2014-01739-COA-R3-CV, 2015 WL 3455384, at *5 (Tenn. Ct. App. May 29, 2015) (citing *Sullivan v. Young*, 678 S.W.2d 906, 911 (Tenn. Ct. App. 1984); *Cooper v. Flemming*, 84

S.W. 801, 802 (Tenn. 1904) (stating that the purpose of the advice of counsel defense is to “establish the existence of probable cause”)), *perm. to app. denied* (Tenn. Sept. 17, 2015). “Probable cause exists where the party that instituted the underlying proceedings had a reasonable belief in the existence of facts supporting his or her claim and a reasonable belief that those facts made out a legally valid claim.” *Id.* at *4. Further, “[t]he reasonableness of the party’s belief is an objective determination made in light of the facts and circumstances at the time the underlying proceedings were initiated.” *Id.* (citing Roberts, 842 S.W.2d at 248).

Additionally, absent fraud or express malice, a previous judicial determination of probable cause establishes that probable cause to initiate a proceeding existed. *See, e.g., Crowe v. Bradley Equip. Rentals & Sales, Inc.*, No. E2008-02744-COA-R3-CV, 2010 WL 1241550, at *5 (Tenn. Ct. App. Mar. 31, 2010) (“Regarding the malicious prosecution claim, an indictment by a grand jury equates to a finding of probable cause.” (citing *Parks v. City of Chattanooga*, No. 1:02-CV-116, 2003 WL 23717092, at *4 (E.D. Tenn. Dec. 15, 2003), *aff’d*, 121 F. App’x 123 (6th Cir. 2005))), *no app. filed*; *Gordon v. Tractor Supply Co.*, No. M201501049COAR3CV, 2016 WL 3349024, at *10 (Tenn. Ct. App. June 8, 2016) (“[A] grand jury’s indictment creates a rebuttable presumption that probable cause to institute the criminal proceeding existed unless the indictment was procured by fraud or by a defendant who did not believe in the guilt of the plaintiff.”), *no app. filed*.

Finally, with respect to the element of malice, a plaintiff must “demonstrate[] an improper motive” in order to sustain a malicious prosecution claim. *Preston*, 2015 WL 3455384, at *4 (citing *Wright Med. Tech., Inc. v. Grisoni*, 135 S.W.3d 561, 582 (Tenn. Ct. App. 2001)).

IV. FACTS

For purposes of Ms. Butterton’s Motion to Dismiss only, but not for purposes of her TPPA Petition, the allegations set forth in the Plaintiff’s Complaint—however fictional—are accepted as true. *See Conley*, 141 S.W.3d 591 at 594.

The Plaintiff first “encountered the Defendant online when they were ‘matched’ through Hinge, a mobile dating app, on or about February 2019.” *See* Complaint, p. 1, ¶ 5. “The two never met in person and no relationship developed.” *Id.* at ¶ 6. In particular, no relationship developed because Ms. Butterton rejected the Plaintiff and declined to date him. *See Exhibit D* (Transcript of Proceedings, Davidson County General Sessions Court Case No. 20OP250), p. 5, lines 9–10.

“On or about January 28, 2020, Ms. Butterton made posts about Mr. Vonhartman on a ‘private’ Facebook group where women discuss men they met on dating apps including Hinge.” *See* Complaint, p. 2, ¶ 7. The private Facebook group exists to provide “information,” “advice,” and support that allows single women in Nashville to avoid dating badly behaved men. *See Exhibit D*, p. 23, lines 14–16; *see also Exhibit K* (Petition for Order of Protection and Order Granting Temporary Order of Protection), p. 8 (“Carl’s name was listed in a Facebook group that [lets] women know if men are safe to date.”). Ms. Butterton also was not the only woman to post concerns about the Plaintiff. *See Exhibit D*, p. 22, lines 21–22 (“Many women commented about having a bad experience with Carl.”). *See also id.* at p. 4, line 24–p. 5, line 1; *id.* at p. 5, lines 14–16. Instead, the Plaintiff had “been posted about on multiple [Facebook] pages by multiple women that report[ed] the same” concerns, *see Exhibit C* (Affidavit of Melissa Ingram), Attachment #1—a fact that the Plaintiff has stated he is “sure” is true but that he “really do[es]n’t care” about, because according to the Plaintiff, he “literally get[s] called

aggressive just for sticking up for [himself]” and has “done nothing wrong[.]” *Id.*

Significantly, in light of—at minimum—the Plaintiff’s multiple arrests for DUI, his multiple convictions for reckless driving, his multiple implied consent violations, and his arrests for battery and burglary, *see generally*, **Exhibit A** (Plaintiff’s Criminal History), law enforcement would likely disagree with the Plaintiff’s self-assessment that he has “done nothing wrong.” Presumably, the myriad women whom the Plaintiff has terrorized—including, for example, the ex-girlfriend he threatened with revenge pornography if she reported an assault, *see Exhibit B* (MPD Incident No. 2018-0782853), p. 3 (“[S]he advised that [s]he told [Plaintiff] she was going to call the police due to the assault. [S]he advised that [Plaintiff] told her ‘if you call the police [I] am going to post naked pictures of you on the internet.’ [Victim] advised she changed her mind at that time about calling the police.”); the women he has never even met but feels comfortable insulting and baselessly threatening to “come after[.]” *see Exhibit C*, Attachment #1 (“You told me by the end of today you would know where I live, where I work and who I am and you would come after me.”); and the untold number of other women the Plaintiff has threatened, *see, e.g., Exhibit R* (Message from Match.com) (indicating that a dating website “took the appropriate actions” against the Plaintiff following a report from a woman to whom he had sent “very threatening” messages)—would disagree with the Plaintiff’s self-assessment that he has “done nothing wrong” as well.

“On or about January 28, 2020, Ms. Butterton made posts about Mr. Vonhartman” on the Facebook group at issue, and after the Plaintiff discovered the posts, he “contacted Ms. Butterton via electronic message and stated that he would sue Ms. Butterton for defamation if she continued to make false statements about him.” *See* Complaint, p. 2,

¶¶ 7–9. The following morning and afternoon, the Plaintiff additionally contacted Melissa Ingram, the administrator of the Facebook group at issue, to express his anger about Ms. Butterton’s posts and others. *See Exhibit C*, Attachment #1. During his correspondence with Ms. Ingram, the Plaintiff warned Ms. Ingram that he knew where she lived, and he repeatedly threatened “war” regarding the Facebook posts that upset him. *See id.* (“I’m not going to sit by and let this happen. You’ve started a war with the wrong man . . . I’ll say it again, you’re starting a war with the wrong man. . . . If it’s a war you want then that’s what you’re going to get[.]”).

Mere hours later, Ms. Butterton—who had spent the day afraid that the Plaintiff would come after her—saw a man who looked like, dressed like, and gave every appearance of being the Plaintiff at her door. *See Exhibit D*, p. 6, lines 20–22. *See also Exhibit E* (Affidavit of Kortni Butterton). For the next 20 or 25 minutes, the man repeatedly rang her doorbell, banged on her walls, saw her through the window, and followed her from the side of her home when Ms. Butterton ran to the bathroom to hide. *See Exhibit D* at p. 7, lines 1–7 (“He was ringing my doorbell. He was pounding on the door. He saw me go from my bathroom to my bedroom, and ran around the side of my house, and started banging on that outside wall, from the side of my house, you know, on the same side as my bedroom. . . . It was for about 20, 25 minutes.”). While hiding in the bathroom with a gun, *see Exhibit F* (Affidavit of Benita Lamp), p. 1, ¶ 4; *see also id.* at Exhibit #1 (“Where’s your gun??” . . . “It’s with me in the bathroom.”), Ms. Butterton called the police and armed her security system, *see Exhibit D*, p. 7, lines 9–15. *See also Exhibit E*. Ms. Butterton also messaged her mother and stepfather, indicated to them that she thought she was going to die, and asked them to send someone to help her. *See Exhibit E; Exhibit F; Exhibit G* (Affidavit of Craig Lamp). *See also Exhibit D*, p. 7,

lines 9–10. Ms. Butterton’s entire text message correspondence with her mother and stepfather is set forth in Exhibit #1 to her mother’s affidavit, *see Exhibit F*, Exhibit #1, and in Attachment #2 to her own, *see Exhibit E*, Attachment #2.

During this time, Ms. Butterton texted her roommate, Theresa Rawley, and asked her to send help immediately, too. *See Exhibit H* (Affidavit of Theresa Rawley). Her roommate did so, and a neighbor arrived shortly thereafter. *See Exhibit I* (Affidavit of Megan Hassall). By this point, Ms. Butterton was visibly “hyperventilating, crying, and not speaking in complete sentences,” *see id.* at p. 1, ¶ 5, and police described her as being “very upset and in fear[,]” *see Exhibit M* (MPD Incident No. 2020-0069474), p. 3. Every statement that Ms. Butterton made to 911 was based on her genuine belief as to what occurred. *See Exhibit E*.

Further, neither Ms. Butterton’s mother, nor her stepfather, nor her roommate have any reason to believe that Ms. Butterton was lying about the man at her door, that Ms. Butterton was not genuinely concerned for her safety, or that she was not seeking help in good faith. *See Exhibit F*, p. 1, ¶ 5 (“Based on the facts that Kortni was hiding in her bathroom with a gun and indicating to me, her mother, that she was afraid for her life, it was clear to me that my daughter was authentically terrified and feared for her safety.”); *Exhibit G*, ¶ 6 (“While speaking with her, Kortni told me the male subject repeatedly banged on the side of her house, frightening her. There is absolutely no reason that Kortni would lie to me about this.”); *Exhibit H*, ¶ 17 (“I am not aware of any reason why Kortni would lie to me about what happened or her genuine fear that Carl was at our house trying to find her.”).

Further still, contrary to the Plaintiff’s outrageous and flagrantly baseless allegation that Ms. Butterton called the police and attempted to protect herself as part of

“a scheme” that was designed “to gain the admiration of other members of the Facebook group,” *see* Complaint, p. 2, ¶ 10, Ms. Butterton never posted about the incident on the Facebook group at all, *see* **Exhibit E**, pp. 3–4, ¶ 17.

By the time police arrived, the man at Ms. Butterton’s door had fled. *See* **Exhibit M**, p. 3 (“The suspect left before officer arrived to the scene.”). Ms. Butterton remained afraid to stay at her home, however, so she slept at a co-worker’s house. *See* **Exhibit H**, ¶ 16 (“Kortni was extremely shaken up about the incident. She told me that she was too scared to sleep at the house, so she would be spending the night at a coworker’s until she felt safe enough to come back.”); **Exhibit N** (Affidavit of Michelle Glass), p. 2, ¶ 7 (“Because Kortni was scared to stay at her home, my husband and I offered to let her come back to ours and spend the night with us. Kortni accepted and did so.”).

Shortly after the incident, Ms. Butterton also contacted an attorney—Rachel Welty—to seek legal assistance. *See* **Exhibit J** (Affidavit of Rachel Welty). Based on both Ms. Welty’s advice and the advice given to Ms. Welty by multiple Davidson County assistant district attorneys regarding the incident, Ms. Welty advised Ms. Butterton to file a petition for an order of protection. *See id.* Ms. Butterton’s complete correspondence with Ms. Welty is set forth at Attachment #1 to Ms. Welty’s affidavit. *See id.* at Attachment #1. Ms. Butterton was additionally advised by her counsel that she could pursue criminal charges against the Plaintiff, *see* **Exhibit J**, p. 3, ¶ 12, but because Ms. Butterton was exclusively concerned with protecting herself, she declined to pursue criminal charges and only petitioned for an order of protection. *See id.* (“Because Ms. Butterton was solely seeking to protect herself from harm, however, she was not interested in pursuing criminal charges against Mr. Vonhartman.”). *See also* **Exhibit E**, pp. 2–3, ¶ 12 (“Based on what had occurred, I was advised by my attorney to file a petition for an order of

protection against the Plaintiff. I was additionally advised by my attorney that I could pursue criminal charges against the Plaintiff. Because I was exclusively concerned with protecting myself, however, I opted only to file a petition for an order of protection and did not pursue criminal charges. Acting on the advice I received from my counsel, I also followed my attorney's instructions regarding how to petition for an order of protection, and on January 30, 2020, I did so.”).

On January 30, 2020—the day after being terrorized at her home—Ms. Butterson filed a petition for an order of protection as advised by her counsel. *See Exhibit K; Exhibit E; Exhibit J*. Based on the allegations in Ms. Butterson's petition—for which Ms. Butterson has been sued for libel, *see* Complaint p. 5, ¶ 32; *id.* at ¶¶ 31–32 (Count IV)—the Davidson County General Sessions Court granted a Temporary Order of Protection for good cause shown. *See Exhibit K* (“**The Court finds good cause** and will issue a Temporary Order of Protection.”) (emphasis added); *see also id.* (“The Court having reviewed the Petition for Temporary Order of Protection and finding, pursuant to T.C.A. §36-3-605(a), that Kortni Butterson, Petitioner, is under an immediate and present danger of abuse from Carl Albert Vonhartman, Respondent, and **good cause appearing, the Court issues the following . . .**”) (emphasis added).

A hearing on Ms. Butterson's Petition for an Order of Protection was held on February 10, 2020, a transcript of which is attached hereto as **Exhibit D**. Ms. Butterson's testimony, for which she has also been sued, is set forth at pages 4 through 18. *See id.*

Critically, at no point during the hearing on Ms. Butterson's Petition for an Order of Protection did the Plaintiff assert that Ms. Butterson was lying about the fact that a man who looked like the Plaintiff appeared at her home mere *hours* after the Plaintiff threatened “war” regarding the Facebook posts over which the Plaintiff had also

threatened to sue Ms. Butterson a single day before. *See generally* **Exhibit D**. Indeed, the Plaintiff, through counsel, openly acknowledged that: “I don’t know if somebody was there,” *id.* at p. 51, line 11; and that: “maybe she just got so scared that she wanted this to be real,” *id.* at lines 11–12. In other words, Plaintiff’s counsel took the position that because the Plaintiff was not there, the Plaintiff has “no idea” what happened at Ms. Butterson’s home that afternoon. *Id.* at line 15.

In support of the Plaintiff’s claim of mistaken identity, the Plaintiff also relied heavily upon self-interpreted cell phone location data that purported to demonstrate that the Plaintiff was at the gym or at his home during the relevant time period. *See id.* at p. 38, line 4–p. 43, line 11. Three days after the hearing at issue, the Plaintiff additionally retained LogicForce to prepare a report to that effect. *See* Complaint, Exhibit #1 (“On February 2013, 2020, LogicForce was engaged by Brazil Clark, PLLC for the purpose of performing analysis on Mr. Carl Vonhartman’s mobile device.”).

Even taken at face value, however, the post-hearing LogicForce report at issue (hereinafter, the “Post-Hearing Report”) indicates the location of the Plaintiff’s cell phone, not the location of the Plaintiff himself. *See id.* (noting that the report purports to identify “locations of the device”). The Post-Hearing Report also was not completed according to industry standards as its author represented, *compare* Complaint, Exhibit #1 (representing that the Post-Hearing Report was conducted “using the best forensic practices at the time of extraction”) *with* **Exhibit O** (Affidavit of John Morris) (noting multiple instances in which the Post-Hearing Report failed to adhere to industry standard best practices), and it suffers from myriad readily apparent flaws that result in it being “fatally incomplete and unreliable,” *see* **Exhibit O**. For example, the Post-Hearing Report fails to identify the analysis tool utilized, which “would impact the veracity of the

results and the comprehensiveness of digital artifacts recovered[,]” *see id.*; it fails to indicate whether the proper time zone conversion was utilized, *see id.*; it uses a location tool that “is neither the only one” available nor “in isolation, the most reliable” to identify the cell phone’s location, *see id.*; it fails to account for the ease with which iPhone GPS data can be faked or “spoofed[,]” *see id.*; and it does not account for the apparent fact that the Plaintiff has more than one mobile phone, *see Exhibit P* (Carl Vonhartman Comprehensive Investigative Report), p. 2 (noting 91% probability that the Plaintiff uses cell phone number 615-720-8092 and 86% probability that the Plaintiff uses cell phone number 615-612-9926).

At the conclusion of the hearing on Ms. Butterton’s Petition for an Order of Protection, the General Sessions Court denied the petition. *See Exhibit D*, p. 55, line 2; **Exhibit L** (Dismissal of Order of Protection, Davidson Cty. Cir. Ct. Case No. 20OP250). The General Sessions Court specifically held, however, that: “I’m not denying that you feel scared, and that you are afraid. . . . I’m not saying somebody didn’t show up at your house. . . . I’m just saying that there is not enough proof that there is stalking, and that this man was there.” **Exhibit D** at p. 54, line 14–p. 55, line 1. In a written order, the General Sessions Court additionally declined to find that the requirements of Tennessee Code Annotated § 36-3-617(a)(2)—which governs the assessment of a respondent’s attorney’s fees against a petitioner—had been established. *See Exhibit L*, p. 2 (declining to make requisite finding regarding attorney’s fees); *see also id.* (ordering that “the costs and litigation tax of this cause are not taxed to [Ms. Butterton].”) (emphasis added). Thereafter, this action followed.

V. ARGUMENT

A. THE PLAINTIFF HAS FAILED TO STATE ANY COGNIZABLE CLAIM FOR RELIEF AS A MATTER OF LAW.

1. The Plaintiff's slander claim premised upon Ms. Butterton's testimony in Davidson County General Sessions Case No. 20OP250 is barred by the absolute testimonial privilege.

The Plaintiff has sued Ms. Butterton for slander on the basis that she “testified in court on February 10, 2020,” and that during her testimony, “she repeated the false statements from her 911 call in open court and in front of the camera from WSMV News Channel 4.” *See* Complaint, p. 4, ¶ 29. Independent of its absent factual merit, however, the Plaintiff's claim for slander based on Ms. Butterton's testimony in Davidson County General Sessions Court Case No. 20OP250 is categorically barred by Tennessee's absolute testimonial privilege. *See Wilson*, 778 S.W.2d at 453. Accordingly, the Plaintiff's testimony-based slander claim must be dismissed for failure to state a claim upon which relief can be granted. *See Crews*, 78 S.W.3d 852 at 857.

Tennessee affords witnesses absolute immunity for testimony given during a judicial proceeding. *See Wilson*, 778 S.W.2d at 453 (“It is a well-settled proposition of law in this jurisdiction that the testimony of a witness given in a judicial proceeding is absolutely privileged. Therefore, no civil action for damages may lie against a witness based upon his testimony in a case, though his testimony may have been damaging to one of the parties of the lawsuit in which he testified.”) (collecting cases). Indeed, based on this “well-settled” body of law, *see id.*, Tennessee has categorically and continuously forbidden such claims for nearly two centuries. *See Lea*, 36 Tenn. at 114; *Cooley v. Galyon*, 70 S.W. 607, 607 (Tenn. 1902).

Here, the Plaintiff's own Complaint reflects that he is suing Ms. Butterton for

statements that she made while she “testified in court on February 10, 2020[.]” *See* Complaint, p. 4, ¶ 29. Because “the testimony of a witness given in a judicial proceeding is absolutely privileged” from suit, however, *see Wilson*, 778 S.W.2d at 453, the Plaintiff’s testimony-based slander claim is categorically barred as a matter of law. *See id.* As such, “the plaintiff can prove no set of facts in support of the claim that would entitle the plaintiff to relief[.]” and Ms. Butterton’s motion to dismiss the Plaintiff’s testimony-based slander claim must be granted. *See Crews*, 78 S.W.3d at 857.

2. The Plaintiff’s libel claim—premised upon Ms. Butterton’s Petition for an Order of Protection in Davidson County General Sessions Case No. 20OP250—is barred by both the absolute testimonial privilege and the absolute litigation privilege.

The Plaintiff has also sued Ms. Butterton for libel on the basis that she “swore to the allegations in her Petition for [an] Order of Protection,” which the Plaintiff alleges were false. *See* Complaint, p. 5, ¶ 32. As noted above, however, the absolute testimonial privilege categorically immunizes sworn statements given in a judicial proceeding from suit. *Wilson*, 778 S.W.2d at 453. Accordingly, the absolute testimonial privilege forecloses—as a matter of law—the Plaintiff’s libel claim premised upon the “swor[n] . . . allegations in [Ms. Butterton’s] Petition for Order of Protection” as well. *See* Complaint, p. 5, ¶ 32.

Further—and independently—the Plaintiff’s libel claim is barred by the absolute litigation privilege, which separately guarantees litigants “the freedom to institute an action without fear of being sued based on statements made in the course of the proceeding[.]” *See Goetz*, 2016 WL 537818, at *10. Without exception, “statements made in the course of a judicial proceeding that are relevant and pertinent to the issues involved are absolutely privileged and cannot be the predicate for liability in an action for libel,

slander, or invasion of privacy.” *Id.* (quoting *Jones*, 426 S.W.3d at 57) (in turn quoting *Lambdin Funeral Serv.*, 559 S.W.2d at 792). The litigation privilege, too, is among those absolute privileges that the Tennessee Supreme Court “has long accepted” as settled law. *See Simpson-Strong Tie Co. v. Stewart, Estes & Donnell*, 232 S.W.3d 18, 23 (Tenn. 2007) (“[T]his Court has long accepted the litigation privilege as an important tool in the pursuit of justice.”). Being absolute in nature, the litigation privilege also “holds true even when the statements are made maliciously or corruptly.” *Goetz*, 2016 WL 537818, at *10. As the Tennessee Court of Appeals has explained:

Underlying the litigation privilege is the policy that access to the judicial process and the freedom to institute an action without fear of being sued based on statements made in the course of the proceeding is “so vital and necessary to the integrity of our judicial system that it must be made paramount to the right of an individual to a legal remedy where he [or she] has been wronged thereby.”

Id. (citing *Issa v. Benson*, 420 S.W.3d 23, 28 (Tenn. Ct. App. 2013) (in turn quoting *Jones v. Trice*, 360 S.W.2d 48, 51 (Tenn. 1962))).

Notwithstanding the similarly “long accepted” and absolute litigation privilege, though, *see Simpson-Strong Tie Co.*, 232 S.W.3d at 23, the Plaintiff has inexplicably sued Ms. Butterton for allegedly “false written statements” contained “**in her Petition for [an] Order of Protection**” in Davidson County General Sessions Case No. 20OP250. *See* Complaint, p. 5, ¶ 32 (emphasis added). As a consequence, the litigation privilege unmistakably forecloses the Plaintiff’s libel claim. *See Goetz*, 2016 WL 537818, at *10. *See also Lambdin Funeral Serv.*, 559 S.W.2d 791 at 792; *Simpson-Strong Tie Co.*, 232 S.W.3d at 23. The Plaintiff’s libel claim must be dismissed as a consequence. *See id.*

Notably, in *Henrick v. Mealor*, No. 3:18-CV-00621, 2019 WL 3027013, at *3 (M.D. Tenn. July 11, 2019), *no app. filed*, the Middle District of Tennessee recently dispatched

a near-identical state law defamation claim based on Tennessee’s litigation privilege, noting:

As for the statement that Mr. Mealor stalked Mrs. Henrick, the Court notes that, in an earlier paragraph of the Third-Party Complaint, Mr. Mealor alleges Mrs. Henrick filed a petition for an order of protection against him swearing that he “stalked her and her children.” (*Id.*) Thus, Mr. Mealor’s own pleading establishes the litigation privilege applies to that statement because it was made as part of a state judicial proceeding seeking an order of protection, and was relevant to that proceeding.

Having determined the litigation privilege applies to the defamatory statements alleged in the counterclaim and third-party claim, the Court concludes those claims should be dismissed.

Id.

The same result is compelled here for the same reason. *See id.* Accordingly, the litigation privilege bars the Plaintiff from suing Ms. Butterton for libel based on the statements set forth in her Petition for an Order of Protection, and the Plaintiff’s libel claim must be dismissed with prejudice under Tennessee Rule of Civil Procedure 12.02(6) for failure to state a cognizable claim for relief as a consequence.

3. The Plaintiff’s malicious prosecution claim is barred as a matter of law by both Tennessee Code Annotated § 36-3-617(a)(2) and the doctrine of *res judicata*.

To ensure “a judicial process free from the fear of liability stemming from statements or actions made in the course of the proceedings[.]” litigants cannot recover for “an emotional injury in the regular course of adversarial litigation[.]” *Goetz*, 2016 WL 537818, at *10. To be sure, though, the Plaintiff’s malicious prosecution claim is not limited to an emotional injury. *See* Complaint, p. 5, ¶ 33(b). Instead, the Plaintiff also seeks “[a]ttorney’s fees incurred defending the petition for Order of Protection[.]” *Id.*

Unfortunately for the Plaintiff, however, Tennessee Code Annotated § 36-3-617 forecloses the Plaintiff’s claim for attorney’s fees incurred in defending against the

petition for an order of protection at issue as well. By statute, § 36-3-617 governs the assessment of costs and fees—including attorney’s fees—regarding order of protection proceedings. It also applies “[n]otwithstanding any other law to the contrary[.]” *See* TENN. CODE ANN. § 36-3-617(a)(1). As such, § 36-3-617 displaced “any preexisting law” regarding the allocation of costs in order of protection proceedings, *see* Tenn. Op. Att’y Gen. No. 96-062 (Apr. 8, 1996), which necessarily includes the Plaintiff’s common law claim for malicious prosecution.

In enacting Tennessee Code Annotated § 36-3-617, the General Assembly made clear that “[t]he purpose for this provision is to make certain that those victims who may not have funding readily available, as victims of domestic violence, can make sure that they can go ahead and have access and protection that the court provides.” *See* Tenn. Op. Att’y Gen. No. 96-062 (Apr. 8, 1996). Thus, to ensure that litigants like Ms. Butterton can seek orders of protection without fear of being saddled with either costs or a respondent’s “[a]ttorney’s fees incurred defending the petition for Order of Protection[.]” *see* Complaint, p. 5, ¶ 33(b)—in other words, to prevent precisely what the Plaintiff seeks here, *see id.*—Tennessee Code Annotated § 36-3-617(a)(2) affords petitioners in order of protection proceedings statutory protection against claims for attorney’s fees absent two specifically enumerated circumstances that must be found by the reviewing court “by clear and convincing evidence[.]” *Id.*

Specifically, Tennessee Code Annotated § 36-3-617(a)(2) provides that “court costs, filing fees, litigation taxes and attorney fees” may only be assessed against a petitioner in an order of protection proceeding

if the court makes the following finding by clear and convincing evidence:

- (A) The petitioner is not a domestic abuse victim, stalking victim or

sexual assault victim and that such determination is not based on the fact that the petitioner requested that the petition be dismissed, failed to attend the hearing or incorrectly filled out the petition; and

(B) The petitioner knew that the allegation of domestic abuse, stalking, or sexual assault was false at the time the petition was filed.

Critically, after adjudicating Ms. Butterton's Petition for an Order of Protection, the Davidson County General Sessions Court expressly declined to make these findings. See **Exhibit L**, p. 2 (declining to make requisite finding); *see also id.* (ordering that "the costs and litigation tax of this cause are not taxed to [Ms. Butterton].") (emphasis added). The Plaintiff also judicially admits that the proceedings in Davidson County General Sessions Case No. 20OP250 are final and have "terminated[.]" See Complaint, p. 3, ¶ 25. The Plaintiff further admits that he was a party to Davidson County General Sessions Case No. 20OP250, *see id.*; *see also id.* at p. 2, ¶ 13, which afforded him a full and fair opportunity to litigate the issue of attorney's fees and resulted in the issue being decided against him. *See id.* at p. 3, ¶ 14.

Given these facts, the Plaintiff's malicious prosecution claim is barred as a matter of law by both Tennessee Code Annotated § 36-3-617(a)(2) and application of the doctrine of *res judicata*. "Res judicata is a claim preclusion doctrine that promotes finality in litigation." *Young v. Barrow*, 130 S.W.3d 59, 64 (Tenn. Ct. App. 2003). In particular, the doctrine precludes "a second suit between the same parties or their privies on the same cause of action with respect to all the issues which were or could have been litigated in the former suit." *Id.* (collecting cases).

Res judicata applies when "the prior judgment [concluded] the rights of the parties on the merits." *Id.* (citations omitted). A party asserting a *res judicata* defense must prove: "(1) that a court of competent jurisdiction rendered the prior judgment, (2) that

the prior judgment was final and on the merits, (3) that both proceedings involved the same parties or their privies, and (4) that both proceedings involved the same cause of action.” *Id.* (citing *Lee v. Hall*, 790 S.W.2d 293, 294 (Tenn. Ct. App. 1990)).

Here, all four elements are easily established. Specifically, the Davidson County General Sessions Court had jurisdiction to rule on the assessment of attorney’s fees; it rendered a final judgment on the merits of the issue; the case involved the same parties to this case; and the General Sessions Court adjudicated and ruled—adversely to the Plaintiff—that an award of attorney’s fees regarding Ms. Butterton’s Petition for an Order of Protection was improper. *See Exhibit L*, p. 2. As such, the Plaintiff’s malicious prosecution claim for “[a]ttorney’s fees incurred defending the petition for Order of Protection[.]” *see* Complaint, p. 5, ¶ 33(b), is barred by Tennessee Code Annotated § 36-3-617(a)(2) and the doctrine of *res judicata*, and it must be dismissed for failure to state a claim as a consequence.

4. The Plaintiff’s claim for slander based on unspecified “false statements” that the Plaintiff alleges Ms. Butterton made to the police when she “called 911 on January 29, 2020” fails to state a claim as a matter of law.

For his fourth cause of action, the Plaintiff has sued Ms. Butterton for slander based on unspecified “false statements” that the Plaintiff alleges Ms. Butterton made to the police when she “called 911 on January 29, 2020[.]” *See* Complaint, p. 4, ¶ 27. The Plaintiff’s Complaint also specifically alleges that Ms. Butterton’s 911 call was part of a nefarious pre-litigation “scheme” that Ms. Butterton devised “to ruin [the Plaintiff’s] reputation.” *See* Complaint, p. 2, ¶¶ 10–11. For both of the reasons set forth below, the Plaintiff’s 911-based slander claim similarly fails to state a cognizable claim for relief as a matter of law, and it must be dismissed accordingly.

- a. Communications preliminary to proposed litigation are protected by the absolute litigation privilege.

The Plaintiff's Complaint alleges that Ms. Butterton's 911 call was part of a pre-litigation "scheme." *See id.* As detailed below, despite being contrived and enjoying no basis in reality, this allegation functions to bring the call within the ambit of the absolute litigation privilege. *Henrick*, 2019 WL 3027013, at *3 ("Having determined that the allegedly defamatory statements were made preliminary to proposed litigation and were relevant to the litigation, the Court concludes the litigation privilege applies to bar the defamation counterclaim."). The Plaintiff's claim must be dismissed as a consequence.

The absolute litigation privilege applies not only to communications made during litigation, but also "to communications preliminary to proposed or pending litigation." *Myers*, 959 S.W.2d 152 at 161. Specifically, in *Myers v. Pickering*, the Tennessee Court of Appeals explained that:

In *Jones v. Trice*, 210 Tenn. at 535, 360 S.W.2d at 48, our Supreme Court strongly endorsed a liberal application of the absolute privilege accorded to publication of defamatory matters in connection with judicial proceedings. . . . The Court's reliance in *Jones* on the Restatement of Torts also indicates its willingness to extend the doctrine to **communications preliminary to** proposed or pending litigation. Therefore, we hold that Pickering's Report as published to LSSM is absolutely privileged."

Id. (emphasis added). Subsequent decisions interpreting *Myers* confirm beyond dispute that the case "expressly stands for the proposition that 'communications preliminary to proposed or pending litigation' are absolutely privileged." *See Phillips*, 2008 WL 836161, at *8 (quoting *Myers*, 959 S.W. at 161). *See also Kilgore*, 2019 WL 6002126, at *5.

As noted above, the Plaintiff has specifically alleged in his Complaint that Ms. Butterton's call to 911 was part of a pre-litigation "scheme." *See* Complaint, p. 2, ¶¶ 10–11. For present purposes, the allegation is treated as a binding judicial admission that is

conclusive against the Plaintiff. *See, e.g., First Tenn. Bank, N.A. v. Mungan*, 779 S.W.2d 798, 801 (Tenn. Ct. App. 1989); *Irvin v. City of Clarksville*, 767 S.W.2d 649, 653 (Tenn. Ct. App. 1988). As a consequence, the Plaintiff's asserted theory that Ms. Butterton's call to 911 was directly connected to her forthcoming litigation and served as a pre-litigation communication brings the claim within the ambit of Tennessee's absolute litigation privilege. *See Phillips*, 2008 WL 836161, at *8; *cf. Simpson Strong-Tie Co.*, 232 S.W.3d at 24 (noting that "the privilege applies only when there is a reasonable nexus between the publication in question and the litigation under consideration."). Application of that privilege compels dismissal of the Plaintiff's 911-based slander claim as a matter of law.

b. The alleged statements in the 911 call over which the Plaintiff has sued Ms. Butterton are not defamatory as a matter of law.

To survive a motion to dismiss, a claimed defamation must, at minimum, be capable of conveying a defamatory meaning. *Cf. Loftis v. Rayburn*, No. M2017-01502-COA-R3-CV, 2018 WL 1895842, at *9 (Tenn. Ct. App. Apr. 20, 2018) ("the statements at issue must be capable of implying a defamatory meaning to survive a motion to dismiss"), *no app. filed*. Crucially, "whether a communication is capable of conveying a defamatory meaning is a question of law for the court to decide in the first instance[.]" *Brown*, 393 S.W.3d at 708. *See also Aegis Scis. Corp.*, 2013 WL 175807, at *6 ("[T]he preliminary question of whether a statement 'is capable of conveying a defamatory meaning' presents a question of law." (quoting *Revis*, 31 S.W.3d at 253)); *McWhorter*, 132 S.W.3d at 364 ("The question of whether [a statement] was understood by its readers as defamatory is a question for the jury, but the preliminary determination of whether [a statement] is 'capable of being so understood is a question of law to be determined by the court.'" (quoting *Memphis Publ'g Co.*, 569 S.W.2d at 419)). As such, the Plaintiff's allegation that

the statements Ms. Butterson made to 911 were defamatory represents a question of law that must be decided by this Court without any deference to the Plaintiff's characterizations of them. *See Brown*, 393 S.W.3d at 708–09 (“The issue of whether a communication is capable of conveying a defamatory meaning is a question of law for the court to decide in the first instance . . . To make this determination, courts ‘must look to the words themselves and are not bound by the Plaintiffs’ interpretation of them.’” (quoting *Stones River Motors, Inc. v. Mid-S. Pub. Co.*, 651 S.W.2d 713, 719 (Tenn. Ct. App. 1983), *abrogated on other grounds by Zius v. Shelton*, No. E199901157COAR9CV, 2000 WL 739466, at *1 (Tenn. Ct. App. June 6, 2000), *no app. filed*)); *Moman v. M.M. Corp.*, No. 02A01-9608-CV00182, 1997 WL 167210, at *3 (Tenn. Ct. App. Apr. 10, 1997), *no app. filed* (“If the words are not reasonably capable of the meaning the plaintiff ascribes to them, the court must disregard the latter interpretation.” (citing *Stones River Motors*, 651 S.W.2d at 719)). Further, every statement that the Plaintiff insists is defamatory “should be read as a person of ordinary intelligence would understand it in light of the surrounding circumstances.” *Aegis Scis. Corp.*, 2013 WL 175807, at *6 (quoting *Revis*, 31 S.W.3d at 253) (cleaned up).

Here, the Plaintiff specifically contends that Ms. Butterson slandered him by falsely telling 911 that the Plaintiff was: “[1] present at her home, [2] ringing her doorbell, [3] banging on the walls of her house, and [4] looking through her windows.” *See* Complaint, p. 2, ¶ 11. None of these statements, however, is capable of conveying a defamatory meaning as a matter of law. Instead, the statements over which the Plaintiff has sued Ms. Butterson were—at most—“annoying, offensive or embarrassing[,]” *see Davis v. Covenant Presbyterian Church of Nashville*, No. M2014-02400-COA-R9-CV, 2015 WL 5766685, at *3 (Sept. 30, 2015) (quoting *Brown*, 393 S.W.3d at 708), *perm. to app. denied*

(Tenn. Feb. 18, 2016), and the Plaintiff's slander claim must be dismissed for failure to state a claim as a consequence.

To provide substantial breathing room to promote unfettered communication, Tennessee's courts have long held that statements that are merely "annoying, offensive or embarrassing" are categorically inactionable as defamation. *Id.* "[T]he crux of free-speech rights is that generally they can be exercised even if (and perhaps especially when) they cause disruption and disharmony." *Bennett v. Metro. Gov't of Nashville & Davidson Cty.*, No. 3:17-CV-00630, 2019 WL 1572932, at *12 (M.D. Tenn. Apr. 11, 2019), *no app. filed*. Consequently,

[f]or a communication to be [defamatory], it must constitute **a serious threat to the Plaintiffs' reputation**. A [defamation] does not occur simply because the subject of a publication finds the publication annoying, offensive or embarrassing. The words must reasonably be construable as holding the plaintiff up to public hatred, contempt or ridicule. **They must carry with them an element "of disgrace."**

Covenant Presbyterian Church, 2015 WL 5766685, at *3 (quoting *Brown*, 393 S.W.3d at 708) (emphases added).

Even construed liberally, the statements in the 911 call over which the Plaintiff has sued Ms. Butterton are—at most—merely "annoying, offensive or embarrassing"—deficiencies that render them inactionable. *See id.* Simply stated: Ms. Butterton's alleged statements that the Plaintiff was "present at her home, ringing her doorbell, banging on the walls of her house, and looking through her windows[.]" *see* Complaint, p. 2, ¶ 11, do not constitute a serious threat to the Plaintiff's reputation, and they certainly do not carry with them an element of "disgrace." *See Covenant Presbyterian Church*, 2015 WL 5766685, at *3 (quoting *Brown*, 393 S.W.3d at 708). Indeed, far more offensive statements than those over which the Plaintiff has sued Ms. Butterton have been held to

be non-defamatory within this jurisdiction fairly recently. *See, e.g., Riley v. Reagan*, Davidson Cty. Cir. Ct. Case No. 2016-CV-479 (Sept. 12, 2016 Memorandum Opinion of Judge McClendon Granting Motion to Dismiss), pp. 9–11 (finding statements that a plaintiff “could easily [have] stalked or threatened or harassed” someone online and had “their house targeted,” that a plaintiff “went after [her] child,” “has absolutely no issue with hurting a child . . . in order to further his political agenda,” and “thought it was ok to harass a 12 year old girl” were not defamatory as a matter of law). Similarly, as the Middle District of Tennessee observed in a similar and even more recent case:

The allegation that being accused of threatening behavior damaged Plaintiff’s reputation with “other case managers, staff and management” who have access to his “record in the computer” (Doc. No. 1 at 13) simply fails to state a nonfrivolous claim of defamation. *See Ali v. Moore*, 984 S.W.2d 224, 229 (Tenn. Ct. App. 1998) (finding that libel claims based on depictions that do not subject plaintiff to “ ‘public hatred, contempt or ridicule’ and, thus, do not constitute a ‘serious threat to [his] reputation’ ” are frivolous).

Montgomery v. Whidbee, No. 3:19-CV-00747, 2020 WL 1285430, at *9 (M.D. Tenn. Mar. 18, 2020).

Thus, notwithstanding the Plaintiff’s own characterizations of the statements at issue, none of the statements referenced in Ms. Butterton’s 911 call is capable of conveying a defamatory meaning as a matter of law. Accordingly, the Plaintiff’s slander-based 911 claim must be dismissed for failure to state a claim. *See id.*

B. THE PLAINTIFF’S COMPLAINT SHOULD BE DISMISSED PURSUANT TO THE TENNESSEE PUBLIC PARTICIPATION ACT.

1. Applicability of the Tennessee Public Participation Act

The TPPA provides that “[i]f a legal action is filed in response to a party’s exercise of the right of free speech, right to petition, or right of association, that party may petition the court to dismiss the legal action” subject to the TPPA’s specialized provisions. TENN.

CODE ANN. § 20-17-104(a).²⁹ Under Tennessee Code Annotated § 20-17-103(3), “[e]xercise of the right of free speech’ means a communication made in connection with a matter of public concern or religious expression that falls within the protection of the United States Constitution or the Tennessee Constitution[.]” In turn, Tennessee Code Annotated § 20-17-103(6) provides that:

“Matter of public concern” includes an issue related to:

- (A) Health or safety;**
- (B) Environmental, economic, or community well-being;**
- (C) The government;
- (D) A public official or public figure;
- (E) A good, product, or service in the marketplace;
- (F) A literary, musical, artistic, political, theatrical, or audiovisual work;
or
- (G) Any other matter deemed by a court to involve a matter of public concern[.]**

Id. (emphases added).

Additionally, pursuant to Tennessee Code Annotated § 20-17-103(4):

“Exercise of the right to petition” means a communication that falls within the protection of the United States Constitution or the Tennessee Constitution and:

- (A) Is intended to encourage consideration or review of an issue by a federal, state, or local legislative, executive, judicial, or other governmental body; or**
- (B) Is intended to enlist public participation in an effort to effect consideration of an issue by a federal, state, or local legislative, executive, judicial, or other governmental body[.]

²⁹ The petition “may be filed within sixty (60) calendar days from the date of service of the legal action or, in the court’s discretion, at any later time that the court deems proper.” TENN. CODE ANN. § 20-17-104(b). As a consequence, having been filed within sixty (60) days of service, Ms. Butterton’s Tennessee Public Participation Act petition to dismiss this action is timely filed. *See id.*

Id. (emphases added).

2. Grounds for Granting Ms. Butterton's TPPA Petition

“The petitioning party has the burden of making a prima facie case that a legal action against the petitioning party is based on, relates to, or is in response to that party’s exercise of the right to free speech, right to petition, or right of association.” TENN. CODE ANN. § 20-17-105(a). Here, given that the verbal and written communications over which Ms. Butterton has been sued, at minimum: (1) involved health or safety; (2) involved community well-being; (3) involved a matter of public concern; and (4) were intended to encourage consideration and review of an issue by a state or local legislative executive, judicial, or other governmental body (and succeeded in doing so), this action qualifies as one filed in response to Ms. Butterton’s “exercise of the right of free speech” and her “exercise of the right to petition” under the TPPA in several independent regards. *See* TENN. CODE ANN. §§ 20-17-104(a); 20-17-103(3); 20-17-103(6)(A), (B), & (G); 20-17-103(4)(A). Indeed, anti-SLAPP provisions like the TPPA “potentially may apply to every malicious prosecution action, because every such action arises from an underlying lawsuit, or petition to the judicial branch.” *Jarrow Formulas, Inc. v. LaMarche*, 74 P.3d 737, 741 (Cal. 2003) (emphasis added).

Thus, Ms. Butterton having met her initial burden of production under Tennessee Code Annotated § 20-17-105(a), this Court “shall dismiss the legal action unless the responding party establishes a prima facie case for each essential element of the claim in the legal action.” TENN. CODE ANN. § 20-17-105(b). Separately, “[n]otwithstanding subsection (b), the court shall dismiss the legal action if the petitioning party establishes a valid defense to the claims in the legal action.” TENN. CODE ANN. § 20-17-105(c). In

support of her defenses to this action, Ms. Butterson has appended attached **Exhibits A–R** to her Petition to support the defenses raised above and to further establish each of the additional valid defenses that follow.

a. Evidence Supporting Defenses Raised in Ms. Butterson’s Motion to Dismiss

Ms. Butterson expressly incorporates into this Petition each defense set forth above in support of her motion to dismiss. Further, to the extent that the Plaintiff’s Complaint successfully alleges any claim on its face, Ms. Butterson has appended outcome-determinative evidence to support her defenses that relief cannot be granted as to any of them. In particular, Ms. Butterson has introduced:

(1) As **Exhibit D** to this Petition the transcript of proceedings in Case No. 20OP250, evidencing that the Plaintiff’s slander claim (Count III) arises out of testimony that Ms. Butterson gave during a judicial proceeding, *see id.* at pp. 4–18, which is absolutely privileged from suit under the testimonial privilege. *See Wilson*, 778 S.W.2d at 453 (“It is a well-settled proposition of law in this jurisdiction that the testimony of a witness given in a judicial proceeding is absolutely privileged. Therefore, no civil action for damages may lie against a witness based upon his testimony in a case, though his testimony may have been damaging to one of the parties of the lawsuit in which he testified.”) (collecting cases).

(2) As **Exhibit K** to this Petition, the *Petition for Order[] of Protection* that Ms. Butterson filed in Davidson County Case No. 20OP250, evidencing that the Plaintiff’s libel claim (Count IV) arises out of statements made in a pleading and is thus barred by the absolute litigation privilege. *See, e.g., Goetz*, 2016 WL 537818, at *10; *Lambdin Funeral Serv.*, 559 S.W.2d at 792.

(3) As **Exhibit L** to this Petition the Davidson County General Sessions Court's Order in Case No. 20OP250, wherein the court expressly declined to make the requisite finding under Tennessee Code Annotated § 36-3-617(a)(2) that attorney's fees could be assessed against Ms. Butterson and further held that "the costs and litigation tax of this cause are not taxed to the Petitioner[.]" *see id.* at p. 2, which render the issue of "[a]ttorney's fees incurred defending the petition for Order of Protection" *res judicata* and preclude the Court from granting the Plaintiff's claim for relief with respect to Count I. *See* Complaint, p. 5, ¶ 33(b).

(4) As **Exhibit Q** to this Petition the 911 call over which Ms. Butterson has been sued for slander, which does not contain any defamatory statements and precludes the Plaintiff's slander claim (Count II) as a matter of law.

b. Four independent and outcome-determinative defenses preclude the Plaintiff's malicious prosecution claim.

In order to establish a malicious prosecution claim, a plaintiff must initially prove both: (1) that "a prior suit or judicial proceeding was instituted without probable cause," and (2) that "[the] defendant brought such prior action with malice[.]" *Roberts*, 842 S.W.2d at 247-48 (Tenn. 1992). Significantly, given overriding public policy interests, *see Himmelfarb*, 380 S.W.3d at 41 ("The threat of a malicious prosecution action may reduce the public's willingness to resort to the court system for settlement of disputes. We decline to adopt a rule that would deter litigants with potentially valid claims from filing those claims because they are fearful of a subsequent malicious prosecution action.") (citation omitted), there is also "a heavy burden of proof on the plaintiff in malicious prosecution actions in establishing malice and lack of probable cause[.]" *Kauffman*, 448 S.W.2d at 404 (citing *Lipscomb*, 33 S.W. 818).

For the four reasons detailed below, the Plaintiff's malicious prosecution fails, because the Plaintiff cannot establish either probable cause *or* malice—much less both. The Plaintiff's malicious prosecution claim must be dismissed accordingly.

- i. *Ms. Butterton's Petition for an Order of Protection was filed on the advice of counsel.*

“The defendant in a malicious prosecution lawsuit may establish the existence of probable cause by demonstrating that he or she relied on the advice of counsel in initiating the underlying proceedings.” *Preston*, 2015 WL 3455384, at *5 (citing *Sullivan*, 678 S.W.2d at 911). *See also Cooper*, 84 S.W. at 802 (stating that the purpose of the advice of counsel defense is to “establish the existence of probable cause”). Of note, in addition to advice provided by retained counsel, “[t]he district attorney general is counsel whose advice can constitute a defense to a malicious prosecution action” as well. *See Spicer v. Thompson*, No. M2002-03110-COA-R3-CV, 2004 WL 1531431, at *25 (Tenn. Ct. App. July 7, 2004) (citing *Cooper*, 84 S.W. 801), *perm. to app. denied* (Tenn. Dec. 20, 2004).

In the instant case, Ms. Butterton can establish beyond any dispute that she relied on the advice of counsel when she filed the Petition for an Order of Protection upon which the Plaintiff's malicious prosecution claim is based. To validate that defense, in addition to her own affidavit establishing that she relied upon the advice of counsel, *see Exhibit E*, Ms. Butterton has appended as **Exhibit J** to this Petition an affidavit from her attorney, Ms. Welty, demonstrating that Davidson County General Sessions Case No. 20OP250 was initiated upon Ms. Welty's advice. *Id.* Ms. Welty's affidavit also includes, as an attachment, Ms. Butterton's entire written correspondence with Ms. Welty in advance of filing her Petition for an Order of Protection. *See Exhibit J*, Attachment #1.

Further, as evidenced by both Ms. Welty's affidavit and her written

correspondence with Ms. Butterson regarding the order of protection, the advice that Ms. Welty provided to Ms. Butterson as her counsel was informed by advice provided by multiple other attorneys, including assistant district attorneys. *See id.* Ms. Welty's affidavit and her correspondence with Ms. Butterson further reflect that Ms. Butterson: (1) sought the advice of counsel in good faith, (2) disclosed all material facts relating to her petition that were or could have been known to her through reasonable diligence, and (3) filed her Petition for an Order of Protection based on her counsel's advice. *See id.*; *see also Exhibit E. Cf. Preston, 2015 WL 3455384, at *5.*

In light of the above, Ms. Butterson can "establish the existence of probable cause by demonstrating that [] she relied on the advice of counsel in initiating the underlying proceedings" over which she has been sued. *See id.* As such, the Plaintiff cannot prove an essential element of his malicious prosecution claim, and the Plaintiff's malicious prosecution claim must be dismissed with prejudice as a consequence. *See* TENN. CODE ANN. § 20-17-105(c).

- ii. *Independent of the advice of counsel, Ms. Butterson had probable cause to file a petition for an order of protection.*

For purposes of a malicious prosecution claim, "[p]robable cause exists where the party that instituted the underlying proceedings had a reasonable belief in the existence of facts supporting his or her claim and a reasonable belief that those facts made out a legally valid claim." *Preston, 2015 WL 3455384, at *4.* Further, "[t]he reasonableness of the party's belief is an objective determination made in light of the facts and circumstances at the time the underlying proceedings were initiated." *Id.* (citing Roberts,

842 S.W.2d at 248).³⁰

Here, there is overwhelming evidence that Ms. Butterton had probable cause to file a petition for an order of protection. Just the day before the incident at issue, the Plaintiff expressed anger with Ms. Butterton and even threatened to sue her if she “ke[pt] running [her] mouth” about him on a private Facebook group for single women. *See Exhibit D*, p. 12, lines 16–23.

Further, mere hours before the incident at issue, the Plaintiff repeatedly threatened “war” regarding the posts about him on the Facebook group at issue, *see Exhibit C*, Attachment #1 (“I’m not going to sit by and let this happen. You’ve started a war with the wrong man . . . I’ll say it again, you’re starting a war with the wrong man. . . . If it’s a war you want then that’s what you’re going to get[.]”), and he further indicated that he had both the means and the inclination to determine where those he deemed responsible lived. *See id.* (“You told me by the end of today you would know where I live, where I work and who I am and you would come after me.”).

The Plaintiff also continuously attempted to make contact with Ms. Butterton on social media during this time, even though she kept trying to block him from contacting her. *See Exhibit D*, p. 8, lines 1–4. *See also Exhibit E*. Thereafter, a man who looked like the Plaintiff, *see Exhibit D*, p. 6, lines 20–22, and who was wearing a hat that looked like one that the Plaintiff had worn in one of his Instagram posts, *see id.* at p. 17, lines 11–21, showed up at Ms. Butterton’s home uninvited and unannounced, *see id.* at p. 6, lines 20–23, even though neither Ms. Butterton nor her roommate was expecting anyone.

³⁰ As other jurisdictions describe this standard: “Probable cause is a low threshold designed to protect a litigant’s right to assert arguable legal claims even if the claims are extremely unlikely to succeed[.]” and as a result, the standard for establishing probable cause in a malicious prosecution action is a “rather lenient” one that is considered “equivalent to that for determining the frivolousness of an appeal[.]” *Plumley v. Mockett*, 164 Cal. App. 4th 1031, 1047 (2008) (cleaned up).

See **Exhibit H**, ¶ 11. Under these circumstances, Ms. Butterton “had a reasonable belief in the existence of facts supporting [] her claim and a reasonable belief that those facts made out a legally valid claim.” *Preston*, 2015 WL 3455384, at *4.

The Plaintiff, for his part, attempts to cast doubt on the existence of probable cause by appending to his Complaint a Post-Hearing Report that purports to prove—through analysis of his cell phone—that the Plaintiff was elsewhere at the time, and thus, that he could not have been the individual who showed up at Ms. Butterton’s home on January 29, 2020. See Complaint, Exhibit #1. This countervailing “evidence,” however, is unavailing for two critical reasons.

First, probable cause is determined based on “the facts and circumstances at the time the underlying proceedings were initiated,” *Preston*, 2015 WL 3455384, at *4 (citing *Roberts*, 842 S.W.2d at 248) (emphasis added), and there is no doubt whatsoever that Ms. Butterton did not possess the Post-Hearing Report at issue at the time she filed her Petition for an Order of Protection. See **Exhibit E**, p. 3, ¶ 13 (“I did not possess any evidence regarding the whereabouts of the Plaintiff’s phone at the time I petitioned for an order of protection against him.”). Indeed, the Post-Hearing Report was not even created until nearly two months after the incident at issue occurred, and well after the hearing regarding it concluded. See Complaint, Exhibit #1 (noting a “March 20, 2020” completion date). As such, the Plaintiff’s Post-Hearing Report both is not and cannot be relevant to whether Ms. Butterton had probable cause to file a petition for an order of protection “at the time the underlying proceedings were initiated.” *Preston*, 2015 WL 3455384, at *4 (citing *Roberts*, 842 S.W.2d at 248). Nor did Ms. Butterton possess any of the “Apple location services” or other data on the Plaintiff’s cell phone when she petitioned for an order of protection, which the Plaintiff sought to introduce for the first

time eleven days later during his testimony at the Parties' February 10, 2020 hearing. *See Exhibit D*, p. 37, line 9–p. 44, line 2.

Second, the Post-Hearing Report proves little and is nowhere near the conclusive evidence that the Plaintiff makes it out to be. To begin, even assuming that the report is accurate, it proves—at best—the location of the Plaintiff's cell phone at the time of the incident, not the location of the Plaintiff. *See* Complaint, Exhibit #1 (noting that the report purports to identify “locations of the device”) (emphasis added). Given that the Plaintiff apparently possesses multiple cell phones, *see Exhibit P*, p. 2, this deficiency is material. Further, the report itself was not conducted in accordance with industry standards, and it contains several glaring deficiencies that render both its credibility and its accuracy suspect. *See generally Exhibit O*. For example, the Post-Hearing Report fails to identify the tool utilized to analyze the Plaintiff's phone, which “would impact the veracity of the results and the comprehensiveness of digital artifacts recovered”; it fails to indicate whether the proper time zone conversion was utilized; it uses a location tool that “is neither the only one” available nor “in isolation, the most reliable” to identify the cell phone's location; and it fails to account for the ease with which iPhone GPS data can be faked or “spoofed.” *See id.*

For the foregoing reasons, Ms. Butterton's Petition for an Order of Protection was demonstrably initiated based on probable cause. As a consequence, the Plaintiff cannot prove an essential element of his malicious prosecution claim for this reason as well, and the Plaintiff's malicious prosecution claim must be dismissed with prejudice as a consequence. *See* TENN. CODE ANN. § 20-17-105(c).

iii. Ms. Butterton's Petition for an Order of Protection was not filed with malice.

A separate element of a malicious prosecution claim that a plaintiff must establish to prevail is that the “defendant brought [a] prior action with malice[.]” *Preston*, 2015 WL 3455384, at *4. To prove malice, a plaintiff must “demonstrate[] an improper motive.” *Id.* (citing *Wright Med. Tech.*, 135 S.W.3d at 582). As with probable cause, there is also “a heavy burden of proof on the plaintiff in malicious prosecution actions in establishing malice”, because “the reporting of valid complaints, if supported by probable cause to believe they are true, should not and will not be inhibited.” *Kauffman*, 448 S.W.2d at 404 (citing *Lipscomb*, 33 S.W. 818). *See also Himmelfarb*, 380 S.W.3d at 41 (“The threat of a malicious prosecution action may reduce the public’s willingness to resort to the court system for settlement of disputes. We decline to adopt a rule that would deter litigants with potentially valid claims from filing those claims because they are fearful of a subsequent malicious prosecution action.”) (citation omitted).

In the instant case, the Plaintiff’s claim that Ms. Butterton initiated her Petition for an Order of Protection with malice is utterly hopeless. A wealth of evidence—including, *inter alia*, Ms. Butterton’s contemporaneous correspondence with her mother, *see Exhibit F*, Exhibit #1, her stepfather, *see Exhibit G*, and her roommate, *see Exhibit H*; her actions to protect herself both during and after the incident at issue by arming herself with a gun, hiding in her bathroom, arming her security system, calling the police, retaining counsel, and spending the nights after the incident at a coworker’s house because she did not feel safe sleeping in her own home, *see Exhibit E*, *Exhibit N*; contemporaneous observations by third parties—including the police—that Ms. Butterton was visibly “hyperventilating, crying, and not speaking in complete sentences[,]” *see*

Exhibit I, p. 1, ¶ 5, and “very upset and in fear” after the incident, *see* **Exhibit M**, p. 3; and her decision not to pursue criminal charges against the Plaintiff despite her counsel’s advice that she could do so, *see* **Exhibit E**, pp. 2–3, ¶ 12; **Exhibit J**, p. 3, ¶ 12—collectively make clear beyond any reasonable dispute that Ms. Butterton authentically believed that the Plaintiff came to her home to harm her and that Ms. Butterton sought an order of protection thereafter exclusively because she had a genuine concern for her safety, rather than for some improper purpose. *See id.* *See also* **Exhibit H**, ¶ 10 (“The next text I got from Kortni was around 4:45pm. Kortni told me that she believed Carl was at our house. She told me that she was on the phone with 911 and had locked herself in her bathroom with her gun. This was the first time after over a year of living with Kortni that she has ever called the police for anything. I knew it was a big deal because both of us come from law enforcement backgrounds and we don’t fool around with 911 unless it is serious.”); **Exhibit E**, pp. 3–4, ¶¶ 14–18. Accordingly, the Plaintiff cannot meet his burden of proving malice, and the Plaintiff’s malicious prosecution claim must be dismissed as a result. *See* TENN. CODE ANN. § 20-17-105(c).

- iv. *The Davidson County General Sessions Court previously determined that Ms. Butterton had probable cause to seek an order of protection, and that determination was not a product of fraud or malice.*

Ms. Butterton can also demonstrate that probable cause existed to file her Petition for an Order of Protection for yet another reason: Because the Davidson County General Sessions Court previously determined that probable cause existed, and because that determination was not a product of fraud or malice. Here, the Davidson County General Sessions Court previously determined that probable cause existed to file the Petition for an Order of Protection over which Ms. Butterton has been sued. *See* **Exhibit K** (“**The**

Court finds good cause and will issue a Temporary Order of Protection.”) (emphasis added); *see also id.* (“The Court having reviewed the Petition for Temporary Order of Protection and finding, pursuant to T.C.A. §36-3-605(a), that Kortni Butterson, Petitioner, is under an immediate and present danger of abuse from Carl Albert Vonhartman, Respondent, and **good cause appearing, the Court issues the following . . .**”) (emphasis added). For the reasons set forth below, that previous finding is also conclusive.

As a general matter, a previous judicial determination that probable cause exists establishes its existence for purposes of a malicious prosecution claim. *See, e.g., Crowe*, 2010 WL 1241550, at *5 (“Regarding the malicious prosecution claim, an indictment by a grand jury equates to a finding of probable cause.” (citing *Parks*, 2003 WL 23717092, at *4)). More specifically, a previous determination of probable cause presumptively establishes the existence of probable cause for purposes of a malicious prosecution claim unless the previous finding was a product of fraud or malice. *See, e.g., Gordon*, 2016 WL 3349024, at *10 (“[A] grand jury’s indictment creates a rebuttable presumption that probable cause to institute the criminal proceeding existed unless the indictment was procured by fraud or by a defendant who did not believe in the guilt of the plaintiff.”). *Cf. Plumley*, 164 Cal. App. 4th at 1053 (“This presumption—referred to by some authorities as the ‘interim adverse judgment’ rule—is subject to an exception where the underlying victory was obtained by fraud or perjury.”).

Here, the General Sessions Court’s previous determination of probable cause establishes its existence for two reasons.

First, as detailed above, abundant and overwhelming admissible evidence demonstrates beyond any reasonable dispute that rather than being sought maliciously

or fraudulently, Ms. Butterton’s Petition for an Order of Protection was sought, instead: (1) on the advice of counsel—including counsel provided by both her private attorney and district attorneys general—*see supra*, pp. 42–43; (2) with substantial basis, *see supra*, pp. 43–46; and (3) because Ms. Butterton was genuinely and authentically afraid for her safety, *see supra*, pp. 47–48.

Second, because “the law places upon litigants the burden of exposing during trial the bias of witnesses and the falsity of evidence, thereby enhancing the finality of judgments and avoiding an unending roundelay of litigation, . . . those same claims cannot be relied on to establish the absence of probable cause in a subsequent malicious prosecution suit.” *Plumley*, 164 Cal. App. 4th at 1055–56 (cleaned up) (emphasis added). Thus, “one cannot relitigate adversely decided factual matters for purposes of establishing the fraud exception to the interim adverse judgment rule.” *Id.* at 1056.

Critically, in the previous action, the Plaintiff did not assert that Ms. Butterton’s claims were fraudulent or perjured. Instead, through counsel, the Plaintiff openly represented: (1) that Ms. Butterton had not likely made up what she testified occurred, *see Exhibit D*, p. 51, lines 9–10 (“I understand that, yes, why -- why would she make this up? I have no idea. I have no -- absolutely no idea.”); (2) that “I don’t know if somebody was there,” *id.* at p. 51, line 11; and (3) that “maybe [Ms. Butterton] just got so scared that she wanted this to be real[,]” *id.* at lines 11–12. Further, Plaintiff’s counsel’s previous representations on his behalf are conclusively binding upon the Plaintiff, notwithstanding his apparent repudiation of them for purposes of this new proceeding. *See, e.g., Loftis*, 2018 WL 1895842, at *11 (“a statement of counsel . . . orally in court is generally regarded as a conclusive, judicial admission”) (collecting cases).

Put differently: When presented with an opportunity to challenge Ms. Butterton’s credibility in the General Sessions action, the Plaintiff did not advance the position that Ms. Butterton was lying about someone showing up at her home—and indeed, his counsel openly represented that she had “no idea” why Ms. Butterton would lie about that. *See Exhibit D*, p. 51, lines 9–12. Instead, the Plaintiff’s counsel argued that “I don’t know” whether someone was at Ms. Butterton’s home, that Ms. Butterton may have “just got so scared” that she misperceived events, and that because the Plaintiff was not there, he has “no idea” what transpired. *Id.* at lines 11–15. Upon review, the General Sessions Court also expressly adopted the Plaintiff’s argument on the matter. *See id.* p. 54, line 14–p. 55, line 1 (holding that: “I’m not denying that you feel scared, and that you are afraid. . . . I’m not saying somebody didn’t show up at your house. . . . I’m just saying that there is not enough proof that there is stalking, and that this man was there.”) (emphases added).

Thus, during a hearing that afforded the Plaintiff a full and fair opportunity to press the claim that Ms. Butterton had provided fraudulent and malicious testimony, the Plaintiff did not assert that she had done so, *see id.* at p. 51, lines 9–15, and upon review, the General Sessions Court expressly declined to find that she did, *id.* at p. 54, line 23–p. 55, line 1. As such, the General Sessions Court’s previous determinations of both probable cause and lack of both fraud and malice are binding for purposes of this proceeding, and the Plaintiff cannot now adopt a new position on the matter and attempt to relitigate the issue under a different theory altogether. *See Medlock v. Ferrari*, 602 S.W.2d 241, 246 (Tenn. Ct. App. 1979) (“It may be said that the fundamental principle of jurisprudence that material facts or questions which were in issue in a former action and were there admitted or judicially determined, are conclusively settled by a judgment rendered therein, and such facts or questions become res judicata and may not again be litigated in

a subsequent action brought between the same parties or their privies.” (citing *Cotton v. Underwood*, S.W.2d 632 (Tenn. 1969)). See also *Plumley*, 164 Cal. App. 4th at 1056 (“[W]here claims of fraud or perjury are litigated and rejected by a fact finder in an underlying case, those same claims cannot be relied on to establish the absence of probable cause in a subsequent malicious prosecution suit. Stated differently, one cannot relitigate adversely decided factual matters for purposes of establishing the fraud exception to the interim adverse judgment rule.”).

For the foregoing reasons, the General Sessions Court previously determined that Ms. Butterton had probable cause to file her Petition for an Order of Protection; that determination was not a product of fraud or malice and is presumptively controlling in the absence of fraud or malice; and both the Plaintiff’s previous position and the Davidson County General Sessions Court’s previous finding as to fraud and malice are conclusively binding upon the Plaintiff and are not subject to relitigation in this proceeding. As such, Ms. Butterton has established that probable cause existed to file a petition for an order of protection, the Plaintiff cannot demonstrate that probable cause was lacking, and the Plaintiff’s malicious prosecution claim must be dismissed. See TENN. CODE ANN. § 20-17-105(c).

c. The Plaintiff’s 911-based slander claim is foreclosed by the conditional public interest privilege and the conditional common interest privilege.

Ms. Butterton asserts that she was protected by an absolute privilege immunizing reports to police from defamation liability, which Tennessee should adopt.³¹

³¹ Other jurisdictions have adopted an absolute privilege regarding reports made to the police. See, e.g., *Johnson v. Symantec Corp.*, 58 F. Supp. 2d 1107, 1109 (N.D. Cal. 1999) (“The line of cases cloaking police reports with the absolute privilege of section 47(b)(3) may be traced to *Williams v. Taylor*, 129 Cal. App. 3d at 745, 181 Cal. Rptr. 423. The *Williams* court expressed a dual rationale for finding an absolute privilege. First, police reports were found to satisfy the ‘official proceeding’ requirement of section 47 because ‘a

Independently, however, Ms. Butterton’s 911 call is immunized from liability under the conditional public interest privilege, which Tennessee has already adopted very clearly. *See Pate*, 959 S.W.2d at 576.

Because “[t]he interests of the public in preventing crime and punishing criminals outweigh the interest of any plaintiff concerning statements of accusation,” as long as an accusation is made in good faith and without express malice, statements made to law enforcement are protected by Tennessee’s “public interest privilege.” *Id.* Under the public interest privilege, a publication is privileged from defamation liability

if the circumstances induce a correct or reasonable belief that

(a) there is information that affects a sufficiently important public interest, and

(b) the public interest requires the communication of the defamatory matter to a public officer or a private citizen who is authorized or privileged to take action if the defamatory matter is true.

Id. (quoting Restatement (Second) of Torts § 598 (1977)).

As detailed at length above, Ms. Butterton called 911 in good faith and without a hint of malice. *See supra*, pp. 47–52. *See also Exhibit C; Exhibit D*, pp. 4–18; **Exhibit E; Exhibit F; Exhibit G; Exhibit H; Exhibit I; Exhibit J; Exhibit K**. There is also no serious doubt that communicating concerns to 911 about an imminent physical threat “affects a sufficiently important public interest,” *see Pate*, 959 S.W.2d at 576, particularly given the constitutional “rights of victims of crime to justice” in Tennessee, *see TENN. CONST.* art. I, § 35. *See also State v. Pulley*, 863 S.W.2d 29, 34 (Tenn. 1993) (noting “the

communication [d]esigned to prompt action by [an official] entity is as much a part of an “official proceeding” as a communication made after an official investigation has commenced.’ *Id.* at 753, 181 Cal. Rptr. 423. Second, the court opined that as a matter of public policy, members of the community should feel at liberty to report suspected criminal activities without fear of civil liability.”). Ms. Butterton expressly raises and preserves her claim that that absolute privilege should be adopted in Tennessee as well.

public interest served by . . . the prevention of violent crime”). Nor can there be any doubt that, if the Plaintiff was indeed at Ms. Butterson’s home and intended to harm her, “the public interest require[d] the communication of the defamatory matter to a public officer or a private citizen who [wa]s authorized or privileged to take action if the defamatory matter [wa]s true.” *See Pate*, 959 S.W.2d at 576. Accordingly, the Plaintiff’s 911-based slander claim is foreclosed from liability by the public interest privilege, *see id.*, and as such, Ms. Butterson’s petition to dismiss that claim should be granted. *See* TENN. CODE ANN. § 20-17-105(c).

Alternatively, but for the same reasons, the Plaintiff’s 911-based slander claim regarding Ms. Butterson’s call to the police is foreclosed from liability by the qualified common interest privilege. *See McGuffey v. Belmont Weekday School*, No. M2019-01413-COA-R3-CV, 2020 WL 2754896, at *15 (Tenn. Ct. App. May 27, 2020) (“Tennessee courts have recognized a common interest privilege as one type of conditional privilege.”).

Our Supreme Court has described the communications covered by a conditional privilege as follows:

‘Qualified privilege extends to all communications made in good faith upon any subject-matter in which the party communicating has an interest, or in reference to which he has a duty to a person having a corresponding interest or duty; and the privilege embraces cases where the duty is not a legal one, but where it is of a moral or social character of imperfect obligation. . . . The rule announced is necessary in order that full and unrestricted communication concerning a matter in which the parties have an interest or a duty may be had. It is grounded in public policy as well as reason.’

Id. (citing *S. Ice Co. v. Black*, 189 S.W. 861, 863 (Tenn. 1916)). *See also Trotter v. Grand Lodge F. & A.M. of Tenn.*, No. E2005-00416-COA-R3-CV, 2006 WL 538946, at *7 (Tenn. Ct. App. Mar. 6, 2006); *Pate*, 959 S.W.2d at 576.

Because a citizen seeking protection from law enforcement and first responders

tasked with providing an emergency response unmistakably have a “corresponding interest” regarding 911 calls, *id.*, the conditional common interest privilege applies to such communications. *Cf. id.* at *15–*16 (adopting holding from other jurisdictions that the common interest privilege applies “to school communications with parents” regarding safety issues, because “[p]arents have an interest in staffing decisions regarding the persons taking care of their children.”). Consequently, the common interest privilege applies here. *Id.* Further, for all of the reasons previously detailed, Ms. Butterton’s 911 call was made in good faith and without malice. *See supra*, pp. 47–52. *See also Exhibit C; Exhibit D*, pp. 4–18; **Exhibit E; Exhibit F; Exhibit G; Exhibit H; Exhibit I; Exhibit J; Exhibit K**. As such, the conditional public common privilege forecloses the Plaintiff’s 911-based slander claim, because “[w]hen a statement falls under a conditional privilege, the plaintiff must prove actual malice in order for the privilege to be lost.” *McGuffey*, 2020 WL 2754896, at *15 (citing *McWhorter*, 132 S.W.3d at 365).

d. Ms. Butterton is immune from all four of the Plaintiff’s claims pursuant to Tennessee Code Annotated § 4-21-1003(a).

Decades ago, the General Assembly enacted the Tennessee Anti-SLAPP Act of 1997 “to provide protection for individuals who make good faith reports of wrongdoing to appropriate governmental bodies.” TENN. CODE ANN. § 4-21-1002(a). The statute recognizes that “[i]nformation provided by citizens concerning potential misdeeds is vital to effective law enforcement and the efficient operation of government.” *Id.* Additionally, in enacting the Tennessee Anti-SLAPP Act of 1997, the General Assembly determined

that the threat of a civil action for damages in the form of a “strategic lawsuit against political participation” (SLAPP), and the possibility of considerable legal costs, can act as a deterrent to citizens who wish to report information to federal, state, or local agencies. SLAPP suits can effectively punish concerned citizens for exercising the constitutional right to speak and

petition the government for redress of grievances.

TENN. CODE ANN. § 4-21-1002(b).

For its part, Tennessee’s judiciary has excoriated such lawsuits as a form of abuse that is properly regarded as “evil[.]” *See Residents Against Indus. Landfill Expansion, Inc. v. Diversified Sys., Inc.*, No. 03A01-9703-CV-00102, 1998 WL 18201, *3 n.6 (Tenn. Ct. App. Jan. 21, 1998) (“The legislature has recently recognized the evils of this type of lawsuit.”), *no app. filed; id.* at *3 (“Their lawsuit fits all of the characteristics of a lawsuit filed to intimidate a citizen into silence regarding an issue of public concern.”).

With respect to the immunity afforded by the Tennessee Anti-SLAPP Act of 1997, Tennessee Code Annotated § 4-21-1003(a) provides that subject to the strictures of § 4-21-1003(b):

Any person who in furtherance of such person’s right of free speech or petition under the Tennessee or United States Constitution in connection with a public or governmental issue communicates information regarding another person or entity to any agency of the federal, state or local government regarding a matter of concern to that agency shall be immune from civil liability on claims based upon the communication to the agency.

In this case, all four of the Plaintiff’s claims unmistakably arise out of Ms. Butterton’s communications to a state or local government agency regarding a matter of concern to the agency. *See id.* Specifically, Ms. Butterton has been sued for:

(1) The 911 call that she made to the Metropolitan Nashville Police Department, *see* Complaint, p. 4, ¶¶ 26–27 (Slander Claim #1);

(2) The Petition for an Order of Protection that she filed in Davidson County General Sessions Court, *see id.* at p. 4, ¶¶ 22–25 (Malicious Prosecution Claim); p. 5, ¶¶ 31–32 (Libel Claim); and

(3) The testimony she gave in Davidson County General Sessions Court during

her order of protection proceeding, *see id.* at p. 4, ¶¶ 28–30 (Slander Claim #2).

Under these circumstances, “[i]n order to protect the free flow of information from citizens to their government, an agency receiving a complaint or information under § 4-21-1003 may intervene and defend against any suit precipitated by the communication to the agency.” TENN. CODE ANN. § 4-21-1004(a). Further, “[i]n the event that a local government agency does not intervene in and defend against a suit arising from any communication protected under this part, the office of the attorney general and reporter may intervene in and defend against the suit” instead. *Id.* Accordingly, counsel for the Metropolitan Nashville Police Department, the Davidson County General Sessions Court, and the Tennessee Attorney General are all being served notice of this filing. *See id.*

Independent of these agencies’ participation, Ms. Butterton is immune from the Plaintiff’s claims under Tennessee Code Annotated § 4-21-1003(a). Ms. Butterton has established—with abundant and overwhelming evidence, *see Exhibits C–Q*—that she petitioned both the Metropolitan Nashville Police Department and the Davidson County General Sessions Court regarding a matter of concern to both agencies and with good cause. Accordingly, Ms. Butterton is immune from all claims asserted in this lawsuit based on the statutory immunity afforded to her by Tennessee Code Annotated § 4-21-1003(a), and all of the Plaintiff’s claims against her must be dismissed accordingly. *See* TENN. CODE ANN. § 20-17-105(c).

- e. The Plaintiff’s defamation claims are not cognizable because the Plaintiff is libel-proof.

Tennessee recognizes the libel-proof plaintiff doctrine, which provides that a plaintiff with a severely tarnished reputation may not maintain a defamation action. *See*

Rogers v. Jackson Sun Newspaper, No. CIV. A. C-94-301, 1995 WL 383000, at *1 (Tenn. Cir. Ct. Jan. 30, 1995) (“This Court finds and holds, as a matter of law, Plaintiff’s reputation in the community at the time of the article’s publication was so severely tarnished, he is ‘libel-proof’ and may not maintain this defamation action for an allegedly erroneous report of his criminal record.”), *no app. filed*. The doctrine “essentially holds that ‘a notorious person is without a “good name” and therefore may not recover for injury to it.’” *Davis*, 83 S.W.3d at 128 (quoting ROBERT D. SACK, SACK ON DEFAMATION: LIBEL, SLANDER AND RELATED PROBLEMS 35 (Cum. Supp. 1998)).

The libel-proof plaintiff doctrine is premised upon the notion that “[t]o suffer injury to one’s standing in the community, or damage to one’s public reputation, one must possess good standing and reputation for good character to begin with.” *Id.* at 130. As a consequence, in defense of her claim that the Plaintiff is a libel-proof plaintiff, Ms. Butterton has appended extensive affirmative evidence indicating that Carl Vonhartman has a reputation for criminality and terrorizing women and lacks a good reputation that is capable of being injured at all. *See, e.g., Exhibit A* (noting Plaintiff’s multiple arrests for DUI, his multiple convictions for reckless driving, his multiple implied consent violations, and his arrests for battery and burglary); *Exhibit B*, p. 3 (in which the MNPD reports that the Plaintiff threatened a victim-witness with revenge pornography following an assault—a felony, *see* TENN. CODE ANN. § 39-16-507—after she: “told [Plaintiff] she was going to call the police due to the assault. [S]he advised that [**Plaintiff**] **told her ‘if you call the police [I] am going to post naked pictures of you on the internet.’** [Victim] advised she changed her mind at that time about calling the police.”) (emphasis added); *Exhibit C*, Attachment #1 (“You have been posted about on multiple [Facebook] pages by multiple women that report the same thing. . . . You told me by the end of today

you would know where I live, where I work and who I am and you would come after me.”); **Exhibit R** (indicating that the dating website “took the appropriate actions” against the Plaintiff following report from woman that the Plaintiff had sent “very threatening” messages to her).

f. Tennessee Code Annotated § 20-17-105(b)

For purposes of appellate review, Ms. Butterton expressly preserves and maintains the claim that the presumption of falsity doctrine recognized under Tennessee law should be overturned, *see Memphis Publ’g Co.*, 569 S.W.2d at 420, and that rather than being an affirmative defense, falsity should be an element that the Plaintiff has the burden of proving with respect to each of his defamation claims.

In furtherance of the TPPA’s substantive protections, pursuant to Tennessee Code Annotated § 20-17-105(b), Ms. Butterton additionally demands that the Plaintiff establish his case.

VI. COSTS, ATTORNEY’S FEES, & SANCTIONS

Under Tennessee Code Annotated § 20-17-107(a):

If the court dismisses a legal action pursuant to a petition filed under this chapter, the court shall award to the petitioning party:

- (1) Court costs, reasonable attorney’s fees, discretionary costs, and other expenses incurred in filing and prevailing upon the petition; and
- (2) Any additional relief, including sanctions, that the court determines necessary to deter repetition of the conduct by the party who brought the legal action or by others similarly situated.

Here, severe sanctions against both the Plaintiff and his counsel are warranted for several reasons. To begin, whether due to an improper purpose or sheer incompetence, the Plaintiff has filed multiple claims against Ms. Butterton that are clearly and

unmistakably barred by absolute testimonial immunity, the absolute litigation privilege, or both. Simply stated: No reasonably competent lawyer acting in good faith could believe that a defamation claim could be filed against a testifying witness regarding her testimony. As a result, over and above the fees and sanctions that are appropriate under § 20-17-107(a), suing a testifying witness for a staggering \$750,000.00 based on absolutely privileged testimony that she gave during a judicial proceeding—something that Tennessee law has uniformly forbidden for nearly two centuries, *see Lea*, 36 Tenn. at 114; *Cooley*, 70 S.W. at 607—is sufficiently frivolous that both sanctions and an order for Plaintiff’s counsel to show cause for Plaintiff’s testimony-based slander claim are warranted on the Court’s own initiative. *See* Tenn. R. Civ. P. 11.03(b).

The same is true of Plaintiff’s efforts to sue Ms. Butterton for the written statements that she made in her Petition for an Order of Protection. The vital and overarching public policy protected by the absolute litigation privilege is that “access to the judicial process, freedom to institute an action, or defend, or participate therein without fear of the burden of being sued for defamation is so vital and necessary to the integrity of our judicial system that it must be made paramount to the right of an individual to a legal remedy where he has been wronged thereby.” *See Trice*, 360 S.W.2d at 51. Nonetheless, the Plaintiff and his counsel have knowingly filed a libel claim based on Ms. Butterton’s Petition for an Order of Protection. Accordingly, the Plaintiff should be sanctioned under Tennessee Code Annotated § 20-17-107(a)(2), and the Plaintiff’s attorneys should each be required to “show cause why [they have] not violated subdivision 11.02” with respect to the Plaintiff’s libel claim as well. Tenn. R. Civ. P. 11.03.

Separately, in an effort to avoid dismissal on a Rule 12 motion, the Plaintiff has outright fabricated a theory regarding malice without any conceivable basis for asserting

it. Specifically, the Plaintiff, through counsel, has asserted that Ms. Butterton's 911 call and her judicial efforts to protect herself thereafter were part of a "scheme" that Ms. Butterton "devised" in order "to ruin his reputation." *See* Complaint, p. 2, ¶ 10.

The Plaintiff's allegations on the matter are egregiously false. *See Exhibit E*, pp. 3-4, ¶¶ 17-18. Significantly, the Plaintiff—who has claimed he was not present during the incident at issue, and, thus, cannot possibly know what occurred at Ms. Butterton's home—also necessarily could not have any knowledge that such an outrageous, contrived, and utterly fictional allegation was true. As a consequence—and once again, over and above the sanctions permitted under Tennessee Code Annotated § 20-17-107(a)—Plaintiff's counsel should be required to show cause:

(1) Why they represented to this Court that their contrived allegation set forth in paragraph 10 of the Plaintiff's Complaint "ha[d] evidentiary support," *see* Tenn. R. Civ. P. 11.02(3); and

(2) Why they should not be sanctioned on the Court's own initiative for their false representation that it did. Tenn. R. Civ. P. 11.03(1)(b).

For the foregoing reasons, heavy sanctions are warranted against both the Plaintiff and his attorneys. Accordingly, upon granting Ms. Butterton's TPPA Petition, Ms. Butterton seeks leave to file not only a claim for attorney's fees, but to seek sanctions against the Plaintiff and his attorneys "to deter repetition of the conduct by the party who brought the legal action or by others similarly situated" as well. *See* TENN. CODE ANN. § 20-17-107(a). Prior to petitioning for specific sanctions, however, Ms. Butterton intends to seek leave to take limited discovery for the narrow purpose of determining whether the Plaintiff has initiated this action based on knowing falsehoods and whether his testimony in Davidson County General Sessions Case No. 20OP250 was perjurious.

VII. CONCLUSION

For the foregoing reasons, the Defendant's Motion to Dismiss and her Tennessee Code Annotated § 20-17-104(a) Petition to Dismiss the Plaintiff's Complaint should be **GRANTED**, and the claims set forth in the Plaintiff's Complaint should be **DISMISSED WITH PREJUDICE** pursuant to Tennessee Rule of Civil Procedure 12.02(6) and Tennessee Code Annotated §§ 20-17-105(b) and (c). An order dismissing the Plaintiff's Complaint should issue as a result; the Defendant should be awarded her reasonable costs and attorney's fees associated with defending this action pursuant to § 20-12-119(c); the Plaintiff should be ordered to pay the Defendant's court costs, reasonable attorney's fees, and discretionary costs pursuant to § 20-17-107(a)(1); this Court should assess sanctions against the Plaintiff and his counsel as necessary to deter repetition of their conduct pursuant to § 20-17-107(a)(2); and the Plaintiff should be ordered to pay the Defendant's costs and reasonable attorney's fees pursuant to Tennessee Code Annotated § 4-21-1003(c).

Respectfully submitted,

By: /s/ Daniel A. Horwitz
Daniel A. Horwitz, BPR #032176
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Nashville, TN 37203
daniel.a.horwitz@gmail.com
(615) 739-2888

Counsel for Defendant Kortni Butterton

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of May, 2020, a copy of the foregoing was served via the Court's electronic filing system and/or via email upon the following:

Wesley Clark
Frank Brazil
2901 Dobbs Avenue
Nashville, TN 37211
wesley@brazilclark.com

Counsel for Plaintiff

Metropolitan Nashville Police Department
Davidson County General Sessions Court
Davidson County General Sessions Judge Ana Escobar
C/O Bob Cooper, Metropolitan Nashville Director of Law
Lora Fox, Attorney, Metropolitan Department of Law
Cynthia Gross, Attorney, Metropolitan Department of Law
Metro Courthouse, Suite 108
Nashville, TN 37201

Tennessee Attorney General and Reporter
Herbert H. Slatery III
P.O. Box 20207
Nashville, TN 37202

Counsel for Potential Tenn. Code Ann. § 4-21-1004(a) Intervenors As Of Right

By: /s/ Daniel A. Horwitz
Daniel A. Horwitz, Esq.

Exhibit A







PROSECUTOR: Russell Wade
DEFENDANT: Carl Albert Von Hartman
VICTIM:

STATE OF TENNESSEE, COUNTY OF DAVIDSON
AFFIDAVIT
DRIVING UNDER THE INFLUENCE
OF AN INTOXICANT
T.C.A. 55-10-401
1st Offense

Personally appeared before me, the undersigned, [Select one] Commissioner ___ Metropolitan General Sessions Judge, the prosecutor named above and made oath in due form of law that [Select one] he ___ she [Select one] personally observed ___ has probable cause to believe that the defendant named above on 10/12/2012 in Davidson County, did unlawfully drive or was in physical control of any automobile or other motor driven vehicle while under the influence of any intoxicant, marijuana, narcotic drug, or drug producing stimulating effects on the central nervous system and that *the probable cause is as follows:*

The defendant was stopped for a traffic violation (running a flashing red light--no ticket) at the intersection of 11th St. N. and Gartland Av., and then again at the intersection of 11th St. N. and Gallatin Av., which is in Davidson County. Upon approach to the defendant there was an obvious odor of some type of alcoholic beverage coming from his person, and from his expelled breath. The defendant openly admitted to drinking at least (2) Vodka & Soda drinks earlier in the evening. The defendant had red watery eyes, dry mouth, and was slightly unsteady on his feet. The defendant agreed to perform the 3 SFST, and he showed numerous indicators of impairment on all 3 tests (see MNPD Form 132).

ESignature

Prosecutor: Russell Wade 474373
600 Murfreesboro Road

Nashville, Tennessee 37210

ARREST WARRANT

Information on oath having been made, that on the day and year aforesaid, and in the County aforesaid, the offense of Driving Under the Influence A MISD, as aforesaid, has been committed and charging the defendant thereof, you are therefore commanded, in the name of the State, forthwith to arrest and bring the defendant before a judge of the Court of General Sessions of Davidson County, Tennessee, to answer the above charge.

Sworn to and subscribed before me on 10/12/2012 04:59:20.

Thomas Edward Nelson
Judge of the Metropolitan General Sessions Court/Commissioner

I hereby certify that this is a true and exact copy of the original
Affidavit
This 8 day of April, 2012
CRIMINAL COURT CLERK
BY [Signature], D.C.



PROSECUTOR: John E Roberson
DEFENDANT: Carl A Von Hartman
VICTIM:

STATE OF TENNESSEE, COUNTY OF DAVIDSON
AFFIDAVIT
DRIVING UNDER THE INFLUENCE
OF AN INTOXICANT
T.C.A. 55-10-401

Personally appeared before me, the undersigned, [Select one] Commissioner ___ Metropolitan General Sessions Judge, the prosecutor named above and made oath in due form of law that [Select one] he ___ she [Select one] personally observed ___ has probable cause to believe that the defendant named above on 08/14/2011 in Davidson County, did unlawfully drive or was in physical control of any automobile or other motor driven vehicle while under the influence of any intoxicant, marijuana, narcotic drug, or drug producing stimulating effects on the central nervous system and that *the probable cause is as follows:*

Suspect was stopped for going 44 mph in a 30 mph zone on 21st Ave s near Bernard. Suspect had obvious odor of alcoholic beverage on him. The suspects eyes where bloodshot. Suspect was unsteady on his feet. Suspect showed indicators of impairment on field sobriety tasks. Suspect was read Tennessee implied consent law. Suspect refused to take a breath test

Prosecutor: John E Roberson 420040
600 Murfreesboro Road

Nashville, Tennessee 37210

ARREST WARRANT

Information on oath having been made, that on the day and year aforesaid, and in the County aforesaid, the offense of Driving Under the Influence A MISD, as aforesaid, has been committed and charging the defendant thereof, you are therefore commanded, in the name of the State, forthwith to arrest and bring the defendant before a judge of the Court of General Sessions of Davidson County, Tennessee, to answer the above charge.

Sworn to and subscribed before me on 08/14/2011 05:33:59.

Norman Harris
Judge of the Metropolitan General Sessions Court/Commissioner

I hereby certify that this is a true and exact copy of the original

This 8 day of April, 2010
CRIMINAL COURT CLERK
BY [Signature], D.C.



COMPLAINT NUMBER: 2008-0192404

WARRANT NUMBER: GS371701

PROSECUTOR: Harold Russell Taylor
DEFENDANT: Carl Albert Vonhartman
VICTIM:

STATE OF TENNESSEE, COUNTY OF DAVIDSON
AFFIDAVIT
IMPLIED CONSENT
T.C.A. 55-10-406

Personally appeared before me, the undersigned, [Select one] X Commissioner ___ Metropolitan General Sessions Judge, the prosecutor named above and made oath in due form of law that [Select one] X he ___ she [Select one] ___ personally observed X has probable cause to believe that the defendant named above on 03/23/2008 in Davidson County, after having been placed under arrest and thereafter having been requested by a law enforcement officer to submit to a test for purpose of determining the alcoholic or drug content of that person's blood and advised of the consequences for refusing to do so, did refuse to submit to the test and *the probable cause is as follows:*

I took him into custody for DUI, read to him the TN Implied Consent Law, requested he submit a breath sample for analysis and he refused no reason given.

Prosecutor: Harold Russell Taylor 224675
600 Murfreesboro Road ??
Nashville, Tennessee 37210
615 650-3656

Sworn to and subscribed before me on 03/23/2008 04:01:39.

Norman Harris Judge of the Metropolitan General Sessions Court/Commissioner

I hereby certify that this is a true and exact copy of the original

Affidavit
This 8 day of April, 2020
CRIMINAL COURT CLERK
BY [Signature], D.C.



PROSECUTOR: Russell Wade
DEFENDANT: Carl Albert Von Hartman
VICTIM:

STATE OF TENNESSEE, COUNTY OF DAVIDSON
AFFIDAVIT
IMPLIED CONSENT
T.C.A. 55-10-406
Civil

Personally appeared before me, the undersigned, [Select one] Commissioner ___ Metropolitan General Sessions Judge, the prosecutor named above and made oath in due form of law that [Select one] he ___ she [Select one] personally observed ___ has probable cause to believe that the defendant named above on 10/12/2012 in Davidson County, after having been placed under arrest and thereafter having been requested by a law enforcement officer to submit to a test for purpose of determining the alcoholic or drug content of that person's blood and advised of the consequences for refusing to do so, did refuse to submit to the test and *the probable cause is as follows:*

The defendant was stopped for a traffic violation (running a flashing red light--no ticket) at the intersection of 11th St. N. and Gartland Av., and then again at the intersection of 11th St. N. and Gallatin Av., which is in Davidson County. Upon approach to the defendant there was an obvious odor of some type of alcoholic beverage coming from his person, and from his expelled breath. The defendant openly admitted to drinking at least (2) Vodka & Soda drinks earlier in the evening. The defendant had red watery eyes, dry mouth, and was slightly unsteady on his feet. The defendant agreed to perform the 3 SFST, and he showed numerous indicators of impairment on all 3 tests (see MNPD Form 132). The defendant was read the TN Implied Consent Law, but he refused to take the requested breath test.

E:Signature

Prosecutor: Russell Wade 474373
600 Murfreesboro Road

Nashville, Tennessee 37210

ARREST WARRANT

Information on oath having been made, that on the day and year aforesaid, and in the County aforesaid, the offense of Implied Consent - Civil MISD, as aforesaid, has been committed and charging the defendant thereof, you are therefore commanded, in the name of the State, forthwith to arrest and bring the defendant before a judge of the Court of General Sessions of Davidson County, Tennessee, to answer the above charge.

Sworn to and subscribed before me on 10/12/2012 04:58:37.

Thomas Edward Nelson
Judge of the Metropolitan General Sessions Court/Commissioner

I hereby certify that this is a true and exact copy of the original

This 8 day of April, 2012
CRIMINAL COURT CLERK
BY [Signature], D.C.



PROSECUTOR: John E Roberson
DEFENDANT: Carl A Von Hartman
VICTIM:

STATE OF TENNESSEE, COUNTY OF DAVIDSON
AFFIDAVIT
IMPLIED CONSENT
T.C.A. 55-10-406

Personally appeared before me, the undersigned, [Select one] Commissioner ___ Metropolitan General Sessions Judge, the prosecutor named above and made oath in due form of law that [Select one] he ___ she [Select one] personally observed ___ has probable cause to believe that the defendant named above on 08/14/2011 in Davidson County, after having been placed under arrest and thereafter having been requested by a law enforcement officer to submit to a test for purpose of determining the alcoholic or drug content of that person's blood and advised of the consequences for refusing to do so, did refuse to submit to the test and *the probable cause is as follows:*

Suspect was placed under arrest for D.U.I. Suspect was read Tennessee implied consent law. Suspect stated that he understood the law. Suspect refused to take a breath test. Suspect has prior conviction for implied consent violation.

Prosecutor: John E Roberson 420040
600 Murfreesboro Road

Nashville, Tennessee 37210

ARREST WARRANT

Information on oath having been made, that on the day and year aforesaid, and in the County aforesaid, the offense of Implied Consent - Civil MISD, as aforesaid, has been committed and charging the defendant thereof, you are therefore commanded, in the name of the State, forthwith to arrest and bring the defendant before a judge of the Court of General Sessions of Davidson County, Tennessee, to answer the above charge.

Sworn to and subscribed before me on 08/14/2011 05:35:27.

Norman Harris
Judge of the Metropolitan General Sessions Court/Commissioner

I hereby certify that this is a true and exact copy of the original

Affidavit

This 8 day of April, 2020

CRIMINAL COURT CLERK

BY [Signature], D.C.



Warrant #: GS371701

I hereby waive my right to counsel.

Motion for Waiver of Right to Counsel

Having been heretofore advised of my right to counsel pursuant to the authority granted by TCA 40-14-103, the 6th and 14th Amendments to the United States Constitution, Article 1, Section of the Tennessee Constitution, I hereby move to waive my right to counsel which motion of the Court is pleased to grant.

The defendant make oath in due form that he has been advised by the Court of the constitutional right of every defendant to be represented by counsel and to have one appointed by the Court the defendant cannot afford one, pursuant to TCA 40-14-103.

This motion is concurred by the Assistant District Attorney General.

Assistant Attorney General Interpreter Defendant Carl Albert Vonhartman

WORN to and subscribed before me this day of Deputy Clerk

he defendant Carl Albert Vonhartman pleads [X] guilty [] not guilty to the offense of

5-10-406 Implied Consent - Criminal A Misdemeanor

and waives his right to be tried only by indictment or presentment preferred by a Grand Jury, and likewise waives trial by a jury of his peers.

Defendant Carl Albert Vonhartman Attorney: Winters, Benjamin

hereupon, said defendant appeared before the Judge of the Court of General Sessions of Davidson County, Tennessee, on said charge was informed by said Judge of the offense with which he was charged, his right to make a statement in reference to the charge or his right to waive such statement, and being asked by said Judge whether he desired to plead guilty, or not guilty, said defendant waived the right a hearing of this case by a Grand Jury and the right to be put on trial by indictment or presentment and waived the right to a trial by a jury, and then entered a plea of [X] guilty [] not guilty to said charge and requested that this case be heard and determined by this court and said judge upon the warrant without indictment or jury and upon said plea the Court having heard the evidence produced by the State and defendant and argument of counsel for the defendant, find the defendant guilty of the offense charged in the warrant and hereby orders and adjudges the defendant pay a fine of and all the costs of this cause, and that in addition to said fine and costs said defendant be committed to and confined in said workhouse of Davidson County for a period of:

DISPOSITION

- X] Pled Guilty [] Found Guilty [] Not Guilty [] 40-35-313 [] 40-15-105
] Dismissed [] Dismissed on Costs [] Dismissed ROS [] Dismissed, Cost to Pros
] Nolloed [] Nolo Contendere [] Retired on Costs [] Retired

SENTENCE

Years Months Days Hours @ % [] Suspended
Suspend All But @ % [] Day for Day [] Hour for Hour
% before work release [] No Work Default [] No Early Release
Consecutive To: Concurrent With:
Time Served Credit: Months 0 Days 3 Hours
Special Conditions:

I hereby certify that this is a true and exact copy of the original.

GS371701

This 13 day of 4, 2020

CRIMINAL COURT CLERK

BY RS, D.C.

PROBATION

] Supervised [] Unsupervised [] Community Corrections Years
Fine
Special Conditions:

Court Mandates
Loss of License 1 Years 0 Months 0 Days 0 Hours 0 Weekends

Unpaid Community Service: [] Yes [] No Hours Days Weeks Months
Restitution Total Amount: Amount Per Month: Recipient:
Address:

Judge Dianne Turner

GS Division 5

12/02/2008

Div

Date



Warrant #: GS371700

I hereby waive my right to counsel.

Motion for Waiver of Right to Counsel

Having been heretofore advised of my right to counsel pursuant to the authority granted by TCA 40-14-103, the 6th and 14th Amendments to the United States Constitution, Article 1, Section of the Tennessee Constitution, I hereby move to waive my right to counsel which motion of the Court is pleased to grant.

The defendant make oath in due form that he has been advised by the Court of the constitutional right of every defendant to be represented by counsel and to have one appointed by the Court the defendant cannot afford one, pursuant to TCA 40-14-103

This motion is concurred by the Assistant District Attorney General.

Assistant Attorney General Interpreter Defendant Carl Albert Vonhartman

WORN to and subscribed before me this day of Deputy Clerk

he defendant Carl Albert Vonhartman pleads [X] guilty [] not guilty to the offense of 5-10-205 Reckless Driving B Misdemeanor

and waives his right to be tried only by indictment or presentment preferred by a Grand Jury, and likewise waives trial by a jury of his peers.

Defendant Carl Albert Vonhartman Attorney: Winters, Benjamin

hereupon, said defendant appeared before the Judge of the Court of General Sessions of Davidson County, Tennessee, on said charge was informed by said Judge of the offense with which he was charged, his right to make a statement in reference to the charge or his right to waive such statement, and being asked by said Judge whether he desired to plead guilty, or not guilty, said defendant waived the right a hearing of this case by a Grand Jury and the right to be put on trial by indictment or presentment and waived the right to a trial by a jury, and then entered a plea of [X] guilty [] not guilty to said charge and requested that this case be heard and determined by this court and said judge upon the warrant without indictment or jury and upon said plea the Court having heard the evidence produced by the State and defendant and argument of counsel for the defendant, find the defendant guilty of the offense charged in the warrant and hereby orders and adjudges the defendant pay a fine of \$250.00 and all the costs of this cause, and that in addition to said fine and costs said defendant be committed to and confined in said workhouse of Davidson County for a period of:

DISPOSITION

- X] Pled Guilty [] Found Guilty [] Not Guilty [] 40-35-313 [] 40-15-105
] Dismissed [] Dismissed on Costs [] Dismissed ROS [] Dismissed, Cost to Pros
] Nolle [] Nolo Contendere [] Retired on Costs [] Retired

SENTENCE

Years 6 Months Days Hours @ % [] Suspended Prob term
Suspend All But 48 hrs @ % [] Day for Day [] Hour for Hour
% before work release [] No Work Default [] No Early Release
Consecutive To: Concurrent With: Dianne Turner 5-8-09

PROBATION

X] Supervised [] Unsupervised [] Community Corrections Years 6 Months Days
\$50.00 Fine
Special Conditions :

Court Mandates
Community Service Work 0 Years 0 Months 0 Days 24 Hours 0 Weekends
Alcohol Safety Course 0 Years 0 Months 0 Days 0 Hours 0 Weekends
Unpaid Community Service : [] Yes [] No Hours Days Weeks Months
Restitution Total Amount: Amount Per Month: Recipient: Y D.C.

I hereby certify that this is a true and exact copy of the original.
GS371700
This 13 day of 4, 20 20
CRIMINAL COURT CLERK
PS

Address:
Dianne Turner
Judge Dianne Turner



GS Division 5 12/02/2008
Div Date

Warrant #: GS550102

I hereby waive my right to counsel.

Motion for Waiver of Right to Counsel

Having been heretofore advised of my right to counsel pursuant to the authority granted by TCA 40-14-103, the 6th and 14th Amendments to the United States Constitution, Article 1, Section of the Tennessee Constitution, I hereby move to waive my right to counsel which motion of the Court is pleased to grant.

The defendant make oath in due form that he has been advised by the Court of the constitutional right of every defendant to be represented by counsel and to have one appointed by the Court the defendant cannot afford one, pursuant to TCA 40-14-103.

This motion is concurred by the Assistant District Attorney General.

Assistant Attorney General Interpreter Defendant Carl Albert Vonhartman

Wigsby

WORN to and subscribed before me this _____ day of _____, _____ Deputy Clerk

the defendant Carl Albert Vonhartman pleads [X] guilty [] not guilty to the offense of

5-10-406 Implied Consent - Civil C Misdemeanor

and waives his right to be tried only by indictment or presentment preferred by a Grand Jury, and likewise waives trial by a jury of his peers.

Carl Albert Vonhartman (Signature)

Attorney: May, Roger

hereupon, said defendant appeared before the Judge of the Court of General Sessions of Davidson County, Tennessee, on said charge was informed by said Judge of the offense with which he was charged, his right to make a statement in reference to the charge or his right to waive such statement, and being asked by said Judge whether he desired to plead guilty, or not guilty, said defendant waived the right a hearing of this case by a Grand Jury and the right to be put on trial by indictment or presentment and waived the right to a trial by a jury, and then entered a plea of [X] guilty [] not guilty to said charge and requested that this case be heard and determined by this court and said judge upon the warrant without indictment or jury and upon said plea the Court having heard the evidence produced by the State and defendant and argument of counsel for the defendant, find the defendant guilty of the offense charged in the warrant and hereby orders and adjudges the defendant pay a fine of _____ and all the costs of this cause, and that in addition to said fine and costs said defendant be committed to and confined in said workhouse of Davidson County for a period of _____

DISPOSITION

- X] Pled Guilty [] Found Guilty [] Not Guilty [] 40-35-313 [] 40-15-105
] Dismissed [] Dismissed on Costs [] Dismissed ROS [] Dismissed, Cost to Pros
] Nolle [] Nolo Contendere [] Retired on Costs [] Retired

SENTENCE

Years Months Days Hours @ % [] Suspended
Suspend All But @ % [] Day for Day [] Hour for Hour
% before work release [] No Work Default [] No Early Release

Consecutive To: Concurrent With:
Time Served Credit: Months 0 Days 0 Hours

PROBATION

] Supervised [] Unsupervised [] Community Corrections Years Months Days
Fine

Special Conditions :

Court Mandates

Loss of License 1 Years 0 Months 0 Days 0 Hours 0 Weekends

Unpaid Community Service: [] Yes [] No Hours Days Weeks Months

Restitution Total Amount: Amount Per Month: Recipient:

Address:

GS Division 10

10/04/2011

Judge Casey Moreland

Div

Date

I hereby certify that this is a true and exact copy of the original.

GS550102

This 13 day of 4, 20 20

CRIMINAL COURT CLERK

Y. _____, D.C.



Warrant #: GS550101

I hereby waive my right to counsel.

Motion for Waiver of Right to Counsel

Having been heretofore advised of my right to counsel pursuant to the authority granted by TCA 40-14-103, the 6th and 14th Amendments to the United States Constitution, Article 1, Section 1 of the Tennessee Constitution, I hereby move to waive my right to counsel which motion of the Court is pleased to grant.

The defendant make oath in due form that he has been advised by the Court of the constitutional right of every defendant to be represented by counsel and to have one appointed by the Court if the defendant cannot afford one, pursuant to TCA 40-14-103.

This motion is concurred by the Assistant District Attorney General.

Assistant Attorney General Interpreter Defendant Carl Albert Vonhartman

WORN to and subscribed before me this _____ day of _____, _____ Deputy Clerk

The defendant Carl Albert Vonhartman pleads [X] guilty [] not guilty to the offense of

5-10-205 Reckless Driving B Misdemeanor

and waives his right to be tried only by indictment or presentment preferred by a Grand Jury, and likewise waives trial by a jury of his peers.

Defendant Carl Albert Vonhartman Attorney: May, Roger

Whereupon, said defendant appeared before the Judge of the Court of General Sessions of Davidson County, Tennessee, on said charge was informed by said Judge of the offense with which he was charged, his right to make a statement in reference to the charge or his right to waive such statement, and being asked by said Judge whether he desired to plead guilty, or not guilty, said defendant waived the right to a hearing of this case by a Grand Jury and the right to be put on trial by indictment or presentment and waived the right to a trial by a jury, and then entered a plea of [X] guilty [] not guilty to said charge and requested that this case be heard and determined by this court and said judge upon the warrant without indictment or jury and upon said plea the Court having heard the evidence produced by the State and the defendant and argument of counsel for the defendant, find the defendant guilty of the offense charged in the warrant and hereby orders and adjudges the defendant pay a fine of \$350.00 and all the costs of this cause, and that in addition to said fine and costs said defendant be committed to and confined in said workhouse of Davidson County for a period of:

DISPOSITION

[X] Pled Guilty [] Found Guilty [] Not Guilty [] 40-35-313 [] 40-15-105
[] Dismissed [] Dismissed on Costs [] Dismissed ROS [] Dismissed, Cost to Pros
[] Nolled [] Nolo Contendere [] Retired on Costs [] Retired

SENTENCE

Suspend All But 2 days @ % [] Day for Day [] Hour for Hour
% before work release [] No Work Default [] No Early Release

Consecutive To: Concurrent With:
Time Served Credit: Months 0 Days 0 Hours

PROBATION

[X] Supervised [] Unsupervised [] Community Corrections Years 6 Months Days
\$350.00 Fine

Special Conditions:

Court Mandates

Alcohol Safety Course 0 Years 0 Months 0 Days 0 Hours 0 Weekends

Unpaid Community Service: [] Yes [] No Hours Days Weeks Months

Restitution Total Amount Amount Per Month: Recipient:

Address:

GS Division 10

10/04/2011

Judge Casey Maryland

Div

Date

I hereby certify that this is a true and exact copy of the original.

GS550101

This 13 day of 4, 20 20

CRIMINAL COURT CLERK

3Y RS D.C

Prob Term
3-16-12



Warrant No. 65605315

General Sessions Disposition

I hereby certify that this is a true and exact copy of the original.

65605315

This 13 day of 4, 2020

CRIMINAL COURT CLERK

3Y

RS

D.C

I hereby waive my right to counsel.

Motion for Waiver of Right to Counsel

Having been heretofore advised of my right to counsel pursuant to the authority granted by TCA 40-14-103, the 6th and 14th Amendments to the United States Constitution, Article 1, Section 9 of the Tennessee Constitution, I hereby move to waive my right to counsel which motion of the Court is pleased to grant. The defendant makes oath in due form that he has been advised by the Court of the constitutional right of every defendant to be represented by counsel and to have one appointed by the court if the defendant cannot afford one, pursuant to TCA 40-14-103. This motion is concurred by the Assistant District Attorney General.

Assistant Attorney General (signature) _____

Defendant (signature) _____

Sworn to and subscribed before me this 22 day of July, 2013.

Deputy Clerk

The defendant Carl Vonnartman pleads guilty not guilty to the offense of Implied Consent

TCA Description _____ Qualifier _____ Class _____ and waives his right to be tried only by indictment or presentment preferred by a Grand Jury, and likewise waives trial by a jury of his peers.

Carl Vonnartman
Defendant (signature)

Whereupon, said defendant appeared before the Judge of the Court of General Sessions of Davidson County, Tennessee, on said charge was informed by said Judge of the offense with which he was charged, of his right to make a statement in reference to the charge or his right to waive such statement, and being asked by said Judge whether he desired to plead guilty, or not guilty, said defendant waived the right to a hearing of this case by a Grand Jury and the right to be put on trial by indictment or presentment, and waived the right to a trial by a jury, and then entered a plea of guilty not guilty to said charge and requested that this case be heard and determined by this court and said judge upon the charging instrument without indictment or jury and upon said plea the Court having heard the evidence produced by the State and Defendant and argument of counsel for the defendant, find the defendant guilty of the offense charged in the charging instrument and hereby orders and adjudges the defendant pay a fine of _____ and all the costs of this cause; and that in addition to said fine and costs said defendant be committed to and confined in said workhouse of Davidson County for a period of:

DISPOSITION

- Plead Guilty
- Found Guilty
- Found Not Guilty
- 40-35-313
- 40-15-105
- Nolo Contendere
- Dismissed
- Dismissed ROS
- Dismissed on Costs
- Retired
- Retired on Costs
- Nollod
- Other: _____

SENTENCE

____ Months ____ Days ____ Hours @ ____ % Day for Day Hour for Hour

Suspended Suspend All But ____ Months ____ Days ____ Hours @ ____ % Day for Day Hour for Hour
____ % before work release _____ Jail Credit

Fine \$ _____ Indigent % Fine _____ Waived Suspended % Costs _____ Waived Suspended

Other: Loss of DC - 1 yr

PROBATION

Supervised Unsupervised Community Corrections _____ Years _____ Months _____ Days

Consecutive: _____ Hours PSW _____ Concurrent: _____ Hours CSW _____ Hours

Court Mandated Programs: _____
Restitution: Total Amount: _____ Amount Per Month: _____ Recipient: _____

Other: _____

Judge (signature) _____



6
Division

7-22-13
Date

Warrant No. GS05316

General Sessions Disposition

I hereby certify that this is a true and exact copy of the original.

GS605316

This 13 day of 4, 2020

CRIMINAL COURT CLERK

I hereby waive my right to counsel.

Motion for Waiver of Right to Counsel

BY: RS, D.C.

Having been heretofore advised of my right to counsel pursuant to the authority granted by TCA 40-14-103, the 6th and 14th Amendments to the United States Constitution, Article 1, Section 9 of the Tennessee Constitution, I hereby move to waive my right to counsel which motion of the Court is pleased to grant.

The defendant makes oath in due form that he has been advised by the Court of the constitutional right of every defendant to be represented by counsel and to have one appointed by the court if the defendant cannot afford one, pursuant to TCA 40-14-103.

This motion is concurred by the Assistant District Attorney General.

Assistant Attorney General (signature)

Defendant (signature)

Sworn to and subscribed before me this 22 day of July, 2013 Deputy Clerk

The defendant Carl Vonhartman pleads guilty not guilty to the offense of DUI

TCA Description Reckless Driving Class 5

and waives his right to be tried only by indictment or presentment preferred by a Grand Jury, and likewise waives trial by a jury of his peers.

Defendant (signature)

Whereupon, said defendant appeared before the Judge of the Court of General Sessions of Davidson County, Tennessee, on said charge was informed by said Judge of the offense with which he was charged, of his right to make a statement in reference to the charge or his right to waive such statement, and being asked by said Judge whether he desired to plead guilty, or not guilty, said defendant waived the right to a hearing of this case by a Grand Jury and the right to be put on trial by indictment or presentment, and waived the right to a trial by a jury, and then entered a plea of guilty not guilty to said charge and requested that this case be heard and determined by this court and said judge upon the charging instrument without indictment or jury and upon said plea the Court having heard the evidence produced by the State and Defendant and argument of counsel for the defendant, find the defendant guilty of the offense charged in the charging instrument and hereby orders and adjudges the defendant pay a fine of _____ and all the costs of this cause; and that in addition to said fine and costs said defendant be committed to and confined in said workhouse of Davidson County for a period of:

DISPOSITION

- Plead Guilty
- Found Guilty
- Found Not Guilty
- 40-35-313
- 40-15-105
- Nolo Contendere
- Dismissed
- Dismissed ROS
- Dismissed on Costs
- Retired
- Retired on Costs
- Nolled
- Other: _____

SENTENCE

6 Months _____ Days _____ Hours @ _____ % Day for Day Hour for Hour
Suspended Suspend All But 10 Months 5 Days _____ Hours @ _____ % Day for Day Hour for Hour
_____ % before work release _____ Jail Credit

Fine \$ 350 Indigent % Fine _____ Waived Suspended % Costs _____ Waived Suspended

Other: _____

PROBATION

Supervised Unsupervised Community Corrections _____ Years 6 Months 15 Days

Consecutive: 48 Hours Concurrent: _____ CSW _____ Hours

Court Mandated Programs: Auto Safety Sch - VIP

Restitution: Total Amount: _____ Amount Per Month _____ Recipient: _____

Other: _____



Judge (signature)

Division

Date

7-22-13



Bill Lee
Governor

TENNESSEE BUREAU OF INVESTIGATION

ATTN: TORIS

901 R.S. Gass Boulevard
Nashville, Tennessee 37216-2639
(615) 744-4057
Facsimile (615) 744-4289



David B. Rausch
Director

04/06/2020

DANIEL A HORWITZ
1803 BROADWAY
SUITE #531
NASHVILLE TN 37203

Tennessee Criminal History Records Request

Attached is the response to your request for a criminal history record check on the following individual in which Tennessee information was found. NOTE: All aliases submitted have been searched.

VONHARTMAN,CARL ALBERT

Please be aware that, unless a fingerprint comparison is performed, it is impossible for the Tennessee Bureau of Investigation to be sure the record belongs to the individual you requested. A fingerprint comparison will only be performed in the event of a written appeal of criminal history results. The information you receive will be based on only those arrests which occurred within the state of Tennessee.

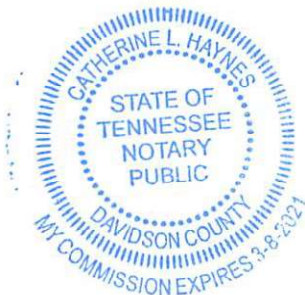
The Tennessee Bureau of Investigation found Tennessee criminal history based on the information provided. No criminal record check was conducted for other states or for the Federal Bureau of Investigation.

Tennessee Open Records Information Services
Tennessee Bureau of Investigation
901 R.S. Gass Blvd.
Nashville, TN 37216

Carolyn G. León
Signature

State of Tennessee
County of Davidson

Subscribed and sworn before me on this 06th day of April, 20 20, by Carolyn G. León, who is personally known to me or proved to me on the basis of satisfactory evidence to be the person who appeared before me.



Notary: Catherine L. Haynes

My Commission Expires: March 8, 2021

THIS RECORD IS BASED ONLY ON THE SID OR FBI NUMBER IN YOUR REQUEST (2648300) BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE. USE OF THE FOLLOWING RECORD IS REGULATED BY LAW. IT IS FURNISHED FOR OFFICIAL USE ONLY AND SHOULD ONLY BE USED FOR THE PURPOSE REQUESTED. WHEN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE DIRECTLY WITH THE AGENCY THAT CONTRIBUTED THE FINGERPRINTS. (TBI; 2005-06-28)

***** IDENTIFICATION *****

SUBJECT NAME(S)

VON-HARTMAN, CARL

VONHARTMAN, CARL ALBERT (AKA)
VON HARTMAN, CARL A (AKA)
VON HARTMAN, CARL ALBERT (AKA)

SUBJECT DESCRIPTION

SEX	RACE	SKIN TONE
MALE	WHITE	UNKNOWN
HEIGHT	WEIGHT	DATE OF BIRTH
6'02"	220	1984-04-15
HAIR COLOR	EYE COLOR	
BROWN	BROWN	

PLACE OF BIRTH

FL
RESIDENCE
RESIDENCE AS OF 2011-08-14
1004 CAROLYN AVE
NASHVILLE, TN 37216

***** CRIMINAL HISTORY *****

===== CYCLE 001 =====

TRACKING NUMBER 190012081338
EARLIEST EVENT DATE 2012-10-12 INCIDENT DATE 2012-10-12

ARREST DATE 2012-10-12
ARREST CASE NUMBER 383796
ARRESTING AGENCY TN0190100 METROPOLITAN NASHVILLE PD
SUBJECT'S NAME CARL ALBERT VONHARTMAN
OFFENDER ID NUMBER 2648300
CHARGE NUMBER 107168043
CHARGE TRACKING NUMBER 190012081338
CHARGE LITERAL IMPLIED CONSENT - CIVIL
NCIC OFFENSE CODE 7399

PUBLIC ORDER CRIMES

COUNTS 1
SEVERITY UNKNOWN
CHARGE NUMBER 107168042
CHARGE TRACKING NUMBER 190012081338
CHARGE LITERAL DRIVING UNDER THE INFLUENCE
COUNTS 1

SEVERITY UNKNOWN

COURT DISPOSITION (CYCLE 001)
COURT CASE NUMBER GS605316
COURT AGENCY TN0190100 METROPOLITAN NASHVILLE PD
SUBJECT'S NAME CARL VON-HARTMAN
CHARGE 1
CHARGE NUMBER 12081338
CHARGE TRACKING NUMBER 190012081338
CHARGE LITERAL RECKLESS DRIVING
CHARGE DESCRIPTION MISDEMEANOR
COUNTS 1
SEVERITY MISDEMEANOR
DISPOSITION (GUILTY PLEA - LESSER CHARGE` 2013-07-22;
DISPOSITION:GUILTY PLEA - LESSER CHARGE`
RECEIVED: 0YEARS 6MONTHS 0DAYS
0HOURS AT % FINE COST PAID SUSPEND: N
5 DAYS)

===== CYCLE 002 =====
TRACKING NUMBER 190011062181
EARLIEST EVENT DATE 2011-08-14 INCIDENT DATE 2011-08-14

ARREST DATE 2011-08-14
ARREST CASE NUMBER 383796
ARRESTING AGENCY TN0190100 METROPOLITAN NASHVILLE PD
SUBJECT'S NAME CARL ALBERT VONHARTMAN
OFFENDER ID NUMBER 2648300
CHARGE NUMBER 106398403
CHARGE TRACKING NUMBER 190011062181
CHARGE LITERAL IMPLIED CONSENT - CIVIL
NCIC OFFENSE CODE 7399
PUBLIC ORDER CRIMES
COUNTS 1
SEVERITY UNKNOWN
CHARGE NUMBER 106398402
CHARGE TRACKING NUMBER 190011062181
CHARGE LITERAL DRIVING UNDER THE INFLUENCE
COUNTS 1
SEVERITY UNKNOWN

COURT DISPOSITION (CYCLE 002)
COURT CASE NUMBER GS550101
COURT AGENCY TN0190100 METROPOLITAN NASHVILLE PD
SUBJECT'S NAME CARL VON-HARTMAN
CARL VON-HARTMAN
CHARGE 1
CHARGE NUMBER 11062181
CHARGE TRACKING NUMBER 190011062181
CHARGE LITERAL RECKLESS DRIVING
CHARGE DESCRIPTION MISDEMEANOR
COUNTS 1
SEVERITY MISDEMEANOR
DISPOSITION (GUILTY 2011-10-04; DISPOSITION:GUILTY
RECEIVED: 0YEARS
6MONTHS 0DAYS 0HOURS AT % FINE
COST PAID SUSPEND: N 2 DAYS)
CHARGE 2
CHARGE NUMBER 11062181
CHARGE TRACKING NUMBER 190011062181
CHARGE LITERAL IMPLIED CONSENT - CIVIL

CHARGE DESCRIPTION UNKNOWN
COUNTS 1
DISPOSITION (GUILTY 2011-10-04; DISPOSITION:GUILTY
RECEIVED: 0YEARS
0MONTHS 0DAYS 0HOURS AT % FINE
COST PAID SUSPEND: N SUS:N PYRS:0 PM)

===== CYCLE 003 =====

TRACKING NUMBER 190008035251
EARLIEST EVENT DATE 2008-03-23 INCIDENT DATE 2008-03-23

ARREST DATE 2008-03-23
ARREST CASE NUMBER 383796
ARRESTING AGENCY TN0190100 METROPOLITAN NASHVILLE PD
SUBJECT'S NAME CARL VON-HARTMAN
OFFENDER ID NUMBER 2648300
CHARGE NUMBER 104378738
CHARGE TRACKING NUMBER 190008035251
CHARGE LITERAL DUI
NCIC OFFENSE CODE 5499
TRAFFIC OFFENSE

COUNTS 1
SEVERITY UNKNOWN
CHARGE NUMBER 104378740
CHARGE TRACKING NUMBER 190008035251
CHARGE LITERAL SUSPENDED DRIVERS LICNESE
COUNTS 1
SEVERITY UNKNOWN
CHARGE NUMBER 104378739
CHARGE TRACKING NUMBER 190008035251
CHARGE LITERAL IMPLIED CONSENT
COUNTS 1
SEVERITY UNKNOWN

COURT DISPOSITION (CYCLE 003)
COURT CASE NUMBER GS371700
COURT AGENCY TN0190100 METROPOLITAN NASHVILLE PD
SUBJECT'S NAME CARL VON-HARTMAN
CHARGE 1
CHARGE NUMBER 08035251
CHARGE TRACKING NUMBER 190008035251
CHARGE LITERAL DRIVING, RECKLESS
CHARGE DESCRIPTION MISDEMEANOR
COUNTS 2
SEVERITY MISDEMEANOR
DISPOSITION (GUILTY PLEA - LESSER CHARGE 2008-12-02;
DISPOSITION GUILTY PLEA - LESSOR CHARGE
RECEIVED 6 MONTHS FINE \$250.00 COST \$376.50
SUSPENDED=N 48 HRS)

CHARGE 2
CHARGE NUMBER 08035251
CHARGE TRACKING NUMBER 190008035251
CHARGE LITERAL LIC,OP MV VIO COND
CHARGE DESCRIPTION MISDEMEANOR
COUNTS 3
SEVERITY MISDEMEANOR
DISPOSITION (DISMISSED ; DISPOSITION DISMISSED)
CHARGE 3
CHARGE NUMBER 08035251
CHARGE TRACKING NUMBER 190008035251
CHARGE LITERAL IMPLIED CONSENT,CRIM

CHARGE DESCRIPTION MISDEMEANOR

COUNTS 1

SEVERITY MISDEMEANOR

DISPOSITION (GUILTY PLEA - AS CHARGED 2008-12-02;

DISPOSITION GUILTY SUSPENDED=N)

***** INDEX OF AGENCIES *****

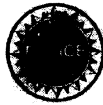
AGENCY METROPOLITAN NASHVILLE PD; TN0190100;

AGENCY METROPOLITAN NASHVILLE PD; TN0190100;

AGENCY METROPOLITAN NASHVILLE PD; TN0190100;

*** END OF RECORD ***

Arrest Report



Metropolitan Police Department
Nashville, Tennessee

1. M.P.D. Incident Number Juvenile

2008-192404

2. Related Incident Number N/A 3. I.D./O.C.A. Number 383796 4. Arrest Number 080305251 5. Arrest Date / Time 03-23-08 102:25

6. Day of Week SU MO TU WE TH FR SA 7. Charge Which Precipitated Arrest ERSTIC DRIVING

8. Reason Arrested (Offense / Classification) DUI 9. Social Security No None UNK 10. Driver License No. UNK None State FL

11. Defendant's Name (Last, First, Middle) Von Hartman, Carl Albert 12. Nickname / Alias Carl

13. Defendant's Address (Apt No.) 2601 Hillsboro Pl # E-1 City NASH. TN 37202 State TN Zip Code 37202 14. Place of Employment / School None UNK Clear Channel

15. Home Phone 407 432-6620 16. Work Phone Unk 17. County Resident? Yes No 18. Occupation Manager 19. Is Arrestee a College Student? (If Yes, where?) Yes No UNK

20. Sex M F UNK 21. Race White Black Am Indian / Alaskan Asian/Pac Islander Other UNK 22. Ethnicity Hispanic Non-Hispanic UNK 23. Age 2 24. DOB 4-15-84 25. Place of Birth Florida 26. Domestic Violence Yes (If Yes Specify Prosecutor) No Officer Victim Both

27. Height 6'2" 28. Weight 190 29. Hair Brown 30. Eyes Brown 31. Location of Arrest (Street Address) 21st Ave South / Scott Rd

32. Type of Arrest On-V iew Summoned / Cited Taken into Custody 33. Resisted Arrest? Yes No 34. Assaulted Officer? Yes No 35. Chemical Agent Used? Yes No 36. Arrestee Was Armed With (Check up to 2) (Enter "A" Box if Automatic) Unarmed Rifle Lethal Cutting Instrument Firearm (Type Not Stated) Shotgun (e.g. Switchblade knife) Handgun Other Firearm Club Blackjack Brass Knuckles

37. Injury (Check up to 5) Apparent Broken Bones Possible Internal Injury Severe Laceration Apparent Minor Injury Other Major Injury Loss of Teeth Unconsciousness Gunshot 38. Medical Treatment Refused Treatment Nashville Fire Dept General / Meharry Memorial Baptist Centennial Southern Hills St Thomas Summit TN Christian VA Vanderbilt Other (Specify) N/A 39. Transported By Reporting Officer Private Ambulance N F D Ambulance Self Other (Specify)

40. Describe Illness or Injury 41. Examining Physician N/A 42. Medical Treatment Status Admitted N/A Released

43. License Number 542 OYN State FL Year 0 44. Year 05 45. Make Cadillac 46. Model CTS 47. Style 4 48. Color BLK

49. V. I. N. None Altered UNK. 50. If Towed, VTR No. N/A 51. Vehicle Towed To: No-Tow Signed Tow-in Lot Other (Specify) 52. Vehicle Towed By: N/A

55-10-401	DRIVEN UNDER THE INFLUENCE. REFUSAL
55 10 406	IMPLIED CONSENT LAW
	SUSPENDED DL

57. Refused Yes No 58. Judge N/A 59. Reason N/A

60. Physical Evidence DVD (DUI) Lt: 9 v cc 61. Held or Stored By: N/A MPD Property Section

62. Name HAROLD R. TAYLOR 63. Code P 64. Residence (Street, City) MNPD / TRAFFIC / DUI / 59815 65. Home Phone 66. Work Phone 862-7738

Stormi Muntie N Scottsville, KY Unk

200 - - - - -

67. Perpetrator Suspected of Using: Drugs Alcohol Computer N/A

SUBJ. STOP FOR ERRATIC DRIVING ON DIVISION
Street by my witness off

69. If Misdemeanor Arrest Only, Check Reason Misdemeanor Citation Not Issued. (Check 1 or More) N/A

<input checked="" type="checkbox"/> Requires medical care or unable to care for own safety.	<input type="checkbox"/> Reasonable likelihood that the person will fail to appear court.
<input checked="" type="checkbox"/> Reasonable likelihood that offense will continue.	<input type="checkbox"/> Defendant demands to be taken before magistrate.
<input type="checkbox"/> Unsatisfactory evidence of identification or fingerprint refusal.	<input checked="" type="checkbox"/> Intoxicated person who is in danger to such person or others.
<input type="checkbox"/> Prosecution will be jeopardized.	<input type="checkbox"/> Outstanding arrest warrants exist.




70. Arresting Officer (First MI. Last) (Employee No) (Radio call Sign)
HAROLD R. TAYLOR 59815 5153

71. Arresting Officer (First MI Last) (Employee No)

72. Supervisor Approving (Employee Number)

73. Transporting Officer (Employee Number)
 Same as Arresting Officer

74. Booking Clerk (Employee Number)



M.P.D. FORM 106 (REV.04-07) CALEA 82.2.1. 82.3.7		Arrest Report		 Metropolitan Police Department Nashville, Tennessee		1. M.P.D. Incident Number <input type="checkbox"/> Juvenile 20110640345	
Booking Type <input checked="" type="checkbox"/> Adult Custodial <input type="checkbox"/> Bindover <input type="checkbox"/> Juvenile Custodial		Tap Out <input type="checkbox"/>	2. Related Incident Number <input checked="" type="checkbox"/> N/A	3. I.D. / O.C.A. Number 383796	4. Arrest Number 110062181	5. Arrest Date / Time 08/14/2011 03:50	
6. Day of Week Sunday		7. Charge Which Precipitated Arrest DUI					
8. Reason Arrested (Offense / Classification) DUI			9. Social Security Number <input type="checkbox"/> UNK		10. Driver License No. State <input type="checkbox"/> UNK TN		
11. Defendant's Name (Last, First, Middle) VONHARTMAN, CARL, ALBERT				12. Nickname / Alias <input checked="" type="checkbox"/> None			
13. Defendant's Address (Apt No.) City State Zip Code 1004 CAROLYN AVE NASHVILLE TN 37216			14. Place of Employment / School <input type="checkbox"/> None UNKNOWN				
15. Home Phone 615-720-8092		16. Work Phone		17. County Resident? Y		18. Occupation	
				20. Sex MALE		21. Race WHITE	
19. Is Arrestee a College Student? <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNK				22. Ethnicity NON HISPANIC		24. DOB 4/15/1984	23. Age 27
25. Place of Birth WINTER PARK FLORIDA							
26. Domestic Violence <input type="checkbox"/> Officer <input type="checkbox"/> Victim <input type="checkbox"/> Yes <input type="checkbox"/> No		27. Height 6'02"	28. Weight 225	29. Hair BROWN	30. Eyes BROWN	32. Type of Arrest TAKEN INTO CUSTODY	33. Resisted Arrest? N
31. Location of Arrest (Street Address) 21ST AVE S & BERNARD AVE				City NASHVILLE		State TN	Zip Code 37212
34. Assaulted Officer? N		35. Chemical Agent Used? N		36. Arrestee Armed With: (Second Box if Automatic) <input checked="" type="checkbox"/> Unarmed <input type="checkbox"/> Rifle <input type="checkbox"/> Lethal Cutting Instrument (e.g. Switchblade knife) <input type="checkbox"/> Firearm <input type="checkbox"/> Shotgun <input type="checkbox"/> Club, Blackjack, Brass Knuckles <input type="checkbox"/> Handgun <input type="checkbox"/> Other Firearm			
Injury/Sick <input checked="" type="checkbox"/> N/A See <input type="checkbox"/> Incident Rpt	37. Injury <input type="checkbox"/> Apparent Broken Bones <input type="checkbox"/> Other Major Injury <input type="checkbox"/> Possible Internal Injury <input type="checkbox"/> Loss of Teeth <input type="checkbox"/> Severe Laceration <input type="checkbox"/> Unconsciousness <input type="checkbox"/> Apparent Minor Injury <input type="checkbox"/> Gunshot			38. Medical Treatment		39. Transported By	
40. Describe Illness or Injury				41. Examining Physician <input type="checkbox"/> N/A		42. Medical Treatment Status <input type="checkbox"/> Admitted <input type="checkbox"/> Released <input type="checkbox"/> N/A	
<input type="checkbox"/> N/A VEHICLE	43. License Number State Year S420YN FL 2012		44. Year 2005	45. Make CADILLAC	46. Model CTS	47. Style 4DOOR	48. Color GRAY
<input checked="" type="checkbox"/> See Incident Rpt	49. V.I.N. <input type="checkbox"/> None <input type="checkbox"/> Altered <input type="checkbox"/> UNK 1G6DP567X50125676		50. VTR No. <input checked="" type="checkbox"/> N/A		51. Vehicle Towed To: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Tow-in Lot <input type="checkbox"/> Other		52. Vehicle Towed By: <input checked="" type="checkbox"/> N/A
Warrant #	Typ	Inc Num	NCIC Qual	TCA	Sev	Class	Charge Description
GS550101	S	20110640345	5405	55-10-401*1	M	A	DRIVING UNDER THE INFLUENCE
Warrant #	Typ	Inc Num	NCIC Qual	TCA	Sev	Class	Charge Description
GS550102	S	20110640345	5414	55-10-406			IMPLIED CONSENT - CIVIL

CODE: N - Nearest Relative P - Prosecutor W - Witness	60. Physical Evidence	<input checked="" type="checkbox"/> None <input type="checkbox"/> See Incident Report	61. Held or Stored By: <input checked="" type="checkbox"/> N/A
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67. Prepetrator Suspected of Using: Drugs Alcohol Computer N/A

68. Narrative

SUSPECT WAS STOPPED FOR GOING 44 MPH IN A 30 MPH ZONE ON 21ST NEAR BERNARD. SUSPECT HAD OBVIOUS ODOR OF ALCOHOLIC BEVERAGE ON HIM. SUSPECT UNSTEADY ON HIS FEET. SUSPECT SHOWED INDICATORS OF IMPAIRMENT ON FST REFUSED BREATH TEST.


69. If Misdemeanor Arrest Only, Check Reason Misdemeanor Citation Not Issued <input type="checkbox"/> N/A			
<input type="checkbox"/> Requires Medical Care Or Unable To Care For Own Safety	<input type="checkbox"/> Reasonable Likelihood That The Person Will Fail To Appear In Court		
<input type="checkbox"/> Reasonable Likelihood That Offense Will Continue	<input type="checkbox"/> Defendant Demands To Be Taken Before Magistrate		
<input type="checkbox"/> Unsatisfactory Evidence Of Identification Or Fingerprint Refusal	<input type="checkbox"/> Intoxicated Person Who Is In Danger To Such Person Or Others		
<input type="checkbox"/> Prosecution Will Be Jeopardized	<input type="checkbox"/> Outstanding Arrest Warrants Exist		

70. Arresting Officer (First, MI, Last) (Employee No.) (Radio Call Sign)
JOHN ROBERSON JR, 420040

71. Arresting Officer (First, MI, Last) (Employee No.)	72. Supervisor Approving (Employee Number) TERRENCE BRADLEY, 262766
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73. Transporting Officer (Employee Number) <input checked="" type="checkbox"/> Same as Arresting Officer /S/JOHN ROBERSON JR, 420040	74. Booking Clerk (Employee Number) CHRISTOPHER MILES, 468185
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ICE Indicator

M.P.D. FORM 106 (REV.04-07) CALEA 82.2.1. 82.3.7		Arrest Report		 Metropolitan Police Department Nashville, Tennessee		1. M.P.D. Incident Number <input type="checkbox"/> Juvenile 20120827556		
Booking Type <input checked="" type="checkbox"/> Adult Custodial <input type="checkbox"/> Bindover <input type="checkbox"/> Juvenile Custodial		Tap Out <input type="checkbox"/>	2. Related Incident Number <input checked="" type="checkbox"/> N/A	3. I.D. / O.C.A. Number 383796	4. Arrest Number 120081338	5. Arrest Date / Time 10/12/2012 02:05		
6. Day of Week Friday		7. Charge Which Precipitated Arrest DUI						
8. Reason Arrested (Offense / Classification) DUI			9. Social Security Number <input type="checkbox"/> UNK		10. Driver License No. State <input type="checkbox"/> UNK TN			
11. Defendant's Name (Last, First, Middle) VONHARTMAN, CARL, ALBERT				12. Nickname / Alias <input checked="" type="checkbox"/> None				
13. Defendant's Address (Apt No.) City State Zip Code 1004 CAROLYN AVE NASHVILLE TN 37216			14. Place of Employment / School <input type="checkbox"/> None SELF-EMPLOYED					
15. Home Phone 615-720-8092		16. Work Phone		17. County Resident?		18. Occupation WHOLESALE	20. Sex MALE	21. Race WHITE
19. Is Arrestee a College Student? <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNK					22. Ethnicity NOT HISPANIC OR		24. DOB 4/15/1984	23. Age 28
25. Place of Birth WINTER PARK FLORIDA								
26. Domestic Violence <input type="checkbox"/> Officer <input type="checkbox"/> Victim <input type="checkbox"/> Yes <input type="checkbox"/> No		27. Height 6'02"	28. Weight 220	29. Hair BROWN	30. Eyes BROWN	32. Type of Arrest TAKEN INTO CUSTODY	33. Resisted Arrest? N	
31. Location of Arrest (Street Address) GALLATIN AVE & STRATTON AVE				City NASHVILLE		State TN	Zip Code 37206	
34. Assaulted Officer? N		35. Chemical Agent Used? N		36. Arrestee Armed With: (Second Box if Automatic) <input checked="" type="checkbox"/> Unarmed <input type="checkbox"/> Rifle <input type="checkbox"/> Lethal Cutting Instrument (e.g. Switchblade knife) <input type="checkbox"/> Firearm <input type="checkbox"/> Shotgun <input type="checkbox"/> Club, Blackjack, Brass Knuckles <input type="checkbox"/> Handgun <input type="checkbox"/> Other Firearm				
Injury/Sick <input checked="" type="checkbox"/> N/A See <input type="checkbox"/> Incident Rpt	37. Injury <input type="checkbox"/> Apparent Broken Bones <input type="checkbox"/> Other Major Injury <input type="checkbox"/> Possible Internal Injury <input type="checkbox"/> Loss of Teeth <input type="checkbox"/> Severe Laceration <input type="checkbox"/> Unconsciousness <input type="checkbox"/> Apparent Minor Injury <input type="checkbox"/> Gunshot			38. Medical Treatment		39. Transported By		
40. Describe Illness or Injury				41. Examining Physician <input type="checkbox"/> N/A		42. Medical Treatment Status <input type="checkbox"/> Admitted <input type="checkbox"/> Released <input type="checkbox"/> N/A		
<input type="checkbox"/> N/A VEHICLE	43. License Number State Year S42OYN FL 2013		44. Year 2009	45. Make BMW	46. Model 535 SERIES	47. Style 4DOOR	48. Color SILVER/ALUMIN	
<input checked="" type="checkbox"/> See Incident Rpt	49. V.I.N. <input type="checkbox"/> None <input type="checkbox"/> Altered <input type="checkbox"/> UNK UNKNOWN		50. VTR No. <input checked="" type="checkbox"/> N/A		51. Vehicle Towed To: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Tow-in Lot <input type="checkbox"/> Other		52. Vehicle Towed By: <input checked="" type="checkbox"/> N/A	
Warrant #	Typ	Inc Num	NCIC Qual	TCA	Sev	Class	Charge Description	
GS605316	S	20120827556	5405	55-10-401*1	M	A	DRIVING UNDER THE INFLUENCE	
Warrant #	Typ	Inc Num	NCIC Qual	TCA	Sev	Class	Charge Description	
GS605315	S	20120827556	5414	55-10-406			IMPLIED CONSENT - CIVIL	

CODE: N - Nearest Relative P - Prosecutor W - Witness	60. Physical Evidence	<input checked="" type="checkbox"/> None <input type="checkbox"/> See Incident Report	61. Held or Stored By: <input checked="" type="checkbox"/> N/A
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Code N	Name MURTIE, STORMI	Home Phone 615-310-5181	Work Phone
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Street	City	State TN	ZIP
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67. Prepetrator Suspected of Using: Drugs Alcohol Computer N/A

68. Narrative

SUBJECT WAS STOPPED FOR A TRAFFIC VIOLATION (RUNNING A FLASHING RED LIGHT--NO TICKET GIVEN) AT THE INTERSECTION OF 11TH ST N AND GARTLAND AV., AND THEN AGAIN AT 11TH ST. N AND GALLATIN AV. UPON APPROACH TO THE SUBJECT THERE WAS AN OBVIOUS ODOR OF SOME TYPE OF ALCOHOLIC BEVERAGE COMING FROM FROM HIS PERSON, AND FROM HIS EXPELLED BREATH. THE SUBJECT OPENLY ADMITTED TO DRINKING AT LEAST (2) VODKA AND SODA'S EARLIER IN THE EVENING. THE SUBJECT HAD RED WATERY EYES, SOME DRY MOUTH, AND WAS SLIGHTLY UNSTEADY ON HIS FEET. THE SUBJECT AGREED TO PERFORM THE 3 SFST, AND HE SHOWED INDICATORS OF IMPAIRMENT ON ALL 3 TESTS. THE SUBJECT WAS READ THE TN IMPLIED CONSENT LAW, BUT HE REFUSED TO TAKE THE REQUESTED BREATH TEST.

69. If Misdemeanor Arrest Only, Check Reason Misdemeanor Citation Not Issued <input type="checkbox"/> N/A			
<input type="checkbox"/> Requires Medical Care Or Unable To Care For Own Safety	<input type="checkbox"/> Reasonable Likelihood That The Person Will Fail To Appear In Court		
<input type="checkbox"/> Reasonable Likelihood That Offense Will Continue	<input type="checkbox"/> Defendant Demands To Be Taken Before Magistrate		
<input type="checkbox"/> Unsatisfactory Evidence Of Identification Or Fingerprint Refusal	<input checked="" type="checkbox"/> Intoxicated Person Who Is In Danger To Such Person Or Others		
<input type="checkbox"/> Prosecution Will Be Jeopardized	<input type="checkbox"/> Outstanding Arrest Warrants Exist	75. Finger	Mug Shot

70. Arresting Officer (First, MI, Last) (Employee No.) (Radio Call Sign)
RUSSELL WADE, 474373

71. Arresting Officer (First, MI, Last) (Employee No.)	72. Supervisor Approving (Employee Number) DAVID LAYNE, 225160
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73. Transporting Officer (Employee Number) <input checked="" type="checkbox"/> Same as Arresting Officer RUSSELL WADE, 474373	74. Booking Clerk (Employee Number) ELSIE JOHNSON, 422526
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ICE Indicator

Incident Report



Metropolitan Police Department
Nashville, Tennessee
ver 4.3

1. MPD Incident No. 2018-0782853	ZONE 533	R.P.A. 8995
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Part 1 Incident		2. Related Incident <input checked="" type="checkbox"/> N/A	
		3. Other Police Agency & Case Incident No. <input checked="" type="checkbox"/> N/A	
4. Report Type DISPATCHED	5. Report Date/Time 09/13/2018 07:39	6. Incident Date/Time (From/To) 09/12/2018 23:00 - 09/12/2018 23:00	
7. Reporting/Dispatched Location <input type="checkbox"/> UNK 2400 CHARLOTTE AV		Apt No	City
Cross Street:			State TN
8. Address of Incident <input type="checkbox"/> Same as Block No 7 3808 LAKERIDGE RUN		Apt No	City
Cross Street:			State TN
			Zip Code 37214 <input checked="" type="checkbox"/>
# 1	9. Offense CODE 13B	10. Offense Description SIMPLE ASSLT	11. Status COMPLETED
13. Weapon CODE (Enter up to 3) PERSONAL (HANDS, ETC.)		12. Location Type CODE RESIDENCE, HOME	
15. Hate Crime Suspected NO	16. Suspected Gang Activity NO	16a. Terrorism Suspected NO	17. (For Burglary) Forced Entry If Hotel/Motel/rental Storage No. of Premises Entered
		18. (For Burglary/Robbery) Home Invasion?	
Part 2 <input type="checkbox"/> N/A		31. Victim Type Individual (18 and over)	
Victim No. 1		19. (Last, First, Middle Name or Business Name) <input type="checkbox"/> UNK <input checked="" type="checkbox"/> MNI <input type="checkbox"/> NEW WILLETT JENNIFER	
20. SSN <input checked="" type="checkbox"/> UNK <input type="checkbox"/> N/A		21. Driver License (State) <input type="checkbox"/> UNK <input type="checkbox"/> N/A	
Same as Address of Incident (Block #8) <input type="checkbox"/>	22. Address of Victim Street <input type="checkbox"/> UNK 2400 CHARLOTTE AVE	Apt No 207	City NASHVILLE
	Cross Street		State TN
			Zip Code 37203 <input checked="" type="checkbox"/>
			E-Mail Address
23. Sex FEMALE	24. Race WHITE	25. Ethnicity NON HISPANIC O	27. County Resident Yes
		28. DOB <input type="checkbox"/> UNK <input type="checkbox"/> N/A 09/16/1990	29. Age <input type="checkbox"/> N/A 27 - Years
29. Phone Numbers HM: WK: Cell/Pager: (573) 275-2478			
30. Victim of Offenses: (Ref Block #9) 13B			
32. Local College Student? (If Yes, List Name of College/University) N/A			
33. Employment (Name) <input type="checkbox"/> MNI <input checked="" type="checkbox"/> N/A (Address) (Apt No) (Cross Street) (City) (State) (Zip Code) <input type="checkbox"/> (Email Address)			
34. Domestic Disturbance? N/A <i>If Yes, Answer the Following Questions</i> Was Order of Protection Violated? Was Victim taken to Safe Place? Were Children taken to Safe Place? Were Children Present During Incident?			
35. Victim to Suspect 1		Relationship VICTIM WAS ACQUAINTANCE	
36. Aggravated Assault/Homicide Circumstances		37. Negligent Manslaughter	
		38. Justifiable Homicide	

Part 3		92. (Last, First, Middle Name) <input type="checkbox"/> Alias <input type="checkbox"/> UNK <input checked="" type="checkbox"/> MNI NEW					94. SSN or Driver Lic. No.			
Suspect # 1		LADELL TARA					Unknown			
93. Address Street <input checked="" type="checkbox"/> UNK		Apt #	City		State	Zip Code	95. Phone No. <input checked="" type="checkbox"/> UNK			
Cross Street:										
97. Sex FEMALE	98. Race WHITE		99. Ethnicity NON HISPANIC OR I		100. DOB <input checked="" type="checkbox"/> UNK	101. Age <input type="checkbox"/> UNK 45 - Yrs	104. Height 5 ' 5 "	105. Weight 130 lbs		
106. Hair BROWN		107. Eyes BLUE								
108. Scars and Other Identifiers				109. Clothing						
102. Suspected of Using <input checked="" type="checkbox"/> NA Alcohol Drugs Computer				103. Status (Enter up to 2) AT LARGE						
96. Weapon/Tool (Enter Up To 3) PERSONAL (HANDS, ETC.)										
110. Vehicle Used None <input type="radio"/> Seized (If seized, complete Part 5, Motor Vehicle Section) <input type="checkbox"/> MVI										
(Year)	(Make)		(Model)		(Style)		(Color)	(License No.)	(State)	(Yr)

Part 4 <input type="checkbox"/> N/A		39. Other Person Type (Non-Victim) Witness		40. (Last, First, Middle Name) <input checked="" type="checkbox"/> MNI 57639857					
Other Person # 1		VONHARTMAN			CARL				
41. Address Street <input type="checkbox"/> UNK		Apt No.	City		State	Zip Code	42. Place of Employment/School <input checked="" type="checkbox"/> UNK		
3808 LAKERIDGE RUN			NASHVILLE		TN	37214			
Cross Street:									
43. Status N/A		44. Sex MALE	45. Race WHITE		47. DOB <input type="checkbox"/> UNK 04/15/1984	46. Age <input type="checkbox"/> UNK 34 - Yrs	48. Phone Numbers HM WK Cell/Pager		

Part 5 Property		49. Victim/Suspect No.							
<input checked="" type="checkbox"/> N/A									
50. Cat CODE					Category (Other)				
51. Property Description (Make) (Model) (Size) (Type) (Color)									
52. Serial No.			Owner Applied No.			53. QTY			
54. Type CODE			55. Cond CODE			Condition CODE (Other)			
56. Est \$ Value			57. Date Recovered			Recovered \$Value			
58. Stored By CODE					Stored By (Other)				

Part 6 Injury & Transport N/A

85. Injured
Victim 1 WILLETT, JENNIFER

86. "Injury" Code (Enter Up to 5)

APPARENT MINOR INJURY

87. Describe Injury **SCRATCHES AND BRUISES ON VARIOUS PARTS OF BODY**

88. Medical Treatment **REFUSED TREATMENT**

89. Transported By **N/A**

90. Examining Physician N/A

91. Status

Part 7 Search By Officer N/A

111. Search Type

112. Searched Location (Address, Area, Etc.)

Part 8 Other Units Requested N/A

113. I.D. Section Called To Scene:

Yes, for: Photos Prints Other
 DNA Firearms Brass Casings

114. Other Units Called:

Part 10 Narrative

120.

THE VICTIM, JENNIFER, ADVISED POLICE THAT SHE WENT TO OP 1, CARL'S, RESIDENCE YESTERDAY TO VISIT WITH HIM. SHE ADVISED THAT SHE WAS IN A DATING RELATIONSHIP WITH CARL. SHE ADVISED THAT WHEN SHE ARRIVE CARL CAME OUTSIDE TO MEET HER AND DID NOT BRING HER INSIDE, WHICH SHE THOUGHT WAS STRANGE. SHE ADVISED THAT WHILE THEY WERE OUTSIDE SPEAKING THE SUSPECT, TARA, OPENED THE DOOR TO THE RESIDENCE AND STEPPED OUT. JENNIFER ADVISED THAT CARL AND HER CONTINUED TO SPEAK FOR A SHORT PERIOD WHEN CARL ASKED HER TO COME INSIDE SO THEY ALL 3 COULD SPEAK TOGETHER ABOUT THE SITUATION. JENNIFER ADVISED THAT WHILE INSIDE SPEAKING WITH TARA AND CARL SHE WAS SEATED ON AN OTTOMAN IN THE LIVING ROOM WHILE THEY WERE STANDING. SHE ADVISED THAT DURING THE CONVERSATION TARA BEGAN TO GET ANGRY SO SHE LEFT THE CONVERSATION AND WENT TO A DIFFERENT PART OF THE RESIDENCE. JENNIFER STATED THAT SHE CONTINUED TO SPEAK WITH CARL WHEN SUDDENLY TARA ATTACKED HER. JENNIFER ADVISED THAT TARA WAS HITTING HER AND SCRATCHING HER ALL OVER. JENNIFER STATED THAT SHE DID NOT DEFEND HERSELF BY FIGHTING BACK AGAINST TARA.

jennifer advised that once she was able to get away from tara she made her way outside. she advised that she told carl she was going to call the police due to the assault. she advised that carl told her "if you call the police i am going to post naked pictures of you on the internet". jennifer advised she changed her mind at that time about calling the police. Jennifer advised that this morning she had been in communication with an attorney and had decided to call the police to complete an incident report. Jennifer also advised police that she has numerous text messages from carl saved that state he will post pictures of her online and also get her fired from her job.

jennifer had visible signs of injury in numerous places on her body. she has scratches on her face, arms, leg, and the back of her neck. she also had a large bruise on the top her foot. she advised that her entire body hurts and that "she feels like she was in a car wreck". Jennifer stated that she was unsure on prosecution at this time, but wanted the assault to be documented.

photographs of jennifer's

injuries were taken and attached to this incident report.

121. Report is Continued on: N/A (Check all that apply) Supplement Report Addendum Report

122. Signature of Recipient/Authorizer: N/A Refuse to Sign WILLETT, JENNIFER
Victim 1

126. Advisory Notice Issued
Citizen Information Notice

Will Victim Prosecute:
Victim 1 WILLETT, JENNIFER **Unsure (See Narr.)** Primary Investigative Unit: **HERMITAGE INVESTIGATIONS**

Can Victim/Other Person Identify Suspect(s):
Victim 1 WILLETT, JENNIFER **Yes** Person 1 VONHARTMAN, CARL **Yes**

Reporting Agency:
METROPOLITAN NASHVILLE POLICE DEPARTMENT

127. Case Status **Open** Cleared by Exception Cargo Theft

123. Reporting Officer (First, MI, Last)	Employee No.	Agency	Radio Call Sign	District
/S/KEVIN REYNOLDS	179580	TN0190100	617A	

124. Approving Supervisor	Employee No.	Agency
/S/JAMES SMITH JR	226316	TN0190100

125. Reviewer	Employee No.	Agency	Date
/S/MARSHALL KEMP	275921	TN0190100	09/13/2018

Comments

Crime Scene Photo(s) Taken: YES

FELONY

P.A. Hugh Cotton

03-001016 CRE

First Appearance:	Continued: 2/17	Continued:	Continued:	Continued:
Continued:	Continued:	Continued:	Continued:	Continued:

ORIGINAL



**Arrest And Booking Report
Jacksonville Sheriff's Office
Jacksonville Florida**

ADULT

Yr: 2003	Incident # 20031731	Amend #
Jail # 2003014674	4/16/2003 07:35	File Direct: YES
JSO ID #	Court: Circuit	
SSN	OBTS #	

Arresting Agency: University of North Florida Police Dept.

Day/Date/Time Arrested: **Wednesday 4/16/2003 04:00**

Name: **VON HARTMAN, CARL A**

Sub-Sector of Arrest:

Aliases:

Nickname(s): **NONE**

Subject's Home Address: **11800 U N F DR N Apt./Lot #: 328 R**

Sub-Sector of Residence:

City: **JACKSONVILLE** State: **FLORIDA** Zip: **32224**

Deployed prior to/during Arrest: **NO**

Race: **WHITE** Sex: **Male** DOB: **4/15/1984** Age: **19** Eye Color: **BROWN**

Hair Color: **BROWN** Complexion: **FAIR / LIGHT** Height: **6'** Weight: **160** Build: **Medium**

Drivers License # State: Subject's Resident Type: **CITY**

How long in Jax. **LYD**

Hm Phone # Bus. Phone # Phone Ext.

Arrest Made On: **0V**

Subject's Residence Status: **PART YEAR (PART-TIME)** Armed With: **PERSONAL WEAPONS (HANDS/ FIST/ FEET/TEETH/ETC.)**

Distinguishing Marks:

Employer: **STUDENT, UNF** Place of Birth: **UNK**

US Citizen: **YES**

School Last Attended: **UNF**

Domestic Violence Involved: Children under 18 Present: If No is it Domestic Related: **NO**

Day/Date/Time of Incident-From: **Wednesday 4/16/2003 02:30**

Day/Date/Time of Incident-To: **Wednesday 4/16/2003 02:40**

Incident Address: **11800 U N F DR N Apt./Lot #: R328**

Offense Location Type: **Interviewed by:**

Where Arrested: **11800 U N F DR N Apt./Lot #: R BLDG**

Involved in Traffic Accident: **NO** Injuries from Accident:

Is Incident Gang Related: **NO**

Is Arrestee a Gang member? **NO**

Statute or Ordinance Number(s):

#1 Statute No: **S810.02(2)(A)** Degree: **LF** UCR Code: **220A** Attempt Code: **Commit**

4/16/2003 -07:29

BURGLARY / DWELLING - MAKES AN ASSAULT OR BATTERY UPON ANY PERSON

Warrant Type: **Not Applicable**

Citation #	SA#
Capias/Warrant #	Case #

No. of Counts:

Jurisdiction: CT. Location/Div.:

Bond Amount: \$.

Date of Issue:

Date of Return:

Judge:

Disposition:

FILED IN COMPUTER
Disposition Date

#2 Statute No: **S784.03(1)(B)** Degree: **M1** UCR Code: **130B** Attempt Code: **Commit**

4/16/2003 -07:29

BATTERY / SIMPLE

Warrant Type: **Not Applicable**

Citation #	SA#
Capias/Warrant #	Case #

No. of Counts:

Jurisdiction: CT. Location/Div.:

Bond Amount: \$ **9,003**

Date of Issue:

Date of Return:

Judge:

Disposition:

Disposition Date:

no S.A. contact COPY

Blanket Bond:

ADDITIONAL INFORMATION 1

Reporting Officer: **UNF 9400**

T APPROXIMATELY 3:05 AM, 16 APRIL 2003, I WAS DISPATCHED TO Q BUILDING, ROOM 116 REFERENCE A BATTERY. UPON ARRIVAL, I MET WITH THE RESIDENT ASSISTANT, MR. ROBERT LEE WHO STATED THAT ONE OF HIS RESIDENTS HAD BEEN CHOCKED. I AT THIS TIME MET WITH THE VICTIM MR AVRI S. BEN-HAMO

ORIGINAL

ADLT VON HARTMAN, CARL A

ARREST REPORT

Pg 1 of 4 Jail # 2003014674

ADLT

STATE OF FLORIDA
DUVAL COUNTY

I, UNDERSIGNED Clerk of the Circuit & County Courts, Duval County, Florida, DO HEREBY CERTIFY the within and foregoing, consisting of 1 pages, is a true and correct copy of the original as it appears on record and file in the office of the Clerk of Circuit & County Courts of Duval County, Florida.

WITNESS my hand and seal of Clerk of Circuit & County Courts at Jacksonville, Florida, this the 10 day of APR, A.D., 2020.

RONNIE FUSSELL
Clerk, Circuit and County Courts
Duval County, Florida

By _____
Deputy Clerk

MEMORANDUM

TO:	PROSECUTOR - COUNTY COURT	DATE:	May 6, 2003
FROM:	Division CRE	ARRAIGNMENT DATE:	May 7, 2003
RE:	CARL A VON HARTMAN	CASE NO.:	
S.A. CASE NO.:	03CF601812AD	DOCKET NO.:	2003-014674
		ARREST DATE:	April 16, 2003

After reviewing, it is my decision to transfer the above to your court for disposition. The changes in charges are reflected on an attached copy of the above-referenced docket.

The above is:

Out on bond posted by Inc A-freedom Bail Bonds, 233 East Bay Street, Unit #1, Jacksonville, Florida 32202, who has notified by letter to produce the principal in County Court, Courtroom Number JL, at 10:30, on 5-29-03.

Approved by: Kenneth O. Boston
Division Chief

FILED
MAY 19 2003
Jim Fuller
CLERK CIRCUIT COURT

FILED
IN COMPUTER
P. W.

Date Received in MFD: _____

MFD Initials: _____

5/8/03
FD to WP 5/7/03

Exhibit B

Incident Report



Metropolitan Police Department
Nashville, Tennessee
ver 4.3

1. MPD Incident No. 2018-0782853	ZONE 533	R.P.A. 8995
--	--------------------	-----------------------

Part 1 Incident	2. Related Incident <input checked="" type="checkbox"/> N/A				
	3. Other Police Agency & Case Incident No. <input checked="" type="checkbox"/> N/A				
4. Report Type DISPATCHED	5. Report Date/Time 09/13/2018 07:39	6. Incident Date/Time (From/To) 09/12/2018 23:00 - 09/12/2018 23:00	Precinct Hermitage Precinct		
7. Reporting/Dispatched Location <input type="checkbox"/> UNK 2400 CHARLOTTE AV		Apt No	City	State TN	Zip Code <input type="checkbox"/>
Cross Street:					
8. Address of Incident <input type="checkbox"/> Same as Block No 7 3808 LAKERIDGE RUN		Apt No	City NASHVILLE	State TN	Zip Code 37214 <input checked="" type="checkbox"/>
Cross Street:					
# 1	9. Offense CODE 13B	10. Offense Description SIMPLE ASSLT	11. Status COMPLETED	12. Location Type CODE RESIDENCE, HOME	
13. Weapon CODE (Enter up to 3) PERSONAL (HANDS, ETC.)					
15. Hate Crime Suspected NO	16. Suspected Gang Activity NO	16a. Terrorism Suspected NO	17. (For Burglary) Forced Entry	If Hotel/Motel/rental Storage No. of Premises Entered	18. (For Burglary/Robbery) Home Invasion?
Part 2 Victim No. 1 <input type="checkbox"/> N/A	31. Victim Type Individual (18 and over)		19. (Last, First, Middle Name or Business Name) <input type="checkbox"/> UNK <input checked="" type="checkbox"/> MNI <input checked="" type="checkbox"/> NEW WILLETT JENNIFER		
	20. SSN <input checked="" type="checkbox"/> UNK <input type="checkbox"/> N/A		21. Driver License (State) <input type="checkbox"/> UNK <input type="checkbox"/> N/A		
Same as Address of Incident (Block #8) <input type="checkbox"/>	22. Address of Victim Street <input type="checkbox"/> UNK 2400 CHARLOTTE AVE	Apt No 207	City NASHVILLE	State TN	Zip Code 37203 <input checked="" type="checkbox"/>
Cross Street		E-Mail Address			
23. Sex FEMALE	24. Race WHITE	25. Ethnicity NON HISPANIC O	27. County Resident Yes	28. DOB <input type="checkbox"/> UNK <input type="checkbox"/> N/A 09/16/1990	29. Age <input type="checkbox"/> N/A 27 - Years
29. Phone Numbers HM: WK: Cell/ Pager: (573) 275-2478					
30. Victim of Offenses: (Ref Block #9) 13B					
32. Local College Student? (If Yes, List Name of College/University) N/A					
33. Employment (Name) <input type="checkbox"/> MNI <input checked="" type="checkbox"/> N/A (Address) (Apt No) (Cross Street) (City) (State) (Zip Code) (Email Address)					
34. Domestic Disturbance? N/A <i>If Yes, Answer the Following Questions</i> Was Order of Protection Violated? Was Victim taken to Safe Place? Were Children taken to Safe Place? Were Children Present During Incident?					
35. Victim to Suspect 1		LADELL, TARA		Relationship VICTIM WAS ACQUAINTANCE	
36. Aggravated Assault/Homicide Circumstances		37. Negligent Manslaughter		38. Justifiable Homicide	

Part 3		92. (Last, First, Middle Name) <input type="checkbox"/> Alias <input type="checkbox"/> UNK <input checked="" type="checkbox"/> MNI NEW					94. SSN or Driver Lic. No.		
Suspect # 1		LADELL TARA					Unknown		
93. Address Street <input checked="" type="checkbox"/> UNK		Apt #	City		State	Zip Code	95. Phone No. <input checked="" type="checkbox"/> UNK		
Cross Street:									
97. Sex FEMALE	98. Race WHITE		99. Ethnicity NON HISPANIC OR I		100. DOB <input checked="" type="checkbox"/> UNK	101. Age <input type="checkbox"/> UNK Yrs 45	104. Height 5 ' 5 "	105. Weight 130 lbs	
106. Hair BROWN		107. Eyes BLUE							
108. Scars and Other Identifiers				109. Clothing					
102. Suspected of Using <input checked="" type="checkbox"/> NA Alcohol Drugs Computer				103. Status (Enter up to 2) AT LARGE					
96. Weapon/Tool (Enter Up To 3) PERSONAL (HANDS, ETC.)									
110. Vehicle Used None <input type="radio"/> Seized (If seized, complete Part 5, Motor Vehicle Section) <input type="checkbox"/> MVI									
(Year)	(Make)	(Model)	(Style)	(Color)	(License No.)	(State)	(Yr)		

Part 4 <input type="checkbox"/> N/A		39. Other Person Type (Non-Victim) Witness		40. (Last, First, Middle Name) <input checked="" type="checkbox"/> MNI 57639857					
Other Person # 1				VONHARTMAN			CARL		
41. Address Street <input type="checkbox"/> UNK		Apt No.	City		State	Zip Code	42. Place of Employment/School <input checked="" type="checkbox"/> UNK		
3808 LAKERIDGE RUN			NASHVILLE		TN	37214			
Cross Street:									
43. Status N/A	44. Sex MALE	45. Race WHITE		47. DOB <input type="checkbox"/> UNK 04/15/1984	46. Age <input type="checkbox"/> UNK Yrs 34	48. Phone Numbers HM WK Cell/Pager			

Part 5 Property		49. Victim/Suspect No.							
<input checked="" type="checkbox"/> N/A									
50. Cat CODE					Category (Other)				
51. Property Description (Make) (Model) (Size) (Type) (Color)									
52. Serial No.			Owner Applied No.			53. QTY			
54. Type CODE			55. Cond CODE			Condition CODE (Other)			
56. Est \$ Value		57. Date Recovered			Recovered \$Value				
58. Stored By CODE				Stored By (Other)					

Part 6 Injury & Transport <input type="checkbox"/> N/A	85. Injured Victim 1 WILLETT, JENNIFER
---	---

86. "Injury" Code (Enter Up to 5)
APPARENT MINOR INJURY

87. Describe Injury **SCRATCHES AND BRUISES ON VARIOUS PARTS OF BODY**

88. Medical Treatment REFUSED TREATMENT	89. Transported By N/A
--	-------------------------------

90. Examining Physician <input checked="" type="checkbox"/> N/A	91. Status
---	------------

Part 7 Search By Officer <input checked="" type="checkbox"/> N/A	111. Search Type	112. Searched Location (Address, Area, Etc.)
---	------------------	--

Part 8 Other Units Requested <input checked="" type="checkbox"/> N/A	113. I.D. Section Called To Scene: Yes, for: <input type="checkbox"/> Photos <input type="checkbox"/> Prints <input type="checkbox"/> Other <input type="checkbox"/> DNA <input type="checkbox"/> Firearms <input type="checkbox"/> Brass Casings
---	--

114. Other Units Called:

Part 10 Narrative	120.
--------------------------	------

THE VICTIM, JENNIFER, ADVISED POLICE THAT SHE WENT TO OP 1, CARL'S, RESIDENCE YESTERDAY TO VISIT WITH HIM. SHE ADVISED THAT SHE WAS IN A DATING RELATIONSHIP WITH CARL. SHE ADVISED THAT WHEN SHE ARRIVE CARL CAME OUTSIDE TO MEET HER AND DID NOT BRING HER INSIDE, WHICH SHE THOUGHT WAS STRANGE. SHE ADVISED THAT WHILE THEY WERE OUTSIDE SPEAKING THE SUSPECT, TARA, OPENED THE DOOR TO THE RESIDENCE AND STEPPED OUT. JENNIFER ADVISED THAT CARL AND HER CONTINUED TO SPEAK FOR A SHORT PERIOD WHEN CARL ASKED HER TO COME INSIDE SO THEY ALL 3 COULD SPEAK TOGETHER ABOUT THE SITUATION. JENNIFER ADVISED THAT WHILE INSIDE SPEAKING WITH TARA AND CARL SHE WAS SEATED ON AN OTTOMAN IN THE LIVING ROOM WHILE THEY WERE STANDING. SHE ADVISED THAT DURING THE CONVERSATION TARA BEGAN TO GET ANGRY SO SHE LEFT THE CONVERSATION AND WENT TO A DIFFERENT PART OF THE RESIDENCE. JENNIFER STATED THAT SHE CONTINUED TO SPEAK WITH CARL WHEN SUDDENLY TARA ATTACKED HER. JENNIFER ADVISED THAT TARA WAS HITTING HER AND SCRATCHING HER ALL OVER. JENNIFER STATED THAT SHE DID NOT DEFEND HERSELF BY FIGHTING BACK AGAINST TARA.

jennifer advised that once she was able to get away from tara she made her way outside. she advised that the told carl she was going to call the police due to the assault. she advised that carl told her "if you call the police i am going to post naked pictures of you on the internet". jennifer advised she changed her mind at that time about calling the police. Jennifer advised that this morning she had been in communication with an attorney and had decided to call the police to complete an incident report. Jennifer also advised police that she has numerous text messages from carl saved that state he will post pictures of her online and also get her fired from her job.

jennifer had visible signs of injury in numerous places on her body. she has scratches on her face, arms, leg, and the back of her neck. she also had a large bruise on the top her foot. she advised that her entire body hurts and that "she feels like she was in a car wreck". Jennifer stated that she was unsure on prosecution at this time, but wanted the assault to be documented.

photographs of jennifer's

injuries were taken and attached to this incident report.

121. Report is Continued on: <input checked="" type="checkbox"/> N/A (Check all that apply) <input type="checkbox"/> Supplement Report <input type="checkbox"/> Addendum Report			
122. Signature of Recipient/Authorizer: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Refuse to Sign WILLETT, JENNIFER Victim 1			126. Advisory Notice Issued Citizen Information Notice
Will Victim Prosecute: Victim 1 WILLETT, JENNIFER Unsure (See Narr.) Primary Investigative Unit: HERMITAGE INVESTIGATIONS			
Can Victim/Other Person Identify Suspect(s): Victim 1 WILLETT, JENNIFER Yes Person 1 VONHARTMAN, CARL Yes			
Reporting Agency: METROPOLITAN NASHVILLE POLICE DEPARTMENT			
127. Case Status Open	Cleared by Exception		<input type="checkbox"/> Cargo Theft
123. Reporting Officer (First, MI, Last) /S/KEVIN REYNOLDS	Employee No. 179580	Agency TN0190100	Radio Call Sign District 617A
124. Approving Supervisor /S/JAMES SMITH JR	Employee No. 226316	Agency TN0190100	
125. Reviewer /S/MARSHALL KEMP	Employee No. 275921	Agency TN0190100	Date 09/13/2018
Comments			

Crime Scene Photo(s) Taken: YES

Exhibit C

**IN THE FIFTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE**

CARL VONHARTMAN,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Case No.: 20C740
)	
KORTNI BUTTERTON,)	
)	
<i>Defendant.</i>)	

AFFIDAVIT OF MELISSA INGRAM

1. My name is Melissa Ingram, I have personal knowledge of the facts affirmed in this Affidavit, I am competent to testify regarding them, and I swear that they are true.

2. I am the administrator and creator of the Facebook Group “This is not a swipe left group in Nashville.” The group was created in December of 2008 for women who wanted to share their dating experience in Nashville.

3. The criteria to join the group were: (i) That you lived in Nashville; (ii) That you identified as a woman, and (iii) That you agreed not to share screenshots from the group.

4. In April of 2019, Carl Vonhartman was posted about in the Facebook group for the first time. Several women commented about bad experiences with him and his temper.

5. The next time Carl was posted about was January 2020. On that thread, several women shared about their experience with Carl.

6. I offered the opportunity for group members to message me if they wanted to post or comment anonymously and I would comment on their behalf. I received several messages from women who didn’t want to share their experiences, but who echoed the sentiment on the post that

on their date with Carl, he was aggressive and overall self-absorbed.

7. On January 29, 2020, I received a private Facebook message from Carl around 9:30 a.m. CST. Between then and 11:30 a.m., Carl and I exchanged a few messages and I realized that he was completely out of control.

8. I offered that Carl could call me, hoping that maybe he was just taking messages out of context and he would calm down.

9. At 11:40 a.m., Carl Durden (as he goes by on Facebook) called me through Facebook Messenger. The call lasted approximately 40 minutes.

10. During his phone call with me, Carl would go from being calm and understanding that this is freedom of speech and that nothing that was posted was defamatory to insanely upset and unstable.

11. I realized that Carl was just an unstable person and told him that there was no point in us speaking further as he was just talking in circles.

12. At that time, Carl got extremely upset with me. He started screaming "I'm going to find out where you live. I'm going to know where you work and I'm going to come after you."

13. I ended the call and immediately called my kids' school and asked them to please keep my kids at school and told them I would pick them up.

14. I was concerned that Carl would find my home. My kids getting home without me there or getting off the bus made me very nervous.

15. Carl's actions on the call were alarming. He was extremely upset to the point that he was stuttering terribly and could hardly get out a thought without going from talking to screaming at me.

16. Carl continued messaging me on Facebook until around 2:30 p.m. asking that I

remove a post about him on the page.

17. I told him I would not remove the post as I thought that it was important that women be able to share their experience.

18. My complete Facebook message correspondence with Carl is attached to this Affidavit as Attachment #1.


19. After ending my correspondence with Carl on January 29, 2020, I shared my attached correspondence with Carl with Kortni Butterson.

20. At approximately 4:30 p.m. that same afternoon, Kortni messaged me on Facebook letting me know that Carl was at her house, banging on her door. I suggested she call the police as soon as possible.

21. I connected Kortni with an attorney that I know who could assist in getting a protection order. I was fully in support of Kortni through the order of protection hearing and appeared as a witness in the case.

Further affiant sayeth not.

Pursuant to Tenn. R. Civ. P. 72, I declare under penalty of perjury that the foregoing is true and correct.


Melissa Ingram (May 8, 2020)

Melissa Ingram
May 8, 2020

Date Executed

Attachment #1

 Carl Durden

 Carl Durden
You and Carl aren't connected on Facebook

JAN 29, 2020, 9:24 AM

Please show me on that 15 year old arrest report how that's domestic violence. Please. I'd love to see it. That was for a fight that I got into inside my dorm room in college. Nothing about that was domestic in nature. You are spreading false and defamatory information. I know your little group thinks it's untouchable, but you aren't. Saying that I was arrested for domestic assault is a blatant lie. It was a fight inside my dorm when I was 19, you fat fucking moron. Please, post a scene of this in your group as well

Screen *

JAN 29, 2020, 10:56 AM

You can now call each other and see information like Active Status and when you've read messages.

I literally just got off the phone with my attorney at the Cole group. You saying that I have a clear history of domestic violence is the exact definition of defamation and slander. It was a fight from my college dorm when I was 19 years old, and charges were later dismissed.

And I really don't care about your opinion of my personality or what anyone else in your group thinks of me, but you aren't going to say that I've been arrested for domestic assault when that's completely false. Sorry, it isn't going to happen.

I copied and pasted someone else's comment. But I've edited it for clarity.

You have been posted about on multiple FB pages by multiple women that report the same thing.

You are spiraling and its unhealthy.

I'm sure I have and I really don't care. I literally get called aggressive just for sticking up for myself. I've done nothing wrong here. I've never hit a woman.

Agein, you're in no position to judge me or how I live my life

Nobody said you hit a woman?

Saying I was arrested for domestic violence implies that

I could say the same thing about your weight and unhealthy lifestyle. You don't matter. You aren't god. Stop acting like it.

Carl... I literally could not care less. I'm an admin of a site for single women that need a resource to stay safe. That's it. I don't hang out on there. Not my bag. Nobody said you hit a woman. The screen grabs are there and say the exact charges. Nobody once said you hit a woman.

Carl. Stop. Seriously. I do not act or think like I'm god. Since we don't know each other... we shouldn't judge. I tell the ladies to take what is posted with a grain of salt. There are crazy men and women and 3 sides to every story.

Clears there is only one side to this story.

I'm a monster that hits women

Not one person said that.

 Carl Durden

Not one person said that.

Not one.

I'm not going to sit by and let this happen. You've started a war with the wrong man
I literally have multiple women sending me screens each time this nonsense is posted about me.
I'm about to create a group where I do nothing but share each and every post from your group
And that's going to include any and all information I can find
I'm sure this group started as a way to protect women from guys who are actually abusive, but it's turned into something else.
It's turned into a group where pathetic cowards whine and cry when a guy doesn't text them back. You aren't doing any service to the community with this
I really don't care is this costs me 20k. I'll see you in court for saying that I was arrested for domestic violence

 But yeah, I'm spiraling. Could be worse. I could be grossly overweight with a bunch of kids.

It wasn't just for abuse. Just guys that weren't honest really. But I do *try to monitor posts. If someone is being petty the post is deleted.
There are 3 swipe left groups in Nashville. I admin 1.
They started after girls were posting guys in Nashville Girls Group.
If you knew me you would know that I am extremely neutral. Women get upset about shit they shouldn't, I'm not one of those people. I'm not even a single person. I hate typically catty shit and the difference in our group is i do that shit.
I have explained myself more than you deserve after the personal attacks. I hope you get the help you need. I am perfectly happy and comfortable with my life Carl. Please be a human.


By the end of the day I'll have your full name and employer so I can move forward with this suit 🙄 1

 Yeah, I'm the one that needs help. This is personal and I'm not going to stop until this gets corrected.

Let me know the attorneys info, I'll gladly give them a call.

Nothing was posted that was untrue. Nothing.

You can say this until you're blue in the face.


 I have the screen shot

I have had 0 experience with you other than right here in this message. And you are completely unstable.

The screen shot of nobody saying you hit women?

Who is the attorney I should call?

I'm unstable because I'm speaking the truth?

 Please, what did I say that was unstable?

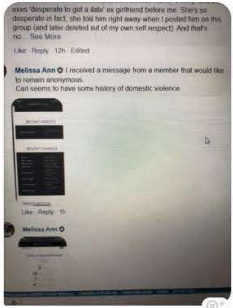
Who is the attorney I should call?

   Type a message...



Carl Durden



That's defamation. "Carl seems to have a history of domestic violence"

Where does that say anything about you hitting women???

I love this. Typical female logic.

I'm unstable because I'm saying mean things

Feel free to give me a call.

Sure thing. What's the number ?

You can call me right here. I'm happy to talk to you.

Carl called you.

✓ January 29, 2020 at 11:41 AM

Call Again

JAN 29, 2020, 2:06 PM

You really just can't leave it alone, can you?

I have contacted an attorney. Please do not contact me anymore. I was very understanding to your position before you reached out in that way. You have fight with Laura, not me. I wish you the best in whatever it is you are attempting to do here, I want NOTHING to do with it. My group/ me did nothing wrong.

If you contact me again, I will go to the police with the recording of your call and you directly threatening me.

Posting another post about me personally clearly shows you have everything to do with it. Go ahead and contact every attorney you'd like. I'm the one with screen shots of you saying that I was arrested for domestic violence.

Type a message...



 Carl Durden

Posting another post about me personally clearly shows you have everything to do with it. Go ahead and contact every attorney you'd like. I'm the one with screen shots of you saying that I was arrested for domestic violence. Please, go to the police as well. I didn't threaten you at all. I'm sorry that you're too stupid to understand plain speaking. I mean every word of what I said. There will be real and actual consequences for this defamation.

violent or aggressive behavior within the home, typically involving the violent abuse of a spouse or partner.

Domestic violence is anyone in the home. It has nothing to do with a spouse. Your phone call with me is all recorded. You threatened me. My post is very clear about the reason why it's not okay. I have been the person you are attacking and I have done nothing wrong. This is insane and you calling me that way only made you look more ridiculous. I was nice to you when you were far less than nice to me.

You weren't nice at all. You clearly think that you're some kind of moral authority. You don't even know me and to call me unstable etc is preposterous.

I could care less if you have a recording. I know exactly what I said. I'll say it again, you're starting a war with the wrong man.

I'm sitting down with attorney tomorrow and showing her all these screens

Do not message me again. I didn't start a war with ANYONE. You called me and threatened me. I would have gladly deleted the post and moved on until I felt like I was in danger. You were on my page talking about my kids and trying to figure out where I live. Telling me you would go to my job. Can you imagine? Go fight Laura. NOT ME.

On your page? You should have just deleted the post and moved on

Now you've created something that can't be undone. I'm going to ask you once to respectfully delete that post and I'll delete the group I created where I'll be sharing screen shots of your group's posts

I deleted the post about you!

And created a new one that's just as bad

The post she made about you with your picture and everyone commenting about how you have an anger problem was deleted earlier. The only post I made was just letting them know why so many posts were deleted. And I told your side of the story to BE CLEAR that it was a long time ago and something stupid from college.

No, you didn't.

It's fine. Go ahead and keep defaming me. I'm going to do everything within my legal right to make sure you pay for this.

To be clear, according to Carl, he was arrested for a fight in a dorm room.

I will not stop until this is right.

What else do you want Carl?

I want to be left alone. I want that post you just put up deleted so we can go our separate ways.

I'd really love to not feel threatened by you. Not feel like I needed to call my kids schools today and tell them to make sure my kids were kept in the school. Really would have liked to not have to call my boss and let him know.

It's your choice. If that post stays up then I'm going to be doing everything in my power to make sure this gets corrected.

Carl Durden

It's your choice. If that post stays up then I'm going to be doing everything in my power to make sure this gets corrected.

You made a comment about not even living in Nashville
I was simply going off what was on your profile

That's it.

All true. You have no right to pass judgment on me

Clearly you want to keep this going so I'll gladly oblige
If it's a war you want then that's what you're going to get

You're on drugs. I never said that

But I'll gladly hire a private investigator to find out everything I need to know to see you in court

Well, if you didn't want to continue this then you shouldn't have defamed me again

I'm not doing this anymore. I asked you 3 times to remove that post so we could go our separate ways

+ GIF 📎 📎 Type a message...



I do really love to not feel threatened by you. Not feel like I needed to call my kids schools today and tell them to make sure my kids were kept in the school. Really would have liked to not have to call my boss and let him know.

My husband really liked the call from his wife in tears over a fucking facebook page that is FOR WOMEN TO LOOK OUT FOR ONE ANOTHER... I don't even qualify to be a member.

You crossed the line when you started telling me you knew where I lived.

could say the same thing about your weight and unhealthy lifestyle. You don't matter. You aren't god. Stop acting like it.

But yeah, I'm spiraling. Could be worse. I could be grossly overweight with a bunch of kids.

I had no desire to EVER communicate with you or have anything to do with the drama that surrounds whatever you have going on. You seem to be okay with the way you talked to me, the threat you made, and the disparaging things you said.

You told me by the end of today you would know where I live, where I work and who I am and you would come after me.

I LITERALLY CALLED MY KIDS SCHOOLS. I don't know you at all. I have no idea what you're capable of. I am getting beat down over something when I'm not the bad guy.

Yes. That is what you said. I recorded the call.

AFTER I was trying to just end the issue. Have a conversation and hopefully not do a crappy messaging back and forth thing.

What was said that was defamatory?

Affidavit of Melissa Ingram & Attachment

Final Audit Report

2020-05-09

Created:	2020-05-06
By:	Daniel Horwitz (daniel.a.horwitz@gmail.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAqtRWMq7sE0UonKVh6EjwJmR9ZOdZkCa

"Affidavit of Melissa Ingram & Attachment" History






-  Document created by Daniel Horwitz (daniel.a.horwitz@gmail.com)
2020-05-06 - 11:20:47 PM GMT- IP address: 136.58.90.241
-  Document emailed to Melissa Ingram (melissaaing@gmail.com) for signature
2020-05-06 - 11:21:17 PM GMT
-  Email viewed by Melissa Ingram (melissaaing@gmail.com)
2020-05-09 - 1:16:51 AM GMT- IP address: 66.249.88.191
-  Document e-signed by Melissa Ingram (melissaaing@gmail.com)
Signature Date: 2020-05-09 - 1:17:31 AM GMT - Time Source: server- IP address: 174.195.1.143
-  Signed document emailed to Melissa Ingram (melissaaing@gmail.com) and Daniel Horwitz (daniel.a.horwitz@gmail.com)
2020-05-09 - 1:17:31 AM GMT

Exhibit D

IN THE SESSIONS COURT OF DAVIDSON COUNTY, TENNESSEE

KORTNI BUTTERTON,

Petitioner,

vs.

CARL ALBERT VONHARTMAN,

Respondent.

*
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*
*
* Case No. 200P250
*
*
*
* Nashville, Tennessee
* February 10, 2020

* * * * *

HONORABLE ANA L. ESCOBAR PRESIDING

Transcript of proceedings



Transcribed from a digital file by:

Laurie McClain
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A P P E A R A N C E S

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I N D E X

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EXAMINATION

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1 THE COURT: Okay. For the record, this is
2 200P250. If you'd like to start. Do--

3 MS. WELTY: Yes, Your Honor. Thank you.

4 THE COURT: Do the parties want to make an opening
5 statement?

6 MS. WELTY: No. We'll wait.

7 THE COURT: Okay. All right.

8

9

KORTNI BUTTERTON,

10 **having been duly sworn, testified as follows:**

11

DIRECT EXAMINATION

12 BY MS. WELTY:

13 Q. Can you please state your name for the Court.

14 A. Kortni Butterson.

15 Q. Ms. Butterson, did you swear out an order of
16 protection on January 28th, 2020?

17 A. It was January 30th.

18 Q. I'm sorry. January 30th.

19 A. (Unintelligible).

20 Q. Yes, yes.

21 A. Yes.

22 Q. And how do you know Mr. Vonhartman?

23 A. He and I met over -- over a year ago on a dating
24 app. I had read about him on other online forums from other
25 women, about experiences with him, who said he was

1 aggressive and he--

2 MS. WELTY: Your Honor, I'm going to object to
3 anything that other people have said. Just her personal
4 knowledge.

5 THE COURT: Okay. So if you would like to
6 redirect the question.

7 Q. (By Ms. Welty) So you met with him on a dating
8 app. And then what happened?

9 A. A dating app. And he decided -- I decided not to
10 go out with him. And then I unmatched him after he was
11 (Unintelligible).

12 Q. Okay. And how did you come back into contact with
13 him?

14 A. Someone posted asking about him on a forum for
15 women. And I (Unintelligible). And -- and I echoed what
16 other women had said. And I told them my experience with
17 him (Unintelligible) that he was aggressive
18 (Unintelligible).

19 Q. And did you -- did he reach out to you shortly
20 after that period of time?

21 A. He did, yes. He sought me out on Instagram, and
22 sent me a message, which I blocked, and I did not respond.

23 Q. Did he then try to reach out to you again?

24 A. No, because I went and blocked him on all other
25 social media.

1 I will say the next day I got blocked from a
2 message on Instagram, and also blocked him (Unintelligible).
3 He then attempted to follow my Instagram (Unintelligible).

4 Q. Okay. And what happened on January 28th?

5 A. It appears to me that's -- that's when the person
6 posted about it. January 29th is when (Unintelligible).

7 Q. Okay. So what happened -- I -- I apologize. What
8 happened on the 29th?

9 A. On the 29th, at about 10:30 a.m., is when he asked
10 to follow me on Instagram. I blocked it -- blocked him on
11 any social media that I could find so that he couldn't
12 contact me.

13 And then at about 4:30 p.m., I was in my bathroom,
14 in there just blow-drying my hair, and I heard my doorbell
15 ring and pounding on the door. And I stepped outside of my
16 bathroom, which it has little straight-line sight of the
17 door -- near my door. And like the window is probably 2 --
18 I mean, you know, 1 by 2, or something like that, enough to
19 see a person -- person's face.

20 And I saw Mr. Vonhartman at my door. He was
21 wearing sunglasses. He had dark facial hair, was about
22 6'1", 200 pounds. He was wearing a blue hat that showcased
23 -- I mean, I had a view of his (Unintelligible).

24 Q. And what was his behavior? Was he just ringing
25 your doorbell?

1 A. He was ringing my doorbell. He was pounding on
2 the door. He saw me go from my bathroom to my bedroom, and
3 ran around the side of my house, and started banging on that
4 outside wall, from the side of my house, you know, on the
5 same side as my bedroom.

6 Q. How long did the banging occur?

7 A. It was for about 20, 25 minutes.

8 Q. And what did you do when this happened?

9 A. I immediately called the cops, and I was messaging
10 my parents, my roommate, anyone, to come the house to check
11 if it was clear. Especially once the banging stopped, I
12 didn't know if he was hiding somewhere or what. I wanted to
13 make -- make sure it was clear. But otherwise I hid in my
14 bathroom, and I turned on my house alarms, so if -- if he
15 were to break in I would know.

16 Q. Did you and Mr. Vonhartman ever meet in person?

17 A. No.

18 Q. Did you ever give him your phone number?

19 A. No.

20 Q. Did you ever give him your address?

21 A. No.

22 Q. Do you know how he got your address?

23 A. I don't.

24 Q. What was it specifically that made you so
25 concerned to come seek out an order of protection?

1 A. It was from him reaching out to me telling me he
2 was going to sue me for defamation for saying he was
3 aggressive; for continuously trying to make contact through
4 social media, because he did not have my phone number. It
5 was that he was contacting other women in the group,
6 including one of the witnesses -- who is here today -- and
7 the things that he was saying to her.

8 I actually went online and started opting out of
9 -- I did a Google search of my name and I started trying to
10 opt out, out of all those different -- White Pages,
11 Zoom, Info, whatever, to get my information offline, because
12 it was time. And he just was reaching out to every one, and
13 it was just very concerning. I didn't know what he was
14 going to do next.

15 Q. Based on this incident, what steps have you taken
16 to protect yourself?

17 A. I installed a Ring doorbell. I have alerted my
18 company, which is a global safety company, of what is going
19 on. And my North America head of security is taking
20 considerations to block him from our websites. I have been
21 given a free Epass and a locked garage. One of my coworkers
22 has given me one of those like sound ring whistle that just
23 sends off sound.

24 I have gotten an order of protection. I've
25 alerted my neighbors around me of what this man looks like

1 and to be on the lookout, see if he might be at the house.
2 I have also taken an online course from (Unintelligible).
3 And I need to (Unintelligible) so I could (Unintelligible).

4 Q. Was there any reason for him to be at your
5 residence that day?

6 A. No, certainly not.

7 Q. Is there anyone else that would have been at your
8 residence banging on your door?

9 A. No.

10 Q. Are you dating anyone currently?

11 A. No.

12 MS. WELTY: That's all I have, Your Honor.

13 THE COURT: Okay. I do have a question.

14 So you never went out with him?

15 THE WITNESS: No.

16 THE COURT: And you said the relationship was just
17 on--

18 THE WITNESS: It was basically online.

19 THE COURT: Online? Okay.

20 Okay. Cross-examination?

21

22

CROSS-EXAMINATION

23 BY MS. RIDDLE:

24 Q. You said that you met on the dating app Hinge, is
25 that right?

1 A. I think, Hinge, or -- it was over a year ago. I
2 think that's the one it was.

3 MR. VONHARTMAN: That's the one.

4 Q. (By Ms. Riddle) And this communication with the
5 other women, that was in a Facebook group?

6 A. Correct.

7 Q. What's the name of that Facebook group?

8 A. Well, it doesn't exist anymore, but it's
9 Swipe Left Nashville, or Nashville Swipe Left. Yeah.

10 Q. Okay. And so you guys had texted -- you and
11 Mr. Vonhartman had texted--

12 A. We never texted. He never had my--

13 Q. -- had messaged through Instagram, or the dating
14 app, or whatever it was.

15 A. The dating app.

16 Q. Sure. Messaged through the dating app
17 approximately one, possibly even two years ago, right?

18 A. Not possibly two years ago -- one -- at most, a
19 year and a half.

20 Q. A year and a half. Okay.

21 And you guys never went on a date?

22 A. Correct.

23 Q. And in this Swipe Left group, somebody asked about
24 him and you said what?

25 A. It was in my paperwork, I don't know where,

1 though. I just basically said that I had found his
2 Instagram a while ago. He had a lot of rude things on there
3 about -- so I decided I didn't want to go out with him. He
4 was (Unintelligible)--

5 Q. I'm sorry, rude things about what?

6 A. Just about other people--

7 Q. Okay.

8 A. -- aggressive things, on his account.

9 Q. Okay. What were the aggressive things?

10 A. For me it was just he seemed very angry in his
11 messages when I told him I didn't think we were a good
12 match. And he kept going into all of this. I'd heard from
13 a friend he goes to the Patriots Bar and he's gotten into
14 fights there, and he wanted to know everyone's name. And so
15 he knew my friend's name, or who she was.

16 Q. Okay. So he asked you questions about what you
17 knew and how you knew it?

18 A. That's right. And all I said was, "I don't think
19 we're a good match." And that should have been the end of
20 it. Okay. Done.

21 Q. Okay. So you think just, "We're not a good
22 match"--

23 A. Uh-huh.

24 Q. -- "I think you're violent, but I don't need to
25 tell you why."

1 A. I didn't say that in the first message--

2 Q. Okay.

3 A. -- I just said, "I just don't think we're a good
4 match."

5 Q. Okay. And he asked why.

6 A. He asked why. I said that it's -- "I've heard
7 things about you from other people." And he wanted to know
8 names. And I did not provide names.

9 Q. Okay. So that's him grilling you? That's the
10 grilling?

11 A. Uh-huh, right.

12 Q. Okay. And then this resurfaces a year and a half
13 or so later on this Facebook page. And that's when you say,
14 "This was my experience." Right?

15 A. Uh-huh.

16 Q. Okay. And as a result of that, on January 28th,
17 that's when you got the message that he was going to sue you
18 for defamation?

19 A. Uh-huh.

20 Q. Okay.

21 A. If I "keep running my mouth."

22 Q. He used those words?

23 A. Yes.

24 Q. And do you have screenshots or something of those?

25 A. Yes. (Unintelligible) but this isn't where it is.

1 I don't see it. (Unintelligible).

2 Q. Okay. And you're positive that it was

3 Mr. Vonhartman-

4 A. I'm certain.

5 Q. -- at your house on January 29th, at 4:30 p.m.?

6 A. Yes.

7 Q. And you said he was wearing a blue hat, he had
8 dark facial hair, and sunglasses on, 6'1", 200 pounds, and
9 you just knew it was him. Did you see a vehicle--

10 A. No.

11 Q. -- anywhere?

12 A. No.

13 Q. No?

14 A. I mean, where I was -- well (Unintelligible) I
15 would have had to move closer to him.

16 Q. Any kind of clothing -- clothing, anything like
17 that?

18 A. I noticed that he had (Unintelligible).

19 Q. And you got a Ring app installed later, but you
20 didn't have any kind of--

21 A. Unfortunately, no.

22 Q. -- camera, ring app, anything at the time?

23 A. I never needed it.

24 Q. And then in the text of the order of protection
25 you said that he moved to the side of the house, was banging

1 on the wall, and then he was also ringing the doorbell and
2 banging on the windows.

3 Can you just run me through exactly, like, what
4 was happening?

5 A. It was: He showed up. He rang the doorbell. He
6 saw me, and I saw him, and he started banging on the door,
7 kept going. I went to my bedroom, and then he ran around
8 the side of the house and started banging on that outside
9 wall, where I was.

10 So I grabbed my cell phone, started winding off to
11 my bathroom through the bedroom, where I went into the
12 bathroom. There's no windows in there. And I closed the
13 door and I called 911 and (Unintelligible) and I put on the
14 (Unintelligible) alarm (Unintelligible).

15 And it just continued. He was ringing my doorbell
16 off and on, and then would bang on the door, ring the
17 doorbell, bang on the door. And eventually it did stop.

18 Q. You said about 20 minutes?

19 A. About 20, 25, yeah. I'm not sure. The cops
20 showed up in (Unintelligible) minutes. But I had -- my
21 roommate messaged in our neighborhood group for someone to
22 come, and in this case would check the outside, that no one
23 was there. Said they'd come by the house. So then
24 (Unintelligible) that I had never met before show up, and
25 they checked the boundaries of the house. They were there

1 when the other two police officers showed up, and then they
2 made a report.

3 Q. Okay. And so as far as you can hear, anyway, it
4 sounds like he's moving from the side of the house back to
5 the front of the house.

6 A. He moved once, and that's when he saw me go to the
7 bedroom, and then he went back and stayed at the door and
8 was ringing the doorbell and--

9 Q. Okay. So he went to the side of the house once--

10 A. Yes.

11 Q. -- and then went back to the front and stayed
12 there?

13 A. Correct.

14 Q. And when did you call 911, about what time?

15 A. I don't know, four -- (Unintelligible) 4:30, 5:00.
16 I was on the phone about 4:30.

17 Q. Were you on the phone with 911 the whole time you
18 were in the bathroom?

19 A. Uh-huh.

20 Q. And what were you telling 911?

21 A. I told them what was happening. I told them who
22 it was. And they asked if I wanted them to stay on the line
23 until they got there, and I said, "Yes." And she kept --
24 you know, kept asking me if there was still noise, and I
25 told her, yes, that there was. And then there was another

1 pause, I said, "No. Please don't slow them down, and make
2 sure." (Unintelligible).

3 Q. Okay. So if -- when we get our 911 call from the
4 open records request, it -- you'll be able to hear all that,
5 you were on the phone the whole time. We may even hear the
6 doorbell in the background?

7 A. Maybe yeah, and like maybe not, because I just
8 stayed in the shower with the light off.

9 Q. Is there a fence or a gate at your property?

10 A. There is, but it only blocks off the back side.

11 Q. So he could have gone to the side of the house
12 without going through the fence?

13 A. Correct.

14 Q. And do you have your personal cell phone with you
15 here today?

16 A. Yes.

17 MS. RIDDLE: Judge, we would ask that there be a
18 preservation order for 48 hours before this event and 48
19 hours after, for her to preserve her phone so that should we
20 file an appeal and get to that point and we're doing
21 discovery we will have access to what her phone --
22 everything that happened in her phone 48 hours before and 48
23 hours after.

24 THE COURT: Okay.

25 Counsel, if you'll instruct your client.

1 MS. WELTY: Yes, Your Honor.

2 MS. RIDDLE: Judge, could I have just one second?

3 THE COURT: Yes.

4 MS. RIDDLE: No more -- no more questions, Your
5 Honor.

6 THE COURT: Okay. Any redirect?

7 MS. WELTY: Just one.

8

9

REDIRECT EXAMINATION

10 BY MS. WELTY:

11 Q. Counsel for respondent asked you about what he was
12 wearing, specifically. Had you seen that -- had you seen
13 that blue hat before?

14 A. Not the -- no, not prior, that I can remember.
15 I'm sure I have on his Instagram. But the next day I went
16 and checked--

17 Q. Okay.

18 A. -- for...

19 Q. Let me show you something. Is that the hat that
20 you saw?

21 A. Yes.

22 THE COURT: Okay.

23 Any objection?

24 MS. RIDDLE: Your Honor, it's a blue hat. Many
25 people can own certain kinds of blue hats, that doesn't mean

1 that that is proof that he was there on this...

2 THE COURT: Okay.

3 Okay. Any questions?

4 MS. WELTY: I -- I just have--

5 THE COURT: Okay.

6 MS. WELTY: -- another witness, Your Honor--

7 THE COURT: Okay, okay.

8 MS. WELTY: -- Melissa Ingram.

9

10 **MELISSA INGRAM,**

11 **having been duly sworn, testified as follows:**

12 **DIRECT EXAMINATION**

13 BY MS. WELTY:

14 Q. Can you please state your name for the Court?

15 A. Melissa.

16 Q. What's your last name?

17 A. Ingram.

18 Q. And Ms. Ingram, have you had communications with

19 Mr. Vonhartman?

20 A. I have.

21 Q. And on what date was that?

22 A. January 28, I believe.

23 Q. Okay. And do you know him personally at all?

24 A. I do not.

25 Q. How did -- did he contact you?

1 A. He did.

2 Q. And what did he contact you about?

3 A. He sent me a message, via Facebook, regarding a
4 post in a group that I admin'd, that was made by another
5 woman, about him.

6 Q. Okay. And at some point in time did he contact
7 you on the phone?

8 A. He did. He called me via the Facebook Messenger
9 app.

10 Q. Okay. And did you answer his phone call?

11 A. I did.

12 Q. And did -- at -- what was Mr. Vonhartman saying
13 during that phone call?

14 MS. RIDDLE: Your Honor, I'm going to object to
15 relevancy as it relates to the reason why we're here today,
16 the order of protection, and -- and stalking, and the
17 allegations in the order of protection. This is obviously
18 outside the scope of what we're here for.

19 MS. WELTY: I -- I think it's very relevant,
20 Your Honor. It goes towards his demeanor during the period
21 of time that this was occurring, threatening another female
22 that was involved in this incident. I think it goes to his
23 state of mind at the period of time, and is very, very
24 relevant to this.

25 THE COURT: Okay. I'll allow--

1 MS. RIDDLE: If you could--

2 THE COURT: -- allow that, limited. Okay. Okay.

3 MS. WELTY: Your Honor, could we keep it to
4 threats of violence as it relates to this order of
5 protection? I think that just general "demeanor" -- I -- I
6 think any threat--

7 THE COURT: Okay.

8 MS. WELTY: -- to -- any specific threat, not
9 necessarily violence, but threat to find a person and track
10 them down and go to their home, those are all
11 threats-

12 THE COURT: Uh-huh.

13 MS. WELTY: -- that relate very much so to what is
14 being alleged by my client against Mr. Vonhartman, and I
15 think that's very important for Your Honor to hear.

16 THE COURT: Okay.

17 MS. WELTY: And that's -- I'm -- I'm happy to
18 limit it to that.

19 THE COURT: Okay.

20 Q. (By Ms. Welty) Was Mr. Vonhartman threatening at
21 all in his communication to you?

22 A. He was.

23 Q. And what specifically did he say?

24 A. He stated by the end of the day he would know
25 where I lived, forever, and where my kids are, so...

1 Q. Okay. Was there anything else that he said to you
2 that was threatening?

3 A. It was a very up and down conversation. He would
4 say that he was going to come after me. He would say he was
5 going to press legal charges against me. And then it went
6 to: "By the end of today I'm going to know where you work,
7 where you live."

8 Q. Well--

9 A. And then proceeded to say -- I said, "I don't live
10 in Nashville." It -- this was very overwhelming. I had
11 nothing to do with this. I wanted nothing to do with it.
12 And he proceeded to say, "Oh, that's right. You live in
13 Hendersonville," and then continued to tell me he would find
14 out where I worked, where I lived, by the end of the day.

15 Q. Okay. What was his demeanor during this phone
16 call?

17 A. I would call it extremely angry, extreme highs,
18 extreme lows in the middle of the conversation. Very -- he
19 came cross very unstable.

20 Q. Okay.

21 MS. WELTY: That's all I have. Thank you, Your
22 Honor.

23 THE COURT: Okay. Any cross-examination?
24
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CROSS EXAMINATION

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BY MS. RIDDLE:

Q. Ms. Ingram, did you make the post to that Facebook group after this phone call?

A. I did.

Q. Do you remember what was said in that post?

A. Yes, ma'am. I have copies, if you'd like it.

Q. Sure.

What did you say?

A. Could I get my phone?

Q. Oh, good. That'll do.

THE COURT: Okay.

THE WITNESS: (Unintelligible).

My post after the phone call with Carl--

THE COURT: If you could take--

THE WITNESS: -- said--

THE COURT: -- tell us the date and time.

THE WITNESS: Yes, ma'am. It was January 29th, at 1:52 p.m.

"Hello members. Yesterday there was a post about Carl. Many women commented about having a bad experience with Carl. Unfortunately for the group, someone here took screenshots of those comments and sent them to Carl.

He has reached out to me directly in a way that I would consider to be less than refined. He decided that he

1 was going to have his person in the group take screenshots
2 of all the posts here and make his own page to "out" us for
3 the horrible things we are doing.

4 Today I went through the group and deleted several
5 posts, posts that were made by women, rightful, to give
6 women a heads up on an experience they've had with a man in
7 Nashville. I want to be clear that I did not delete posts
8 because of what they said, I deleted them because I'm
9 concerned about safety for myself and others that were on
10 the posts made about Carl, and concerned about some of the
11 statements that he made when he reached out to me.

12 I'm not sure to -- who took the screenshots to
13 Carl, but I want to say that couple of things. Number one:
14 This page was designed for all the right reasons. Women get
15 to come here and use this page for information, advice, and
16 someone to lean on.

17 Number two: You have put women in danger.
18 Imagine that someone came here to post about -- that a man
19 had sexually assaulted her. We have had a couple of those.
20 And then Carl made a page that shows up now in the posts.
21 What do you think he would do? How do you think he would
22 react? If something happens to that woman, do you think
23 you're responsible?

24 Number three: Facebook is a small, small glimpse
25 at real life -- very small. Take what is here with a grain

1 of salt. Be kind to people. Think about how your actions
2 would make someone else feel."

3 I then edited it to add: "Carl is upset with me
4 because of the comment I put said 'domestic violence,' and
5 he believes that implies that he hit a woman. I copied and
6 pasted from an anonymous woman, and actual charges were
7 shown in the screenshots.

8 To be clear, according to Carl, he was arrested
9 for fighting in a dorm room. Domestic violence is anything
10 within the home. Gender is irrelevant."

11 My hashtag was "womenneedtofightforeachother" and
12 "thisisnotokay."

13 MS. RIDDLE: And Judge, could we admit that,
14 please?

15 MS. WELTY: I don't--

16 THE COURT: Any objections?

17 MS. RIDDLE: I don't--

18 MS. WELTY: No objection.

19 MS. RIDDLE: -- I don't know what exhibit we're
20 on. Are we on 2?

21 COURT CLERK: (Unintelligible).

22 MS. RIDDLE: I'm sorry.

23 COURT CLERK: (Unintelligible).

24 MS. RIDDLE: Are we on Exhibit No. 2?

25 MS. WELTY: Yes.

1 UNIDENTIFIED MAN: (Unintelligible).

2 COURT CLERK: There's (Unintelligible) yes, sir.

3 Q. (By Ms. Riddle) And you're the admin of this page,
4 is that correct?

5 A. Yes, ma'am.

6 Q. When this first post happened, as far as somebody
7 posted a picture of Carl and said, "Has anybody had
8 experiences with Carl?" Do you remember that?

9 A. I do.

10 Q. Okay. And do you remember some of the comments
11 that came as a result of that?

12 A. I do.

13 Q. Okay. And did you bring screenshots of those with
14 you?

15 A. I did.

16 MS. WELTY: We do have that.

17 MS. RIDDLE: Your screenshots are probably going
18 to be cleaner than mine because I wrote on mine, so if
19 you've got them, we might use those.

20 (Unintelligible voices.)

21 THE WITNESS: Yes.

22 Q. (By Ms. Riddle) Okay. And in those comments it
23 does specifically talk about Carl may have been charged with
24 domestic violence. Right?

25 A. That's correct.

1 Q. And then somebody comments like, "Oh, yeah, I
2 think I remember this. It was really bad."

3 A. I don't (Unintelligible) yes. "I could be totally
4 wrong, but I will run his name through the search bar
5 because I swear I remember seeing him before for something
6 not good." That was not my comment--

7 Q. No -- yeah, yeah.

8 A. -- that was someone in the group. I just wanted
9 to--

10 Q. Yeah. And then somebody -- but somebody did
11 comment like, "Yeah, I vaguely remember this, and the facts
12 were really bad."

13 A. There -- there are several comments on there that
14 (Unintelligible)--

15 Q. Okay.

16 A. -- of women.

17 Q. But nobody actually had a personal experience,
18 other than possibly Ms. Butterton's, with the
19 ***L***rejection -- nobody commented that they had a
20 personal experience with Carl?

21 A. There actually was someone else that said they'd
22 had an experience with him. It was somebody that had seen
23 him getting in bar fights, or was at the bar with him when
24 he was in a fight, at the Patriot's Bar.

25 Q. Okay. Where's that comment?

1 A. Hold on a second.

2 Right here. "I've seen him super drunkly fighting
3 someone at the Pat's Bar. Huge Patriot's fan, like myself,
4 but he got pissy when I nicely said I wasn't interested, so
5 we never went out after chatting. He has been posted
6 before, though."

7 Q. Okay. So you know, when you -- did you look up
8 his criminal record? Did you do a background check?

9 A. No. This isn't my problem. No.

10 Q. No?

11 And then when these people sent you the
12 screenshots of what they believed was his prior domestic, do
13 you remember what that charge actually was?

14 A. Assault, I believe.

15 Q. Okay. If it were battery, would that sound right?

16 A. Potentially, yes.

17 Q. Okay. But you don't have any personal knowledge
18 of any criminal convictions, any bar fights, anything like
19 that -- no personal knowledge?

20 A. I do not.

21 Q. Okay. And did he threaten to harm you in your
22 phone call with him?

23 A. His demeanor on that phone call was very
24 uncomfortable. I needed to call on several people to make
25 sure my children were safe, and asked what I needed to do.

1 Q. Okay. Because in your Facebook post--

2 A. I was very uncomfortable.

3 Q. -- you said it was less than becoming. You didn't
4 mention it was threatening.

5 A. I could have gone further and said a lot about
6 Carl, and I did not. I chose not to. I have been very nice
7 to him, and he was not very nice to me. And I have nothing
8 to do with this. He was demeaning. He was disrespectful.
9 He was aggressive. It was frightening, what he said. I
10 immediately--

11 Q. Aggressive, how?

12 A. -- deleted every member from the group in order to
13 protect members from someone that was doing whatever he
14 asked them to do.

15 Q. Aggressive, how?

16 A. Screaming, telling me I was a "fat bitch," that
17 they couldn't let women do this to men. He continued -- he
18 would calm down and then go back to serious screaming at me,
19 and then proceed to tell me how he was going to figure out
20 where I lived, and made the comment that I lived in
21 Hendersonville, not Nashville.

22 Q. Is that on your Facebook page?

23 A. It is not. I know that I've taken pretty much
24 everything off of there.

25 Q. Was it on your Facebook page before?

1 A. I'm not for sure. I'm not for sure.

2 Q. Okay. Any other calls from Carl to you since
3 then?

4 A. No, that was it.

5 Q. Okay.

6 MS. RIDDLE: I don't have any other questions.

7 THE COURT: Okay.

8 Any redirect?

9 MS. WELTY: Nothing, Your Honor. But I was given
10 this back, and that would have been the first exhibit.

11 THE COURT: Okay. That's fine.

12 MS. WELTY: Yeah. I just wanted to make sure we
13 have that.

14 THE COURT: Okay. Okay.

15 Ms. Riddle, do you have any witnesses?

16 MS. RIDDLE: Your Honor, before we even get to my
17 witnesses, at this point, I would just like to state that
18 the Court -- since this is a civil case, the Court can go
19 ahead and make a ruling at this point to dismiss the order
20 of protection, as it doesn't even meet the technical statute
21 for stalking.

22 Orders of protection are very particular. You
23 know they can only be granted under certain circumstances.
24 The only allegation here is "stalking." And I'm not going
25 to read you the full statute, because I know Your Honor

1 knows it. But it has to be willful course of conduct.

2 And "course of conduct" is defined in
3 39-17-315(a)(1) as: "A series of two or more separate acts
4 evidencing a purpose" -- right -- for following, monitoring,
5 observing, surveilling, threatening, communicating to a
6 person that interferes with that person's property.

7 And we're just not there at this point. Even if
8 everything that was said here is true, this is not stalking
9 at all. It may have matched something else, but it's not
10 stalking. And if it was stalking, and there was a police
11 report made, there's no criminal charges here. We have no
12 even indication that the police were interested in this
13 case. This doesn't even meet the burden for stalking, at
14 all.

15 This order -- this is wrong avenue. If she wanted
16 to pursue this criminally, she could. She could have asked
17 the cops, "Yes, I want to go down, and I want to make sure
18 that there's a warrant for this guy's arrest." An order of
19 protection -- this is not the avenue. It's the wrong place.

20 THE COURT: Any response?

21 MS. WELTY: Yes, Your Honor. I -- I think we do
22 have the two contacts here. We have his continued social
23 media contact, trying to reach out to her--

24 THE COURT: And it was the same day.

25 MS. WELTY: -- on Instagram. I believe one was

1 the 28th, and then he came to her house--

2 THE COURT: Okay.

3 MS. WELTY: -- on the 29th. Because he -- he
4 tried to communicate -- he communicated with her on
5 Instagram on the 28th. She blocked him. He then attempted
6 to follow her on Instagram, she stated, at 10:30 in the
7 morning on the 29th. And then it jumped to him coming to
8 her house.

9 This is not someone who knew where she lived. He
10 had to have really sought her out and looked into public
11 records to figure out where she is. The jump -- the level
12 of his behavior jumping from just trying to follow her to
13 social media to then coming to her home is very, very
14 concerning. And I think it very much so rises to the level
15 of stalking.

16 And luckily, she went and got the order of
17 protection, it -- and it was granted, so that we didn't have
18 to see if there were continued behaviors, so...

19 MS. RIDDLE: Your Honor, if I may just briefly
20 respond?

21 THE COURT: Uh-huh.

22 MS. RIDDLE: A Facebook inquiry for a friendship
23 request, that can't possibly meet one of the acts here, for
24 stalking. I mean, it's a Facebook friend request, just deny
25 it and move on with your day. That has no bearing on a

1 stalking allegation.

2 THE COURT: Okay. So on the 28th, you're saying
3 that there was only a Facebook request?

4 MS. WELTY: I -- I believe he communicated with
5 her on Instagram--

6 THE COURT: Right. Direct mess--

7 THE WITNESS: (Unintelligible) was he tried to
8 send a (Unintelligible) on Instagram.

9 THE COURT: Okay.

10 THE WITNESS: And I just blocked him.

11 THE COURT: Okay. Then you didn't -- you didn't
12 say, "Do not talk to me, stop"?

13 THE WITNESS: I didn't want anything to do with
14 him.

15 THE COURT: Okay.

16 THE WITNESS: I wanted him to leave me alone.

17 THE COURT: Okay. So okay, excuse my ignorance:
18 So when you block someone on Instagram, does the other
19 person know?

20 MS. WELTY: I don't know. I don't know.

21 THE COURT: Okay. It's just you can no longer get
22 messages from the person.

23 THE WITNESS: Okay. And I -- I'm going to verify:
24 I get -- it -- when you get sent a message from someone who
25 like-

1 THE COURT: You don't want to hear from.

2 THE WITNESS: -- then you--

3 THE COURT: Uh-huh.

4 THE WITNESS: -- you don't follow, they don't
5 follow you, or anything like that. It gives you the option
6 down below to say "block," "accept," "respond," or
7 (Unintelligible)."

8 THE COURT: Uh-huh.

9 THE WITNESS: And I hit "block," thinking that
10 that would just be like he can't see it anymore, and just
11 blocked the message, screenshot it, and be done.

12 THE COURT: Okay.

13 THE WITNESS: Then the next day he then requested
14 to follow me, and I (Unintelligible) "do not accept," and
15 then he blocked his profile.

16 THE COURT: On Facebook?

17 THE WITNESS: Instagram-

18 THE COURT: Instagram.

19 THE WITNESS: All of the other things--

20 THE COURT: All, everything.

21 THE WITNESS: -- on the 28th, I went and blocked
22 his Facebook (Unintelligible)--

23 THE COURT: Okay.

24 THE WITNESS: (Unintelligible).

25 THE COURT: Okay. Okay. I'll allow it. Let's

1 keep going. Sure.

2 MS. WELTY: Thank you.

3

4

CARL ALBERT VONHARTMAN,

5

having been duly sworn, testified as follows:

6

DIRECT EXAMINATION

7

BY MS. RIDDLE:

8

Q. Mr. Vonhartman, will you tell the Court your name,
9 please?

10

A. Carl Albert Vonhartman.

11

Q. And you obviously know why we're here today.

12

A. Yes, ma'am.

13

Q. Just briefly, will you tell the Judge a little bit
14 about your experience with Ms. Butterson when this first
15 happened, when you guys first were Instagram-ing on the
16 dating app, or whatever that was?

17

A. Your Honor, it was very brief. We -- we talked
18 for maybe a day. She sent me a message on the dating app
19 saying that she didn't want to continue to date, go forward
20 with the date. I said, "Okay."

21

And then she mentioned she had seen -- she had
22 read things about me that she didn't like. And all I did
23 was ask her one question, and I -- I said, "Well, what
24 things were those?" And then she unmatched me, and I
25 couldn't communicate after that. And that was over a year

1 ago.

2 Q. And any additional contact after that?

3 A. No, ma'am. No, Your Honor.

4 Q. And then what brought you back to contacting her
5 again recently?

6 A. Because I saw posts in this Facebook group that
7 were incorrect, saying that I had been arrested for domestic
8 assault, which was completely untrue.

9 Q. Will you tell the Court a little bit about that
10 history with that battery charge? Is that what it was?

11 A. Yes. I was a freshman in college, and it was my
12 19th birthday. I learned that my -- my girlfriend at the
13 time had cheated with another man, and that -- that man and
14 I got into an altercation in the dorms, and -- and that was
15 that.

16 Q. But you didn't get into an altercation with the
17 girl?

18 A. No, ma'am.

19 Q. Okay. And this -- you learned about this Facebook
20 group?

21 A. Yes.

22 Q. Yes. What do you know about this Facebook group?

23 A. It's -- it's basically a group where -- where
24 women go to share -- share gossip about men in the dating
25 pool in Nashville.

1 Q. Okay. And you learned that you were being talked
2 about?

3 A. Yes.

4 Q. Okay. And you responded how?

5 A. I sent a message to Melissa Ingram, the admin of
6 the group, because she -- she had screenshots of this arrest
7 from when I was 19, and she -- which I -- I have -- I have
8 screenshots of my own. She -- she posted that -- and I
9 quote, "Carl has a -- seems to have a history of domestic
10 violence," which is -- which is completely untrue -- and
11 posted four or five different photos of this arrest when I
12 was -- when I was 19 years old as -- as a freshman.

13 Q. And did you do anything to try to clear your name?

14 A. Yes. I -- I tried to send direct messages to --
15 to both these parties, Ms. Ingram and Ms. Butterson, who
16 were the ones saying that I was arrested for domestic
17 violence, explaining that no, I was in college and it was a
18 fight in my dorm. There was -- it -- I wasn't charged with
19 domestic violence.

20 Q. And Mr. Vonhartman, I -- I meant to ask you this
21 on the front, not in the middle, but since it's popping up:
22 Do you have any sort of speech impediment or anything that--

23 A. I do.

24 Q. -- pops up when you get nervous?

25 A. I do have a speech impediment.

1 Q. Okay. So any -- any sort of delays in your
2 answers here today is because of the speech impediment?

3 A. Yes, ma'am.

4 Q. Okay. Thank you.

5 Where were you on January 29th?

6 A. I was -- I went to the gym, and then I went home.
7 And I remained home until a little after 7:00. And then I
8 went out for a drink and came back home.

9 Q. And when you were served with this order of
10 protection, did you see the allegations?

11 A. Yes, ma'am.

12 Q. Okay. And you saw the date and the time?

13 A. Yes, ma'am.

14 Q. What did you do? Did you go through your phone?
15 What did you do?

16 A. Yes, I did. I immediately went to my -- my Apple
17 location services and printed out screenshots showing that
18 there was no way I could have been where Ms. Butterton
19 alleges that I was, because I was home. And I -- I have
20 screenshots of that as well.

21 Q. Okay. So do you want to look at this--

22 MS. WELTY: Your Honor, I'm going to object to any
23 of that information coming in. It's hearsay. It's not from
24 Apple itself. I have no way to know if that could be
25 modified.

1 THE COURT: Well, why don't you lay a foundation.

2 MS. RIDDLE: Your Honor, he's -- I'm sorry?

3 THE COURT: Lay a foundation.

4 MS. RIDDLE: Your Honor, he's got his cell phone
5 here today, and he can pull this up on his cell phone today
6 and show you. And this -- the data will mimic exactly
7 what's on these--

8 THE COURT: Okay.

9 MS. RIDDLE: -- screenshots here.

10 THE COURT: And what it shows is that the phone
11 was there.

12 MS. RIDDLE: Yes, Your Honor. Yes.

13 Q. (By Ms. Riddle) So just like most people in this
14 day and age, do you take your phone with you everywhere you
15 go?

16 A. Yes, ma'am.

17 Q. Okay. And did you take your phone with you when
18 you went to the gym?

19 A. Yes.

20 Q. Did you take your phone with you when you went
21 home?

22 A. Yes.

23 Q. Okay. And where -- when you pulled this data from
24 your phone, did you make sure that it's still available
25 today if--

1 A. Yes.

2 Q. -- the Judge wants to see it--

3 A. It's available right now.

4 Q. -- could you recreate it on your cell phone?

5 A. Yes.

6 Q. Okay. And this data is going to show your
7 location at your address, correct?

8 A. Yes.

9 Q. And would you tell the Judge your -- where --
10 which part of town do you live in?

11 A. I live on Percy Priest Lake in the -- the
12 Hermitage area.

13 Q. In Old Hickory. Okay.

14 Will you tell us what this is?

15 MS. WELTY: Your Honor, I'm still going to object,
16 and renew my objection.

17 THE COURT: Okay.

18 MS. WELTY: I still think it's hearsay. We have
19 no -- we have no way of knowing if -- where that came from.
20 I have no way of knowing if it could be modified or not.

21 THE COURT: Yeah.

22 MS. WELTY: We'd have to have an expert in here to
23 say how that works.

24 MS. RIDDLE: Can you modify your location data
25 with Apple on your phone?

1 THE COURT: Perhaps the phone is better evidence.

2 Q. (By Ms. Riddle) Okay. Let's pull your phone up.

3 A. You want me to pull that up exactly?

4 Q. Yes, please, sir. We'll do it one at a time.

5 MS. RIDDLE: Do you want to watch him go through
6 and access it on his locations services?

7 MS. WELTY: Your Honor, I'm still going to renew
8 my objection. I have no way of knowing if this can be
9 deleted. I -- I don't know anything about this. I think
10 this is -- this is--

11 THE COURT: Well, we allowed the same information
12 that your client testified to with Hinge, and Instagram, and
13 the Facebook posts, and you know...

14 MS. WELTY: I don't -- I don't think it's the same
15 information. That's very plausible -- I mean, actually,
16 Your Honor, the respondent's attorney asked my client about
17 the Facebook posts that then got admitted. So she opened
18 the door to that.

19 This is technological evidence that I believe
20 would need to have an expert to tell us if it's correct, can
21 it be deleted. I -- I -- I have no way of knowing and no
22 way of cross-examining this sort of evidence. It's very
23 different than just screenshots and pictures of things.

24 I think he can testify as to where he is saying he
25 is, and Your Honor can find him credible or not, and then

1 you weigh the evidence. But I don't think this information
2 specifically comes in under our evidence rules.

3 MS. RIDDLE: Judge, it's shocking to me that we
4 would have this available, this information available to us
5 in front of Your Honor today, and that it would not be
6 considered as a part of this case, when it is clearly on his
7 cell phone. There -- it's not like health data, where you
8 can add a workout and delete a workout. It's your location
9 services. It tells you where you were. I can't tell my
10 phone I was somewhere else.

11 THE COURT: It says where the phone was. So --

12 MS. RIDDLE: That -- that's exactly right.

13 THE COURT: Okay.

14 MS. WELTY: Yes, I don't know if it can be deleted
15 or not. I have no way of knowing that unless I contact
16 LOGICFORCE and -- and ask them, and get an expert in here to
17 talk about that data specifically.

18 MS. RIDDLE: Judge, why would it being deleted
19 matter? If he could delete the information, fine. It's the
20 recreating of it that would concern us. Could he recreate
21 the information to make him -- his phone be somewhere that
22 it wasn't? That would be the only concern. And--

23 MS. WELTY: And we don't know, so--

24 THE COURT: Uh-huh.

25 MS. WELTY: -- I think under our evidence rules,

1 it doesn't come in. It's hearsay.

2 THE COURT: I mean, honestly, the whole thing is
3 hearsay. But I'll allow it.

4 MS. RIDDLE: Thank you, Judge.

5 Q. (By Ms. Riddle) Okay. Do you have it pulled up?

6 A. Yes, ma'am.

7 Q. All right. Will you tell us where you were on
8 January 29th, between 3:48 and 7:17 p.m.?

9 THE COURT: Okay. And to be clear, I meant that
10 fact that--

11 MS. RIDDLE: Where your cell phone was.

12 THE COURT: To be clear, I meant that, you know,
13 this Facebook post, the -- you know, all that can be -- all
14 of that is hearsay.

15 But anyway, go ahead.

16 MS. RIDDLE: Thank you.

17 Q. (By Ms. Riddle) Could you tell us where your
18 phone says your phone was located between 3:48 and
19 7:17 p.m.?

20 A. I was home, Your Honor.

21 Q. Okay. Will you show that to the court officer,
22 please, and let him give that to the Judge.

23 Q. Can you show me where (Unintelligible)?

24 A. Yes.

25 Q. I'm not seeing it right now.

1 A. I'm going to go to "significant locations,"
2 "home." And there's a list of all the times I was home.
3 And so on the 29th, the date in question, shows I was home
4 from 3:48 to 7:17. You can't -- you can't edit it or change
5 it, it's just there.

6 Q. Okay. Okay.

7 A. You can just back-search it.

8 Q. Okay. I'm going to show the Judge.

9 THE COURT: Okay. So it shows a map, and that's
10 where the house is? Is that--

11 MS. RIDDLE: Yes, Your Honor.

12 THE COURT: Okay. I'll give it the proper weight.

13 Q. (By Ms. Riddle) And you also -- around -- did you
14 get a phone call between 4:15 and 4:45?

15 A. I did.

16 Q. Okay. Can you tell us about that phone call?

17 A. Yes. It was about a 15-minute long phone call
18 that I got from a mortgage lender for a house that I'm
19 trying to flip. So I -- I have a screenshot of that as
20 well. I was on the phone from roughly 4:30 to 4:45.

21 MS. RIDDLE: Your Honor, we do -- we have a
22 screenshot of that phone call. We can obviously recreate
23 that again on the phone to show that it is--

24 THE WITNESS: Yeah.

25 MS. RIDDLE: -- from his phone, his phone number.

1 It's a 13-minute call with Newport Beach, California, as the
2 location. And that call took place at 4:25 p.m.--

3 THE COURT: Okay.

4 MS. RIDDLE: -- five minutes before he's banging
5 on a door, and apparently still doing it during the
6 13-minute call with the mortgage investor.

7 Q. (By Ms. Riddle) And did that mortgage investor
8 contact you after your phone call?

9 A. Yes, Your Honor -- or ma'am. Sorry.

10 Q. Thank you.

11 And was it -- what was in the email?

12 A. She -- she basically summarized our call and
13 thanked me for my time.

14 Q. Okay. And is this a copy of that email?

15 MS. WELTY: Your Honor, I'm going to object to the
16 email as hearsay.

17 THE COURT: Yes. I'll--

18 MS. RIDDLE: That's fine.

19 THE COURT: -- sustain.

20 Q. (By Ms. Riddle) All right. And were you also --
21 what -- what else were you doing during this time frame
22 while you were at your house?

23 A. I was doing multiple things. I was doing Google
24 searches. I had a text message with a mentor of mine during
25 this exact time period. I was also texting back and forth

1 with a girl that I'm dating at this -- during this exact
2 time period. And I -- I can recreate all this and -- and
3 show proof with my phone.

4 Q. And tell -- tell the Judge a little bit about what
5 you were doing at home at 4:30 -- not -- not -- you know,
6 where were you sitting?

7 A. I -- I was at my desk upstairs. I have an office
8 upstairs. I was doing research on a house that I'm trying
9 to flip.

10 Q. Were your cats in the room with you?

11 A. Yes, my cats were in the room with me.

12 Q. Okay. Do you know -- have you ever been to
13 Ms. Butterton's house?

14 A. No, ma'am.

15 Q. Okay. Have you ever physically seen her, other
16 than today?

17 A. No, ma'am.

18 Q. Have you ever had any sort of contact with her
19 that would be physically threatening? Did you harm her
20 safety in any way, shape or form?

21 A. No, ma'am.

22 Q. On January 29th -- just so we can be very clear --
23 did you show up at Ms. Butterton's house? Did you knock on
24 the door? Did you ring the doorbell, bang on the side of
25 the house for 20 minutes?

1 A. Absolutely not.

2 Q. Okay. And again, just for clarification, where
3 were you on January 29th at 4:30 p.m.?

4 A. I was at home.

5 Q. Okay. Did you even have a car available to drive
6 outside of 10 miles from your house that day?

7 A. I did not. My -- my main car, it's a
8 BMW 5 Series, it was towed the day before, and I have proof
9 of that as well.

10 Q. And do you have -- just for the Court's knowledge,
11 you have an alternate car, you have a second car, right?

12 A. A very old truck.

13 Q. Okay. And is there a particular way that you like
14 to treat that old truck?

15 A. I don't like driving it. It has no heat or AC, so
16 I don't -- I don't drive it.

17 Q. Okay. Is there anything that you want this Court
18 to know before making her decision today as it relates to
19 this order of protection?

20 A. Yes. I -- I absolutely was not there. I was not
21 at her house. I have a mountain of evidence showing that I
22 was at my home doing research.

23 I have no -- I have no want to harm Ms. Butterton,
24 nor did I. I've never done anything threatening to her.
25 I've never threatened her. The only thing I said that I was

1 going to sue her for defamation for saying that I was
2 arrested for domestic assault -- which I take that very
3 personally.

4 I've never hit a woman. I would never hit a
5 woman. I was raised by a single mom. So that -- that's why
6 I was as angry as I was about them saying I was arrested for
7 domestic assault when it was only a freshman --
8 freshman-year college fight in my.

9 Q. There's been testimony here today about your
10 aggressive nature. Will you tell the Court a little bit
11 about -- about you, who you are, what you do.

12 A. I -- I like to box as a hobby -- is why I think
13 some people might consider that aggressive. But I think
14 it's a great outlet. I've been doing it for 10 years. I
15 volunteer for -- for the Humane Society. I've got four pets
16 -- three cats and a dog. I'm very close to my mom. She
17 lives in Nashville.

18 Q. Specifically talk to the Judge about, you know,
19 MMA, how that could be -- are you involved in MMA?

20 A. Yes, ma'am.

21 Q. Okay. Have you had any physical -- have you ever
22 been charged with domestic violence?

23 A. No, ma'am.

24 Q. Okay. Any physical altercation involving a woman?

25

1 MS. RIDDLE: I think I've about exhausted it.

2 Ms. Welty is going to have to cross-examine you.

3 Okay?

4 THE COURT: Cross-examination?

5 THE WITNESS: Okay.

6

7

CROSS-EXAMINATION

8 BY MS. WELTY:

9 Q. Mr. Vonhartman, it was stated that you were at the
10 gym that day during the period of time, but your phone only
11 showed you -- the phone being at the home. Correct?

12 A. Right, because it -- those -- those are two
13 different locations. I can pull up the -- the gym location.
14 There's -- there's a section on the Apple Services where it
15 says it's "significant locations." And Planet Fitness is
16 also a significant location. It -- it will show that I was
17 there up until 3:30.

18 Q. And what you submitted today shows that your phone
19 was at your home from 4:30 until 7:15. Correct?

20 A. From 3:48 until 7:15, yes.

21 Q. Okay. And that someone was on the phone at -- at
22 4:25--

23 A. Yes.

24 Q. -- with the mortgage broker, correct?

25 A. Yes.

1 MS. WELTY: That's all I have, Your Honor.

2 THE COURT: Okay. Okay. Any other evidence?

3 Okay.

4 Closing arguments?

5 MS. WELTY: Your Honor, clearly here, I think you
6 have to look at the credibility of the parties and -- and
7 the weight of the evidence. My client has no reason to be
8 making up the fact that she saw Mr. Vonhartman at her house,
9 and that he was very threatening to her. She's put lots of
10 safety measures in place. This is not an incident she would
11 have wanted to have happened.

12 Clearly Mr. Vonhartman has more to lose, with an
13 order of protection and all -- all the reason to have all of
14 this beautiful evidence to come and -- and say he was at a
15 certain place.

16 But he very much so could have left his phone at
17 home. He could have had someone on -- on -- on his phone,
18 showing that there was a phone call. I think you have to
19 look at the weight of the evidence here. And we hope that
20 you will issue this order of protection.

21 THE COURT: Okay.

22 MS. RIDDLE: Judge, it is not lightly that --
23 these cases -- we've got a Facebook page which we all know
24 exists, where -- and it -- and it's great that they do exist
25 when it's necessary for women to be able to communicate

1 about their personal experiences with somebody.

2 When it starts to become dangerous is when we
3 enter into this place where we're so driven by fear that we
4 just start reacting to things when they don't really even
5 know what's going on.

6 And you've got the printout in front of you. And
7 you can kind of see this escalating in the group, where
8 somebody is like, "Yeah, I think maybe he was charged with
9 this." And then somebody else is like, "Yeah, I heard the
10 facts are really bad."

11 And it just starts escalating from there, where
12 it's just like you would think -- reading that you would
13 think that this guy has a history of domestic violence three
14 pages long, that -- you know, there's all -- you know, it --
15 it gets -- it spins out of control, and it becomes chaos.

16 And the problem is that there isn't a checks and
17 balances, because when somebody does reach out and say,
18 "Actually, this isn't true about me, and if you continue
19 saying these untrue things about me, I'm going to consider a
20 civil lawsuit," they're met with an order of protection,
21 alleging stalking.

22 Well, yes, I understand we could leave a phone
23 somewhere. It's not just a phone, Judge. We have a phone,
24 we have emails, we have a phone call with a followup email
25 to his email address saying, "Thank you for your phone call

1 today," at 4:50, right after the phone call happened, with a
2 business mortgage lender. That's what they do, they follow
3 up. They say, "Great talking to you today. This is what we
4 talked about, let's put it in writing." Okay?

5 She's got text messages where he is actively
6 texting during the time frame that he is supposed to be
7 ringing a doorbell, banging on a door and banging on the
8 side of the house.

9 I understand that, yes, why -- why would she make
10 this up? I have no idea. I have no -- absolutely no idea.
11 I don't know if somebody was there. I didn't know if maybe
12 she just got so scared that she wanted this to be real, and
13 she wanted to go to Facebook and say, "Hey, girls, yes, he
14 is psycho, and I did get an order of protection" and
15 validate all of these allegations. I have no idea. But
16 we're looking at a very serious allegation of stalking that
17 has to meet a very specific criteria legally and technically
18 on one side.

19 And then on the other side, it's not even
20 possible. It's physically not possible for him to have been
21 doing all of the things that he was doing while also doing
22 what is alleged -- ringing a doorbell, banging on the side
23 of a house -- unless he was just, what, calling and
24 emailing? Like some of it is from his laptop. Like it's
25 not all stuff that could be just recreated from a phone.

1 There -- there is so much evidence that this was
2 not Mr. Vonhartman at the house on January 29th, at
3 4:30 p.m. It does not meet the stalking statute.

4 And we are more than happy to establish this
5 record, and continue fighting it, but it should not move
6 past this point. It shouldn't. It's all based out of fear
7 and unfounded allegations of somebody, where there is no --
8 there's no proof of anything that's happened on this side,
9 other than what I asked to be admitted as hearsay, part of
10 the Facebook threads.

11 And I -- I wanted Your Honor to see that, and see
12 how out of control this can get, based on rumors and
13 speculation and fear. Thank you.

14 MS. WELTY: Your Honor, the only thing I'd like to
15 say is -- I -- I want to make sure you're very -- you take
16 into consideration what's actually evidence today. There's
17 a lot of evidence testified about by counsel for respondent
18 that's not in front of Your Honor.

19 So this email she's talking about, you didn't
20 allow that to be in. So I would just like you to look at
21 what we actually have here today, testimony of my client.

22 Look at the Facebook posts. It's not out of
23 control. There are some things that Mr. Vonhartman didn't
24 like being said about him, eyewitness statements--

25 THE COURT: Yeah.

1 MS. WELTY: -- things that other girls had said.
2 But that in and of itself is not something that was chaotic.
3 It wasn't something that then caused my client to make
4 something up. My client (Unintelligible)--

5 THE COURT: So I don't have the Facebook posts. I
6 just have them as Melissa Ing-

7 MS. WELTY: I think (Unintelligible).

8 THE COURT: This is all I have, just this one
9 page.

10 MS. WELTY: Oh, no, it went from my client -- I
11 don't think I got that back, but that was during your -- did
12 you get it back?

13 MS. RIDDLE: I have my copy, but my copy has got
14 my handwriting on it.

15 THE COURT: I think Ms. Ingram has it.

16 MR. VONHARTMAN: I have two copies.

17 MS. RIDDLE: You have two copies?

18 MR. VONHARTMAN: Yes.

19 MS. WELTY: I have one. I have another copy.

20 THE COURT: Okay. Go ahead.

21 I'm sorry, you were saying?

22 MS. WELTY: It -- just -- Your Honor, that that in
23 and of itself is not chaotic. It's not something that then
24 my client made up, someone coming to her home, someone who
25 she very clearly saw as Mr. Vonhartman.

1 She then sees a picture of him after the fact,
2 with the same hat on that he wore to come -- to come to her
3 house. And so again, I do think we have the two contacts
4 under the stalking portion of the order of protection
5 statute, and we would ask for this order of protection to be
6 granted.

7 THE COURT: Okay. So this is not the first time
8 the Court has heard where things are put online. And what's
9 said online, people are much more aggressive and braver and
10 you know, blunt, online, and then when -- when they're in
11 person, it's different. It -- it becomes -- anyway... So I
12 think this is our new reality, is online things.

13 And Ms. Butterson, I'm -- I understand how you
14 feel. I'm -- I'm not denying that you feel scared, and that
15 you are afraid. But legally, I have to agree with
16 respondent's counsel, that I don't find that there are two
17 or more separate acts to constitute stalking.

18 And I do need to take into account that -- that he
19 -- Mr. Vonhartman has provided evidence that at least his
20 phone was there, and that there was -- he testified to the
21 fact that he had been working on a house that he was trying
22 to flip at the same exact time.

23 I'm not saying somebody didn't show up at your
24 house. I'm not saying that you're scared. I'm just saying
25 that there is not enough proof that there is stalking, and

1 that this man was there.

2 So I'm going to deny the order of protection.

3 Mr. Vonhartman, I hope that you've learned that
4 when things like this happen there are other avenues that
5 you can pursue to try to get yourself heard--

6 MR. VONHARTMAN: Yes, ma'am.

7 THE COURT: -- rather than finding people and
8 yelling at them -- I mean, allegedly yelling at them,
9 because then you end up here.

10 So you have 10 days to appeal me.

11 Does anyone have any questions?

12 MS. WELTY: No. Thank you, Your Honor.

13 MS. RIDDLE: Thank you, Your Honor.

14 THE COURT: Okay. If you'll leave first, and then
15 if you'll give him five minutes.

16 Okay. Let's do a second call of the-

17 (End of recording.)

18 * * * * *

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1 STATE OF TENNESSEE)
2)
3 COUNTY OF DAVIDSON)

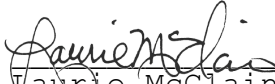
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Date 04/17/2020


Laurie McClain
Transcriber

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Exhibit E

**IN THE FIFTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE**

CARL VONHARTMAN,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Case No.: 20C740
)	
KORTNI BUTTERTON,)	
)	
<i>Defendant.</i>)	

AFFIDAVIT OF KORTNI BUTTERTON

1. My name is Kortni Butterton, I have personal knowledge of the facts affirmed in this Affidavit, I am competent to testify regarding them, and I swear under penalty of perjury that they are true.

2. I am the Defendant in the above-captioned case.

3. On January 28, 2020, the Plaintiff, Carl Vonhartman, threatened to sue me and continuously sought to contact me on social media despite my efforts to prevent him from doing so.

4. The following day, on January 29, 2020, I was made aware of correspondence between the Plaintiff and Melissa Ingram in which the Plaintiff: (i) expressed anger about statements that I and other women had made about him, (ii) repeatedly threatened “war” regarding those statements, and (iii) indicated that he was both able and inclined to find the home addresses of people who upset him. A true and correct copy of the Plaintiff’s written correspondence with Melissa Ingram—which does not include additional threats the Plaintiff conveyed to her over the

phone—is attached to this Affidavit as **Attachment #1**.

5. On the late afternoon of January 29, 2020, a man who appeared to me to be the Plaintiff showed up at my door, repeatedly rang my doorbell, and banged on my door and windows for approximately 25 minutes.

6. Believing that my life was in danger, I hid in my bathroom with a gun. I also contacted the police, my roommate, my mother, and my stepfather for help, and I armed my security system. A true and correct copy of my contemporaneous text message correspondence with my mother and stepfather is attached to this Affidavit as **Attachment #2**. A true and correct copy of my alarm system log indicating that I armed my security system at 4:53 PM is attached to this Affidavit as **Attachment #3**.

7. I called the police in good faith because I genuinely believed that my life was in danger and that the Plaintiff had come to my home to harm me.

8. Everything that I told the police was based on my personal observations and beliefs as to what was occurring. I did not tell the police anything that I did not genuinely believe to be true.

9. I was so afraid by what occurred that I did not sleep at my house on January 29, 2020.

10. After the police arrived, I retained counsel and sought legal advice as to how I could protect myself.

11. I disclosed all material facts that I was aware of regarding what had occurred to my attorney. My text message correspondence with my attorney is attached to this Affidavit as **Attachment #4**.

12. Based on what had occurred, I was advised by my attorney to file a petition for an

order of protection against the Plaintiff. I was additionally advised by my attorney that I could pursue criminal charges against the Plaintiff. Because I was exclusively concerned with protecting myself, however, I opted only to file a petition for an order of protection and did not pursue criminal charges. Acting on the advice I received from my counsel, I also followed my attorney's instructions regarding how to petition for an order of protection, and on January 30, 2020, I did so.

13. I did not possess any evidence regarding the whereabouts of the Plaintiff's phone at the time I petitioned for an order of protection against him.

14. I believed in good faith that the Plaintiff showed up at my house on January 29, 2020 and posed an immediate danger to me.

15. All of the statements that I made to 911 on January 29, 2020, all of the statements contained in the petition for an order of protection that I filed on January 30, 2020, and all of the statements that I provided during my testimony in Davidson County General Sessions Case No. 20OP25 on February 10, 2020, were based on my personal observations and what I genuinely thought had occurred based on the information that was available to me. Every statement I made was truthful to the best of my knowledge, information, and belief.

16. Based on the Plaintiff's threats the day before and day of the incident, based on the fact that the man who showed up at my home on January 29, 2020 looked like and gave every appearance of being the Plaintiff, based on the fact that the man who showed up at my home on January 29, 2020 appeared to be wearing a hat that I had seen pictures of the Plaintiff wearing, and based on the fact that neither I nor my roommate had invited anyone to our home or had any idea who else would have shown up and aggressively banged on our door and windows, I reasonably believed that the Plaintiff was the person who had come to my home.

17. The Plaintiff's allegations that I "devised a scheme to ruin his reputation" and that

I petitioned for an order of protection in order “to gain the admiration of other members of [a] Facebook group” are unequivocally false. I did not even post about the petition for an order of protection that I filed against the Plaintiff on the Facebook page at issue and sought nobody’s “admiration” regarding it. I sought an order of protection in good faith and on the advice of my attorney exclusively because I feared for my personal safety.

18. The Plaintiff’s allegations that I “knowingly made false statements about Mr. Vonhartman” and told a “lie” about anything during my 911 call, in the petition for an order of protection that I filed, or during my testimony in Davidson County General Sessions Case No. 20OP25 are unequivocally false.

Further affiant sayeth not.

Pursuant to Tenn. R. Civ. P. 72, I declare under penalty of perjury that the foregoing is true and correct.


Kortni Butterson (Apr 23, 2020)

Kortni Butterson

Apr 23, 2020

Date Executed

Attachment #1

 Carl Durden

 Carl Durden
You and Carl aren't connected on Facebook

JAN 29, 2020, 9:24 AM

Please show me on that 15 year old arrest report how that's domestic violence. Please. I'd love to see it. That was for a fight that I got into inside my dorm room in college. Nothing about that was domestic in nature. You are spreading false and defamatory information. I know your little group thinks it's untouchable, but you aren't. Saying that I was arrested for domestic assault is a blatant lie. It was a fight inside my dorm when I was 19, you fat fucking moron. Please, post a scene of this in your group as well

Screen *

JAN 29, 2020, 10:56 AM

You can now call each other and see information like Active Status and when you've read messages.

I literally just got off the phone with my attorney at the Cole group. You saying that I have a clear history of domestic violence is the exact definition of defamation and slander. It was a fight from my college dorm when I was 19 years old, and charges were later dismissed.

And I really don't care about your opinion of my personality or what anyone else in your group thinks of me, but you aren't going to say that I've been arrested for domestic assault when that's completely false. Sorry, it isn't going to happen.

I copied and pasted someone else's comment. But I've edited it for clarity.

You have been posted about on multiple FB pages by multiple women that report the same thing.

You are spiraling and its unhealthy.

I'm sure I have and I really don't care. I literally get called aggressive just for sticking up for myself. I've done nothing wrong here. I've never hit a woman.

Agein, you're in no position to judge me or how I live my life

Nobody said you hit a woman?

Saying I was arrested for domestic violence implies that

I could say the same thing about your weight and unhealthy lifestyle. You don't matter. You aren't god. Stop acting like it.

Carl... I literally could not care less. I'm an admin of a site for single women that need a resource to stay safe. That's it. I don't hang out on there. Not my bag. Nobody said you hit a woman. The screen grabs are there and say the exact charges. Nobody once said you hit a woman.

Carl. Stop. Seriously. I do not act or think like I'm god. Since we don't know each other... we shouldn't judge. I tell the ladies to take what is posted with a grain of salt. There are crazy men and women and 3 sides to every story.

Clears there is only one side to this story.

I'm a monster that hits women


Not one person said that.

 Carl Durden

Not one person said that.

Not one.

I'm not going to sit by and let this happen. You've started a war with the wrong man
I literally have multiple women sending me screens each time this nonsense is posted about me.
I'm about to create a group where I do nothing but share each and every post from your group
And that's going to include any and all information I can find
I'm sure this group started as a way to protect women from guys who are actually abusive, but it's turned into something else.
It's turned into a group where pathetic cowards whine and cry when a guy doesn't text them back. You aren't doing any service to the community with this
I really don't care is this costs me 20k. I'll see you in court for saying that I was arrested for domestic violence

 But yeah, I'm spiraling. Could be worse. I could be grossly overweight with a bunch of kids.

It wasn't just for abuse. Just guys that weren't honest really. But I do *try to monitor posts. If someone is being petty the post is deleted.
There are 3 swipe left groups in Nashville. I admin 1.
They started after girls were posting guys in Nashville Girls Group.
If you knew me you would know that I am extremely neutral. Women get upset about shit they shouldn't, I'm not one of those people. I'm not even a single person. I hate typically catty shit and the difference in our group is i do that shit.
I have explained myself more than you deserve after the personal attacks. I hope you get the help you need. I am perfectly happy and comfortable with my life Carl. Please be a human.


By the end of the day I'll have your full name and employer so I can move forward with this suit 🙄 1

 Yeah, I'm the one that needs help. This is personal and I'm not going to stop until this gets corrected.

Let me know the attorneys info, I'll gladly give them a call.

Nothing was posted that was untrue. Nothing.

You can say this until you're blue in the face.


 I have the screen shot

I have had 0 experience with you other than right here in this message. And you are completely unstable.

The screen shot of nobody saying you hit women?

Who is the attorney I should call?

I'm unstable because I'm speaking the truth?

 Please, what did I say that was unstable?

Who is the attorney I should call?

 Type a message...





Carl Durden



That's defamation. "Carl seems to have a history of domestic violence"

Where does that say anything about you hitting women???

I love this. Typical female logic.

I'm unstable because I'm saying mean things

Feel free to give me a call.

Sure thing. What's the number ?

You can call me right here. I'm happy to talk to you.

Carl called you.

✓ January 29, 2020 at 11:41 AM

Call Again

JAN 29, 2020, 2:06 PM

You really just can't leave it alone, can you?

I have contacted an attorney. Please do not contact me anymore. I was very understanding to your position before you reached out in that way. You have fight with Laura, not me. I wish you the best in whatever it is you are attempting to do here, I want NOTHING to do with it. My group/ me did nothing wrong.

If you contact me again, I will go to the police with the recording of your call and you directly threatening me.

Posting another post about me personally clearly shows you have everything to do with it. Go ahead and contact every attorney you'd like. I'm the one with screen shots of you saying that I was arrested for domestic violence.

 Carl Durden

Posting another post about me personally clearly shows you have everything to do with it. Go ahead and contact every attorney you'd like. I'm the one with screen shots of you saying that I was arrested for domestic violence. Please, go to the police as well. I didn't threaten you at all. I'm sorry that you're too stupid to understand plain speaking. I mean every word of what I said. There will be real and actual consequences for this defamation.

violent or aggressive behavior within the home, typically involving the violent abuse of a spouse or partner.

Domestic violence is anyone in the home. It has nothing to do with a spouse. Your phone call with me is all recorded. You threatened me. My post is very clear about the reason why it's not okay. I have been the person you are attacking and I have done nothing wrong. This is insane and you calling me that way only made you look more ridiculous. I was nice to you when you were far less than nice to me.

You weren't nice at all. You clearly think that you're some kind of moral authority. You don't even know me and to call me unstable etc is preposterous.

I could care less if you have a recording. I know exactly what I said. I'll say it again, you're starting a war with the wrong man.

I'm sitting down with attorney tomorrow and showing her all these screens.

Do not message me again. I didn't start a war with ANYONE. You called me and threatened me. I would have gladly deleted the post and moved on until I felt like I was in danger. You were on my page talking about my kids and trying to figure out where I live. Telling me you would go to my job. Can you imagine? Go fight Laura. NOT ME.

On your page? You should have just deleted the post and moved on.

Now you've created something that can't be undone. I'm going to ask you once to respectfully delete that post and I'll delete the group I created where I'll be sharing screen shots of your group's posts.

I deleted the post about you!

And created a new one that's just as bad.

The post she made about you with your picture and everyone commenting about how you have an anger problem was deleted earlier. The only post I made was just letting them know why so many posts were deleted. And I told your side of the story to BE CLEAR that it was a long time ago and something stupid from college.

No, you didn't.

It's fine. Go ahead and keep defaming me. I'm going to do everything within my legal right to make sure you pay for this.

To be clear, according to Carl, he was arrested for a fight in a dorm room.

I will not stop until this is right.

What else do you want Carl?

I want to be left alone. I want that post you just put up deleted so we can go our separate ways.

I'd really love to not feel threatened by you. Not feel like I needed to call my kids schools today and tell them to make sure my kids were kept in the school. Really would have liked to not have to call my boss and let him know.

It's your choice. If that post stays up then I'm going to be doing everything in my power to make sure this gets corrected.

Carl Durden

It's your choice. If that post stays up then I'm going to be doing everything in my power to make sure this gets corrected.

You made a comment about not even living in Nashville
I was simply going off what was on your profile

That's it.

All true. You have no right to pass judgment on me

Clearly you want to keep this going so I'll gladly oblige
If it's a war you want then that's what you're going to get

You're on drugs. I never said that

But I'll gladly hire a private investigator to find out everything I need to know to see you in court

Well, if you didn't want to continue this then you shouldn't have defamed me again

I'm not doing this anymore. I asked you 3 times to remove that post so we could go our separate ways

+ GIF 📎 📷 Type a message...



I do really love to not feel threatened by you. Not feel like I needed to call my kids schools today and tell them to make sure my kids were kept in the school. Really would have liked to not have to call my boss and let him know.

My husband really liked the call from his wife in tears over a fucking facebook page that is FOR WOMEN TO LOOK OUT FOR ONE ANOTHER... I don't even qualify to be a member.

You crossed the line when you started telling me you knew where I lived.

could say the same thing about your weight and unhealthy lifestyle. You don't matter. You aren't god. Stop acting like it.

But yeah, I'm spiraling. Could be worse. I could be grossly overweight with a bunch of kids.

I had no desire to EVER communicate with you or have anything to do with the drama that surrounds whatever you have going on. You seem to be okay with the way you talked to me, the threat you made, and the disparaging things you said.

You told me by the end of today you would know where I live, where I work and who I am and you would come after me.

I LITERALLY CALLED MY KIDS SCHOOLS. I don't know you at all. I have no idea what you're capable of. I am getting beat down over something when I'm not the bad guy.

Yes. That is what you said. I recorded the call.

AFTER I was trying to just end the issue. Have a conversation and hopefully not do a crappy messaging back and forth thing.

What was said that was defamatory?

Attachment #2

< ng my life flash × ∨ ^

2:20 PM



Kortni Butterson

I'm seeing my life flash before my eyes. I'm hiding in my bathroom while a man who I had encountered on a dating app is banging on my house.

MMS 2:48 PM

MMS

Whaaaaat????

MMS 2:48 PM

Call 911



Kortni Butterson

Yep. I've been on the phone with 911 for 10 minutes.

MMS 2:49 PM

MMS 2:49 PM

Where's your gun???

MMS 2:50 PM

How the hell does he know where you live????



Kortni Butterson

It's with me in the



< ng my life flash × ∨ ^



Kortni Butterton

It's with me in the bathroom. I'm sure he searched online.

MMS
2:51 PM

MMS
2:52 PM

Are the cops on the way?



Kortni Butterton

He has been threatening women in the group who said anything about him. All I said was he was aggressive.

MMS

No, they're backed up in the area she said 😞

MMS
2:52 PM

MMS
2:53 PM

Is there anybody else that you can call??



Craig Lamp

Holy shit!

MMS
2:53 PM

Omg...a fucking psycho is at your house beating on it & they're fucking

AAAAA



< ng my life flash × ∨ ^

MMS
2:53 PM

on it & they're fucking
backed up???



Kortni Butterson

Yup, apparently.

MMS
2:53 PM

MMS
2:53 PM

I'm sure not all their
fucking calls are that
serious

MMS
2:54 PM

Is there somebody I can
call for you? What about
your coworker, Dave or
whatever his name is



Craig Lamp

Okay stay on the line.
Stay locked in the
bathroom. If he gets
in and tries to come
through the bathroom
door shoot that fucker
through the door. You
have five shots in that
gun.

MMS
2:54 PM



< ng my life flash × ∨ ^



I've texted co workers near me and no response.

MMS

I will absolutely shoot him. I turned the house alarm on.

MMS



Craig Lamp

Cops need to get there asses over there now!

MMS
2:55 PM

MMS
2:55 PM

Give me their numbers...



Kortni Butterson

Right! Any place I try to leave to, he can see me.

MMS
2:56 PM

MMS
2:56 PM

Where's theresa?



Kortni Butterson

She's at work

MMS
2:56 PM

Can you set off your house alarm to try to scare the shit out of him?



< ng my life flash × ∨ ^

Can you set off your house alarm to try to scare the shit out of him? And maybe alert your neighbor question

MMS
2:56 PM



Kortni Butterton

I wish I had Bruce's number handy, but it's on the fridge.

MMS
2:57 PM

MMS

Is that the neighbor?

MMS
2:57 PM

What's his last name?



Kortni Butterton

Yes

MMS

I don't know

MMS
2:57 PM

MMS
2:58 PM

Can you Google him?



Craig Lamp

Good just keep 911 updated with everything you are hearing. Let them know



11:30      75%

< ng my life flash × ∨ ^

everything you are hearing. Let them know you are armed if you haven't already.

MMS
2:59 PM



Kortni Butterson

I've googled him plenty

MMS
3:02 PM

MMS
3:02 PM

Your neighbor?



Craig Lamp

Are you hearing any more banging? ETA on police??

MMS



Kortni Butterson

Oh, no lol

MMS
3:02 PM

MMS
3:03 PM

I'm thinking maybe you can get his number?

MMS
3:04 PM

Is your coworkers wife's name Michelle Glass? I can call her and so she can get in touch with him if you want me to?



< ng my life flash × ∨ ^



Yes, but they aren't close to me

MMS 3:05 PM

MMS

It doesn't matter

MMS

You know he'd be there as fast as he can

MMS 3:05 PM

How far they from you



Craig Lamp

The police should have been there by now this is upsetting.

MMS 3:07 PM

MMS 3:07 PM

It's very upsetting & fucking scary!!



+16159465179

Unsaved

3:08 PM



< ng my life flash × ∨ ^

Michelle's phone number at the top. I just called her she's calling her husband in a group of them were going out to dinner and she's going to have them head your way.

MMS

Kortni, are you OK?
Respond.

MMS
3:12 PM

Kortni Butterson

Cops are here

MMS



Craig Lamp

Kortni let us know if you can that you are okay.

MMS

Thank God.

MMS



Kortni Butterson

A couple neighbors just showed up too to search the premise.

MMS



Craig Lamp

Is he still around. Need to get your camera set

MMS



< ng my life flash × ∨ ^

Is he still around. Need to get your camera set up.

MMS
3:16 PM

Thank God! I was freaking out

MMS

Do you want me to tell Michelle to have Eric not come now?

MMS
3:17 PM



Craig Lamp

Yes he doesn't need to fly over there. Probably breaking some speed limits.

MMS
3:18 PM



Kortni Butterson

Eric is texting me

MMS
3:19 PM

Ok good!! Michelle said he'd probably still want to come check on you.

MMS
3:20 PM

Ok give us a call after 5:30 our time please!!

MMS
3:42 PM



< ng my life flash × ∨ ^



Craig Lamp

Kortni so thankful you are okay. Just talked to mom about what happened. I will review some Ring cameras and doorbell tonight and let you know. Glad you have somewhere to stay tonight. This guy is obviously psycho. No need to take a chance. Love you very much and glad you had your gun with you!

MMS
4:54 PM



Kortni Butterson

Sounds good. I told Theresa to stay elsewhere too, offered Eric's place too. Yes, glad I had the intuition to take it out and keep it with me.

MMS
5:02 PM



Attachment #3



Wednesday - January 29, 2020



System Armed in Away Mode

Keypad Keypad

🕒 6:02 PM



System Disarmed

Master PIN via Keypad

🕒 5:07 PM



System Armed in Home Mode

SimpliSafe App

🕒 4:53 PM



System Disarmed

Master PIN via Keypad

🕒 1:24 PM



System Armed in Away Mode

Keypad Keypad

🕒 12:35 PM



System Disarmed

Master PIN via Keypad

🕒 11:50 AM



Overview



Cameras



Timeline

Attachment #4



Rachel

Message

Wed, Jan 29, 5:19 PM

Hey, melissa told me to text you.
This is Kortni

Hi Kortni - what's the status? Did he
leave?

Are they sending police to you?

He left, cops showed, but I just
heard another doorbell.

Have you spoke to the police?

The way my house is setup, I can't
go and see without him seeing me.

I did when they were here.

They filed a report. I gave them his
name, address, and vehicle.

What did the police say?

Did they tell you how to go file an
order of protection?

No, they didn't. I've never physically
met this dude, just internet/online
dating so they said all they can do is



Message





Rachel

dating so they said all they can do is write up a report.

Yeah I think they are wrong. You can go down and file an order of protection. Let me do some digging with some other attorneys I know.

Okay, thank you so much!

I'm terrified to even be in my house right now.

I am sure. I'll be in touch soon. Let me do some digging/research

Do you know at all how he figured out where you lived?

Has he threatened you over text message?

I assume he searched my name and found something or looked up my name on the property search.



Message





Rachel

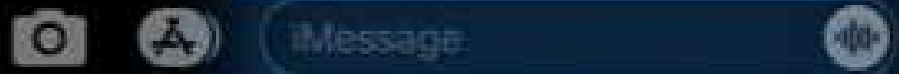


That's all I've gotten. I comes him in everything.

Yeah that's what I figured too. Did you see him at your house? Get anything on recording?



I didn't, I glimpsed him through my door and saw him, but panicked and locked myself in the bathroom. I'm taking to people about getting a ring doorbell or something. I've alerted my neighbors if they see a tall man with dark hair and a black Nissan Armada to take photos and alert me.





Rachel

He's like 6'1" so I was able to see his face and frame to know it was him.

You can go downtown and file a warrant yourself for criminal harassment. That's up to you. Happy to support you with whatever you are comfortable with.

Okay. Do I just go to the courtroom? Do I need anything to file that?

I'll send you a link. I would call the advocacy center tomorrow. Once you file, I will come and help represent you for free depending on what happens.

Jean Crowe Advocacy Center – Office of Family Safety Metropolitan Government of Nashville & Davidso...
ofs.nashville.gov



Okay, thank you. I am heading to my co workers hoise, but will look at this soon.

Ok good. Be safe.

Thu, Jan 30, 7:30 AM



Message






Rachel >

Thu, Jan 30, 7:30 AM

After looking at that, would that even apply to me since we have no relation? Outside of matching on a dating app, setting a date, and my cancelling after reading about him from other women, and then sharing my experience to other women.

It would be under stalking. A few female district attorneys confirmed that.

Oh okay! That makes me feel a bit better, I wasn't sure if my situation would fall under. I'm going to call them at my lunch break today. Do you think I'd qualify for an order of protection? If so, I'll go down to the courthouse tomorrow.

 I know it's just a piece of paper, but at least if he comes back, the police would have a bit more urgency than arriving 32 minutes after I call them.

You could either do that or swear out a criminal harassment warrant



Message





Rachel

Oh, I didn't even realize I could do that as well. At this point, I'm open to doing any and everything I can. This man is not stable.

Go to Jean Crowe and an advocate there will help point you in right direction. I'm available by text today so call if you need anything

Okay, thank you.

Thu, Jan 30, 11:01 AM

I called Jean Crowe and I am going to go to the 610 Murfreesboro Pike location to file for an order of protection. Do I need you or anyone else there for that? I'm just worried since I don't have a photo or video of him that it won't go through.

There is the police report filed last night.

No you don't need an attorney to be there. And you don't need photographic or video evidence. Talk about how you never gave him your address and you don't know how he got it. Anything you heard



Message





1



Rachel

how he got it. Anything you heard him say. Was he yelling? That he was knocking/banging on doors and windows. Say that you are in fear for your safety since he went from just messaging you/texting you to coming to your house and he has no reason to be there.

That at this point he is stalking you



Okay, sounds good. Thank you for the tips on what to write down and emphasize.

Thu, Jan 30, 1:42 PM

Temporary order of protection granted, now to wait until he is served to get my court date. The lady here recommended I bring an attorney and I have asked melissa if she would be willing to attend to bring forth her evidence of his aggression and threats.

Amazing. I'm so glad. Let me know the date and I'll make sure I can get there or get a continuance for when I can.



Message





Rachel



Okay, thank you SO MUCH. It is so helpful to feel like I've got support.

Fri, Jan 31, 2:06 PM

Court date
Monday 2/10 9:15am
408 2nd ave n, 4B courtroom

Mon, Feb 3, 8:45 AM

Hey there, wanted to make sure next Monday works for you for court? Also, do you want to meet or chat by phone prior?

I have court in Gallatin next Monday at 8. Your case is a big docket but I'm going to get another attorney to cover until I can get there just in case. Let me line that up and then we can all do a phone call.

Okay, great, thank you

Tue, Feb 4, 9:45 AM

Hi there, sorry for another text. Just a heads up that I'll be out of the country the next couple of days. I can take a call where I am so long



Message





RW

Rachel

can take a call where I am so long as it's on WhatsApp or Facebook messenger. Also available today with the exception of 1230-130pm.

Ok. Thanks for letting me know. I'm in a contested trial all day that I am heading into. Was going to start working on another attorney tomorrow. When do you get back?

But what's app works as well.

I get back Sunday night. Unfortunate timing for this Carl person to cause issues. WhatsApp is fine, I have the same number on there as my cell phone. I think my Facebook is locked down so not sure that would work for someone not on my friends list.

Can you send me a copy of your X parte order protection please

rachel@rwelbylaw.com

Sure thing. Do you need a scanned copy or would photos of the pages work?

Either is fine



Message





Rachel

Fri, Feb 7, 1:09 PM

Hi there, wanted to touch base about if we were going to chat by phone or if there is anything you need from me. Also to find out the contact info of the other attorney attending.

My other hearing got moved so I'll be there. Can you touch base Sunday night via phone. Maybe around 9?

Okay. I don't land in Nashville until 9pm so probably wouldn't be able to chat until 9:45. I have a layover from 330-730.

9:45 is totally fine. I'll be up.

Okay, sounds good.

Just call me when you get situated.



Text Message
Mon, Feb 10, 5:18 AM

Heading into courtroom with advocate now

Message





Rachel

iMessage

Stuck downstairs because they are holding the elevator for EMS

Mon, Feb 10, 12:19 PM



FYI my roommate has checked his Instagram and it is now public again. And he has posted that it's "lawsuit time". I warned melissa, but wanted to also let you know, should anything come of it. Thanks again for coming and supporting/representing me today.

It's about to be lawsuit time!



iMessage



Affidavit of Kortni Butterson and Attachments #1-4

Final Audit Report

2020-04-23

Created:	2020-04-23
By:	Daniel Horwitz (daniel.a.horwitz@gmail.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAL2bgw5uKgMk5_ia0vBdYPocOEC_YT5Of

"Affidavit of Kortni Butterson and Attachments #1-4" History






-  Document created by Daniel Horwitz (daniel.a.horwitz@gmail.com)
2020-04-23 - 7:58:00 PM GMT- IP address: 136.58.90.241
-  Document emailed to Kortni Butterson (kortni_butterson@hotmail.com) for signature
2020-04-23 - 7:58:46 PM GMT
-  Email viewed by Kortni Butterson (kortni_butterson@hotmail.com)
2020-04-23 - 8:00:04 PM GMT- IP address: 73.58.195.146
-  Document e-signed by Kortni Butterson (kortni_butterson@hotmail.com)
Signature Date: 2020-04-23 - 8:00:32 PM GMT - Time Source: server- IP address: 73.58.195.146
-  Signed document emailed to Kortni Butterson (kortni_butterson@hotmail.com) and Daniel Horwitz (daniel.a.horwitz@gmail.com)
2020-04-23 - 8:00:32 PM GMT

Exhibit F

**IN THE FIFTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE**

CARL VONHARTMAN,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Case No.: 20C740
)	
KORTNI BUTTERTON,)	
)	
<i>Defendant.</i>)	

AFFIDAVIT OF BENITA K. LAMP

I, Benita K. Lamp, declare and state under penalty of perjury as follows:

1. I am the mother of Kortni Butterson, the defendant in the above-captioned case. I am an adult citizen of the State of Washington, I am competent to testify in this matter, and I have personal knowledge of the matters asserted herein.
2. My daughter, Kortni Butterson, texted me on Wednesday, January 29th, 2020 at 2:48 pm, PST, to say that: "I'm seeing my life flash before my eyes. I'm hiding in my bathroom while a man who I had encountered on a dating app is banging on my house."
3. Attached as Ex. 1. to this Affidavit is a true and correct copy of the entire text message dialogue between Kortni, her stepfather, and me during this incident.
4. I could tell my daughter was genuinely scared for her life, and I immediately advised her to call 911 as a result. Kortni indicated that she had already done so, but that the cops were delayed. I asked her where her gun was, and she responded that she had taken it with her in the bathroom.
5. Based on the facts that Kortni was hiding in her bathroom with a gun and indicating to me, her mother, that she was afraid for her life, it was clear to me that my daughter was authentically terrified and feared for her safety. I am certain that my daughter was communicating with me, her stepfather, and law enforcement in good

faith because she genuinely believed that a man that she had encountered on a dating app was banging on her house, rather than for any malicious purpose or to gain anyone's admiration.

6. Given law enforcement's delayed response, I contacted the wife of one of my daughter's co-workers, Michelle Glass, for help. I explained what was going on and asked if her husband, Eric Glass, could go check on Kortni. Michelle called her husband and called me right back and said Eric was on his way.
7. We continued to text during this entire time, until the police officers arrived.

Pursuant to Tennessee Rule of Civil Procedure 72, I declare under penalty of perjury that the foregoing is true and correct.



Benita K. Lamp

April 3rd, 2020

Date Executed

Exhibit #1

< ng my life flash × ∨ ^

2:20 PM



Kortni Butterson

I'm seeing my life flash before my eyes. I'm hiding in my bathroom while a man who I had encountered on a dating app is banging on my house.

MMS 2:48 PM

MMS

Whaaaaat????

MMS 2:48 PM

Call 911



Kortni Butterson

Yep. I've been on the phone with 911 for 10 minutes.

MMS 2:49 PM

MMS 2:49 PM

Where's your gun???

MMS 2:50 PM

How the hell does he know where you live????



Kortni Butterson

It's with me in the



< ng my life flash × ∨ ^



Kortni Butterton

It's with me in the bathroom. I'm sure he searched online.

MMS
2:51 PM

MMS
2:52 PM

Are the cops on the way?



Kortni Butterton

He has been threatening women in the group who said anything about him. All I said was he was aggressive.

MMS

No, they're backed up in the area she said 😞

MMS
2:52 PM

MMS
2:53 PM

Is there anybody else that you can call??



Craig Lamp

Holy shit!

MMS
2:53 PM

Omg...a fucking psycho is at your house beating on it & they're fucking

AAAAA



< ng my life flash × ∨ ^

MMS
2:53 PM

on it & they're fucking backed up???



Kortni Butterson

Yup, apparently.

MMS
2:53 PM

MMS
2:53 PM

I'm sure not all their fucking calls are that serious

MMS
2:54 PM

Is there somebody I can call for you? What about your coworker, Dave or whatever his name is



Craig Lamp

Okay stay on the line. Stay locked in the bathroom. If he gets in and tries to come through the bathroom door shoot that fucker through the door. You have five shots in that gun.

MMS
2:54 PM



< ng my life flash × ∨ ^

I've texted co workers near me and no response.

MMS

I will absolutely shoot him. I turned the house alarm on.

MMS

Craig Lamp

Cops need to get there asses over there now!

MMS
2:55 PMMMS
2:55 PM

Give me their numbers...

Kortni Butterton

Right! Any place I try to leave to, he can see me.

MMS
2:56 PMMMS
2:56 PM

Where's theresa?

Kortni Butterton

She's at work

MMS
2:56 PM

Can you set off your house alarm to try to scare the shit out of him?



< ng my life flash × ∨ ^

Can you set off your house alarm to try to scare the shit out of him? And maybe alert your neighbor question

MMS
2:56 PM



Kortni Butterton

I wish I had Bruce's number handy, but it's on the fridge.

MMS
2:57 PM

MMS

Is that the neighbor?

MMS
2:57 PM

What's his last name?



Kortni Butterton

Yes

MMS

I don't know

MMS
2:57 PM

MMS
2:58 PM

Can you Google him?



Craig Lamp

Good just keep 911 updated with everything you are hearing. Let them know



11:30      75%   

everything you are hearing. Let them know you are armed if you haven't already.

MMS
2:59 PM



Kortni Butterson

I've googled him plenty

MMS
3:02 PM

MMS
3:02 PM

Your neighbor?



Craig Lamp

Are you hearing any more banging? ETA on police??

MMS



Kortni Butterson

Oh, no lol

MMS
3:02 PM

MMS
3:03 PM

I'm thinking maybe you can get his number?

MMS
3:04 PM

Is your coworkers wife's name Michelle Glass? I can call her and so she can get in touch with him if you want me to?



< ng my life flash × ∨ ^



Yes, but they aren't close to me

MMS 3:05 PM

MMS

It doesn't matter

MMS

You know he'd be there as fast as he can

MMS 3:05 PM

How far they from you



Craig Lamp

The police should have been there by now this is upsetting.

MMS 3:07 PM

MMS 3:07 PM

It's very upsetting & fucking scary!!



+16159465179

Unsaved

3:08 PM



< ng my life flash × ∨ ^

Michelle's phone number at the top. I just called her she's calling her husband in a group of them were going out to dinner and she's going to have them head your way.

MMS

Kortni, are you OK?
Respond.

MMS
3:12 PM



Kortni Butterson

Cops are here

MMS



Craig Lamp

Kortni let us know if you can that you are okay.

MMS

Thank God.

MMS



Kortni Butterson

A couple neighbors just showed up too to search the premise.

MMS



Craig Lamp

Is he still around. Need to get your camera set

MMS



< ng my life flash × ∨ ^

Is he still around. Need to get your camera set up.

MMS
3:16 PM

Thank God! I was freaking out

MMS

Do you want me to tell Michelle to have Eric not come now?

MMS
3:17 PM



Craig Lamp

Yes he doesn't need to fly over there. Probably breaking some speed limits.

MMS
3:18 PM



Kortni Butterson

Eric is texting me

MMS
3:19 PM

Ok good!! Michelle said he'd probably still want to come check on you.

MMS
3:20 PM

Ok give us a call after 5:30 our time please!!

MMS
3:42 PM



< ng my life flash × ∨ ^



Craig Lamp

Kortni so thankful you are okay. Just talked to mom about what happened. I will review some Ring cameras and doorbell tonight and let you know. Glad you have somewhere to stay tonight. This guy is obviously psycho. No need to take a chance. Love you very much and glad you had your gun with you!

MMS
4:54 PM



Kortni Butterson

Sounds good. I told Theresa to stay elsewhere too, offered Eric's place too. Yes, glad I had the intuition to take it out and keep it with me.

MMS
5:02 PM



Exhibit G

IN THE FIFTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

AT NASHVILLE

CARL VONHARTMAN,)

)

Plaintiff,)

)

v.) Case No.: 20C740

)

KORTNI BUTTERTON,)

)

Defendant.)

AFFIDAVIT OF CRAIG LAMP

1. My name is Craig Lamp, I have personal knowledge of the facts affirmed in this Affidavit, I am competent to testify regarding them, and I swear under penalty of perjury that they are true.
2. On January 29th, 2020, at 1448 hours (Pacific Standard Time), I received a group text message addressed to my wife, Benita Lamp, and myself from my stepdaughter, Kortni Lyn Butterton. The text message I received was as follows: "I'm seeing my life flash before my eyes. I'm hiding in my bathroom while a man who I had encountered on a dating app is banging on my house."
3. I learned through additional text messages that the male on the scene was someone that Kortni had never met but believed she recognized from the aforementioned dating app (app unknown to me).
4. Kortni said she is part of a closed Facebook group that warns other members of the group from bad dating experiences. She went on to say that she believed the male on location was someone that had been described to the group as "aggressive," and that he had previously threatened others in the group.
5. Kortni provided information that she was scared to the point that she armed herself with a handgun while locked inside the bathroom and armed her home security system. Her fear

appeared to me to be entirely genuine. Kortni continued to provide updates to 911 over the approximately twenty-minute period she believed the male to be on location.

6. Nashville PD arrived at Kortni's residence approximately 30 minutes after the initiation of the 911 call and found no one on the scene. Kortni later contacted Benita and I over the telephone. While speaking with her, Kortni told me the male subject repeatedly banged on the side of her house, frightening her. There is absolutely no reason that Kortni would lie to me about this.

7. I am a police officer with fifteen years of service and have investigated hundreds of assault and/or domestic violence related calls. During my conversation with Kortni, I observed a high level of fear in her voice indicative of a stressful event that in my experience was consistent with victims making assault and/or domestic violence related calls.

8. I believe that what transpired caused Kortni to reasonably fear for her personal safety in good faith.

Further affiant sayeth not.

Pursuant to Tenn. R. Civ. P. 72, I declare under penalty of perjury that the foregoing is true and correct.

C L P

Craig Lamp

4/07/2020

Date Executed

Exhibit H

**IN THE FIFTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE**

CARL VONHARTMAN,)

Plaintiff,)

v.)

Case No.: 20C740

KORTNI BUTTERTON,)

Defendant.)

AFFIDAVIT OF THERESA RAWLEY

1. My name is Theresa Rawley, I have personal knowledge of the facts affirmed in this Affidavit, I am competent to testify regarding them, and I swear under penalty of perjury that they are true.

2. Kortni Butterton, the Defendant in the above-captioned case, is my roommate. We reside together at 2717 Druid Dr., Nashville, TN 37210.

3. A couple of months ago, Kortni told me about a post that was posted in a private "Swipe Left" Facebook group for women and about how things were quickly escalating with numerous comments about a guy named "Carl Durden." Kortni had previously matched with Carl on a dating application called "Hinge," but she decided to unmatched him and did not go on a date with him.

4. Kortni mentioned that Carl had tried to reach out to her through social media afterward and was threatening to sue her. Kortni told me that she wasn't going to respond to him and blocked him on social media in an effort to prevent him from contacting her.

5. Kortni became increasingly worried that Carl might find out where we lived and come find her.

6. On January 29, 2020, I had to leave for work and asked Kortni if she would be okay at the house alone. At this point I should add that Kortni is a very strong independent woman. She always is going places by herself, traveling alone, and is extremely aware of her surroundings, so when I saw that she was fearful, I knew it was something big and not normal behavior for her.

7. Kortni said she would be okay and would let me know if she needed anything.

8. In the early afternoon on January 29, 2020, Kortni was texting me explaining that she had been in contact with the administrator of the Swipe Left Facebook group, and that Carl was yelling and had threatened to find out where the administrator worked and lived by the end of the day.

9. Kortni told me she did a Google search of her name and contacted all of the websites that had her information and requested for the information to be removed in order to prevent Carl from finding her. She told me that she was watching every car go by our house had her gun next to her for protection. She told me that she was okay but scared.

10. The next text I got from Kortni was around 4:45pm. Kortni told me that she believed Carl was at our house. She told me that she was on the phone with 911 and had locked herself in her bathroom with her gun. This was the first time after over a year of living with Kortni that she has ever called the police for anything. I knew it was a big deal because both of us come from law enforcement backgrounds and we don't fool around with 911 unless it is serious.

11. I asked Kortni if maybe it was a delivery service. She told me that she saw a

dark-haired man in the window and believed it was Carl. Kortni and I are both single, so it would not likely be anybody else at the door, and whenever we have someone coming to the house, we let the other person know. We are very private, we don't have friends come over often, and we don't give out our address to people.

12. From her texts, I could tell Kortni was afraid for her life and did not even want to leave the bathroom to turn the alarm on or get the car keys to sound the alarm until she knew for sure the man was gone.

13. Kortni texted that the cops were backed up but that she was not going to hang up with them until someone came.

14. Kortni asked me to ask a neighbor to come by and check the house. I got ahold of a neighbor who said she would be there soon.

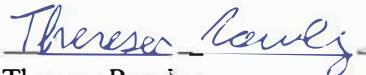
15. The next message I got was from the neighbor saying that she had arrived at our house, and by that time, the man had left. The police arrived shortly thereafter.

16. Kortni was extremely shaken up about the incident. She told me that she was too scared to sleep at the house, so she would be spending the night at a coworker's until she felt safe enough to come back.

17. I am not aware of any reason why Kortni would lie to me about what happened or her genuine fear that Carl was at our house trying to find her.

Further affiant sayeth not.

Pursuant to Tenn. R. Civ. P. 72. I declare under penalty of perjury that the foregoing is true and correct.


Theresa Rawley

4-5-2020

Date Executed

Exhibit I

**IN THE FIFTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE**

CARL VONHARTMAN,)

Plaintiff,)

v.)

Case No.: 20C740

KORTNI BUTTERTON,)

Defendant.)

AFFIDAVIT OF MEGAN HASSALL

1. My name is Megan Hassall, I have personal knowledge of the facts affirmed in this Affidavit, I am competent to testify regarding them, and I swear that they are true.

2. On the afternoon of January 29th, 2020, I responded to a message on the 16th District Facebook Group. The message was posted by Theresa Rawley and sought immediate help for her roommate, Kortni Butterton.

3. I saw the post go out in the late afternoon around 4:00 p.m. I jumped in the car right away and headed over to the house described in the post.

4. I arrived and pulled over across the street. I stood looking from the street for a few minutes just to see if I saw anyone on the premises. I didn't see anyone at that time. Another neighbor pulled up at that time in a white SUV and we exchanged a few words and approached Kortni's house together. We didn't want to pound on the door, so we waited until she saw us and opened the front door, to approach her.

5. Kortni was hyperventilating, crying, and not speaking in complete sentences. She said she was on the phone with the police, so we whispered that we'll search the house.

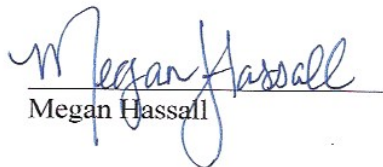
6. The other neighbor and I walked around the interior of Kortni's house, opening closets, pulling back the shower curtain, etc. We then proceeded outside to see if we saw anyone in the back yard. The only thing we saw was something under a tarp under a car port. Scared of what it could be, we instead took a shovel that was near us and lobbed it over to the tarp to ensure it wasn't a person. Nothing moved when the shovel hit it, so it did not appear to be a person nor did there appear to be anyone in the house.

7. After we finished walking the perimeter of the house outside the Metro Police arrived, just one female cop in one car initially. By the time we walked back around to the front door, Kortni and the officer were already talking. After hesitating a moment, we waved goodbye and decided to walk away because we didn't want to interrupt the police work from happening.

8. As we were walking back to our cars, someone in a yellow sports car drove right at us and then swerved to miss us at the last minute. Shortly after that, another police car arrived, so we quickly told the officer about the yellow car in case it was important. Thereafter, I and the other neighbor left.

Further affiant sayeth not.

Pursuant to Tenn. R. Civ. P. 72, I declare under penalty of perjury that the foregoing is true and correct.


Megan Hassall

4/15/2020
Date Executed

Exhibit J

**IN THE FIFTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE**

CARL VONHARTMAN,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Case No.: 20C740
)	
KORTNI BUTTERTON,)	
)	
<i>Defendant.</i>)	

AFFIDAVIT OF RACHEL C. WELTY, ESQ.

1. My name is Rachel C. Welty, I have personal knowledge of the facts affirmed in this Affidavit, I am competent to testify regarding them, and I swear under penalty of perjury that they are true.

2. I am a licensed attorney in the State of Tennessee and have practiced family law since April 2007.

3. I routinely represent litigants in Order of Protection proceedings and have advised hundreds of litigants about seeking an Order of Protection.

4. On the 29th day of January, 2020, I was contacted by Kortni Butterton, the Defendant in Davidson County Circuit Court Case No.: 20C740, who was given my name and phone number by a mutual acquaintance, Melissa Ingram.

5. Ms. Butterton was afraid for her personal safety based on a recent incident that had occurred at her home earlier that afternoon, and she sought my legal assistance in a good faith effort to protect herself.

6. I communicated with Ms. Butterton shortly after the incident at her home to discuss

what had occurred.

7. Ms. Butterton provided information about what had happened at her home earlier that afternoon, she told me about her interactions with Mr. Vonhartman prior to the incident, and she told me about Mr. Vonhartman's recent threatening messages to Melissa Ingram. I also received and reviewed an Instagram message from Mr. Vonhartman to Ms. Butterton prior to the incident at her home.

8. Ms. Butterton shared additional facts with me during a text message exchange on January 29, 2020. An accurate copy of my text message exchange with Ms. Butterton is attached to this Affidavit as Attachment #1.

9. The material facts that I considered to be relevant to an order of protection that were both known to Ms. Butterton on January 29, 2020 and available to her through reasonable diligence at that time are the same facts that were ultimately set forth in her January 30, 2020 Petition for an Ex Parte Order of Protection in Davidson County General Sessions Court Case No. 20OP250.

10. Based on the material facts that Ms. Butterton shared with me, I believed that the circumstances warranted an order of protection and that Ms. Butterton had probable cause to believe that Mr. Vonhartman had stalked her. As this was a unique situation that had occurred between two people who had never met in person, however, I decided to reach out to a former Davidson County Assistant District Attorney over the phone, as well as a forum for female attorneys that included current Assistant District Attorneys, to get independent advice from other attorneys about whether Ms. Butterton had probable cause to petition for an order of protection against Mr. Vonhartman based on the facts available.

11. Every attorney I consulted confirmed my analysis that based on what Ms. Butterton believed she had witnessed on January 29, 2020, and based on her previous interactions with Mr.

Vonhartman, Ms. Butterton had probable cause to petition for an order of protection against Mr. Vonhartman under the stalking subsection of Tennessee's order of protection statute.

12. Additionally, every attorney I consulted stated that Ms. Butterton could go down and swear out a warrant for criminal harassment. Because Ms. Butterton was solely seeking to protect herself from harm, however, she was not interested in pursuing criminal charges against Mr. Vonhartman.

13. Acting as her legal counsel, I advised Ms. Butterton to file for an Order of Protection against Mr. Vonhartman, and I instructed her how to do so. Ms. Butterton took my advice and followed my instructions.

14. Based on the legal advice that I provided her, Ms. Butterton petitioned for an order of protection against Mr. Vonhartman on January 30, 2020, and she was granted an ex parte order of protection based on her petition.

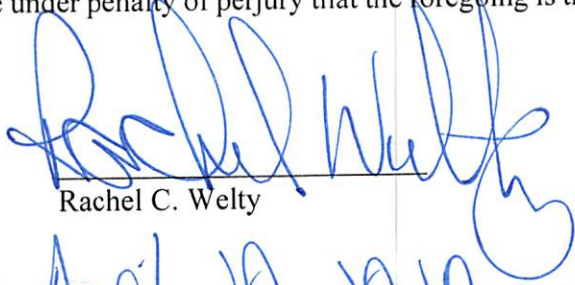
15. I continued to represent Ms. Butterton through her order of protection hearing.

16. During my phone call with Ms. Butterton on the 9th day of February, 2020, Ms. Butterton was shaken and scared. Those emotions were also evident during the Order of Protection hearing. I have represented hundreds of litigants in Order of Protection proceedings, and based on my experience, I believe that Ms. Butterton was genuinely scared of Mr. Vonhartman and thought he had come to her house and stalked her.

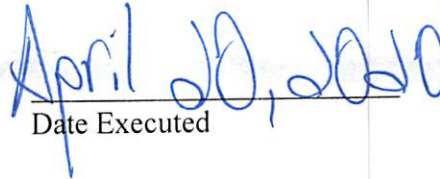
17. Based on the facts that were known to Ms. Butterton and reasonably available to her when she petitioned for an order of protection, I believe that Ms. Butterton acted in good faith in seeking protection from Mr. Vonhartman, that she had probable cause to petition for an order of protection, and I would provide her the same legal advice that I provided her again.

Further affiant sayeth not.

Pursuant to Tenn. R. Civ. P. 72, I declare under penalty of perjury that the foregoing is true and correct.



Rachel C. Welty



Date Executed

Attachment #1



Rachel >

iMessage
Wed, Jan 29, 5:19 PM

Hey, melissa told me to text you.
This is Kortni

Hi Kortni - what's the status? Did he
leave?

Are they sending police to you?

He left, cops showed, but I just
heard another doorbell.

Have you spoke to the police?

The way my house is setup, I can't
go and see without him seeing me.

I did when they were here.

They filed a report. I gave them his
name, address, and vehicle.

What did the police say?

Did they tell you how to go file an
order of protection?

No, they didn't. I've never physically
met this dude, just internet/online
dating so they said all they can do is



iMessage





Rachel >

dating so they said all they can do is write up a report.

Yeah I think they are wrong. You can go down and file an order of protection. Let me do some digging with some other attorneys I know.

Okay, thank you so much!

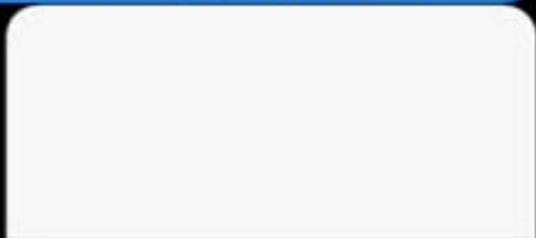
I'm terrified to even be in my house right now.

I am sure. I'll be in touch soon. Let me do some digging/research

Do you know at all how he figured out where you lived?

Has he threatened you over text message?

I assume he searched my name and found something or looked up my name on the property search.



iMessage





RW

Rachel

11:58 AM

This is hilarious.

I wasn't aggressive with you at all. I simply asked a question. Keep running your mouth if you want to get sued for defamation

carldurden wants to send you a message
3,048 followers 206 posts

That's all I've gotten. I comes him in everything.

Yeah that's what I figured too. Did you see him at your house? Get anything on recording?



I didn't, I glimpsed him through my door and saw him, but panicked and locked myself in the bathroom. I'm taking to people about getting a ring doorbell or something. I've alerted my neighbors if they see a tall man with dark hair and a black Nissan Armada to take photos and alert me.



iMessage





Rachel >

He's like 6'1" so I was able to see his face and frame to know it was him.

You can go downtown and file a warrant yourself for criminal harassment. That's up to you. Happy to support you with whatever you are comfortable with.

Okay. Do I just go to the courtroom? Do I need anything to file that?

I'll send you a link. I would call the advocacy center tomorrow. Once you file, I will come and help represent you for free depending on what happens.

Jean Crowe Advocacy Center – Office of Family Safety Metropolitan Government of Nashville & Davidson County
ofs.nashville.gov



Okay, thank you. I am heading to my co workers hoise, but will look at this soon.

Ok good. Be safe.

Thu, Jan 30, 7:30 AM



iMessage





Rachel >

Thu, Jan 30, 7:30 AM

After looking at that, would that even apply to me since we have no relation? Outside of matching on a dating app, setting a date, and my cancelling after reading about him from other women, and then sharing my experience to other women.

It would be under stalking. A few female district attorneys confirmed that.

Oh okay! That makes me feel a bit better, I wasn't sure if my situation would fall under. I'm going to call them at my lunch break today. Do you think I'd qualify for an order of protection? If so, I'll go down to the courthouse tomorrow.



I know it's just a piece of paper, but at least if he comes back, the police would have a bit more urgency than arriving 32 minutes after I call them.

You could either do that or swear out a criminal harassment warrant



iMessage





Rachel >

Oh, I didn't even realize I could do that as well. At this point, I'm open to doing any and everything I can. This man is not stable.

Go to Jean Crowe and an advocate there will help point you in right direction. I'm available by text today so call if you need anything

Okay, thank you.

Thu, Jan 30, 11:01 AM

I called Jean Crowe and I am going to go to the 610 Murfreesboro Pike location to file for an order of protection. Do I need you or anyone else there for that? I'm just worried since I don't have a photo or video of him that it won't go through.

There is the police report filed last night.

No you don't need an attorney to be there. And you don't need photographic or video evidence. Talk about how you never gave him your address and you don't know how he got it. Anything you heard him say. Was he talking? That he



iMessage





Rachel >

how he got it. Anything you heard him say. Was he yelling? That he was knocking/banging on doors and windows. Say that you are in fear for your safety since he went from just messaging you/texting you to coming to your house and he has no reason to be there.

That at this point he is stalking you



Okay, sounds good. Thank you for the tips on what to write down and emphasize.

Thu, Jan 30, 1:42 PM

Temporary order of protection granted, now to wait until he is served to get my court date. The lady here recommended I bring an attorney and I have asked melissa if she would be willing to attend to bring forth her evidence of his aggression and threats.

Amazing. I'm so glad. Let me know the date and I'll make sure I can get there or get a continuance for when I can.



iMessage





RW

Rachel >



Okay, thank you SO MUCH. It is so helpful to feel like I've got support.

Fri, Jan 31, 2:06 PM

Court date
Monday 2/10 9:15am
408 2nd ave n, 4B courtroom

Mon, Feb 3, 8:45 AM

Hey there, wanted to make sure next Monday works for you for court? Also, do you want to meet or chat by phone prior?

I have court in Gallatin next Monday at 8. Your case is a big docket but I'm going to get another attorney to cover until I can get there just in case. Let me line that up and then we can all do a phone call.

Okay, great, thank you

Tue, Feb 4, 9:45 AM

Hi there, sorry for another text. Just a heads up that I'll be out of the country the next couple of days. I can take a call where I am so long



iMessage





RW

Rachel >

can take a call where I am so long as it's on WhatsApp or Facebook messenger. Also available today with the exception of 1230-130pm.

Ok. Thanks for letting me know. I'm in a contested trial all day that I am heading into. Was going to start working on another attorney tomorrow. When do you get back?

But what's app works as well.

I get back Sunday night. Unfortunate timing for this Carl person to cause issues. WhatsApp is fine, I have the same number on there as my cell phone. I think my Facebook is locked down so not sure that would work for someone not on my friends list.

Can you send me a copy of your X parte order protection please
rachel@rweltylaw.com

Sure thing. Do you need a scanned copy or would photos of the pages work?

Either is fine



iMessage





Rachel >

Fri, Feb 7, 1:09 PM

Hi there, wanted to touch base about if we were going to chat by phone or if there is anything you need from me. Also to find out the contact info of the other attorney attending.

My other hearing got moved so I'll be there. Can you touch base Sunday night via phone. Maybe around 9?

Okay. I don't land in Nashville until 9pm so probably wouldn't be able to chat until 9:45. I have a layover from 330-730.

9:45 is totally fine. I'll be up.

Okay, sounds good.

Just call me when you get situated.



Text Message
Mon, Feb 10, 9:18 AM

Heading into courtroom with advocate now



iMessage





Rachel >

iMessage

Stuck downstairs because they are holding the elevator for EMS

Mon, Feb 10, 12:19 PM



FYI my roommate has checked his Instagram and it is now public again. And he has posted that it's "lawsuit time". I warned melissa, but wanted to also let you know, should anything come of it. Thanks again for coming and supporting/representing me today.

It's about to be lawsuit time!



iMessage



Exhibit K

Petition for Orders of Protection

You have filed for an **Order of Protection** which is a paper signed by a Night Court Commissioner or Judge to protect you from **CARL ALBERT VONHARTMAN** who has abused, stalked, sexually assaulted or threatened you. Most importantly, it can order **CARL ALBERT VONHARTMAN** to stay away from you and not harm you. The Temporary Protection Order DOES NOT go into full effect until **CARL ALBERT VONHARTMAN** has received notice of the Court's signed order. The Temporary Protection Order WILL BE in full effect when the Sheriff's office notifies you of the court date as that indicates that **CARL ALBERT VONHARTMAN** has received notice and at that point if he/she comes around you, threatens you or bothers you he/she can be arrested by the Police Department on the spot.

YOUR ORDER OF PROTECTION CASE INFORMATION

KORTNI BUTTERTON, Petitioner
vs.
CARL ALBERT VONHARTMAN, Respondent

Your Order of Protection Case Number is: 20OP250

Your hearing for the Order of Protection will be located:

JUSTICE A.A. BIRCH BUILDING
408 2ND AVENUE N.
COURTROOM 4B @ 9:15am
NASHVILLE, TN 37201

Court Date:

The sheriff will call you with the court date once they have served the papers on the other party. You must come to this Court date.

Order of Protection Contact Information:

If you have *questions about this Order of Protection* or if you change your home address, work information or telephone number, you must call:

GENERAL SESSIONS CLERK'S OFFICE - CIVIL DIVISION @ (615)862-5195.

If you would like to talk to an advocate about the court process or resources to stay safe, please call the Jean Crowe Advocacy Center at 615-862-4767; website: <http://advocacycenter.nashville.gov>



Temporary Order of Protection (Ex Parte Order of Protection)

Docket Number: 20OP250

DCSO# _____

IN THE SESSIONS COURT OF DAVIDSON COUNTY, TENNESSEE

Petitioner (person needing protection)

KORTNI BUTTERTON

Petitioner's Name: First - Middle - Last (list child's name if filed on behalf of person under 18 years old pursuant to T.C.A. §36-3-602)

Table with 2 rows: Row 1: Petitioner is under 18 and the Petition was filed on behalf of an unemancipated person... Row 2: The Petition was made by a law enforcement officer pursuant to T.C.A. §36-3-619...

Petitioner's Child(ren) Under 18 Protected by this Order:

Name DOB Relationship to Respondent

Respondent's Information (person you want to be protected from):

Name: CARL ALBERT VONHARTMAN DOB: 04/15/1984

Home Address: 3808 LAKERIDGE RUN

City, State Zip: NASHVILLE, TN 37214

Employer: Employer Phone:

Describe Respondent:

Table with 5 columns: Sex, Race, Hair, Eyes, Height- Weight- SSN- Other. Row 1: M, W, BLK, BRN, Height 6'1", Weight 200, Social Security # Provided to Clerk's Office, Scars/Special Features, Phone Number 6157208092

Petitioner's Relationship to the Respondent (Check all that apply):

Table with 2 columns: Relationship description, Specify. Rows include: We are married or used to be married., We live together or used to live together., We have a child together., We are dating, used to date, or have had sex., We are relatives, related by adoption, or are/were in-laws., We are the children of a person whose relationship is described above., X The Respondent has stalked me., The Respondent has sexually assaulted me., Other: Specify:

Table with 2 columns: Court finding, Warning. Row 1: The Court having reviewed the Petition for Temporary Order of Protection and finding, pursuant to T.C.A. §36-3-605(a), that Kortni Butterson, Petitioner, is under an immediate and present danger of abuse from Carl Albert Vonhartman, Respondent, and good cause appearing, the Court issues the following. Row 2: Warning. Row 3: X Has or owns Weapon

Service ID 226765

Orders to the Respondent:

- Do not abuse, threaten to abuse, hurt or try to hurt, or frighten Kortni Butterton, Petitioner, and/or Petitioner's minor child(ren) under 18.
- Do not put Kortni Butterton, Petitioner, and/or Petitioner's minor child(ren) under 18 in fear of being hurt or in fear of not being able to leave or get away.
- Do not stalk or threaten to stalk Kortni Butterton, Petitioner, and/or Petitioner's minor child(ren) under 18.
- Do not come about Kortni Butterton, Petitioner, and/or Petitioner's minor child(ren) protected by this Order (including coming by or to a shared residence) for any purpose.
- Do not contact Kortni Butterton, Petitioner, and/or Petitioner's minor child(ren) protected by this Order, either directly or indirectly, by phone, email, messages, mail or any other type of communication or contact.
- If you and Kortni Butterton, Petitioner, shared a residence, you must immediately and temporarily vacate the residence shared with Kortni Butterton, Petitioner, pending a hearing on the matter.
- If you and Kortni Butterton, Petitioner, shared a residence, you can obtain your clothing and personal effects such as medicine, as follows: (List process as approved by local law enforcement personnel)

Carl Albert Vonhartman, Respondent, will be allowed one (1) opportunity to contact local law enforcement agency to escort or oversee Carl Albert Vonhartman, Respondent, obtaining his/her personal effects needed while the application is pending. If law enforcement, for any reason, is unable to accommodate Carl Albert Vonhartman, Respondent's request, a third party may be designated by Carl Albert Vonhartman, Respondent, who will be allowed to pick up Carl Albert Vonhartman, Respondent's clothing, medicine and other personal effects Carl Albert Vonhartman, Respondent will need until the final hearing on this application.
- You must not hurt, or threaten to hurt, any animals owned or kept by Kortni Butterton, Petitioner, or Petitioner's children.
- Other orders: **Do not commit or attempt to commit malicious damage to Kortni Butterton, Petitioner, and/or Petitioner's child(ren)'s personal property.**

Go to Court on (date): _____ at 9:15am
at (location):

JUSTICE A.A. BIRCH BUILDING
408 2ND AVENUE N.
COURTROOM 4B @ 9:15am
NASHVILLE, TN 37201

You must obey these Orders until the date of the hearing or until changes are made by the Court. If you do not agree with these Orders, go to the Court hearing and tell the Court why. If you do not go, the Court can make orders against you. You have the right to bring your own lawyer. If you do not obey all orders on this form, you may be fined and sent to jail.

Only the Court can change this Order. Neither you nor Kortni Butterton can agree to change this Order. Even if Kortni Butterton, Petitioner, tries to contact you or agrees to have contact with you, you must obey this Order. If you do not, you can be sent to jail for up to ten (10) days and fined up to \$50 for each violation. (T.C.A. §36-3-610)

IF YOU WANT TO TELL YOUR SIDE TO THE JUDGE, YOU MUST BE AT THE HEARING. IF YOU DO NOT COME TO THE HEARING, THE JUDGE WILL DECIDE BASED ONLY ON THE PETITIONER'S TESTIMONY.

Date: 01.30.2020 Time: 1:37 a.m. p.m.

Judicial Officer's Signature

WARNINGS TO RESPONDENT:

A copy of this *Order* will be sent to all law enforcement agencies where Petitioner resides AND any Court in which the Respondent and Petitioner are parties to an action. Any law enforcement officer who reasonably believes you have disobeyed this *Order* may arrest you.

If you hurt or try to hurt anyone while this *Order*, probation or diversion is in effect, you may face separate charges for aggravated assault, a Class C felony. (T.C.A. §39-13-102(c))



Service ID 226765



PROOF OF SERVICE:

Docket Number: 20OP250

<p>Proof of Service of <i>Petition, Notice of Hearing and Temporary Order of Protection</i>:</p> <p>CARL ALBERT VONHARTMAN, Respondent, was served on (date): _____ at (time): _____ by (check one):</p> <p><input type="checkbox"/> Personal Service: _____</p> <p><input type="checkbox"/> U.S. Mail per T.C.A. §20-2-215 and §20-2-216 (The Respondent does not live in Tennessee.)</p> <p><input type="checkbox"/> Not Found _____</p> <p><input type="checkbox"/> Translator Requested-Language: _____</p> <p>_____ Server's Signature</p> <p>_____ Print Name</p>	<p>If the Petitioner is under 18 and service of these documents would not put him/her at risk, the Clerk will serve and fill out below. (T.C.A. §36-3-605(c))</p> <p><i>I served the child's parents with copies of the Petition, Notice of Hearing, and Temporary Order of Protection by personal delivery or U.S. Mail on: (date): _____ at (address): ADDRESS ON FILE</i></p> <p>Clerk's Signature: _____</p>
--	---

Service ID 226765

Petitioner Notification

- Kortni Butterton, Petitioner, was notified of the service result on _____, 20____ at _____ a.m. / p.m.
- I was unable to reach Kortni Butterton, Petitioner, to give notification of the service result. The Clerk will attempt to give either verbal or written notification of the service result.

Respondent Notification

- Carl Albert Vonhartman, Respondent, was notified of the issuance of the *Temporary Order of Protection* on _____, 20____ at _____ a.m. / p.m. by _____.

Petition for Order of Protection and Order for Hearing

IN THE SESSIONS COURT OF DAVIDSON COUNTY, TENNESSEE

Docket Number: **20OP250**

DCSO # _____

Petitioner's Name *(person needing protection)*

KORTNI BUTTERTON

First – Middle – Last **(list child's name if filed on behalf of person under 18 years of age, pursuant to T.C.A. §36-3-602)**

	Petitioner is under 18 and the Petition was filed on behalf of an unemancipated person (someone under 18 years of age), pursuant to T.C.A. §36-3-602.
	This request is being made by a law enforcement officer pursuant to T.C.A. §36-3-619. The person on whose behalf this Petition is filed consents in writing to the filing and signs here: _____

****Petitioner's Child(ren) Under 18 that Petitioner Believes are in Need of Protection:**

Name Date of Birth Relationship to Carl Albert Vonhartman, Respondent

Respondent's Information *(person you want to be protected from):*

Name: CARL ALBERT VONHARTMAN DOB: 04/15/1984

Home Address: 3808 LAKERIDGE RUN

City, State Zip: NASHVILLE, TN 37214

Work DESCRIBE RESPONDENT: Work Phone:

Sex	Race	Hair	Eyes	Height- Weight- SSN- Other
M	W	BLK	BRN	Height 6'1"
				Weight 200
				Social Security # Provided to Clerk's Office
				Scars/Special Features
				Phone 6157208092

1. What is Petitioner's relationship to Respondent? (check all that apply):

a.	<input type="checkbox"/>	We are married or used to be married
b.	<input type="checkbox"/>	We live together or used to live together.
c.	<input type="checkbox"/>	We have a child together.
d.	<input type="checkbox"/>	We are dating, used to date, or have had sex.
e.	<input type="checkbox"/>	We are relatives, related by adoption, or are/were in-laws:
f.	<input type="checkbox"/>	We are the child(ren) of a person whose relationship is described above
g.	<input checked="" type="checkbox"/>	The Respondent has stalked me.
h.	<input type="checkbox"/>	The Respondent has sexually assaulted me.
i.	<input type="checkbox"/>	Other:

2. List all child(ren) under 18 that you have:

Y	Check here if listing addresses would put you or your child(ren) in danger. If so, leave any spaces for addresses blank.
----------	--

<i>Name of Child</i>	<i>DOB</i>	<i>Is Respondent the parent of the child?</i>	<i>Does child need to be protected from Respondent?</i>	<i>Child's address</i>
			No	

3. Where else have the child(ren) (that you and Respondent have together) lived during the last six (6) months?

Child(ren)'s previous addresses: _____ Who did they live with at this address? _____

4. **Other Court Cases** – Is there any Court, other than this Court, in which the Respondent and Petitioner are parties to an action (including cases in which the parties have children in common)?
 Yes If "Yes," fill out below:

Court Name (including County)	State	Case # (if you know it)	Kind of Case (Divorce / Domestic Violence / Criminal / Juvenile / Child Custody / Other (specify))

5. **Custody Rights** – Does anyone besides you or the Respondent claim to have custody or visitation rights to the child(ren) that you and Respondent have together?

Yes	If Yes, who?
Name	Address

6. **Describe Abuse** – (use additional sheets of paper if necessary and attach to Petition)

Describe abuse, stalking or assault (include, IF APPLICABLE, information about abuse or fear of abuse to your child(ren), personal property or animals)	Where and when did this happen?	Describe any weapons used.
---	---------------------------------	----------------------------

Service ID 226765

I, Kortni Butterson, am seeking an order of protection against, Carl Albert Vonhartman, because I am fear for my safety. I met Carl on the dating app, Hinge, and we arranged to meet for a date. After I agreed to go to the date, I noticed Carl's name was listed in a Facebook group that let's women know if men are safe to date. When I saw that Carl was on there, I canceled my date with Carl. Carl was aggressive and invasive about why I wouldn't go on a date, but eventually stopped contact after I unmatched him.

On Tuesday, 1/28/2020, a woman in the group asked about Carl and I spoke up about my experience with him. Shortly after I spoke up in the Facebook group Carl began contacting me making threats to sue me for defamation of character if I continued to speak about him.

Yesterday, 1/29/2020, at 4:30pm Carl showed up at my home banging on my door and looking through my windows. Carl saw me move through the window and ran around to the side of my house and continued to bang on my bedroom wall, ring my door bell, and bang on the door. This continued for about 20 minutes. I locked myself in the bathroom and turned on my alarm. I called 911 and the police arrived about 30 minutes later right after Carl left and I made a police report (20-0069474). I am terrified because I never gave Carl my address or any personal contact information. Carl has a history of aggression and has been arrested for aggressive charges. I was so afraid that I left my home and have not returned home. Carl has posted videos of him shooting a gun and participating in MMA fighting. I want Carl to stay away from me and have no contact with me.

These statement are true and these events occurred in Nashville, Davidson County.

I ask the Court to make the following Orders after the hearing: (check all that apply)

7. **No Contact**

Please order the Respondent to not contact: either directly or indirectly, by phone, email, messages, text messages, mail or any other type of communication or contact.	<input checked="" type="checkbox"/>	me		children under 18
--	-------------------------------------	----	--	-------------------

8. **Stay Away**

Please order the Respondent to stay away from:

<input checked="" type="checkbox"/>	my home
<input checked="" type="checkbox"/>	my workplace and/or
<input checked="" type="checkbox"/>	from coming about me for any purpose

9. **Personal Conduct**

Please order the Respondent NOT to:

<input checked="" type="checkbox"/>	Cause intentional damage to my property or interfere with the utilities at my home.
<input type="checkbox"/>	Hurt or threaten to hurt any animals that I/we own or keep.

10. **Temporary Custody**

Please give me temporary custody of our children.

11. **Child Support**

Please order the Respondent to pay reasonable child support.

12. **Petitioner Support (If Married)**



13. Move-out / Provide Other Housing

Please order the Respondent to (check one):

<input type="checkbox"/>	Move out of our family home immediately, or
<input type="checkbox"/>	Provide other suitable housing (if married).
<input type="checkbox"/>	<i>Check here if your home or lease is in the Respondent's name only.</i>
<input type="checkbox"/>	If the parties share a residence, please allow the Respondent to obtain his/her clothing and personal effects such as medicine and other things he/she may need.

14. Counseling/Substance Abuse Programs

Please order the Respondent to go to a certified batterers' intervention program if one is available in the area, or a counseling program.

15. No FirearmsPlease order the Respondent not to have, possess, transport, buy, receive, use, or in any other way get any firearm. *List all types of firearms (pistol, rifle, etc.) that the Respondent owns, controls, or has access to and where the firearm(s) are located:*

--

16. Animals / Pets

Please give me custody and control of any animal owned, possessed, leased, kept or held by me, the Respondent, or the child(ren) listed above.

17. Costs, Fees, and Litigation Taxes

Please order the Respondent to pay all Court costs, lawyer fees, and taxes for this case.

18. Transfer the billing responsibility for and rights to wireless telephone number(s).

Please issue an Order directing , a wireless telephone service provider, to transfer the billing responsibility for and rights to the wireless telephone number or numbers of Petitioner since Petitioner is not the account holder.

Current account holder (name):

Billing telephone number:

New account holder (name):

All telephone numbers to transfer to new account holder:

Telephone No. (include area code):		No:
Telephone No. (include area code):		No:
Telephone No. (include area code):		No:
Telephone No. (include area code):		No:

If the Judge makes this Order, you will be financially responsible for the transferred wireless telephone number or numbers, including the monthly service costs and costs of any mobile device associated with the wireless telephone number or numbers. You may be responsible for other fees. You must contact the wireless service provider to find out what fees you will be responsible for and whether you are eligible for an account.

19. Other Orders: (General Relief)**I also ask the Court to:**

1. Make an immediate Temporary Order of Protection. (*Ex-Parte Order of Protection*)
2. Notify law enforcement in this county of that Order.
3. Serve the Respondent a copy of that *Order* and Notice of Hearing to take place within 15 days of service.



- 4. Serve a copy of the Request, Notice of Hearing, and Temporary Order on the parents of the Petitioner (if the Petitioner is under 18 years of age) unless the Court finds that this would create a serious threat of serious harm to the Petitioner. [T.C.A. §36-3-605(c)]

KORTNI BUTTERTON, Petitioner (or parent/legal guardian/caseworker) signs here in front of Notary/Clerk/Judicial Officer and swears that s/he believes the above information is true:

X

_____, Petitioner

Date: 01/30/2020

Pursuant to T.C.A. §36-3-602, I declare that KORTNI BUTTERTON, Petitioner, has read this Petition, and swears it to be true to the best of her/his knowledge.

Sworn and subscribed before me, the undersigned authority,

On this date: 01/30/2020

X

Clerk / Official signs here

Notice to the Respondent about Firearms

If the Court grants Kortni Butterton, Petitioner’s request for a Protective Order:

- You will not be able to have a firearm while this or any later Protective Order is in effect. You will have to transfer all firearms in your possession within forty-eight (48) hours to any person who is legally allowed to have them. **18 U.S.C. §922(g)(8), T.C.A. §36-3-606(g), T.C.A. §36-3-625.**
- You will not be allowed to buy a firearm until the Court says otherwise.

Service ID 226765

FINDING OF THE COURT:

Docket Number: 20OP250

The Court finds good cause and will issue a Temporary Order of Protection.
See the attached *Temporary Order of Protection* for the Court's orders and the scheduled Court date.

The Court does not find good cause and denies a Temporary Order of Protection.
The Court finds there is no immediate and present danger of abuse to the Petitioner and denies the Petitioner's request for a *Temporary Order of Protection*. The Court will set the matter for hearing.

ORDER FOR HEARING

KORTNI BUTTERTON, *Petitioner*, and CARL ALBERT VONHARTMAN, *Respondent*, must go to Court and explain to the Judge why the Judge should or should not issue an Order of Protection against CARL ALBERT VONHARTMAN, *Respondent*.

The hearing will take place in the following Court:

JUSTICE A.A. BIRCH BUILDING
408 2ND AVENUE N.
COURTROOM 4B @ 9:15am
NASHVILLE, TN 37201

IF YOU NEED A TRANSLATOR FOR THE HEARING, IMMEDIATELY NOTIFY DART GORE AT (615) 880-3309.

HEARING DATE: _____ TIME: _____ a.m. p.m.

Judge/Judicial Commissioner

Date

Proof of Service of *Petition* and *Notice of Hearing*:

CARL ALBERT VONHARTMAN, Respondent, was served on (date): _____ at (time): _____ by (check one):

- Personal Service: _____
- U.S. Mail per T.C.A. §20-2-215 and §20-2-216 (The Respondent does not live in Tennessee.)
- Not Found _____
- Translator Requested-Language: _____

Server's Signature

Print Name

If the Petitioner is under 18 (and Petitioner is a social worker filing on behalf of a minor) and service of these documents would not put him/her at risk, the Clerk will serve and fill out below. (T.C.A. §36-3-605(c))

*I served the child's parents with copies of the *Petition*, *Notice of Hearing*, and *Temporary Order of Protection* by personal delivery or U.S. Mail on: (date): _____ at (address): _____*

ADDRESS ON FILE

Clerk's Signature:

Petitioner Notification

Kortni Butterton, Petitioner, was notified of the service result on _____, 20____ at _____ a.m. / p.m.

I was unable to reach Kortni Butterton, Petitioner, to give notification of the service result. The Clerk will attempt to give either verbal or written notification of the service result.

Service ID 226765

NCIC ORDER OF PROTECTION ENTRY FORM

(Print) Information on person asking for the Order of Protection (Petitioner)

Form with fields for Petitioner's name (KORTNI BUTTERTON), sex (F), race (W), and date of birth (05/11/1991).

(Print) Information on the person (Respondent) that you (Petitioner) are in fear of and want to stay away from you. (Fill in all that is known)

Form with fields for Respondent's name (CARL ALBERT VONHARTMAN), address (3808 LAKERIDGE RUN, NASHVILLE, TN), and physical characteristics.

Service ID 226765

Order of Protection Conditions: Must be filled in by Commissioner

Form with fields for Order of Protection type (34), conditions (35), and court identifier (37).

A Judge must fill out Order of Protection Conditions and Brady Law


Form with fields for Brady Law (38), Order of Protection type (39), and dates of issue and expiration (41, 42).

Research or Entry Section:

Form with fields for FBI Number (43), Scars/Marks/Tattoos (47), and Date Order Served (50).

Form with fields for Officer Giving Notice (56), Employee No. (57), and Contact Name (59).

Exhibit L

Dismissal of Order of Protection	<i>Case # (the Clerk fills this in):</i>	
	20OP250	
<input type="checkbox"/> Petitioner is under 18		

IN THE GENERAL SESSIONS COURT OF DAVIDSON COUNTY, TENNESSEE

Petitioner *(person needing protection)*

If Petitioner is under 18, insert child's name if filed on behalf of an unemancipated person (someone under 18 years of age), pursuant to T.C.A. §36-3-602. This Request is being made by who is child's parent, or legal guardian, or a caseworker.

KORTNI		BUTTERTON		05/11/1991
<i>First</i>	<i>Middle</i>	<i>Last</i>	<i>Suffix</i>	<i>DOB</i>

Petitioner's Child(ren) Under 18 Protected by this Order:

Name	DOB	Relationship to Respondent

Respondent's Information *(person you want to be protected from)*

CARL	ALBERT	VONHARTMAN		04/15/1984
<i>First</i>	<i>Middle</i>	<i>Last</i>	<i>Suffix</i>	<i>DOB</i>
3808 LAKERIDGE RUN		NASHVILLE	TN	37214
<i>Street Address</i>	<i>Street Address 2</i>	<i>City</i>	<i>State</i>	<i>Zip</i>
<i>Respondent Employer</i>	<i>Employer Address</i>		<i>Employer Phone</i>	

Describe Respondent:

Sex – Race – Hair - Eyes		Height – Weight – SSN – Other	
Sex:	Male	Height:	6'1
Race:	White	Weight:	200
Hair:	Black	Social Security #:	
Eyes:	Brown	Scars/Special Features:	

Petitioner's Relationship to the Respondent *(Check all that apply):*

	We are married or used to be married.		We live together or used to live together.
	We have a child together.		We are dating, used to date, or have had sex.
	We are relatives, related by adoption, or are/were in-laws. (Specify):		
	We are the children of a person whose relationship is described above (Specify):		
X	The respondent has stalked me.		The respondent has sexually assaulted me.
	Other:		

The Court Hereby Finds:

The Court finds that the Petition is dismissed for one of the following reasons:

250

- The Petitioner has dismissed the Petition.
- The Petitioner did not show up for Court.
- The Petitioner did not prove the evidence in the Petition by a preponderance of the evidence.
- The Petitioner/Respondent has requested the Court to set aside the Order of Protection that was signed and entered on _____, 20____.
- Other: _____

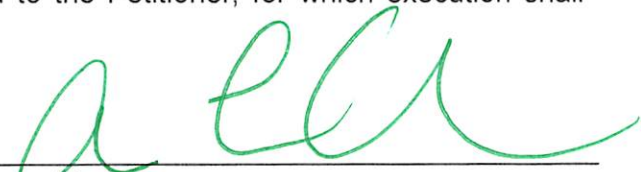
The Court Further Finds, Regarding Costs:

- By **clear and convincing evidence**, the Petitioner is not a domestic abuse victim, stalking victim or sexual assault victim and such determination is not based on the fact that the Petitioner requested that the Petition be dismissed, failed to attend the hearing or incorrectly filled out the Petition; **AND** the Petitioner knew that the allegation of domestic abuse, stalking, or sexual assault was false at the time the Petition was filed.

The Court Orders:

- That the Petition for the Order of Protection is dismissed.
- That the Order of Protection previously entered in this case is Set Aside and the Order of Protection is dismissed.
- That the costs and litigation tax of this cause are not taxed to the Petitioner.
- That the costs and litigation tax of this cause are taxed to the Respondent, for which execution shall issue, if necessary.
- That the costs and litigation tax of this cause are taxed to the Petitioner, for which execution shall issue, if necessary.

Date: 02-10-2020



Signature of Judge

Certificate of Service

I hereby certify that a true and exact copy of the foregoing Order has been mailed to the

- Petitioner
- Respondent

at the last known address.


Deputy Clerk

Petitioner's Signature

Date: 2-10-2020

Respondent was present in Court

Exhibit M

Incident Report



Metropolitan Police Department
Nashville, Tennessee
ver 4.4

1. MPD Incident No. 2020-0069474	ZONE 313	R.P.A. 8333
--	--------------------	-----------------------

Part 1 Incident	2. Related Incident <input checked="" type="checkbox"/> N/A				
	3. Other Police Agency & Case Incident No. <input checked="" type="checkbox"/> N/A				
4. Report Type DISPATCHED	5. Report Date/Time 01/29/2020 17:37	6. Incident Date/Time (From/To) 01/29/2020 16:39 - 01/29/2020 16:39	Precinct South Precinct		
7. Reporting/Dispatched Location <input type="checkbox"/> UNK 2717 DRUID DR		Apt No	City	State TN	Zip Code <input type="checkbox"/>
Cross Street:					
8. Address of Incident <input type="checkbox"/> Same as Block No 7 2717 DRUID DR		Apt No	City NASHVILLE	State TN	Zip Code 37210 <input checked="" type="checkbox"/>
Cross Street:					
# 1	9. Offense CODE 13C	10. Offense Description INTIMIDATION	11. Status COMPLETED	12. Location Type CODE RESIDENCE, HOME	
13. Weapon CODE (Enter up to 3) NONE					
15. Hate Crime Suspected NO	16. Suspected Gang Activity NO	16a. Terrorism Suspected NO	17. (For Burglary) Forced Entry	If Hotel/Motel/rental Storage No. of Premises Entered	18. (For Burglary/Robbery) Home Invasion?
Part 2 Victim No. 1 <input type="checkbox"/> N/A	31. Victim Type Individual (18 and over)		19. (Last, First, Middle Name or Business Name) <input type="checkbox"/> UNK <input checked="" type="checkbox"/> MNI <input checked="" type="checkbox"/> NEW BUTTERTON COURTNEY		
	20. SSN <input checked="" type="checkbox"/> UNK <input type="checkbox"/> N/A		21. Driver License (State (Number)) <input checked="" type="checkbox"/> UNK <input type="checkbox"/> N/A		
Same as Address of Incident (Block #8) <input checked="" type="checkbox"/>	22. Address of Victim Street <input type="checkbox"/> UNK 2717 DRUID DR	Apt No	City NASHVILLE	State TN	Zip Code 37210 <input checked="" type="checkbox"/>
Cross Street					
23. Sex FEMALE	24. Race White	25. Ethnicity NON HISPANIC	27. County Resident Yes	28. DOB <input checked="" type="checkbox"/> UNK <input type="checkbox"/> N/A	29. Age <input type="checkbox"/> N/A 30 - 31 Years
29. Phone Numbers HM: WK: Cell/Pager: (206) 714-9439					
30. Victim of Offenses: (Ref Block #9) 13C					
32. Local College Student? (If Yes, List Name of College/University) N/A					
33. Employment (Name) <input type="checkbox"/> MNI <input checked="" type="checkbox"/> N/A (Address) (Apt No) (Cross Street) (City) (State) (Zip Code) (Email Address)					
34. Domestic Disturbance? N/A <i>If Yes, Answer the Following Questions</i> Was Order of Protection Violated? Was Victim taken to Safe Place? Were Children taken to Safe Place? Were Children Present During Incident?					
35. Victim to Suspect 1 VONHARTMAN, CARL Relationship VICTIM WAS ACQUAINTANCE					
36. Aggravated Assault/Homicide Circumstances		37. Negligent Manslaughter		38. Justifiable Homicide	

Part 3		92. (Last, First, Middle Name) <input type="checkbox"/> Alias <input type="checkbox"/> UNK <input checked="" type="checkbox"/> MNI 57639857					94. SSN or Driver Lic. No.		
Suspect # 1		VONHARTMAN					CARL		
93. Address Street <input type="checkbox"/> UNK		Apt #	City		State	Zip Code	95. Phone No. <input checked="" type="checkbox"/> UNK		
3808 LAKERIDGE RUN			NASHVILLE		TN	37214			
Cross Street:									
97. Sex	98. Race		99. Ethnicity		100. DOB <input type="checkbox"/> UNK	101. Age <input type="checkbox"/> UNK Yrs	104. Height	105. Weight	
MALE	White		NON HISPANIC		04/15/1984	35 -	6 ' 2 "	200 lbs	
106. Hair		107. Eyes							
Brown		BROWN							
108. Scars and Other Identifiers				109. Clothing					
102. Suspected of Using <input checked="" type="checkbox"/> NA				103. Status (Enter up to 2)					
Alcohol Drugs Computer				AT LARGE					
96. Weapon/Tool (Enter Up To 3) NONE									
110. Vehicle Used None <input type="radio"/> Seized (If seized, complete Part 5, Motor Vehicle Section) <input type="checkbox"/> MVI									
(Year)	(Make)	(Model)		(Style)		(Color)	(License No.)	(State)	(Yr)
Part 4 <input checked="" type="checkbox"/> N/A		39. Other Person Type (Non-Victim)			40. (Last, First, Middle Name) <input type="checkbox"/> MNI				
Other Person # 1									
41. Address Street <input type="checkbox"/> UNK		Apt No.	City		State	Zip Code	42. Place of Employment/School <input type="checkbox"/> UNK		
Cross Street:									
43. Status	44. Sex	45. Race		47. DOB <input type="checkbox"/> UNK	46. Age <input type="checkbox"/> UNK Yrs	48. Phone Numbers HM WK Cell/Pager			
Part 5 Property <input checked="" type="checkbox"/> N/A		49. Victim/Suspect No.							
50. Cat CODE					Category (Other)				
51. Property Description (Make) (Model) (Size) (Type) (Color)									
52. Serial No.			Owner Applied No.			53. QTY			
54. Type CODE			55. Cond CODE			Condition CODE (Other)			
56. Est \$ Value		57. Date Recovered			Recovered \$Value				
58. Stored By CODE				Stored By (Other)					

Part 6 Injury & Transport <input checked="" type="checkbox"/> N/A	85. Injured
--	-------------

86. "Injury" Code (Enter Up to 5)

87. Describe Injury

88. Medical Treatment		89. Transported By	
-----------------------	--	--------------------	--

90. Examining Physician <input type="checkbox"/> N/A	91. Status
--	------------

Part 7 Search By Officer <input checked="" type="checkbox"/> N/A	111. Search Type	112. Searched Location (Address, Area, Etc.)
---	------------------	--

Part 8 Other Units Requested <input checked="" type="checkbox"/> N/A	113. I.D. Section Called To Scene:		
Yes, for: <input type="checkbox"/> Photos <input type="checkbox"/> Prints <input type="checkbox"/> Other <input type="checkbox"/> Other:			
<input type="checkbox"/> DNA <input type="checkbox"/> Firearms <input type="checkbox"/> Brass Casings			

114. Other Units Called:

Part 10 Narrative	120.
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I RESPONDED TO A RESIDENCE FOR A INTIMIDATION CALL. THE VICTIM MET THE SUSPECT ON A DATING APP. THE VICTIM IS APART OF A DIFFERENT WEBSITE THAT ALLOWS WOMEN TO EXPRESS OPINIONS ABOUT MEN THEY SHOULD NOT DATE. THE VICTIM SAW POSTS ABOUT THE SUSPECT ADVISING HE IS ABUSIVE TO WOMEN AND SHE STOPPED TALKING TO HIM. THE SUSPECT SHOWED UP AT THE VICTIMS HOUSE AND BEGAN BEATING ON HER DOOR FOR APPROXIMATELY 20 MINUTES. THE VICTIM STATED SHE HAS NEVER TOLD THE SUSPECT WHERE SHE LIVES. SHE WAS VERY UPSET AND IN FEAR. THE SUSPECT LEFT BEFORE OFFICER ARRIVED TO THE SCENE.

121. Report is Continued on: N/A (Check all that apply) Supplement Report Addendum Report

122. Signature of Recipient/Authorizer: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Refuse to Sign BUTTERTON, COURTNEY	126. Advisory Notice Issued
Victim 1	Citizen Information Notice

Will Victim Prosecute:

Victim 1	BUTTERTON, COURTNEY	Yes	Primary Investigative Unit: SOUTH INVESTIGATIONS
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Can Victim/Other Person Identify Suspect(s):

Victim 1	BUTTERTON, COURTNEY	Yes	Reporting Agency: METROPOLITAN NASHVILLE POLICE DEPARTMENT
----------	---------------------	-----	---

127. Case Status	Cleared by Exception	<input type="checkbox"/> Cargo Theft
Open		

123. Reporting Officer (First, MI, Last)	Employee No.	Agency	Radio Call Sign District
/S/CIARRA RENCH	256384	TN0190100	311B

124. Approving Supervisor	Employee No.	Agency	
/S/CHASE BURNETT	717625	TN0190100	

125. Reviewer	Employee No.	Agency	Date
/S/JAMES MARTIN	266974	TN0190100	01/29/2020

Comments

Crime Scene Photo(s) Taken: NO

Exhibit N

**IN THE FIFTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE**

CARL VONHARTMAN,)

Plaintiff,)

v.)

Case No.: 20C740

KORTNI BUTTERTON,)

Defendant.)

AFFIDAVIT OF MICHELLE GLASS

1. My name is Michelle Glass, I have personal knowledge of the facts affirmed in this Affidavit, I am competent to testify regarding them, and I swear that they are true.

2. On the afternoon of January 29th, 2020, I received a call from Benita Lamp, Kortni Butterson's mother. She asked me how far my husband and I lived from Kortni, and she indicated that Kortni had locked herself in her bathroom because a man was banging on her doors and windows.

3. Mrs. Lamp indicated that Kortni was texting her while she was on the line with 911. Mrs. Lamp was understandably panicked for her daughter's safety and indicated that it was taking an extremely long time for the police to respond. Mrs. Lamp indicated that Kortni believed the man was a person that Kortni had commented about online.

4. I told Mrs. Lamp that we did not live close to Kortni, but that I would call my husband and have him go to her house.

5. After reaching my husband, I told Mrs. Lamp that he was on his way to Kortni, but due to traffic, it would probably take him about half an hour to arrive. My recollection is that

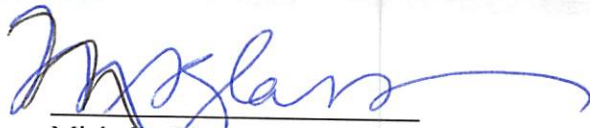
during that conversation, Mrs. Lamp received a message from Kortni that the police had arrived.

6. By the time my husband arrived, the police had left.

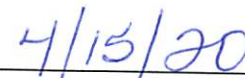
7. Because Kortni was scared to stay at her home, my husband and I offered to let her come back to ours and spend the night with us. Kortni accepted and did so.

Further affiant sayeth not.

Pursuant to Tenn. R. Civ. P. 72, I declare under penalty of perjury that the foregoing is true and correct.



Michelle Glass



Date Executed

Exhibit O



DIGITAL FORENSICS EXPERTISE

404 James Robertson Parkway
Parkway Towers
Suite 102
Nashville, TN 37219
P: 615.353.1135
WWW.CYBERTRUTH.NET

**IN THE FIFTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE**

CARL VONHARTMAN,)	
Plaintiff,)	
)	
v.)	CASE No. 20C740
)	
KORTNI BUTTERTON)	
Defendant.)	

***AFFIDAVIT OF JOHN H. MORRIS
CYBERTRUTH, LLC***

The information herein is provided by John H. Morris, CyberTruth, LLC (“Consultant”) in his capacity as an expert consultant hired by the Plaintiff in this divorce action.

I, John H. Morris, declare and state under penalty of perjury as follows:

1. I am a recognized expert in the field of digital forensics and the CEO and Chief Legal Strategist for CyberTruth, LLC.
2. I have over thirty (35) years of experience with digital data, devices, systems and radio communications technologies. (See Exhibit 1: *Curriculum Vitae*)
3. I am proficient with X-Ways Forensics digital forensic analysis software, Belkasoft Evidence Center forensics analysis software, Oxygen Forensic Detective mobile device

forensic analysis software and Magnet Axion digital forensic software, as well as numerous ancillary forensic tools.

4. I am an attorney licensed in the State of Tennessee and accepted to practice before the United States District Court for the Middle District of Tennessee.
5. I have conducted analysis, submitted reports and provided expert testimony in numerous cases in Tennessee and multiple other states in both State and Federal Courts.
6. CyberTruth, LLC has provided analysis of and testimony on digital evidence in cases involving: cell phone data; cell provider call detail records and tower data; computer and related device data; cloud storage data; social media; internet technologies and traffic; digital photos and videos; and other miscellaneous digital evidence.
7. On April 14, 2020, Daniel Horwitz representing Kortni Butterson, requested our services to provide expert analysis and opinions regarding an expert report filed by the plaintiff which alleged certain location data obtained from plaintiff's phone.
8. I have received and reviewed the expert report prepared by Donnie Tennant, a Digital Forensic Investigator with LogicForce in Nashville, TN.
9. The results of my review of this report are detailed in Exhibit 2 attached to this affidavit.

Pursuant to Tennessee Rule of Civil Procedure 72, I declare under penalty of perjury that the information provided in this statement and attached exhibits are true and correct.

John H. Morris, Esq.

John H. Morris

April 15, 2020

Date Executed

EXHIBIT 1

Curriculum Vitae – John H. Morris

Summary

- Over 35 years of experience in technology, including: code development; hardware troubleshooting and builds; database development, design, optimization and architecture; systems analysis; local and internet security; global enterprise systems architecture and analysis; internet architecture; cloud computing architecture, design and deployment; systems and device security; computer, mobile device and internet forensics; and mobile device architecture, integration and deployment.
- Over 20 years' experience delivering technical and professional skills training and public speaking engagements.
- Experience in Computer Forensic and Media Exploitation. Sound knowledge of principles and technology related to digital forensic science. Proficient with X-Ways Forensics digital forensic analysis software, Oxygen Forensic Detective mobile device forensic analysis software and Magnet Axiom digital forensic software, as well as numerous ancillary forensic tools.
- First acknowledged as Computer Forensics expert witness in the Division II Criminal Court of Davidson County, Tennessee in 2015.
- Has served as an eForensics expert in State and Federal Courts in Tennessee and multiple other states in over 140 cases.
- Microsoft Certified trainer (inactive) in over 20 areas including operating systems, user applications, internet technologies and database development and design.
- Deep expertise in Cloud technologies and strategies at an enterprise and global level.
- Considerable experience in technology licensing, contracting and intellectual property issues.
- Extensive military training in communications equipment and radio communications theory.
- Juris Doctorate from the Nashville School of Law.

Relevant Experience

Nashville Vanguard Law, PLLC

June 2017 – Present

Private Practice – Criminal Defense Attorney

Middle District of Tennessee CJA 2nd Chair Panel Attorney

CyberTruth, LLC

(Formerly: Tech-eLaw, LLC)

July 2015 – Present

Computer, Device and Internet Technologies – eForensics Analyst, Consultant and Expert Witness

- Qualified as expert and testified in Tennessee Criminal Circuit Courts in Davidson, Giles and Rutherford counties.
- Accepted as non-testifying expert in multiple Tennessee courts, providing expert reports and assistance in both criminal and civil cases in Davidson, Shelby, Knox, Rutherford, Hickman, Putnam, Giles, Obion and Marion counties.
- Approved by the Tennessee Administrative Office of the Courts for expert services and compensation in indigent defense representation.
- Responsible for conducting sound computer forensic analysis and maintaining strict media chain of custody using protocols and procedures in line with established state and federal legal guidelines and the Rules of Evidence.
- Acquire and preserve forensically sound images of digital media in a lab setting or through onsite data capture or seizure. This involves creating byte-by-byte forensic copies of original media for legal and investigative purposes.
- Perform analysis of digital data, cellular call detail records, GPS data, Cloud services data, Social Media data, digital video and audio recordings and other data which exists in the digital arena.
- Perform data recovery of information on digital media that may have been deleted or destroyed for analysis during an eForensics investigation.
- Conduct analysis of electronic media in support of client's legal representation and report on findings in "non-technical" reports designed specifically for a legal audience.
- Provide expert testimony in legal hearings, depositions and trials.
- Accepted as testifying expert witness in multiple Tennessee state courts.

Public Defender of Metropolitan Nashville & Davidson County

Mar 2015 – May 2017

Student Law Practice

TN Supreme Ct. Rule 7 §10.03

- Provide legal services and representation under the supervision of licensed attorneys of the Office of the Public Defender.

- In-house expert in computer technology, forensics, internet technologies and related areas.

Microsoft Corporation

Nov 1997 – Oct 2004 / Jan 2008 – October 2015

Senior Productivity Solution Specialist – Cloud, Heartland District

- The Productivity Solution Specialist at Microsoft is part of a specialized team of sales professionals responsible for driving the business alignment and productivity solution message with Line of Business owners at the largest enterprise customers
- Recognized as a thought leader in creating and delivering contextualized business and technology vision to customers based on their stated desired outcomes and measurable value realization
- Deep understanding of customers' environments and a comprehensive strategic plan for migrating them to cloud solutions platforms integrated with their existing technology investments and best-of-breed point solutions.
- Team lead on eDiscovery, eHold and Litigation support solutions with additional focus on governance, document retention and data loss prevention solutions

Director, Cloud Solutions (SSSP), East Region

- Responsible for managing the Cloud Services consulting and deployment in the region's "big deal" sales business for Microsoft's East Region ranging from Maine to Florida.
- Developed a strong model for alignment across consulting services and enterprise sales resources throughout the region in conjunction with the regional pursuit team.

Cloud Delivery Executive - Strategist, Americas Cloud Services

- The Cloud Delivery Executive (Cloud Strategist) at Microsoft is a single point of accountability responsible for partnering with customers to help them develop their cloud strategy vision, ensure they make informed decisions to provide maximum long-term flexibility and oversee their deployment of and migration to their cloud solution.
- Invited to be an Instructor at the Cloud Delivery Executive Academy.

Engagement Manager (State & Local Government and Education)

- The Engagement Manager at Microsoft is responsible for consulting delivery across all service lines and solutions.
 - The engagement manager is responsible for leading consulting services engagements from early opportunity management through scoping and contract development and culminating with successful engagement delivery.
 - Held responsible for accurate project scoping, contract and scope of work development, project margins and customer satisfaction.
- Invited to join the cadre in training the Engage and Achieve courses at MSSU for teaching new-hire Engagement Managers and Services Sales Executives in sales and delivery management.

Professional Skills Master Facilitator (Vendor/Contingent)

- Facilitator for Consulting End to End (Solutions Delivery Methodology/ Microsoft Solutions Framework) and Services Excellence at Microsoft (consulting and soft skills) for MS Services University and for Microsoft Global Services – India.
- Consistently received awards as a top trainer at Microsoft.
- Trained Consultants, Engagement Managers, Architects, Services Executives, Project Managers, Technical Account Managers & Premier Field Engineers in preparation for their role at Microsoft with superlative success and top evaluations.

Corporate Account Executive III

- Deep expertise in software licensing, software procurement process and contracting.
- Identified leader in executive and business decision maker relationships – proven ability to initiate business value discussions and map those to product solutions.

Managing Consultant

- Responsible for the overall P&L of the Great Lakes District corporate accounts services consulting business, including team expense budgets, project margin and overall practice profitability
- Managed a select partner channel to incorporate product and services integration and partner involvement in the corporate accounts segment

Senior Consultant

- Consistent record of success managing a diverse range of mission critical, highly visible and challenging engagements
- Regularly achieved top levels of customer satisfaction – often requested by name for follow-on engagements
- Actively involved with consulting team as technical resource and mentor
- Microsoft Consulting Framework – Master Trainer Council

New Horizons Computer Learning Center

Technical Training Manager

Apr 1995 – Oct 1997

- Responsible for the supervision, professional development and training of instructors who taught advanced Microsoft, Novell and related technologies.
- Worked with Branch Manager to develop training offerings, future capabilities and delivery capacity.
- Taught numerous Microsoft Certification technology courses.

Telco Research

Technical Training Instructor

May 1994 – Mar 1995

- Taught Telco Research customers on the deployment, management and use of their telecommunications management software.

- Developed new courseware, delivery materials and related collateral.

U.S. Air Force

Tactical Air Command and Control Specialist

Nov 1985 – Nov 1991

- Extensive training on and experience with man-portable, vehicle-mounted, and field-expedient communications equipment, implementation and theory.
- Trained in weapons and fieldcraft, including navigation, individual and crew-served weapons systems, small unit tactics, demolitions, and close air support tactics, techniques, and procedures.

Speaking/Teaching Engagements

Electronic Discovery

Nashville School of Law – Course Co-Instructor, Nashville, TN – Nov 2019 – Feb 2020

Digital Forensics in the eDiscovery World

Tennessee Bar Association – LawTech Forum, Nashville, TN – Feb 2020

Digital Forensics for Lawyers

Tuscaloosa County Defense Bar CLE, Tuscaloosa, AL – Dec 2019

Digital Forensics for Private Investigators

TN Assoc. of Licensed Professional Investigators Conference, Nashville, TN – Oct 2019

Introduction to eDiscovery

Nashville School of Law CLE, Nashville, TN – Jul 2019

Challenging Cell Tower Evidence in Criminal Defense Cases

Upper Cumberland Trial Lawyers CLE, Cookeville, TN – Dec 2018

Cell Phone Tower Evidence: Ins and Outs of Cross-Examining Government Witnesses

Middle District of TN Criminal Justice Act Panel CLE, Nashville, TN – Sept 2018

Overview of Digital Forensics in Criminal Defense

Middle District of TN Criminal Justice Act Panel CLE, Nashville, TN – Jun 2018

Introduction to Digital Forensics Evidence

Tennessee Association of Criminal Defense Lawyers CLE, Lebanon, TN – Dec 2017

Education

Nashville School of Law, JD, December 2016.

Trial Lawyers College, Dubois, Wyoming: *In Defense of the Damned*, June 2018

Tennessee Association of Criminal Defense Lawyers, Advanced Trial College, September 2017

Tennessee Association of Criminal Defense Lawyers, Tennessee Criminal Defense College, March 2017

Vanderbilt University Graduate School, Doctoral Studies, Cognitive Psychology (July 1992 – June 1994)

St. Leo College, BA, Psychology (Honors) – (Degree conferred - December 1991)

Tennessee Supreme Court Rule 31 Civil Mediator (2015)

Microsoft Technology Certification Training

- Numerous courses completed and certifications (*transcript available on request*)
- Microsoft Solutions Framework – Master Trainer
- Microsoft Certified Database Administrator
- Microsoft Certified Systems Engineer
- Microsoft Certified Professional
- Microsoft Certified Trainer (inactive)

EXHIBIT 2

ANALYSIS REPORT:

According to the report I was provided, Donnie Tennant with LogicForce obtained a forensic image of Mr. Vonhartman's iPhone X on February 23, 2020 and provided his analysis based on that forensic image. In his report, Mr. Tennant references certain location data he recovered from the cell phone to establish Mr. Vonhartman's location during the period of 2:14 PM to 7:17 PM on January 29, 2020. Mr. Horwitz requested that I review this report for accuracy and determine if the conclusions presented therein were accurate and in accordance with industry standards and best practices.

My review of the report raised a number of questions and revealed a number of concerns about the examiner's procedures, processes and conclusions which render the report potentially unreliable for the Court to accept without further analysis and investigation. These concerns are detailed below.

1. Analysis Tool

In his report, Mr. Tennant fails to identify which tool he used to image and analyze the cell phone. This is particularly problematic, as there are numerous forensics tools used to analyze cell phones and each has strengths and shortcomings. A fundamental industry standard is to first identify the tool(s) used by the examiner to accomplish the analysis, including the tool name and version, as these tools are constantly updated to keep up with rapidly changing cell phone technologies.

Given Mr. Tennant's certifications, I worked under the assumption that he used Cellebrite as his analysis tool. However, without further information, I cannot know what version/revision of Cellebrite he may have used. Given that the iPhone X is one of the newest iPhones on the market, the version of Cellebrite used would impact the veracity of the results and the comprehensiveness of digital artifacts recovered. The absence of this basic information renders the report provided to the Court as incomplete at best.

2. iPhone Software Version

Similar to the analysis tool version, a vital missing piece of information in Mr. Tennant's report is the current iOS operating system version running on Mr. Vonhartman's

phone. Cell phone operating system software is updated on a regular basis. Each version introduces new features and often change the location of or format of key underlying operating system components. Industry standard best practices are to include the current operating system version information of the target cell phone as part of the forensic report. The absence of this information renders the report incomplete and unreliable.

3. Time Zone

Cell phones and cellular providers store date/time information in Universal Coordinated Time (UTC) which is the reference time from which all time zones are calculated. This allows the cell phone handset to adjust the time displayed to the user to adjust as the phone travels between time zones and avoids confusion when analyzing date/time data. Mr. Tennant's report indicates in the first line of Exhibit 2: "iPhone summary timeline for 01/29/2020 from 2:14pm-7:17pm Central." However, absent an explicit reference to the data "as stored" and without addressing how time conversions were accomplished, I cannot know if the examiner did the required conversions or if he made an incorrect assumption that the times reported in his phone extraction were in local or Central time. Given the nature of the issues in this case, whether the times reported were in Central (local) time or six (6) hours earlier, as they would be if they were UTC times, is critical to the veracity of the report and claims therein.

4. Cell Phone Location Data Sources

Mr. Tennant's report depends entirely on location data stored in the Apple "Significant Locations" data store. Apple devices track the phone's location and keeps a record of the user's "frequent hangouts" – aka "significant locations," and uses this data to make location-based suggestions using Siri and to power other features. This data is only stored on the phone and is, according to Apple documentation, not collected by Apple or uploaded to the cloud. On the phone, the data from the "significant locations" process are stored in binary "plists" or preference files and in SQLite databases under the following folder location:

/private/var/mobile/library/Caches/com.apple.routined/

While the "significant locations" data store is one option on an iPhone to extract location data, it is neither the only one nor is it, in isolation, the most reliable. Cell phones, both iPhones and Android phones, collect location information with numerous services and applications. Industry standard best practices are to utilize multiple sources to validate cellular

location data. Cross-validation of location data is best accomplished by comparing location data from the multiple on-device sources, which ALL depend on the onboard GPS service, with call detail records from the cellular provider. Absence of this cross-validation data renders the instant report incomplete at best and not sufficiently reliable for the Court to use as a basis for its determinations in this matter.

5. Placing the User with the Device

One of the greatest challenges in analyzing digital device evidence can often be that of placing the user with the device, and thus the user in the location where the device was reportedly located. This challenge is often easily overcome by analyzing additional evidence on the phone, such as call history, text history and other artifacts which can be used to validate that the user was in possession of the device at a relevant time. In Mr. Tennant's report, there is no evidence presented to verify that Mr. Vonhartman was in possession of his cell phone at the relevant times. Without any data to verify that Mr. Vonhartman was in possession of his phone, the data presented, if taken at face-value and as valid, would only serve to show that the cell phone was in the reported locations at the reported times. In absence of this validating information, the forensic report is incomplete at best and is not sufficiently reliable for the Court to use as a basis for Mr. Vonhartman's claims.

6. GPS Location "Spoofing"

While technology, and particularly the GPS location service, is highly reliable, it is not immune to manipulation. The popularity of the cellular game "Pokemon Go" has led to just such a manipulation of GPS location data. The Pokemon Go application is heavily dependent on the phone's present location which affect the availability of nearby "Pokemons" which are the subject of this "treasure hunter" game. Due to this, many people use Pokemon Go "spoofing" applications to change their apparent location to make more "Pokemons" available to them without ever having to leave their homes. Some of these "spoofing" applications require a sophisticated "jailbreak" of the iPhone to bypass the iPhone's operating system. Others, however, are simply applications that can be installed by the average user and used to change their apparent GPS location. Some of these applications, such as iSpoofer from GFStudio and iTools from ThinkSky function to change the GPS location information globally,

meaning the spoofed information is not just reported to the Pokemon Go application but rather to any applications or services which rely on GPS location data.

Mr. Tennant's report did not provide sufficient information to determine whether the GPS data reported to the "significant locations" service was valid or potentially spoofed. The report asks this Court to blindly rely on the location data provided without sufficient authentication or validation. The failure to validate the reported GPS location data renders the report unreliable and inadmissible without considerable further analysis.

CONCLUSION:

The cell phone analysis report provided by LogicForce in this case is fatally incomplete and unreliable. As discussed herein, there are numerous fatal inadequacies and omissions in the report. Use of Mr. Vonhartman's cell phone as evidence that he was elsewhere when Ms. Butterson accuses him of being at her home would require substantial additional analysis, both to validate the information provided and to show that Mr. Vonhartman had the phone in his possession at the relevant times.

For all of these reasons, it is my expert opinion that the Court should not and cannot accept the report as reliable evidence in this case as presented.

Respectfully submitted,

John H. Morris, Esq.



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WWW.CYBERTRUTH.NET

Exhibit P

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Important:**ONLINE REPORT**

This is NOT a CONSUMER REPORT and does not constitute a "consumer report" under the Fair Credit Reporting Act ("FCRA"). This report may not be used to determine the eligibility for credit, insurance, employment or any other purpose regulated under the FCRA.

This system may be used only in accordance with your Subscriber Agreement, the Gramm-Leach-Bliley Act ("GLBA"), the Driver's Privacy Protection Act ("DPPA") and all other applicable laws. User agrees to having knowledge of all applicable laws pertaining to the usage of data. User accepts all responsibility civilly and criminally for any use of this system.

Violations of these restrictions or misuse of this system will cause your access to be terminated and will cause an immediate investigation.

Comprehensive Report**Comprehensive Report**

Date: 04/02/2020

Reference ID: NONE

Report Legend**D** - Deceased Person**Relatives**

S > - 1st Degree of Separation
S >> - 2nd Degree of Separation
S >>> - 3rd Degree of Separation

Subject Information

(Best Information for Subject)

Name: **CARL ALBERT VONHARTMAN** (11/01/2000 to 09/06/2019)
 Date of Birth: **04/15/1984**, Born 35 years ago
 Gender: **Male**
 SSN: **594-62-XXXX** issued in **FLORIDA** in **1988**

Other Individuals Observed with shared SSN:
PATRICIA VENECIA CABREJA
594-62-XXXX 06/09/1972 (47)

Other Names Associated with Subject

None found

Other DOBs Associated with Subject

Date of Birth: **06/18/1975**
 Current Age: **44**
 Date of Birth: **05/15**

Possible Phones Associated with Subject:

(615) 720-8092 (CT) (Mobile) (91%)
 (615) 612-9926 (CT) (Mobile) (86%)
 (352) 598-7335 (ET) (Mobile) (66%)
 (352) 357-2020 (ET) (LandLine) (66%)
 (352) 978-9568 (ET) (Mobile) (66%)
 (615) 775-8342 (CT) (Mobile) (66%)
 (715) 720-8092 (CT) (LandLine) (66%)
 (406) 896-0466 (MT) (LandLine) (66%)
 (407) 432-6620 (ET) (Mobile) (3%)
 (615) 957-4700 (CT) (Mobile) (3%)
 (612) 992-9926
 (222) 720-8092

Indicators

Bankruptcies: **No**
 Liens: **No**
 Judgments: **No**
 Properties: **Yes**
 Corporate Affiliations: **Yes**
 Criminal/Traffic: **Yes**
 Global Watch Lists Match: **No**

Email Addresses Associated with Subject

carlvonhartman@gmail.com
theonlycarl@gmail.com
zr2head1@aol.com
stordinorman1@aol.com

Potential Subject Photos (None Found)**Possible Criminal Records (12 Found)**

WARNING - Due to the quality of Criminal data entry - Data displayed may not pertain to your Subject. Separate Criminal Search is highly suggested as well as independent verification of anything displayed on this system.	
Name: CARL ALBERT VONHARTMAN DOB: 04/15/1984 , Born 35 Years Ago Address: 1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY) Gender: M Ethnicity: WHITE Is Sex Offender: No Source Name: TENNESSEE DAVIDSON COUNTY ARRESTS Source State: TN	Match Indicators First Name: <input type="radio"/> Exact Match Middle Name: <input type="radio"/> Exact Match Last Name: <input type="radio"/> Exact Match Date Of Birth: <input type="radio"/> Exact Match Age: <input type="radio"/> Exact Match Address: <input type="radio"/> Exact Match Height: <input checked="" type="checkbox"/> Not Available On Record Ethnicity: <input checked="" type="checkbox"/> Not Available On Record
Crime Details - TN	
OffenseDescription1: IMPLIED CONSENT - CIVIL OffenseCode: 55-10-406	Disposition: PENDING Arrest Date: 10/12/2012
Crime Details - TN	
OffenseDescription1: DRIVING UNDER THE INFLUENCE Classification: MISDEMEANOR OffenseCode: 55-10-401*1	Disposition: PENDING Arrest Date: 10/12/2012

WARNING - Due to the quality of Criminal data entry - Data displayed may not pertain to your Subject. Separate Criminal Search is highly suggested as well as independent verification of anything displayed on this system.	
Name: CARL ALBERT VONHARTMAN DOB: 04/15/1984 , Born 35 Years Ago Is Sex Offender: No Source Name: TENNESSEE DAVIDSON COUNTY GENERAL SESSIONS COURT Source State: TN	Match Indicators First Name: <input type="radio"/> Exact Match Middle Name: <input type="radio"/> Exact Match Last Name: <input type="radio"/> Exact Match Date Of Birth: <input type="radio"/> Exact Match Age: <input type="radio"/> Exact Match Address: <input type="radio"/> State Matched Height: <input checked="" type="checkbox"/> Not Available On Record Ethnicity: <input checked="" type="checkbox"/> Not Available On Record
Crime Details - TENNESSEE DAVIDSON, TN	
OffenseDescription1: VIOL. COND. LIC Case Number: GS371699 Crime County: TENNESSEE DAVIDSON	Court: GENERAL SESSIONS Disposition: DISMISSED
Crime Details - TENNESSEE DAVIDSON, TN	
OffenseDescription1: RECK. DR Case Number: GS371700 Crime County: TENNESSEE DAVIDSON Classification: MISDEMEANOR	Court: GENERAL SESSIONS Court Costs: \$365.81 Fines: \$250.00 Sentence: SentenceMaxMonths=6 Disposition: GUILTY

Crime Details - TENNESSEE DAVIDSON, TN	
OffenseDescription1: IMPLIED CONSENT-CRIM Case Number: GS371701 Crime County: TENNESSEE DAVIDSON Classification: MISDEMEANOR	Court: GENERAL SESSIONS Disposition: GUILTY
Crime Details - TENNESSEE DAVIDSON, TN	
OffenseDescription1: IMPLIED CONSENT Case Number: GS550102 Crime County: TENNESSEE DAVIDSON Classification: MISDEMEANOR	Court: GENERAL SESSIONS Disposition: GUILTY

**WARNING - Due to the quality of Criminal data entry - Data displayed may not pertain to your Subject.
Separate Criminal Search is highly suggested as well as independent verification of anything displayed on this system.**

Name: CARL ALBERT VONHARTMAN DOB: 04/15/1984 , Born 35 Years Ago Address: 1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY) Gender: M Ethnicity: WHITE Is Sex Offender: No Source Name: TENNESSEE DAVIDSON COUNTY GENERAL SESSIONS COURT Source State: TN	Match Indicators First Name: <input type="radio"/> Exact Match Middle Name: <input type="radio"/> Exact Match Last Name: <input type="radio"/> Exact Match Date Of Birth: <input type="radio"/> Exact Match Age: <input type="radio"/> Exact Match Address: <input type="radio"/> Exact Match Height: <input checked="" type="checkbox"/> Not Available On Record Ethnicity: <input checked="" type="checkbox"/> Not Available On Record
Crime Details - 10/04/2011 - TENNESSEE DAVIDSON, TN	
OffenseDescription1: DUI Case Number: GS550101 Crime County: TENNESSEE DAVIDSON	Disposition: GUILTY Disposition Date: 10/04/2011
Crime Details - 07/22/2013 - TENNESSEE DAVIDSON, TN	
OffenseDescription1: IMPLIED CONSENT-CIVIL Case Number: GS605315 Crime County: TENNESSEE DAVIDSON Status: CLOSED Warrant: GS605315 Crime Type: MISDEMEANOR OffenseCode: 55-10-406 DegreeOfOffense: MISD	Case Type: GS Disposition: GUILTY Arrest Date: 10/12/2012 Disposition Date: 07/22/2013
Crime Details - 07/22/2013 - DAVIDSON, TN	
OffenseDescription1: RECKLESS DRIVING Crime County: DAVIDSON Warrant: GS605316 Crime Type: MISDEMEANOR OffenseCode: 55-10-205 GradeOfOffense: MISDEMEANOR- CLASS A DegreeOfOffense: MISDEMEANOR- CLASS B	Disposition: GLC Arrest Date: 10/12/2012 Disposition Date: 07/22/2013
Crime Details - 07/22/2013 - DAVIDSON, TN	
OffenseDescription1: RECK. DR.	Case Type: GS

Case Number: GS605316 Crime County: DAVIDSON Status: CLOSED Crime Type: MISDEMEANOR GradeOfOffense: MISD DegreeOfOffense: MISD	Sentence: 6 MONTHS Disposition: GUILTY - LESSER CHARGE Arrest Date: 10/12/2012 Disposition Date: 07/22/2013
---	--

**WARNING - Due to the quality of Criminal data entry - Data displayed may not pertain to your Subject.
Separate Criminal Search is highly suggested as well as independent verification of anything displayed on this system.**

Name: CARL ALBERT VONHARTMAN DOB: 04/15/1984 , Born 35 Years Ago Ethnicity: WHITE Is Sex Offender: No Source Name: TENNESSEE DAVIDSON COUNTY ARRESTS Source State: TN	Match Indicators First Name: <input checked="" type="radio"/> Exact Match Middle Name: <input checked="" type="radio"/> Exact Match Last Name: <input checked="" type="radio"/> Exact Match Date Of Birth: <input checked="" type="radio"/> Exact Match Age: <input checked="" type="radio"/> Exact Match Address: <input checked="" type="radio"/> State Matched Height: <input checked="" type="radio"/> Not Available On Record Ethnicity: <input checked="" type="radio"/> Not Available On Record
Crime Details - TN	
OffenseDescription1: DRIVING UNDER THE INFLUENCE	
Crime Details - TN	
OffenseDescription1: IMPLIED CONSENT VIOLATION	

**WARNING - Due to the quality of Criminal data entry - Data displayed may not pertain to your Subject.
Separate Criminal Search is highly suggested as well as independent verification of anything displayed on this system.**

Name: CARL A VONHARTMAN DOB: 04/15/1984 , Born 35 Years Ago Gender: M Ethnicity: WHITE Is Sex Offender: No Source Name: DUVAL COUNTY MUNICIPAL COURT Source State: FL	Match Indicators First Name: <input checked="" type="radio"/> Exact Match Middle Name: <input checked="" type="radio"/> Not Matched Last Name: <input checked="" type="radio"/> Exact Match Date Of Birth: <input checked="" type="radio"/> Exact Match Age: <input checked="" type="radio"/> Exact Match Address: <input checked="" type="radio"/> State Matched Height: <input checked="" type="radio"/> Not Available On Record Ethnicity: <input checked="" type="radio"/> Not Available On Record
Crime Details - 04/16/2003 - DUVAL, FL	
OffenseDescription1: BURGLARY TO STRUCTURE-CONVEYANCE-ASSAULT-BATTERY DURING BURGLARY Case Number: 162003CF005319AXXXMAVONCAR Arresting Agency: JSO Crime County: DUVAL Status: CLOSED Classification: FELONY FIRST DEGREE OffenseCode: S810.02(2)(A)	Charges Filed Date: 05/19/2003 Court: FL DUVAL CIRCUIT COURT(WEB) Disposition: NOL PROS (CODE 11) - TRANSFER TO HIGHER OR LOWER COURT Offense Date: 04/16/2003 Arrest Date: 04/16/2003 Disposition Date: 05/19/2003

DegreeOfOffense: F1 Counts: 1	
Crime Details - 04/16/2003 - DUVAL, FL	
OffenseDescription1: BATTERY Case Number: 162003CF005319AXXXMAVONCAR Arresting Agency: JSO Crime County: DUVAL Status: CLOSED Classification: MISDEMEANOR FIRST DE OffenseCode: S784.03 DegreeOfOffense: M1 Counts: 2	Charges Filed Date: 05/19/2003 Court: FL DUVAL CIRCUIT COURT(WEB) Disposition: NOL PROS (CODE 11) - TRANSFER TO HIGHER OR LOWER COURT Offense Date: 04/16/2003 Arrest Date: 04/16/2003 Disposition Date: 05/19/2003

**WARNING - Due to the quality of Criminal data entry - Data displayed may not pertain to your Subject.
Separate Criminal Search is highly suggested as well as independent verification of anything displayed on this system.**

Name: CARL ALBERT VONHARTMAN DOB: 04/15/1984, Born 35 Years Ago Address: 1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY) Gender: M Ethnicity: WHITE Is Sex Offender: No Source Name: DAVIDSON GENERAL SESSIONS COURT Source State: TN	Match Indicators First Name: <input type="radio"/> Exact Match Middle Name: <input type="radio"/> Exact Match Last Name: <input type="radio"/> Exact Match Date Of Birth: <input type="radio"/> Exact Match Age: <input type="radio"/> Exact Match Address: <input type="radio"/> Exact Match Height: <input checked="" type="radio"/> Not Available On Record Ethnicity: <input checked="" type="radio"/> Not Available On Record
Crime Details - 12/02/2008 - DAVIDSON, TN	
OffenseDescription1: VIOL. COND. LIC. Case Number: GS371699VONCAR Crime County: DAVIDSON Status: CLOSED Crime Type: MISDEMEANOR DegreeOfOffense: MISD	Case Type: GS Court: TN DAVIDSON GENERAL SESSIONS COURT Court Costs: .00 Fines: .00 Sentence: Y M D Probation: Y M D Disposition: DISMISSED Arrest Date: 03/23/2008 Disposition Date: 12/02/2008
Crime Details - 12/02/2008 - DAVIDSON, TN	
OffenseDescription1: RECK. DR. Case Number: GS371700VONCAR Crime County: DAVIDSON Status: CLOSED Crime Type: MISDEMEANOR GradeOfOffense: MISD DegreeOfOffense: MISD	Case Type: MISD Court: TN DAVIDSON GENERAL SESSIONS COURT Court Costs: 365.81 Fines: 25 Sentence: Y 6M D Probation: Y M D Disposition: GUILTY - LESSER CHARGE Arrest Date: 03/23/2008 Disposition Date: 12/02/2008
Crime Details - 12/02/2008 - DAVIDSON, TN	
OffenseDescription1: IMPLIED CONSENT-CRIM Case Number: GS371701VONCAR	Case Type: MISD Court: TN DAVIDSON GENERAL SESSIONS COURT

Crime County: DAVIDSON Status: CLOSED Crime Type: MISDEMEANOR GradeOfOffense: MISD DegreeOfOffense: MISD	Court Costs: .00 Fines: .00 Sentence: Y M D Probation: Y M D Disposition: GUILTY Arrest Date: 03/23/2008 Disposition Date: 12/02/2008
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Crime Details - DAVIDSON, TN	
OffenseDescription1: DRIV. LIC. - VIOLATION OF CONDITIONS Crime County: DAVIDSON Warrant: GS371699 Crime Type: MISDEMEANOR OffenseCode: 55-50-331 DegreeOfOffense: MISDEMEANOR- CLASS A	Disposition: DIS Arrest Date: 03/23/2008

Crime Details - 12/02/2008 - DAVIDSON, TN	
OffenseDescription1: IMPLIED CONSENT - CRIMINAL Crime County: DAVIDSON Warrant: GS371701 Crime Type: MISDEMEANOR OffenseCode: 55-10-406*1 GradeOfOffense: MISDEMEANOR- CLASS A DegreeOfOffense: MISDEMEANOR- CLASS A	Disposition: GUI Arrest Date: 03/23/2008 Disposition Date: 12/02/2008

Crime Details - 12/02/2008 - DAVIDSON, TN	
OffenseDescription1: RECKLESS DRIVING Crime County: DAVIDSON Warrant: GS371700 Crime Type: MISDEMEANOR OffenseCode: 55-10-205 GradeOfOffense: MISDEMEANOR- CLASS A DegreeOfOffense: MISDEMEANOR- CLASS B	Disposition: GLC Arrest Date: 03/23/2008 Disposition Date: 12/02/2008

WARNING - Due to the quality of Criminal data entry - Data displayed may not pertain to your Subject. Separate Criminal Search is highly suggested as well as independent verification of anything displayed on this system.

Name: CARL ALBERT VONHARTMAN DOB: 04/15/1984 , Born 35 Years Ago Address: 1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY) Gender: M Ethnicity: WHITE Is Sex Offender: No Source Name: DAVIDSON GENERAL SESSIONS COURT Source State: TN	Match Indicators First Name: ○ Exact Match Middle Name: ○ Exact Match Last Name: ○ Exact Match Date Of Birth: ○ Exact Match Age: ○ Exact Match Address: ○ Exact Match Height: ✗ Not Available On Record Ethnicity: ✗ Not Available On Record
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Crime Details - 10/04/2011 - DAVIDSON, TN	
OffenseDescription1: RECK. DR. Case Number: GS550101VONCAR Crime County: DAVIDSON Status: CLOSED	Case Type: MISD Court: TN DAVIDSON GENERAL SESSIONS COURT Court Costs: .00 Fines: 35

Crime Type: MISDEMEANOR GradeOfOffense: MISD DegreeOfOffense: MISD	Sentence: Y 6M D Probation: Y M D Disposition: GUILTY Arrest Date: 08/14/2011 Disposition Date: 10/04/2011
---	---

Crime Details - 10/04/2011 - DAVIDSON, TN	
OffenseDescription1: IMPLIED CONSENT Case Number: GS550102VONCAR Crime County: DAVIDSON	Case Type: MISD Court: TN DAVIDSON GENERAL SESSIONS COURT Court Costs: .00 Fines: .00 Sentence: Y M D Probation: Y M D Disposition: GUILTY Disposition Date: 10/04/2011

Crime Details - 10/04/2011 - DAVIDSON, TN	
OffenseDescription1: IMPLIED CONSENT-CIVIL Case Number: GS550102 Crime County: DAVIDSON Status: CLOSED Warrant: GS550102 Crime Type: MISDEMEANOR OffenseCode: 55-10-406 DegreeOfOffense: MISD	Case Type: GS Disposition: GUILTY Arrest Date: 08/14/2011 Disposition Date: 10/04/2011

Crime Details - 10/04/2011 - DAVIDSON, TN	
OffenseDescription1: RECKLESS DRIVING Crime County: DAVIDSON Warrant: GS550101 Crime Type: MISDEMEANOR OffenseCode: 55-10-205 GradeOfOffense: MISDEMEANOR- CLASS A DegreeOfOffense: MISDEMEANOR- CLASS B	Disposition: GUI Arrest Date: 08/14/2011 Disposition Date: 10/04/2011

**WARNING - Due to the quality of Criminal data entry - Data displayed may not pertain to your Subject.
 Separate Criminal Search is highly suggested as well as independent verification of anything displayed on this system.**

Name: CARL ALBERT VONHARTMAN DOB: 04/15/1984 , Born 35 Years Ago Gender: M Ethnicity: WHITE Source Name: DAVIDSON COUNTY - INTRANET Source State: TN	Match Indicators First Name: ○ Exact Match Middle Name: ○ Exact Match Last Name: ○ Exact Match Date Of Birth: ○ Exact Match Age: ○ Exact Match Address: ✗ Not Available On Record Height: ✗ Not Available On Record Ethnicity: ✗ Not Available On Record
---	---

Arrest Details - TN	
Charges: DRIVING UNDER THE INFLUENCE Source State: TN Case Number: 403091	

Arrest Details - TN	
Charges: IMPLIED CONSENT, CRIMINAL Source State: TN Case Number: 403091	
Arrest Details - TN	
Charges: LICENSE, OPERATING MOTOR VEHICLE IN VIOLATION OF CONDITION Source State: TN Case Number: 403091	

WARNING - Due to the quality of Criminal data entry - Data displayed may not pertain to your Subject. Separate Criminal Search is highly suggested as well as independent verification of anything displayed on this system.

Name: CARL ALBERT VONHARTMAN DOB: 04/15/1984 , Born 35 Years Ago Gender: M Ethnicity: WHITE Source Name: DAVIDSON COUNTY - ARRESTS Source State: TN	<u>Match Indicators</u> First Name: ○ Exact Match Middle Name: ○ Exact Match Last Name: ○ Exact Match Date Of Birth: ○ Exact Match Age: ○ Exact Match Address: ✗ Not Available On Record Height: ✗ Not Available On Record Ethnicity: ✗ Not Available On Record
--	---

Arrest Details - 03/23/2008 - TN	
Charges: LICENSE, OPERATING MOTOR VEHICLE IN VIOLATION OF CONDITION Charge Class: MISDEMEANOR Source State: TN Case Number: 383796	Bond: \$1,000.00 Booking Number: 403091 Booking Date: 03/23/2008

Arrest Details - 03/23/2008 - TN	
Charges: DRIVING UNDER THE INFLUENCE Charge Class: MISDEMEANOR Source State: TN Case Number: 383796	Bond: \$1,500.00 Booking Number: 403091 Booking Date: 03/23/2008

Arrest Details - 03/23/2008 - TN	
Charges: IMPLIED CONSENT, CRIMINAL Charge Class: MISDEMEANOR Source State: TN Case Number: 383796	Bond: \$1,000.00 Booking Number: 403091 Booking Date: 03/23/2008

WARNING - Due to the quality of Criminal data entry - Data displayed may not pertain to your Subject. Separate Criminal Search is highly suggested as well as independent verification of anything displayed on this system.

Name: CARL ALBERT VONHARTMAN	<u>Match Indicators</u>
-------------------------------------	-------------------------

DOB: 04/15/1984 , Born 35 Years Ago Gender: M Ethnicity: WHITE Source Name: DAVIDSON COUNTY - ARRESTS Source State: TN	First Name: ○ Exact Match Middle Name: ○ Exact Match Last Name: ○ Exact Match Date Of Birth: ○ Exact Match Age: ○ Exact Match Address: X Not Available On Record Height: X Not Available On Record Ethnicity: X Not Available On Record
--	--

Arrest Details - 08/14/2011 - TN	
Charges: DRIVING UNDER THE INFLUENCE Charge Class: MISDEMEANOR Source State: TN Case Number: 383796	Bond: \$3,000.00 Booking Number: 577100 Booking Date: 08/14/2011
Arrest Details - 08/14/2011 - TN	
Charges: IMPLIED CONSENT VIOLATION Charge Class: MISDEMEANOR Source State: TN Case Number: 383796	Bond: \$0.00 Booking Number: 577100 Booking Date: 08/14/2011

<p>WARNING - Due to the quality of Criminal data entry - Data displayed may not pertain to your Subject. Separate Criminal Search is highly suggested as well as independent verification of anything displayed on this system.</p>	
Name: CARL ALBERT VONHARTMAN DOB: 04/15/1984 , Born 35 Years Ago Gender: M Ethnicity: WHITE Source Name: DAVIDSON COUNTY - ARRESTS Source State: TN	Match Indicators First Name: ○ Exact Match Middle Name: ○ Exact Match Last Name: ○ Exact Match Date Of Birth: ○ Exact Match Age: ○ Exact Match Address: X Not Available On Record Height: X Not Available On Record Ethnicity: X Not Available On Record
Arrest Details - 10/12/2012 - TN	
Charges: DRIVING UNDER THE INFLUENCE Charge Class: MISDEMEANOR Source State: TN Case Number: 383796	Bond: \$2,500.00 Booking Number: 637056 Booking Date: 10/12/2012
Arrest Details - 10/12/2012 - TN	
Charges: IMPLIED CONSENT VIOLATION Charge Class: MISDEMEANOR Source State: TN Case Number: 383796	Bond: \$0.00 Booking Number: 637056 Booking Date: 10/12/2012

<p>WARNING - Due to the quality of Criminal data entry - Data displayed may not pertain to your Subject. Separate Criminal Search is highly suggested as well as independent verification of anything displayed on this system.</p>
--

Name: CARL ALBERT VONHARTMAN Address: EUSTIS, FL 32736 (LAKE COUNTY) Gender: M Ethnicity: WHITE Is Sex Offender: No Source Name: BRADFORD COUNTY Source State: FL	Match Indicators First Name: <input type="radio"/> Exact Match Middle Name: <input type="radio"/> Exact Match Last Name: <input type="radio"/> Exact Match Date Of Birth: <input checked="" type="checkbox"/> Not Available On Record Age: <input checked="" type="checkbox"/> Not Available On Record Address: <input type="radio"/> Zip Matched Height: <input checked="" type="checkbox"/> Not Available On Record Ethnicity: <input checked="" type="checkbox"/> Not Available On Record
Crime Details - 09/20/2002 - FL	
OffenseDescription1: SPEEDING IN A POSTED MUNICIPAL ZONE Case Number: 02010400TRAXMX Status: CLOSED Status Date: 10/01/2002 Crime Type: TRAFFIC OffenseCode: 316.189.1	Charges Filed Date: 10/01/2002 Case Type: TRAFFIC INFRACTION 5 Offense Date: 09/20/2002 Disposition Date: 01/15/2003

Possible Employers (1 Found)

Business Name: **BUSINESS OWNER (01/29/2020)**

Address Summary (15 Found)

[3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 \(DAVIDSON COUNTY\) \(06/2015 to 04/02/2020\)](#)
[4636 LEBANON PIKE, HERMITAGE, TN 37076-1316 \(DAVIDSON COUNTY\) \(12/2016 to 03/2020\)](#)
[356 VALLEY VIEW DR, SCOTTSVILLE, KY 42164-6317 \(ALLEN COUNTY\) \(09/05/2008 to 03/2020\)](#)
[4636 LEBANON PIKE # 361, HERMITAGE, TN 37076-1316 \(DAVIDSON COUNTY\) \(11/11/2016 to 12/2016\)](#)
[3566 LAKE ELEANOR DR, MOUNT DORA, FL 32757-4530 \(LAKE COUNTY\) \(11/10/2005 to 04/12/2018\)](#)
[401 S MOUNT JULIET RD STE 161, MOUNT JULIET, TN 37122-8463 \(WILSON COUNTY\) \(10/22/2016 to 10/22/2016\)](#)
[37009 CALHOUN RD, EUSTIS, FL 32736-8501 \(LAKE COUNTY\) \(11/01/2000 to 07/2016\)](#)
[1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 \(DAVIDSON COUNTY\) \(11/18/2008 to 05/04/2015\)](#)
[119 WALNUT GROVE CT, ALVATON, KY 42122-9583 \(WARREN COUNTY\) \(09/30/2013 to 09/30/2013\)](#)
[2601 HILLSBORO PIKE APT E1, NASHVILLE, TN 37212-5611 \(DAVIDSON COUNTY\) \(03/09/2008 to 03/31/2010\)](#)
[PO BOX 822, SCOTTSVILLE, KY 42164-0822 \(ALLEN COUNTY\) \(07/01/2005 to 02/2009\)](#)
[573 CANTERBURY CT, MOUNT DORA, FL 32757-6243 \(LAKE COUNTY\) \(08/04/2004 to 04/10/2007\)](#)
[4250 ALAFAYA TRL STE 212, OVIEDO, FL 32765-9424 \(SEMINOLE COUNTY\) \(03/07/2006 to 03/07/2006\)](#)
[1908 HERITAGE GROVE CIR # 324, TALLAHASSEE, FL 32304-4292 \(LEON COUNTY\) \(06/09/2005 to 06/09/2005\)](#)
[1908 HERITAGE GROVE CIR, TALLAHASSEE, FL 32304-4292 \(LEON COUNTY\) \(09/2004 to 09/2004\)](#)

Address Details (15 Found)



3808 LAKERIDGE RUN, NASHVILLE TN 37214-2695 (DAVIDSON COUNTY) (06/2015 to 04/02/2020) [[Back to Summary](#)]

Subdivision Name: **LAKERIDGE**

Owners:

CARL VONHARTMAN [[View Person Record](#)]


STORMI MURTIE [[View Person Record](#)]

Purchase Date: **05/29/2015**

Purchase Price: **\$295,500**
 Assessed Value: **\$78,800**
 Living Square Feet: **3,294**
 Land Square Feet: **7,841**


 **4636 LEBANON PIKE, HERMITAGE TN 37076-1316 (DAVIDSON COUNTY)** (12/2016 to 03/2020) [[Back to Summary](#)]

Current Commercial Phones at address
(615) 712-9484(CT) - EGAN ANDREW ATTY - SOCIAL SECURITY DISABILITY ATTORNEY
(615) 758-9223(CT) - KOMATSU AMERICA INDUSTRIES
(615) 758-9223(CT) - MCGUIRE BEN
(615) 712-9484(CT) - SOCIAL SECURITY DISABILITY ATTORNEY
(615) 871-4627(CT) - UPS STORE THE

 **356 VALLEY VIEW DR, SCOTTSVILLE KY 42164-6317 (ALLEN COUNTY)** (09/05/2008 to 03/2020) [[Back to Summary](#)]

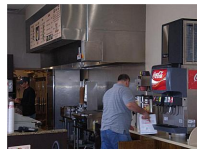
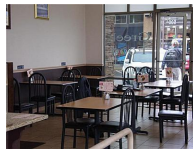
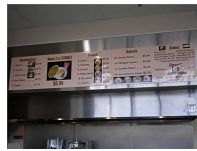
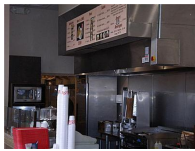
Current Private Phone at address
(270) 618-7147(CT) - BALE, BENJAMIN
 Owners:
BENJAMIN BALE [[View Person Record](#)]
LENORA BALE [[View Person Record](#)]
 Purchase Date: **01/31/2020**
 Assessed Value: **\$220,000**
 Living Square Feet: **2,057**
 Land Square Feet: **58,806**

4636 LEBANON PIKE # 361, HERMITAGE TN 37076-1316 (DAVIDSON COUNTY) (11/11/2016 to 12/2016) [[Back to Summary](#)]

 **3566 LAKE ELEANOR DR, MOUNT DORA FL 32757-4530 (LAKE COUNTY)** (11/10/2005 to 04/12/2018) [[Back to Summary](#)]

Subdivision Name: **GOLDEN HEIGHTS**
 Owner:
JERI W VON HARTMAN [[View Person Record](#)]
 Purchase Price: **\$9,500**
 Assessed Value: **\$103,981**
 Living Square Feet: **1,304**
 Land Square Feet: **8,880**

401 S MOUNT JULIET RD STE 161, MOUNT JULIET TN 37122-8463 (WILSON COUNTY) (10/22/2016 to 10/22/2016) [[Back to Summary](#)]



Above Pictures for: **401 S MOUNT JULIET RD STE 500**
 Address contains: **2 units, 85 suites**

 **37009 CALHOUN RD, EUSTIS FL 32736-8501 (LAKE COUNTY)** (11/01/2000 to 07/2016) [[Back to Summary](#)]

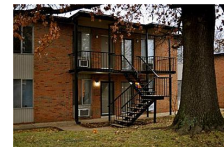
Subdivision Name: **ACREAGE OR**
 Owners:

STEPHEN D JENNELLE [[View Person Record](#)]**PAMELA JENNELLE** [[View Person Record](#)]Purchase Date: **02/17/2005**Purchase Price: **\$233,000**Assessed Value: **\$165,112**Living Square Feet: **2,060**Land Square Feet: **90,169****1004 CAROLYN AVE, NASHVILLE TN 37216-3612 (DAVIDSON COUNTY)** (11/18/2008 to 05/04/2015) [[Back to Summary](#)]Subdivision Name: **IRVINGTON**

Owners:

SUMMER MOORE [[View Person Record](#)]**STUART R MOORE** [[View Person Record](#)]Purchase Date: **03/22/2019**Assessed Value: **\$80,875**Living Square Feet: **1,575**Land Square Feet: **8,712****119 WALNUT GROVE CT, ALVATON KY 42122-9583 (WARREN COUNTY)** (09/30/2013 to 09/30/2013) [[Back to Summary](#)]Subdivision Name: **CAMBRIDGE GROVE**

Owners:

FELIX ECKHARD [[View Person Record](#)]**KATHLEEN A LAPPE** [[View Person Record](#)]Purchase Date: **04/22/2019**Assessed Value: **\$350,000**Living Square Feet: **2,296**Land Square Feet: **57,935****2601 HILLSBORO PIKE APT E1, NASHVILLE TN 37212-5611 (DAVIDSON COUNTY)** (03/09/2008 to 03/31/2010) [[Back to Summary](#)]Above Pictures for: **2601 HILLSBORO PIKE APT D8**Subdivision Name: **VILLAGER CONDO APTS**Address contains: **1 office, 236 apartments**

Owner:

RACHEL E VEST [[View Person Record](#)]Purchase Date: **06/15/2010**Purchase Price: **\$90,000**Assessed Value: **\$29,250**Living Square Feet: **600**Land Square Feet: **586****PO BOX 822, SCOTTSVILLE KY 42164-0822 (ALLEN COUNTY)** (07/01/2005 to 02/2009) [[Back to Summary](#)]**573 CANTERBURY CT, MOUNT DORA FL 32757-6243 (LAKE COUNTY)** (08/04/2004 to 04/10/2007) [[Back to Summary](#)]

Subdivision Name: **MOUNT DORA DORSET MOUNT DORA**

Owners:

JOEL B GREER [[View Person Record](#)]**ELAINE M GREER** [[View Person Record](#)]Purchase Date: **03/28/2014**Purchase Price: **\$100,000**Assessed Value: **\$132,581**Living Square Feet: **1,210**Land Square Feet: **5,916****4250 ALAFAYA TRL STE 212, OVIEDO FL 32765-9424 (SEMINOLE COUNTY)** (03/07/2006 to 03/07/2006) [[Back to Summary](#)]Subdivision Name: **METES BOUNDS**Address contains: **19 suites**

Owner:

NATIONAL RESIDENTIAL NOMINEE SPurchase Date: **07/13/2015**Purchase Price: **\$309,000****1908 HERITAGE GROVE CIR # 324, TALLAHASSEE FL 32304-4292 (LEON COUNTY)** (06/09/2005 to 06/09/2005) [[Back to Summary](#)]Address contains: **24 units****1908 HERITAGE GROVE CIR, TALLAHASSEE FL 32304-4292 (LEON COUNTY)** (09/2004 to 09/2004) [[Back to Summary](#)]Address contains: **24 units**

Cities History (9 Found)

NASHVILLE, TN (DAVIDSON COUNTY) (03/09/2008 to 04/02/2020)

MOUNT DORA, FL (LAKE COUNTY) (08/04/2004 to 04/12/2018)

HERMITAGE, TN (DAVIDSON COUNTY) (11/11/2016 to 03/2020)

MOUNT JULIET, TN (WILSON COUNTY) (10/22/2016 to 10/22/2016)

EUSTIS, FL (LAKE COUNTY) (11/01/2000 to 07/2016)

ALVATON, KY (WARREN COUNTY) (09/30/2013 to 09/30/2013)

SCOTTSVILLE, KY (ALLEN COUNTY) (07/01/2005 to 03/2020)

OVIEDO, FL (SEMINOLE COUNTY) (03/07/2006 to 03/07/2006)

TALLAHASSEE, FL (LEON COUNTY) (09/2004 to 06/09/2005)

Counties History (7 Found)

DAVIDSON, TN (03/09/2008 to 04/02/2020)

LAKE, FL (11/01/2000 to 04/12/2018)

WILSON, TN (10/22/2016 to 10/22/2016)

WARREN, KY (09/30/2013 to 09/30/2013)

ALLEN, KY (07/01/2005 to 03/2020)

SEMINOLE, FL (03/07/2006 to 03/07/2006)

LEON, FL (09/2004 to 06/09/2005)

Driver's License Information (6 Found)

[CARL ALBERT VON HARTMAN](#)[3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 \(DAVIDSON COUNTY\)](#)DL#: [XXXXXXXXXX](#)Issuing State: **TN**

License Type: **DM**
Issue Date: **08/13/2015**
Expiration Date: **04/15/2019**
Date of Birth: **04/15/1984** , Born **35** years ago
Gender: **Male**
Race: **White**
Height: **6'1"**

CARL ALBERT VON HARTMAN
1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY)
DL#: XXXX-XXX-XX-XXX-X
Issuing State: **FL**
License Type: **CLASS E**
Original Issue Date: **04/15/1999**
Issue Date: **07/11/2010**
Expiration Date: **04/15/2018**
Date of Birth: **04/15/1984** , Born **35** years ago
Gender: **Male**
Race: **White**
Height: **6'2"**
Attention Flag: **ORGAN DONOR**
Privacy Flag: **T**

CARL ALBERT VON HARTMAN
1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY)
DL#: XXXX-XXX-XX-XXX-X
Issuing State: **FL**
License Type: **CLASS E**
Original Issue Date: **04/15/1999**
Issue Date: **11/16/2009**
Expiration Date: **04/15/2018**
Date of Birth: **04/15/1984** , Born **35** years ago
Gender: **Male**
Race: **White**
Height: **6'2"**
Attention Flag: **ORGAN DONOR**
Privacy Flag: **T**

CARL ALBERT VON HARTMAN
1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY)
DL#: XXXX-XXX-XX-XXX-X
Issuing State: **FL**
License Type: **CLASS E**
Original Issue Date: **04/15/1999**
Issue Date: **10/23/2008**
Expiration Date: **04/15/2018**
Date of Birth: **04/15/1984** , Born **35** years ago
Gender: **Male**
Race: **White**
Height: **6'2"**
Attention Flag: **ORGAN DONOR**
Privacy Flag: **T**

CARL VONHARTMAN
2601 HILLSBORO PIKE # E, NASHVILLE, TN 37212-5641 (DAVIDSON COUNTY)
DL#: XXXXXXXXX
Issuing State: **TN**
License Type: **HO**
Date of Birth: **04/15/1984** , Born **35** years ago
Gender:

Race:

CARL ALBERT NARTMAN
37009 CALHOUN RD, EUSTIS, FL 32736-8501 (LAKE COUNTY)
DL#: XXXX-XXX-XX-XXX-X
Issuing State: FL
License Type: CLASS N
Date of Birth: 04/15/1984 , Born 35 years ago
Gender: Male
Privacy Flag: T

Utilities (8 Found)

Name: CARL VONHARTMAN [[View Person Record](#)]

Service Address: 3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY)
First Seen by Utilities: 10/09/2019
Date Reported: 10/09/2019

Service Phone: (615) 720-8092
Phone Type: Unknown
Listing Type: Unknown
Time Zone: CT
Carrier: NEW CINGULAR WIRELESS PCS LLC - GA (AT&T MOBILITY)
Carrier Type: WIRELESS
City: NASHVILLE
State: TN

Name: CARL VONHARTMAN [[View Person Record](#)]

Service Address: 3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY)
First Seen by Utilities: 06/18/2019
Date Reported: 06/12/2019

Service Phone: (615) 612-9926
Phone Type: Unknown
Listing Type: Unknown
Time Zone: CT
Carrier: CELLCO PARTNERSHIP DBA VERIZON WIRELESS - TN (VERIZON WIRELESS)
Carrier Type: WIRELESS
City: NASHVILLE
State: TN

Name: CARL VONHARTMAN [[View Person Record](#)]

Service Address: 3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY)
First Seen by Utilities: 06/30/2016
Date Reported: 06/30/2016

Service Phone: (615) 720-8092
Phone Type: Unknown

Listing Type: **Unknown**
Time Zone: **CT**
Carrier: **NEW CINGULAR WIRELESS PCS LLC - GA (AT&T MOBILITY)**
Carrier Type: **WIRELESS**
City: **NASHVILLE**
State: **TN**

Name: **CARL A VONHARTMAN** [[View Person Record](#)]

Service Address: **3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY)**
First Seen by Utilities: **07/30/2015**
Date Reported: **07/30/2015**

Name: **CARL VONHARTMAN** [[View Person Record](#)]

Service Address: **3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY)**
First Seen by Utilities: **06/29/2015**
Date Reported: **06/15/2015**

Service Phone: **(615) 720-8092**
Phone Type: **Unknown**
Listing Type: **Unknown**
Time Zone: **CT**
Carrier: **NEW CINGULAR WIRELESS PCS LLC - GA (AT&T MOBILITY)**
Carrier Type: **WIRELESS**
City: **NASHVILLE**
State: **TN**

Name: **CARL VONHARTMAN** [[View Person Record](#)]

Service Address: **1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY)**
First Seen by Utilities: **06/14/2014**
Date Reported: **06/14/2014**

Service Phone: **(715) 720-8092**
Phone Type: **Unknown**
Listing Type: **Unknown**
Time Zone: **CT**
Carrier: **AMERITECH WISCONSIN (AT&T WISCONSIN)**
Carrier Type: **LANDLINE**
City: **CHIPPEWA FALLS**
State: **WI**

Name: **CARL A VONHARTMAN** [[View Person Record](#)]

Service Address: **3566 LAKE ELEANOR DR, MOUNT DORA, FL 32757-4530 (LAKE COUNTY)**
First Seen by Utilities: **10/31/2012**
Date Reported: **10/31/2012**

Service Phone: **(615) 720-8092**
Phone Type: **Unknown**
Listing Type: **Unknown**

Time Zone: CT
 Carrier: NEW CINGULAR WIRELESS PCS LLC - GA (AT&T MOBILITY)
 Carrier Type: WIRELESS
 City: NASHVILLE
 State: TN

Billing Address: 1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY)

Name: CARL VONHARTMAN [[View Person Record](#)]

First Seen by Utilities: 11/11/2012
 Date Reported: 09/03/2010

Billing Address: 1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY)

Professional Affiliations (None Found)

Professional Licenses (None Found)

Bankruptcy Records (None Found)

Liens (None Found)

Judgments (None Found)

Current Property Deeds (1 Found)

Purchase Date: 05/29/2015	
3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY) APN: 109-01-0A-060.00-C APN Sequence Number: 001 Account Number: 000120877 Date Subject First Seen as Owner: 08/24/2012 Date Subject Last Seen as Owner: 2019 Subdivision Name: LAKERIDGE PH 03 Legal Description: LOT 21 LAKERIDGE PHASE 3 1ST REV Building Square Feet: 4,718 Living Square Feet: 3,294 Land Square Feet: 7,841 Year Built: 1998	<u>Latest Tax Roll/Assessment Information</u> Tax Year: 2019 Tax Amount: \$2,170.94 Assessed Year: 2019 Assessed Value: \$78,800 Sale Date: 05/29/2015 Sale Amount: \$295,500 Document Number: 53084 Total Value: \$315,200 Land Value: \$56,000 Improvement Value: \$259,200 Bedrooms: 3 Baths: 3
Most Current Ownership Information - 05/29/2015	

<p>Owner: CARL VONHARTMAN Owner: STORMI MURTIE Owner: ROGER MURTIE Mailing Address: 3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY) Seller: SETH BANKS 3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY) Owner Relationship Type: Unmarried Sale Date: 05/29/2015 Sale Amount: \$295,500 Absentee Indicator: Situs Address Taken From Sales Transaction - Determined Owner Occupied Deed Sec Cat: Resale, Mortgaged Purchase, Residential (Modeled) Universal Land Use: Single Family Residence Property Indicator: Single Family Residence/Townhouse Resale New Construction: Resale Residential Model Indicator: Based On Zip Code and Value Property is Residential</p>	<p>Mortgage Lender: LEGACY MUTUAL MTG Mortgage Amount: \$236,400 Mortgage Loan Type: Conventional Mortgage Deed Type: Deed of Trust Mortgage Term: 30 Years Mortgage Date: 05/29/2015 Mortgage Due Date: 06/01/2045 Mtg Sec Cat: CNV, Fixed, Conforming</p>
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Previous Ownership Information - 08/24/2012

<p>Owner: SETH BANKS Owner: AMBER ORR Mailing Address: 3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY) Seller: MARK PRUETT 3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY) Owner Relationship Type: Married Man Sale Date: 08/24/2012 Sale Amount: \$233,900 Absentee Indicator: Situs Address Taken From Sales Transaction - Determined Owner Occupied Deed Sec Cat: Resale, Mortgaged Purchase, Residential (Modeled) Universal Land Use: Single Family Residence Property Indicator: Single Family Residence/Townhouse Resale New Construction: Resale Residential Model Indicator: Based On Zip Code and Value Property is Residential</p>	<p>Mortgage Lender: SUNTRUST MTG INC Mortgage Amount: \$233,900 Mortgage Loan Type: Conventional Mortgage Deed Type: Deed of Trust Mortgage Term: 30 Years Mortgage Date: 08/24/2012 Mortgage Due Date: 09/01/2042 Mtg Sec Cat: CNV, Fixed, Conforming</p>
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Previous Ownership Information - 08/24/2012

<p>Owner: SETH BANKS Mailing Address: 3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY) Seller: MARK PRUETT 3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY) Sale Date: 08/24/2012 Sale Amount: \$233,900 Absentee Indicator: Owner Occupied Universal Land Use: Single Family Residence Property Indicator: Single Family Residence</p>	<p>Mortgage Information not available</p>
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Residential Model Indicator: Property is Residential	
Previous Ownership Information - 10/25/2002	
<p>Owner: MARK PRUETT Mailing Address: 3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY) Seller: MALMQUIST PETER M & KAREN W 3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY) Owner Relationship Type: Unmarried Man Sale Date: 10/25/2002 Sale Code: Unknown Sale Amount: \$228,000 Absentee Indicator: Owner Occupied Universal Land Use: Single Family Residence Property Indicator: Single Family Residence Residential Model Indicator: Property is Residential</p>	<p>Mortgage Information not available</p>

Past Property Deeds (None Found)

Property Foreclosures (None Found)

Property Assessments (1 Found)

3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY)

Address: **3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY)**

APN: **109-01-0A-060.00-C**

APN Sequence Number: **001**

Account Number: **000120877**

Property Indicator: **Single Family Residence**

Municipality Name: **74-GSD**

Subdivision Name: **LAKERIDGE PH 03**

Assessment (2015 - 2019)

Owners:

CARL VONHARTMAN [[View Person Record](#)]

STORMI MURTIE [[View Person Record](#)]

ROGER MURTIE [[View Person Record](#)]

3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY)

Seller:

SETH BANKS [[View Person Record](#)]

Total Value Calculated: **\$315,200**

Land Value Calculated: **\$56,000**

Improvement Value Calculated: **\$259,200**

Total Value Calculated Flag: **Market Value**

Land Value Calculated Flag: **Market Value**

Improvement Value Calculated Flag: **Market Value**
 Assessed Total Value: **\$78,800**
 Assessed Land Value: **\$14,000**
 Assessed Improvement Value: **\$64,800**
 Market Total Value: **\$315,200**
 Market Land Value: **\$56,000**
 Market Improvement Value: **\$259,200**
 Appraised Total Value: **\$315,200**
 Appraised Land Value: **\$56,000**
 Appraised Improvement Value: **\$259,200**
 Tax Amount: **\$2,170.94**
 Assessed Year: **2019**
 Tax Year: **2019**
 Tax Code Area: **GSD**

Total Value Calculated: **\$315,200**
 Land Value Calculated: **\$56,000**
 Improvement Value Calculated: **\$259,200**
 Total Value Calculated Flag: **Market Value**
 Land Value Calculated Flag: **Market Value**
 Improvement Value Calculated Flag: **Market Value**
 Assessed Total Value: **\$78,800**
 Assessed Land Value: **\$14,000**
 Assessed Improvement Value: **\$64,800**
 Market Total Value: **\$315,200**
 Market Land Value: **\$56,000**
 Market Improvement Value: **\$259,200**
 Appraised Total Value: **\$315,200**
 Appraised Land Value: **\$56,000**
 Appraised Improvement Value: **\$259,200**
 Tax Amount: **\$2,170.94**
 Assessed Year: **2018**
 Tax Year: **2017**
 Tax Code Area: **GSD**

Total Value Calculated: **\$315,200**
 Land Value Calculated: **\$56,000**
 Improvement Value Calculated: **\$259,200**
 Total Value Calculated Flag: **Market Value**
 Land Value Calculated Flag: **Market Value**
 Improvement Value Calculated Flag: **Market Value**
 Assessed Total Value: **\$78,800**
 Assessed Land Value: **\$14,000**
 Assessed Improvement Value: **\$64,800**
 Market Total Value: **\$315,200**
 Market Land Value: **\$56,000**
 Market Improvement Value: **\$259,200**
 Appraised Total Value: **\$315,200**
 Appraised Land Value: **\$56,000**
 Appraised Improvement Value: **\$259,200**
 Tax Amount: **\$2,310.26**
 Assessed Year: **2017**
 Tax Year: **2016**
 Tax Code Area: **GSD**

Total Value Calculated: **\$235,500**
 Land Value Calculated: **\$45,000**
 Improvement Value Calculated: **\$190,500**
 Total Value Calculated Flag: **Market Value**
 Land Value Calculated Flag: **Market Value**

Improvement Value Calculated Flag: **Market Value**Assessed Total Value: **\$58,875**Assessed Land Value: **\$11,250**Assessed Improvement Value: **\$47,625**Market Total Value: **\$235,500**Market Land Value: **\$45,000**Market Improvement Value: **\$190,500**Appraised Total Value: **\$235,500**Appraised Land Value: **\$45,000**Appraised Improvement Value: **\$190,500**Tax Amount: **\$2,310.26**Assessed Year: **2016**Tax Year: **2015**Tax Code Area: **GSD**Front Footage: **70**Depth Footage: **111**Acres: **0.1800**Land Square Footage: **7841**Lot Area: **IR**Building Square Feet: **4718**Living Square Feet: **3294**Ground Floor Square Feet: **1568**Basement Square Feet: **1568**Garage Parking Square Feet: **483**Year Built: **1998**Effective Year Built: **1998**Bedrooms: **3**Total Rooms: **9**Full Baths: **2**Half Baths: **1**Bath Fixtures: **12**Air Conditioning: **Central**Basement Finish: **Finished**Building: **Single Family**Condition: **Average**Exterior Walls: **Brick**Fireplace Indicator: **Fireplace is Located Within the Building**Fireplace Number: **1**Fireplace Type: **Type Unknown**Foundation: **Raised W/Basement**Garage: **Attached Brick Garage**Heating: **Central**Parking Type: **Attached Brick Garage**Roof Cover: **Asphalt**Stories: **1.50**Stories Number: **1.5**Units Number: **1**Assessment (2013)

Owner:

SETH BANKS [[View Person Record](#)]**3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY)**

Seller:

MARK PRUETT [[View Person Record](#)]Total Value Calculated: **\$235,500**Land Value Calculated: **\$45,000**Improvement Value Calculated: **\$190,500**

Total Value Calculated Flag: **Market Value**
Land Value Calculated Flag: **Market Value**
Improvement Value Calculated Flag: **Market Value**
Assessed Total Value: **\$58,875**
Assessed Land Value: **\$11,250**
Assessed Improvement Value: **\$47,625**
Market Total Value: **\$235,500**
Market Land Value: **\$45,000**
Market Improvement Value: **\$190,500**
Appraised Total Value: **\$235,500**
Appraised Land Value: **\$45,000**
Appraised Improvement Value: **\$190,500**
Tax Amount: **\$2,310.26**
Assessed Year: **2013**
Tax Year: **2013**
Tax Code Area: **GSD**

Front Footage: **70**
Depth Footage: **111**
Acres: **0.1800**
Land Square Footage: **7841**
Lot Area: **IR**
Building Square Feet: **4718**
Living Square Feet: **3294**
Ground Floor Square Feet: **1568**
Basement Square Feet: **1568**
Garage Parking Square Feet: **483**
Year Built: **1998**
Effective Year Built: **1998**
Bedrooms: **3**
Total Rooms: **9**
Full Baths: **2**
Half Baths: **1**
Air Conditioning: **Central**
Basement Finish: **Finished**
Building: **Single Family**
Exterior Walls: **Brick**
Fireplace Indicator: **Fireplace is Located Within the Building**
Fireplace Type: **Type Unknown**
Foundation: **Raised W/Basement**
Garage: **Attached Brick Garage**
Heating: **Central**
Parking Type: **Attached Brick Garage**
Roof Cover: **Asphalt**
Stories: **1.50**
Stories Number: **1.5**

Assessment (2012)

Owners:

SETH BANKS [[View Person Record](#)]**AMBER ORR** [[View Person Record](#)]**3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY)**

Seller:

MARK PRUETT [[View Person Record](#)]

Total Value Calculated: **\$258,700**
Land Value Calculated: **\$45,000**
Improvement Value Calculated: **\$213,700**
Total Value Calculated Flag: **Market Value**

Land Value Calculated Flag: **Market Value**
Improvement Value Calculated Flag: **Market Value**
Assessed Total Value: **\$64,675**
Assessed Land Value: **\$11,250**
Assessed Improvement Value: **\$53,425**
Market Total Value: **\$258,700**
Market Land Value: **\$45,000**
Market Improvement Value: **\$213,700**
Appraised Total Value: **\$258,700**
Appraised Land Value: **\$45,000**
Appraised Improvement Value: **\$213,700**
Tax Amount: **\$2,612.87**
Assessed Year: **2012**
Tax Year: **2012**
Tax Code Area: **GSD**

Front Footage: **70**
Depth Footage: **111**
Acres: **0.1800**
Land Square Footage: **7841**
Lot Area: **IR**
Building Square Feet: **4718**
Living Square Feet: **3294**
Ground Floor Square Feet: **1568**
Basement Square Feet: **1568**
Garage Parking Square Feet: **483**
Year Built: **1998**
Effective Year Built: **1998**
Bedrooms: **3**
Total Rooms: **9**
Full Baths: **2**
Half Baths: **1**
Air Conditioning: **Central**
Basement Finish: **Finished**
Building: **Single Family**
Exterior Walls: **Brick**
Fireplace Indicator: **Fireplace is Located Within the Building**
Fireplace Type: **Type Unknown**
Foundation: **Raised W/Basement**
Garage: **Attached Brick Garage**
Heating: **Central**
Parking Type: **Attached Brick Garage**
Roof Cover: **Asphalt**
Stories: **1.50**
Stories Number: **1.5**
Units Number: **1**

Assessment (2011)

Owner:
MARK PRUETT [[View Person Record](#)]
3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY)
Seller:
MALMQUIST PETER M & KAREN W

Total Value Calculated: **\$64,675**
Land Value Calculated: **\$11,250**
Improvement Value Calculated: **\$53,425**
Total Value Calculated Flag: **Assessed Value**
Land Value Calculated Flag: **Assessed Value**

Improvement Value Calculated Flag: **Assessed Value**Assessed Total Value: **\$64,675**Assessed Land Value: **\$11,250**Assessed Improvement Value: **\$53,425**Market Total Value: **\$258,700**Market Land Value: **\$45,000**Market Improvement Value: **\$213,700**Appraised Total Value: **\$258,700**Appraised Land Value: **\$45,000**Appraised Improvement Value: **\$213,700**Tax Amount: **\$2,302.43**Assessed Year: **2011**Tax Year: **2011**Tax Code Area: **GSD**Front Footage: **70**Depth Footage: **111**Acres: **0.1800**Land Square Footage: **7841**Lot Area: **IR**Building Square Feet: **4718**Living Square Feet: **3294**Ground Floor Square Feet: **1568**Basement Square Feet: **1568**Garage Parking Square Feet: **483**Year Built: **1998**Effective Year Built: **1998**Bedrooms: **3**Total Rooms: **9**Full Baths: **2**Half Baths: **1**Air Conditioning: **Central**Building: **Single Family**Exterior Walls: **Frame Brick**Fireplace Indicator: **Fireplace is Located Within the Building**Fireplace Type: **Type Unknown**Foundation: **Raised W/Basement**Garage: **Attached Brick Garage**Heating: **Central**Parking Type: **Attached Brick Garage**Roof Cover: **Asphalt**Stories: **1.50**Stories Number: **1.5**Units Number: **1**Assessment (2008 - 2010)

Owner:

MARK PRUETT [[View Person Record](#)]**3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY)**

Seller:

MALMQUIST PETER M & KAREN W

Total Value Calculated: **\$64,675**Land Value Calculated: **\$11,250**Improvement Value Calculated: **\$53,425**Total Value Calculated Flag: **Assessed Value**Land Value Calculated Flag: **Assessed Value**Improvement Value Calculated Flag: **Assessed Value**Assessed Total Value: **\$64,675**

Assessed Land Value: **\$11,250**
Assessed Improvement Value: **\$53,425**
Market Total Value: **\$258,700**
Market Land Value: **\$45,000**
Market Improvement Value: **\$213,700**
Appraised Total Value: **\$258,700**
Appraised Land Value: **\$45,000**
Appraised Improvement Value: **\$213,700**
Tax Amount: **\$2,302.43**
Assessed Year: **2010**
Tax Year: **2010**
Tax Code Area: **GSD**

Total Value Calculated: **\$64,675**
Land Value Calculated: **\$11,250**
Improvement Value Calculated: **\$53,425**
Total Value Calculated Flag: **Assessed Value**
Land Value Calculated Flag: **Assessed Value**
Improvement Value Calculated Flag: **Assessed Value**
Assessed Total Value: **\$64,675**
Assessed Land Value: **\$11,250**
Assessed Improvement Value: **\$53,425**
Market Total Value: **\$258,700**
Market Land Value: **\$45,000**
Market Improvement Value: **\$213,700**
Appraised Total Value: **\$258,700**
Appraised Land Value: **\$45,000**
Appraised Improvement Value: **\$213,700**
Tax Amount: **\$2,302.43**
Assessed Year: **2009**
Tax Year: **2009**
Tax Code Area: **GSD**

Total Value Calculated: **\$62,000**
Land Value Calculated: **\$6,875**
Improvement Value Calculated: **\$55,125**
Total Value Calculated Flag: **Assessed Value**
Land Value Calculated Flag: **Assessed Value**
Improvement Value Calculated Flag: **Assessed Value**
Assessed Total Value: **\$62,000**
Assessed Land Value: **\$6,875**
Assessed Improvement Value: **\$55,125**
Market Total Value: **\$248,000**
Market Land Value: **\$27,500**
Market Improvement Value: **\$220,500**
Appraised Total Value: **\$248,000**
Appraised Land Value: **\$27,500**
Appraised Improvement Value: **\$220,500**
Tax Amount: **\$2,425.01**
Assessed Year: **2008**
Tax Year: **2008**
Tax Code Area: **GSD**

Front Footage: **70**
Depth Footage: **111**
Acres: **0.1800**
Land Square Footage: **7840**
Lot Area: **IR**
Building Square Feet: **4235**
Living Square Feet: **3294**

Ground Floor Square Feet: **1568**
 Basement Square Feet: **1568**
 Garage Parking Square Feet: **483**
 Year Built: **1998**
 Effective Year Built: **1998**
 Bedrooms: **3**
 Total Rooms: **9**
 Full Baths: **2**
 Half Baths: **1**
 Air Conditioning: **Central**
 Building: **Single Family**
 Exterior Walls: **Brick**
 Fireplace Indicator: **Fireplace is Located Within the Building**
 Fireplace Type: **Type Unknown**
 Foundation: **Raised W/Basement**
 Garage: **Attached Brick Garage**
 Heating: **Central**
 Parking Type: **Attached Brick Garage**
 Roof Cover: **Asphalt**
 Stories: **1.50**
 Stories Number: **1.5**
 Units Number: **1**

Evictions (None Found)

Current Vehicle Information (2 Found)

Registered: 02/27/2013 to 03/31/2020

2008 BMW -Series: **I** -Model: **535**
 VIN: [WBANW13548CN54747](#)
 Body Style: **SEDAN** -Vehicle Type: **Passenger Car**
 Weight: **3704** lbs -Length: **191.1"**
 Color: **9**
 Most Current Tag #: **TN V3536A** Valid from: **(03/17/2015 to 03/31/2020)**

Doors: **4**
 MSRP: **\$49,400**
 Plant: **DINGOLFING, GERMANY**
 Restraint Type: **MANUAL BELTS - DRIVER AND PASSENGER DUAL-STAGE ADVANCED SUPPLEMENTAL RESTRAINT SYSTEM (SRS)**
 Height: **57.8**
 Width: **79.9**
 Wheel Base: **113.7**
 Wheel Dimensions: **17.0 X 7.5**
 Drive Type: **RWD**
 Fuel: **GAS 18.5** Gallon
 Engine: **3.0L INLINE6 TWIN TURBO**



Most Current Owner/Registrant/Lien Information - 02/27/2013 to 03/31/2020**Title Holders**

CARL A VON HARTMAN [[View Person Record](#)]
3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY)

Title Number: **95260466**
 State Titled In: **TN**
 Original Title Date: **03/21/2015**
 Title Transfer Date: **12/22/2015**

Lien Holders

None Found

Lessors

None Found

Title Holders

CARL A VON HARTMAN [[View Person Record](#)]
1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY)

Title Number: **95260466**
 State Titled In: **TN**
 Original Title Date: **03/21/2015**
 Title Transfer Date: **03/21/2015**

Lien Holders

None Found

Lessors

None Found

Title Holders

CARL ALBERT VON HARTMAN [[View Person Record](#)]
1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY)

Title Number: **0111135200**
 State Titled In: **FL**
 Original Title Date: **02/27/2013**
 Title Transfer Date: **02/27/2013**

Lien Holders

None Found

Lessors

None Found

Previous Owner/Registrant/Lien Information - 05/11/2007 to 05/31/2012**Title Holders**

CLAIRE TUCKER [[View Person Record](#)]
801 KATHRIDGE CT, BRENTWOOD, TN 37027-8746 (WILLIAMSON COUNTY)

DOB: **03/1953**, Born 67 years ago
 Title Number: **76631407**
 State Titled In: **TN**
 Original Title Date: **05/16/2007**
 Title Transfer Date: **05/16/2007**

Registrant

CLAIRE TUCKER [[View Person Record](#)]
 Registered: **05/11/2007** to **05/31/2012**
 DOB: **03/1953**, Born 67 years ago

Addresses Registered to While owned by CLAIRE TUCKER

801 KATHRIDGE CT, BRENTWOOD, TN 37027-8746 (WILLIAMSON COUNTY) (05/11/2007 to 05/09/2011)

Vehicle Tag History

License Plate: **TN 082QKD** Valid from: (05/11/2007 to 05/31/2012)Lien Holders

None Found

Lessors

None Found

Registered: 02/21/2012 to 03/31/2020

1999 DODGE -Series: **SLT** -Model: **DURANGO**VIN: **1B4HS28Y5XF656380**Body Style: **SUV** -Vehicle Type: **Truck**Weight: **4397** lbs -Length: **193.3**"Color: **OO**Most Current Tag #: **TN V3537A** Valid from: (03/17/2015 to 03/31/2020)Doors: **4**MSRP: **\$27,790**Plant: **NEWARK, DELAWARE**Restraint Type: **DRIVER AND PASSENGER FRONT AIRBAGS, ACTIVE BELTS**Gross Vehicle Weight Range: **6001-7000**Gross Vehicle Weight Rating: **6400**Height: **72.9**Width: **71.5**Wheel Base: **115.9**Wheel Dimensions: **15.0**Max Payload: **1887**Drive Type: **4WD**Fuel:**GAS 25** GallonEngine:**5.2L V8 NATURALLY ASPIRATED**Transmission: **4 Speed AUTOMATIC****Most Current Owner/Registrant/Lien Information - 02/21/2012 to 03/31/2020**Title Holders**CARL A VON HARTMAN** [[View Person Record](#)]**3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY)**Title Number: **95260474**State Titled In: **TN**Original Title Date: **03/21/2015**Title Transfer Date: **12/22/2015**Lien Holders

None Found

Lessors

None Found

Title Holders**CARL A VON HARTMAN** [[View Person Record](#)]**1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY)**Title Number: **95260474**State Titled In: **TN**Registrant**CARL ALBERT VON HARTMAN** [[View Person Record](#)]Registered: **02/21/2012** to **03/31/2020**DOB: **06/1975**, Born **44** years agoAddresses Registered to While owned by CARL ALBERT VON HARTMAN**3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY) (12/22/2015 to 02/28/2019)****1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY) (02/21/2012 to 03/17/2015)**Vehicle Tag HistoryLicense Plate: **TN V3537A** Valid from: (03/17/2015 to 03/31/2020)License Plate: **FL ABFI35** Valid from: (02/21/2012 to 04/15/2015)

Original Title Date: **03/21/2015**
Title Transfer Date: **03/21/2015**

Lien Holders

None Found

Lessors

None Found

Title Holders

CARL ALBERT VON HARTMAN [[View Person Record](#)]
1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY)

DOB: **06/1975**, Born 44 years ago

Title Number: **0107703860**

State Titled In: FL

Original Title Date: **12/05/2011**

Title Transfer Date: **12/05/2011**

Lien Holders

None Found

Lessors

None Found

Title Holders

Title Number: **0107703860**

State Titled In: FL

Lien Holders

None Found

Lessors

None Found

Previous Owner/Registrant/Lien Information - 08/17/2010 to 08/31/2011

Title Holders

BARBARA KEY [[View Person Record](#)]
642 WINDSOR GREEN BLVD, GOODLETTSVILLE, TN 37072-2127 (DAVIDSON COUNTY)

DOB: **03/1984**, Born 36 years ago

Title Number: **82292714**

State Titled In: TN

Original Title Date: **09/02/2010**

Title Transfer Date: **09/02/2010**

Lien Holders

None Found

Lessors

None Found

Previous Owner/Registrant/Lien Information - 06/07/2005 to 06/30/2010

Title Holders

DAVID W KIZER [[View Person Record](#)]
648 CORUM HILL RD, CASTALIAN SPRINGS, TN 37031-4644

Registrant

BARBARA KEY [[View Person Record](#)]

Registered: **08/17/2010** to **08/31/2011**

DOB: **03/1984**, Born 36 years ago

Addresses Registered to While owned by BARBARA KEY

642 WINDSOR GREEN BLVD, GOODLETTSVILLE, TN 37072-2127 (DAVIDSON COUNTY) (08/17/2010)

Vehicle Tag History

License Plate: **TN 899YVQ** Valid from: (08/17/2010 to 08/31/2011)

Registrant

DAVID W KIZER [[View Person Record](#)]

Registered: **06/07/2005** to **06/30/2010**

DOB: **07/1974**, Born 45 years ago

(SUMNER COUNTY)

DOB: **07/1974**, Born 45 years ago
 Title Number: **72164905**
 State Titled In: **TN**
 Original Title Date: **06/08/2005**
 Title Transfer Date: **06/08/2005**

Lien Holders

M & I MARSHALL & ILSLEY BANK

Lessors

None Found

Previous Owner/Registrant/Lien Information - 08/14/2002 to 06/30/2005

Title Holders

ANN L ALEXANDER [[View Person Record](#)]
724 BAY POINT DR, GALLATIN, TN 37066-4408 (SUMNER COUNTY)
 Title Number: **65626730**
 State Titled In: **TN**
 Original Title Date: **09/06/2002**
 Title Transfer Date: **09/06/2002**

Lien Holders

AMSOUTH BANK

Lessors

None Found

Previous Owner/Registrant/Lien Information - 10/27/1999 to 09/30/2002

Title Holders

None Found

Addresses Registered to While owned by DAVID W KIZER
648 CORUM HILL RD, CASTALIAN SPRINGS, TN 37031-4644 (SUMNER COUNTY) (06/07/2005 to 06/20/2009)

Vehicle Tag History

License Plate: **TN 818MDN** Valid from: **(07/03/2007 to 06/30/2010)**
 Previous License Plate: **TN SJL185**
 License Plate: **TN SJL185** Valid from: **(06/07/2005 to 06/30/2006)**

Registrant

ANN L ALEXANDER [[View Person Record](#)]
 Registered: **08/14/2002 to 06/30/2005**

Addresses Registered to While owned by ANN L ALEXANDER
724 BAY POINT DR, GALLATIN, TN 37066-4408 (SUMNER COUNTY) (08/14/2002 to 08/21/2004)

Vehicle Tag History

License Plate: **TN RAIN** Valid from: **(08/21/2004 to 06/30/2005)**
 Previous License Plate: **TN LWD883**
 License Plate: **TN LWD883** Valid from: **(08/14/2002 to 06/30/2005)**

Registrant

JOYCE F COOPER [[View Person Record](#)]
 Registered: **10/27/1999 to 09/30/2002**
 DOB: **07/1948**, Born 71 years ago

Addresses Registered to While owned by JOYCE F COOPER
216 DISHMAN RD, LIVINGSTON, TN 38570-8217 (OVERTON COUNTY) (10/27/1999 to 10/06/2001)

Vehicle Tag History

License Plate: **TN GQH998** Valid from: **(10/03/2000 to 09/30/2002)**
 Previous License Plate: **TN 025LJV**
 License Plate: **TN 025LJV** Valid from: **(10/27/1999 to 09/30/2000)**

Past Vehicle Information (2 Found)

Registered: 01/30/2007 to 04/15/2012

2005 CADILLAC -Series: **HI FEATURE V6** -Model: **CTS**
 VIN: **1G6DP567X50125676**

Doors: **4**
 MSRP: **\$33,135**

Body Style: **SEDAN** -Vehicle Type: **Passenger Car**
 Weight: **3509** lbs -Length: **190.1**"
 Color: **Grey**
 Most Current Tag #: **SC PNS121** Valid from: **(03/23/2018 to 03/15/2020)**

Plant: **LANSING, MICHIGAN**
 Restraint Type: **DRIVER AND PASSENGER FRONT, FRONT SIDE, FRONT AND REAR HEAD AIRBAGS, ACTIVE BELTS**
 Height: **56.7**
 Width: **70.6**
 Wheel Base: **113.4**
 Wheel Dimensions: **16.0**
 Drive Type: **RWD**
 Fuel:**GAS 17** Gallon
 Engine:**3.6L V6 NATURALLY ASPIRATED**



Most Current Owner/Registrant/Lien Information - 03/23/2018 to 03/15/2020

Title Holders

NICO J WORMWOTH
 Title Number: **770810349435984**
 State Titled In: **SC**
 Original Title Date: **06/22/2018**
 Title Transfer Date: **06/22/2018**

Lien Holders

None Found

Lessors

None Found

Title Holders

NICO J WORMWOTH
155 BELLEPLAINE DR, GOOSE CREEK, SC 29445-7237
(BERKELEY COUNTY)
 Title Number: **770810344824448**
 State Titled In: **SC**
 Original Title Date: **03/26/2018**
 Title Transfer Date: **03/26/2018**

Lien Holders

None Found

Lessors

None Found

Previous Owner/Registrant/Lien Information - 01/30/2007 to 04/15/2012

Title Holders

Title Number: **0097667980**
 State Titled In: **FL**

Lien Holders

Registrant

NICO J WORMWOTH
 Registered: **03/23/2018 to 03/15/2020**

Addresses Registered to While owned by NICO J WORMWOTH

155 BELLEPLAINE DR, GOOSE CREEK, SC 29445-7237
(BERKELEY COUNTY) (03/23/2018)

Vehicle Tag History

License Plate: **SC PNS121** Valid from: **(03/23/2018 to 03/15/2020)**

Registrant

CARL ALBERT VONHARTMAN [[View Person Record](#)]
 Registered: **01/30/2007 to 04/15/2012**
 DOB: **06/1975**, Born **44** years ago

Addresses Registered to While owned by CARL ALBERT

None FoundLessors**None Found**VONHARTMAN

1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY) (03/03/2009 to 03/02/2011)

2601 HILLSBORO PIKE APT E1, NASHVILLE, TN 37212-5611 (DAVIDSON COUNTY) (03/09/2008)

13205 LAKE LIVE OAK DR, ORLANDO, FL 32828-7732 (ORANGE COUNTY) (01/30/2007)

Vehicle Tag HistoryLicense Plate: **FL S420YN** Valid from: (01/30/2007 to 04/15/2012)

Registered: 11/10/2005 to 04/15/2007

2000 DODGE -Series: **QUAD** -Model: **DAKOTA**VIN: **1B7GG2AN4YS624707**Body Style: **PICKUP** -Vehicle Type: **Truck**Weight: **4262** lbs -Length: **215.1**"Color: **White**Doors: **4**MSRP: **\$23,385**Plant: **WARREN, MICHIGAN**Restraint Type: **DRIVER AND PASSENGER FRONT AIRBAGS, ACTIVE BELTS**Gross Vehicle Weight Range: **5001-6000**Gross Vehicle Weight Rating: **5630**Height: **66.3**Width: **71.6**Wheel Base: **131**Wheel Dimensions: **15.0**Max Payload: **1350 - 1450**Drive Type: **4WD**Fuel:**GAS 24 Gallon**Engine:**4.7L V8 NATURALLY ASPIRATED****Most Current Owner/Registrant/Lien Information**Title Holders**GEICO****5152 126TH AVE N, CLEARWATER, FL 33760-4615 (PINELLAS COUNTY)**Title Number: **0082323285**State Titled In: **FL**Original Title Date: **06/07/2018**Title Transfer Date: **06/07/2018**Registrant**None Found**Lien Holders**None Found**Lessors**None Found**

Previous Owner/Registrant/Lien Information - 01/03/2018 to 01/18/2019

Title Holders

AMY LOU DONOHUE [[View Person Record](#)]
1458 HATHAWAY AVE, SPRING HILL, FL 34608-5116
(HERNANDO COUNTY)
GARET TOD DELK [[View Person Record](#)]
1458 HATHAWAY AVE, SPRING HILL, FL 34608-5116
(HERNANDO COUNTY)
Title Number: 0082323285
State Titled In: FL
Original Title Date: 01/03/2018
Title Transfer Date: 01/03/2018

Lien Holders

None Found

Lessors

None Found

Registrant

AMY LOU DONOHUE [[View Person Record](#)]
Registered: 01/03/2018 to 01/18/2019

Addresses Registered to While owned by AMY LOU DONOHUE

1458 HATHAWAY AVE, SPRING HILL, FL 34608-5116
(HERNANDO COUNTY) (01/03/2018)

Registrant

GARET TOD DELK [[View Person Record](#)]
Registered: 01/03/2018 to 01/18/2019

Addresses Registered to While owned by GARET TOD DELK

1458 HATHAWAY AVE, SPRING HILL, FL 34608-5116
(HERNANDO COUNTY) (01/03/2018)

Vehicle Tag HistoryLicense Plate: [FL IVZP07](#) Valid from: (01/03/2018)

Previous Owner/Registrant/Lien Information - 03/29/2011 to 03/30/2018

Title Holders

AXIE ANN GRIMES [[View Person Record](#)]
20336 SE 155TH ST, UMATILLA, FL 32784-8243 (MARION
COUNTY)
PO BOX 795, WEIRSDALE, FL 32195-0795 (MARION COUNTY)
DOB: 03/1963, Born 57 years ago
Title Number: 0082323285
State Titled In: FL
Original Title Date: 02/18/2011
Title Transfer Date: 02/18/2011

Lien Holders

None Found

Lessors

None Found

Registrant

AXIE ANN GRIMES [[View Person Record](#)]
Registered: 03/29/2011 to 03/30/2018
DOB: 03/1963, Born 57 years ago

Addresses Registered to While owned by AXIE ANN GRIMES

20336 SE 155TH ST, UMATILLA, FL 32784-8243 (MARION
COUNTY) (03/29/2011 to 03/30/2017)
PO BOX 795, WEIRSDALE, FL 32195-0795 (MARION COUNTY)
(03/29/2011 to 03/20/2012)

Vehicle Tag HistoryLicense Plate: [FL HCYT53](#) Valid from: (03/30/2017 to 03/30/2018)License Plate: [FL 732HUX](#) Valid from: (03/29/2011 to 03/30/2017)

Previous Owner/Registrant/Lien Information - 02/19/2010 to 03/20/2010

Title Holders

CHRISTOPHER KEITH KMIECIAK [[View Person Record](#)]
11318 CIRCLE WAY, LEESBURG, FL 34788-4432 (LAKE
COUNTY)
DOB: 09/1985, Born 34 years ago
Title Number: 0082323285
State Titled In: FL
Original Title Date: 03/22/2010
Title Transfer Date: 03/22/2010

Lien Holders

LAKE JEM AUTO & MARINE SALES INC

LessorsRegistrant

CHRISTOPHER KEITH KMIECIAK [[View Person Record](#)]
Registered: 02/19/2010 to 03/20/2010
DOB: 09/1985, Born 34 years ago

Addresses Registered to While owned by CHRISTOPHER KEITH KMIECIAK

11318 CIRCLE WAY, LEESBURG, FL 34788-4432 (LAKE
COUNTY) (02/19/2010)

Vehicle Tag HistoryLicense Plate: [FL ULJ4P](#) Valid from: (03/22/2010)Previous License Plate: [FL AHH4910](#)License Plate: [FL AHH4910](#) Valid from: (02/19/2010 to 03/20/2010)

None Found**Previous Owner/Registrant/Lien Information - 05/08/2008 to 04/23/2009****Title Holders**

KELLY YVONNE CHANLEY [[View Person Record](#)]
14207 GOLDRUSH CT, ASTATULA, FL 34705-9209 (LAKE COUNTY)

DOB: **11/1959**, Born 60 years ago

RODERICK MICHAEL CHANLEY [[View Person Record](#)]
14207 GOLDRUSH CT, ASTATULA, FL 34705-9209 (LAKE COUNTY)

DOB: **04/1990**, Born 30 years ago

Title Number: **0082323285**

State Titled In: **FL**

Original Title Date: **02/06/2008**

Title Transfer Date: **02/06/2008**

Lien Holders

LAKE JEM AUTO & MARINE SALES INC

Lessors

None Found

Registrant

KELLY YVONNE CHANLEY [[View Person Record](#)]

Registered: **05/08/2008** to **04/23/2009**

DOB: **11/1959**, Born 60 years ago

Addresses Registered to While owned by KELLY YVONNE CHANLEY

14207 GOLDRUSH CT, ASTATULA, FL 34705-9209 (LAKE COUNTY) (05/08/2008)

Registrant

RODERICK MICHAEL CHANLEY [[View Person Record](#)]

Registered: **05/08/2008** to **04/23/2009**

DOB: **04/1990**, Born 30 years ago

Addresses Registered to While owned by RODERICK MICHAEL CHANLEY

14207 GOLDRUSH CT, ASTATULA, FL 34705-9209 (LAKE COUNTY) (05/08/2008)

Vehicle Tag History

License Plate: **FL G993RJ** Valid from: (05/08/2008 to 04/23/2009)

Previous Owner/Registrant/Lien Information - 03/26/2007 to 04/10/2008**Title Holders**

MARY RUSSELL TIPTON [[View Person Record](#)]
11924 LANE PARK RD, TAVARES, FL 32778-9341 (LAKE COUNTY)

Title Number: **0082323285**

State Titled In: **FL**

Original Title Date: **03/15/2007**

Title Transfer Date: **03/15/2007**

Lien Holders

BRASWELL AUTO SALES INC

Lessors

None Found

Registrant

MARY RUSSELL TIPTON [[View Person Record](#)]

Registered: **03/26/2007** to **04/10/2008**

Addresses Registered to While owned by MARY RUSSELL TIPTON

11924 LANE PARK RD, TAVARES, FL 32778-9341 (LAKE COUNTY) (03/26/2007)

Vehicle Tag History

License Plate: **FL W71TLH** Valid from: (03/26/2007 to 04/10/2008)

Previous Owner/Registrant/Lien Information - 11/10/2005 to 04/15/2007**Title Holders**

None Found

Registrant

CARL ALBERT VONHARTMAN [[View Person Record](#)]

Registered: **11/10/2005** to **04/15/2007**

DOB: **04/1984**, Born 36 years ago

Addresses Registered to While owned by CARL ALBERT VONHARTMAN

4250 ALAFAYA TRL STE 212, OVIEDO, FL 32765-9424 (SEMINOLE COUNTY) (03/07/2006)

3566 LAKE ELEANOR DR, MOUNT DORA, FL 32757-4530 (LAKE COUNTY) (11/10/2005)

Vehicle Tag HistoryLicense Plate: **FL S420YN** Valid from: (03/07/2006 to 04/15/2007)**Previous Owner/Registrant/Lien Information - 10/02/2003 to 10/31/2005****Title Holders**

KENNETH KEITH ROSE [[View Person Record](#)]
 1701 NW 46TH AVE APT 107, LAUDERHILL, FL 33313-4914
 (BROWARD COUNTY)
 Title Number: 0082323285
 State Titled In: FL

Lien Holders

LAKE JEM AUTO & MARINE SALES INC

 BRASWELL AUTO SALES INC

 DAIMLERCHRYSLER LLC

 SPECTRUM FCU

Lessors

None Found

Title Holders

Title Number: 0082323285
 State Titled In: FL
 Original Title Date: 10/02/2003
 Title Transfer Date: 10/02/2003

Lien Holders

DAIMLERCHRYSLER LLC

Lessors

None Found

Previous Owner/Registrant/Lien Information - 06/25/2001 to 07/01/2003**Title Holders**

JULIE ANN CHAPARRO [[View Person Record](#)]
 1971 NW 66TH AVE, HOLLYWOOD, FL 33024-4003 (BROWARD COUNTY)
MAXIMINO CHAPARRO [[View Person Record](#)]
 1971 NW 66TH AVE, HOLLYWOOD, FL 33024-4003 (BROWARD COUNTY)
 Title Number: 0082323285
 State Titled In: FL
 Original Title Date: 05/10/2002
 Title Transfer Date: 05/10/2002

Lien Holders

SPECTRUM FCU

Lessors

None Found

Registrant

KENNETH KEITH ROSE [[View Person Record](#)]
 Registered: 10/02/2003 to 10/31/2005

Addresses Registered to While owned by KENNETH KEITH ROSE

1701 NW 46TH AVE APT 107, LAUDERHILL, FL 33313-4914
 (BROWARD COUNTY) (10/02/2003 to 10/25/2004)

Vehicle Tag History

License Plate: **FL P395YJ** Valid from: (10/25/2004 to 10/31/2005)
 Previous License Plate: **FL T72IKV**
 License Plate: **FL T72IKV** Valid from: (10/02/2003 to 10/31/2004)

Registrant

JULIE ANN CHAPARRO [[View Person Record](#)]
 Registered: 06/25/2001 to 07/01/2003

Addresses Registered to While owned by JULIE ANN CHAPARRO

1971 NW 66TH AVE, HOLLYWOOD, FL 33024-4003 (BROWARD COUNTY) (06/25/2001 to 06/26/2002)

Registrant

MAXIMINO CHAPARRO [[View Person Record](#)]
 Registered: 06/25/2001 to 07/01/2003

Addresses Registered to While owned by MAXIMINO CHAPARRO

1971 NW 66TH AVE, HOLLYWOOD, FL 33024-4003 (BROWARD COUNTY) (06/25/2001 to 06/26/2002)

Vehicle Tag HistoryLicense Plate: **FL E33BIZ** Valid from: (06/26/2002 to 07/01/2003)

FL Accidents (2 Found)

Crash Date: 12/27/2001

At Fault:
Vehicle 2 - Not Drinking or Using Drugs**Accident Indicators:**
Total Number Of Vehicles: 2
Total Number Of Injuries: 1**Accident Details:**
Crash Date: 12/27/2001

Image Number: 13654174110

Accident Summary:**Vehicle 1 (INCLUDES SUBJECT)**, driven by **CARL A VONHARTMAN**, a 35 year old male, was doing 55 MPH in a 55 MPH zone and vehicle driver not cited for moving violation. The driver was not injured.**Vehicle 2**, driven by **ROBERT C SMITH 2**, a 44 year old male, was doing 15 MPH in a 55 MPH zone and vehicle driver cited for moving violation (excludes properly parked vehicles, bicycles, and certain government vehicles). The driver was not injured. Passenger **SAN DI L SMITH** was possibly injured.**Vehicle 1: Driver Not At Fault - Not Drinking or Using Drugs****Indicators:**Driver Is Present: **Yes**
Dummy Record: **No**
Estimated Vehicle Damage: **\$2,000****Insurance:**Insured: **Insured****Vehicle:**VIN: **1B7GL22X0X524135**
Vehicle Year: **1999**
Vehicle Type: **Pickup/ Light Truck (2 rear tires)**
Vehicle Tag State: **FL**
Trailer Type: **N/A**Vehicle Use: **Private Transportation**
Placarded: **No**
DHSMV Vehicle: **N/A****Vehicle Details:**Estimated MPH: **55**
Posted Speed: **55**Vehicle Fault: **Vehicle driver not cited for moving violation****Owner:**Name: **STORMI L NORMAN** [[View Person Record](#)]
Address: **37009 CALHOUN RD, EUSTIS, FL 32736-8501 (LAKE COUNTY)**
Ethnicity: **Unknown****Driver:**Name: **CARL A VONHARTMAN** [[View Person Record](#)]
Address: **EUSTIS, FL 32726 (LAKE COUNTY)**
Residence: **County Of Crash**
DOB: **04/15/1984**, Born 35 years ago
Gender: **M**
Driver's License Number: **V563121841350**
Issuing State: **FL**
License Type: **Class E/Operator**
Endorsements: **Not Applicable**Alcohol Drug Test Type: **None**
Alcohol Drug Test Results: **N/A**
Alcohol Drug Use: **Not Drinking or Using Drugs**
Other Contributing Factors: **No Defects Known**Injury Severity: **No Injury - Indicates there is no reason to believe any person received bodily harm from the crash.**
First Safety Equipment: **Seat Belt/Shoulder Harness**
First Contributing Cause: **No Improper Driving/Action**

Vehicle Movement: Straight Ahead Vehicle Special Function: None First Vehicle Defect: No Defects Second Vehicle Defect: N/A Hazardous Materials Transported: No Vehicle Disability: Functional Damage	Ejected: No Recommend Driver's License Re-Exam: No <p style="text-align: center;">Driver <u>Not</u> At Fault Not Drinking or Using Drugs</p> <hr/> <u>Passengers:</u> None
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Vehicle 2: Driver At Fault - Not Drinking or Using Drugs

<u>Indicators:</u> Driver Is Present: Yes Dummy Record: No Estimated Vehicle Damage: \$2,000	<u>Owner:</u> Name: ROBERT C SMITH II [View Person Record] Address: 730 DONNELLY ST, EUSTIS, FL 32726-4714 (LAKE COUNTY) DOB: 05/29/1975 (44) Driver's License: XXXX-XXX-XX-XXX-X First Issued: 05/27/1997 Expiration: 05/29/2027 Height: 6'0" Gender: M Ethnicity: White
<u>Insurance:</u> Insured: Insured	<u>Driver:</u> Name: ROBERT C SMITH 2 [View Person Record] Address: EUSTIS, FL 32726 (LAKE COUNTY) Residence: County Of Crash DOB: 05/29/1975 , Born 44 years ago Gender: M Driver's License Number: S530763751890 Issuing State: FL License Type: Class E/Operator Endorsements: Not Applicable Alcohol Drug Test Type: None Alcohol Drug Test Results: N/A Alcohol Drug Use: Not Drinking or Using Drugs Other Contributing Factors: No Defects Known Injury Severity: No Injury - Indicates there is no reason to believe any person received bodily harm from the crash. First Safety Equipment: Seat Belt/Shoulder Harness First Contributing Cause: Careless Driving Ejected: No Recommend Driver's License Re-Exam: No <p style="text-align: center;">Driver <u>At Fault</u> Not Drinking or Using Drugs</p>
<u>Vehicle:</u> VIN: 1FTBR10T4HUB56299 Vehicle Year: 1987 Vehicle Type: Pickup/ Light Truck (2 rear tires) Vehicle Tag State: FL Trailer Type: N/A Vehicle Use: Private Transportation Placarded: No DHSMV Vehicle: N/A	<u>Passengers:</u> Name: SANDI L SMITH [View Person Record] Address: 730 DONNELLY ST, EUSTIS, FL 32726-4714 (LAKE COUNTY) Passenger Number: 01 Location In Vehicle: Front Right Injury Severity: Possible Injury - No visible signs of injury but complaint of pain or momentary unconsciousness.
<u>Vehicle Details:</u> Estimated MPH: 15 Posted Speed: 55 Vehicle Fault: Vehicle driver cited for moving violation (excludes properly parked vehicles, bicycles, and certain government vehicles) Vehicle Movement: Making U-Turn Vehicle Special Function: None First Vehicle Defect: No Defects Second Vehicle Defect: N/A Hazardous Materials Transported: No Vehicle Disability: Disabling Damage	

First Safety Equipment: Seat Belt/Shoulder Harness Ejected: Not Ejected
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Crash Date: 06/12/2000

At Fault:
Vehicle 1 - Not Drinking or Using Drugs

Accident Indicators:
Total Number Of Vehicles: **2**
Total Number Of Injuries: **3**
Total Property Damage: **\$500**

Accident Details:

Crash Date: 06/12/2000

Image Number: 01881420096

Accident Summary:

Vehicle 1 (INCLUDES SUBJECT), driven by **CARL A VONHARTMAN**, a 35 year old male, was doing 65 MPH in a 55 MPH zone and vehicle driver cited for moving violation (excludes properly parked vehicles, bicycles, and certain government vehicles). The driver was non-incapacitating evident injury - visible injuries from the such as bruises, abrasions, limping, etc.. Passenger **MATTHEW ROMAN** was possibly injured.

Vehicle 2, driven by **ROSS E LISHEN**, a 62 year old male, was doing 55 MPH in a 55 MPH zone and vehicle driver not cited for moving violation. The driver was possibly injured.

Vehicle 1: Driver At Fault - Not Drinking or Using Drugs

<p>Indicators: Driver Is Present: Yes Dummy Record: No Estimated Vehicle Damage: \$10,000</p>	<p>Owner: Name: STORMI L NORMAN [View Person Record] Address: 37009 CALHOUN RD, EUSTIS, FL 32736-8501 (LAKE COUNTY) Ethnicity: Unknown</p>
<p>Insurance: Insured: Insured</p>	<p>Driver: Name: CARL A VONHARTMAN [View Person Record] Address: EUSTIS, FL 32736 (LAKE COUNTY) Residence: County Of Crash DOB: 04/15/1984, Born 35 years ago Gender: M Driver's License Number: V563121841350 Issuing State: FL License Type: Class E/Operator Endorsements: Not Applicable</p>
<p>Vehicle: VIN: 1GCCT19W6WB171372 Vehicle Year: 1998 Vehicle Type: Pickup/ Light Truck (2 rear tires) Vehicle Tag State: FL Trailer Type: N/A</p> <p>Vehicle Use: Private Transportation Placarded: No DHSMV Vehicle: N/A</p>	<p>Alcohol Drug Test Type: None Alcohol Drug Test Results: N/A Alcohol Drug Use: Not Drinking or Using Drugs Other Contributing Factors: No Defects Known</p>
<p>Vehicle Details: Estimated MPH: 65 Posted Speed: 55</p> <p>Vehicle Fault: Vehicle driver cited for moving violation (excludes properly parked vehicles, bicycles, and certain government vehicles)</p>	<p>Injury Severity: Non-Incapacitating Evident Injury - Visible injuries from the such as bruises, abrasions, limping, etc. First Safety Equipment: Seat Belt/Shoulder Harness First Contributing Cause: Careless Driving Second Contributing Cause: Drove Left Of Center Third Contributing Cause: Exceeded Stated Speed Limit</p>

Vehicle Movement: Straight Ahead Vehicle Special Function: None First Vehicle Defect: No Defects Second Vehicle Defect: N/A Hazardous Materials Transported: No Vehicle Disability: Disabling Damage	Ejected: No Recommend Driver's License Re-Exam: No <p style="text-align: center;">Driver At Fault Not Drinking or Using Drugs</p> <hr/> <p>Passengers: Name: MATTHEW ROMAN [View Person Record] Address: 909 KENTUCKY BLVD, EUSTIS, FL 32726-5119 (LAKE COUNTY) Passenger Number: 01 Location In Vehicle: Front Right Injury Severity: Possible Injury - No visible signs of injury but complaint of pain or momentary unconsciousness. First Safety Equipment: Seat Belt/Shoulder Harness Ejected: Not Ejected</p>
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Vehicle 2: Driver Not At Fault - Not Drinking or Using Drugs

<p>Indicators: Driver Is Present: Yes Dummy Record: No Estimated Vehicle Damage: \$5,000</p> <hr/> <p>Insurance: Insured: Uninsured</p> <hr/> <p>Vehicle: VIN: 1FTCA14U8AZA55042 Vehicle Year: 1987 Vehicle Type: Passenger Van Vehicle Tag State: FL Trailer Type: N/A Vehicle Use: Private Transportation Placarded: No DHSMV Vehicle: N/A</p> <hr/> <p>Vehicle Details: Estimated MPH: 55 Posted Speed: 55 Vehicle Fault: Vehicle driver not cited for moving violation Vehicle Movement: Straight Ahead Vehicle Special Function: None First Vehicle Defect: No Defects Second Vehicle Defect: N/A Hazardous Materials Transported: No Vehicle Disability: Disabling Damage</p>	<p>Owner: Business Name: CURREY THE FLORIST [View Business Record] Address: 16 E INDIANA AVE, DELAND, FL 37734 Ethnicity: Unknown</p> <hr/> <p>Driver: Name: ROSS E LISHEN [View Person Record] Address: PIERSON, FL 32180 (VOLUSIA COUNTY) Residence: Elsewhere In State DOB: 06/14/1957, Born 62 years ago Gender: M Driver's License Number: L250725572140 Issuing State: FL License Type: Class E/Operator Endorsements: Not Applicable Alcohol Drug Test Type: None Alcohol Drug Test Results: N/A Alcohol Drug Use: Not Drinking or Using Drugs Other Contributing Factors: No Defects Known Injury Severity: Possible Injury - No visible signs of injury but complaint of pain or momentary unconsciousness. First Safety Equipment: Seat Belt/Shoulder Harness First Contributing Cause: No Improper Driving/Action Ejected: No Recommend Driver's License Re-Exam: No</p> <p style="text-align: center;">Driver Not At Fault Not Drinking or Using Drugs</p> <hr/> <p>Passengers: None</p>
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Global Watch Lists (None Found)

US Business Affiliations (1 Found)

[Business Details](#)

INTUIHEALTH LLC (Primary)

Link Number: [103369120](#)

[1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 \(DAVIDSON COUNTY\)](#) (2009 to 02/09/2018)

UCC Filings (None Found)

US Corporate Affiliations (1 Found)

Incorporation State: **TN**

INTUIHEALTH LLC (Primary)

Address: **1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY)**

Filing Number: **000609054**

Link Number: [103369120](#)

Filing Office Link Number: [1809788780](#)

Corporation Type: **Corporation**

Registration Type: **Limited Liability Company**

Verification Date: **02/01/2018**

Filing Date: **08/27/2009**

Sec State Status Date: **08/08/2010**

Date First Seen: **09/05/2009**

Date Last Seen: **02/09/2018**

Received Date: **02/06/2018**

Sec State Annual Report Due Date: **04/01/2010**

Perpetual Indicator: **Y**

Misc Details: **FISCAL YEAR ENDS IN DEC.**

Filing Office Name: **SECRETARY OF STATE/CORPORATIONS DIVISION**

Filing Office Address: **505 DEADERICK ST, NASHVILLE, TN 37243-1402 (DAVIDSON COUNTY)**

File Date: **02/10/2018**

Sec Status: **TN27**

Corporate Officers and Directors

CARL VONHARTMAN, Title: **Registered Agent**

1004 CAROLYN AVE, NASHVILLE, TN 37216-3612 (DAVIDSON COUNTY)

Aircraft Records (None Found)

Pilot Licenses (None Found)

Voter Registrations (1 Found)

Name: **CARL ALBERT VON HARTMAN**
Address: **3808 LAKERIDGE RUN, NASHVILLE, TN 37214 (DAVIDSON COUNTY)**
Date of Registration: **12/03/2014**
DOB: **04/15/1984** (35)
Party: **NON-PARTISAN**
Gender: **Male**

Hunting Permits (None Found)

Weapon Permits (None Found)

Possible Relatives - Summary (29 Found)

> **JERI WALLIS VONHARTMAN** 09/1957 Age: 62
> **STORMI DEMARCO VONHARTMAN** 05/1958 Age: 61
 >> **D** **PAUL W NORMAN** 12/1925 Age: 94 Died at (64)
 >>> **PAUL HOWARD NORMAN** 09/1946 Age: 73
 >>> **MARGARET SUE NORMAN** 07/1947 Age: 72
 >>> **JONATHAN PATRICK NORMAN** 07/1981 Age: 38
 >>> **KATHERINE LYNN GAY** 01/1979 Age: 41
 >> **WILLIAM FRANKLIN NORMAN** 06/1981 Age: 38
 >>> **NUNO MIGUEL MONIZ** 03/1980 Age: 40
 >> **ROBERT PAUL NORMAN** 09/1983 Age: 36
 >>> **DENNIS R NORMAN** 01/1947 Age: 73
 >>> **BRADLEY PHILLIP NORMAN** 08/1993 Age: 26
 >>> **AMANDA NORMAN WEEKLEY** 05/1988 Age: 31
 >>> **CHRISTY MARIE WAINSCOTT** 12/1978 Age: 41
 >>> **KIMBERLY ANN PRATER** 11/1976 Age: 43
 >>> **SUSAN KATHLEEN NORMAN** 06/1948 Age: 71
 >>> **RICHARD WAYNE NORMAN** 09/1990 Age: 29
 >> **D** **PAUL EDDIE NORMAN** 09/1946 Age: 73 Died at (63)
 >>> **HELEN J NORMAN** 09/1963 Age: 56
 >>> **JENNIFER NOEL NORMAN** 11/1982 Age: 37
 >>> **JILL ANN LAY** 04/1964 Age: 55
 >>> **MICKIE LEONARD COOK** 01/1948 Age: 72
 >>> **LORENA NORTON NORMAN** 11/1927 Age: 92
 >>> **D** **PHILLIP W NORMAN** 03/1958 Age: 62 Died at (46)
 >>> **MILDRED L NORMAN**
 >> **ROGER FRANCIS MURTIE** 07/1955 Age: 64
 >>> **MARY THERESE MURTIE** 04/1956 Age: 63
 >> **BRECON ALEXANDER MURTIE** 06/1988 Age: 31
 >> **EDDIE NORMAN** 09/1946 Age: 73

Likely Associates - Summary (12 Found)

GINILOU DEMARCO 04/1934 Age: 85
ROGER FRANCIS MURTIE 07/1955 Age: 64
D PAUL EDDIE NORMAN 09/1946 Age: 73 Died at (63)

WILLIAM FRANKLIN NORMAN 06/1981 Age: 38
CURTIS DALE YODER 07/1968 Age: 51
ROBERT PAUL NORMAN 09/1983 Age: 36
JAYELYNN COOPER HUME 07/1956 Age: 63
JEFFREY HILES 05/1958 Age: 61
RANDOLPH S WATERHOUSE 03/1955 Age: 65
EVLynn R WATERHOUSE 03/1956 Age: 64
NUNO MIGUEL MONIZ 03/1980 Age: 40
TONYA MARIE BABSON 11/1974 Age: 45

Possible Associates - Summary (30 Found)

ORTHA DEANA GREENE 08/1956 Age: 63
RAY LEWIS FINKLE 03/1944 Age: 76
BEVERLY WRIGHT FINKLE 09/1951 Age: 68
VINCENT MARK JENNELLE 12/1958 Age: 61
STEPHEN DEAN JENNELLE 08/1954 Age: 65
PAMELA JANE JENNELLE 03/1959 Age: 61
D LOUISA MABEL JENNELLE 03/1933 Age: 87 Died at (66)

ALEXANDRA ELIZABETH JENNELLE 03/1986 Age: 34
D VONSTORMI
D DONALD D JENNELLE 07/1933 Age: 86 Died at (60)

PENNY E KOPUS 09/1949 Age: 70
SCOTT WILLIAM LOCKWOOD 05/1963 Age: 56
D PAUL W NORMAN 12/1925 Age: 94 Died at (64)

BRECON ALEXANDER MURTIE 06/1988 Age: 31
EDDIE NORMAN 09/1946 Age: 73
AMBER L BANKS 06/1978 Age: 41
SETH BENJAMIN BANKS 10/1977 Age: 42
D OSCAR C HUNTER 04/1932 Age: 88 Died at (79)

BONNIE JEAN MATERA 04/1983 Age: 36
JEJUAN TERRELL HAMER 09/1979 Age: 40
JACQUITA LATREESE DAUGHERTY 03/1984 Age: 36
GALYA Z ILIEVA 11/1976 Age: 43
MAYA A ANGELOVA 05/1970 Age: 49
D DAVID MICHEAL WOMACK 07/1965 Age: 54 Died at (45)

LARRY VICTOR WISE 11/1943 Age: 76
JERRY LEE WESTBROOK 02/1965 Age: 55
ARI NATAN SULBY 08/1986 Age: 33
ROUMEN I ILIEV 01/1973 Age: 47
SARA JAYNE HARPER 02/1966 Age: 54
D SARAH J RICKETSON 02/1918 Age: 102 Died at (78)

Neighbor Phones (30 Found)

Neighbors' Phones for [3808 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 \(DAVIDSON COUNTY\)](#)(06/2015 to 04/02/2020)

3809 LAKERIDGE RUN, NASHVILLE, TN 37214-2696 (DAVIDSON COUNTY)
(615) 889-4563 (CT)- MUSE, KAREN
KAREN MUSE [[View Person Record](#)] Age: 67

3809 LAKERIDGE RUN, NASHVILLE, TN 37214-2696 (DAVIDSON COUNTY)
(615) 889-4563 (CT)- MUSE, JERRY
JERRY MUSE [[View Person Record](#)] Age: 79

3812 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY)
(615) 885-8211 (CT)- ADCOCK, JOE & SHARON
SHARON ADCOCK [[View Person Record](#)] Age: 63

3812 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY)
(615) 885-8211 (CT)- ADCOCK, JOE & SHARON
JOE ADCOCK [[View Person Record](#)] Age: 62

3804 LAKERIDGE RUN, NASHVILLE, TN 37214-2695 (DAVIDSON COUNTY)
(615) 884-8652 (CT)- COAKLEY, JIM COAKLEY
D JIM COAKLEY COAKLEY [[View Person Record](#)] Age: 90 Died at (71)

3832 LAKERIDGE RUN, NASHVILLE, TN 37214-6200 (DAVIDSON COUNTY)
(615) 884-0077 (CT)- GARLAND, M
M GARLAND [[View Person Record](#)] Age: 67

3837 LAKERIDGE RUN, NASHVILLE, TN 37214-2696 (DAVIDSON COUNTY)
(615) 891-1312 (CT)- ANDERSON, CHRISTIE (615) 891-1016 (CT)- ANDERSON, CHRISTIE
CHRISTIE ANDERSON [[View Person Record](#)] Age: 53

3908 LAKERIDGE RUN, NASHVILLE, TN 37214-2697 (DAVIDSON COUNTY)
(615) 885-3384 (CT)- WILLS, DOUGLAS AND EMILY
EMILY WILLS [[View Person Record](#)] Age: 83

3908 LAKERIDGE RUN, NASHVILLE, TN 37214-2697 (DAVIDSON COUNTY)
(615) 885-3384 (CT)- WILLS, DOUGLAS AND EMILY
DOUGLAS WILLS [[View Person Record](#)] Age: 85

Neighbors' Phones for [356 VALLEY VIEW DR, SCOTTSVILLE, KY 42164-6317 \(ALLEN COUNTY\)](#)(09/05/2008 to 03/2020)

[356 VALLEY VIEW DR, SCOTTSVILLE, KY 42164-6317 \(ALLEN COUNTY\)](#)
(270) 618-7147 (CT)- BALE, BENJAMIN
BENJAMIN BALE [[View Person Record](#)] Age: 37

[301 VALLEY VIEW DR, SCOTTSVILLE, KY 42164-6317 \(ALLEN COUNTY\)](#)
(270) 622-3307 (CT)- WEST, KEITH & DAPHNE
KEITH WEST [[View Person Record](#)] Age: 63

[301 VALLEY VIEW DR, SCOTTSVILLE, KY 42164-6317 \(ALLEN COUNTY\)](#)
(270) 622-3307 (CT)- WEST, KEITH & DAPHNE
DAPHNE WEST [[View Person Record](#)] Age: 55

[296 VALLEY VIEW DR, SCOTTSVILLE, KY 42164-8391 \(ALLEN COUNTY\)](#)
(270) 618-8841 (CT)- CLARK, CHELSEA
CHELSEA CLARK [[View Person Record](#)] Age: 25

[275 VALLEY VIEW DR, SCOTTSVILLE, KY 42164-8391 \(ALLEN COUNTY\)](#)
(270) 622-4350 (CT)- WRIGHT, JOHN C
JOHN C WRIGHT [[View Person Record](#)] Age: 51

272 VALLEY VIEW DR, SCOTTSVILLE, KY 42164-8391 (ALLEN COUNTY)
(270) 618-4985 (CT)- DESMAN, DAVID & RITA
RITA DESMAN [[View Person Record](#)] Age: 70

272 VALLEY VIEW DR, SCOTTSVILLE, KY 42164-8391 (ALLEN COUNTY)
(270) 618-4985 (CT)- DESMAN, DAVID & RITA
DAVID DESMAN [[View Person Record](#)] Age: 71

165 VALLEY VIEW DR, SCOTTSVILLE, KY 42164-8375 (ALLEN COUNTY)
(270) 618-6690 (CT)- SMITH, ROBERT & TERRI
TERRI SMITH [[View Person Record](#)] Age: 56

165 VALLEY VIEW DR, SCOTTSVILLE, KY 42164-8375 (ALLEN COUNTY)
(270) 618-6690 (CT)- SMITH, ROBERT & TERRI
ROBERT SMITH [[View Person Record](#)] Age: 61

150 VALLEY VIEW DR, SCOTTSVILLE, KY 42164-8375 (ALLEN COUNTY)
(270) 618-6505 (CT)- SWIFT, BRIAN
BRIAN SWIFT [[View Person Record](#)] Age: 45

Neighbors' Phones for 3566 LAKE ELEANOR DR, MOUNT DORA, FL 32757-4530 (LAKE COUNTY)(11/10/2005 to 04/12/2018)

3544 LAKE ELEANOR DR, MOUNT DORA, FL 32757-4530 (LAKE COUNTY)
(352) 729-2182 (ET)- LESTER, JAMES
JAMES LESTER [[View Person Record](#)] Age: 49

3608 LAKE ELEANOR DR, MOUNT DORA, FL 32757-4530 (LAKE COUNTY)
(352) 383-5994 (ET)- BASISTA, SUSAN & JOHN JR
SUSAN BASISTA [[View Person Record](#)] Age: 62

3608 LAKE ELEANOR DR, MOUNT DORA, FL 32757-4530 (LAKE COUNTY)
(352) 383-5994 (ET)- BASISTA, SUSAN & JOHN JR
JOHN BASISTA [[View Person Record](#)] Age: 68

3611 LAKE ELEANOR DR, MOUNT DORA, FL 32757-4529 (LAKE COUNTY)
(352) 729-2594 (ET)- SWEDBERG, GARY
GARY SWEDBERG [[View Person Record](#)] Age: 65

3516 LAKE ELEANOR DR, MOUNT DORA, FL 32757-4530 (LAKE COUNTY)
(352) 735-0119 (ET)- KLEINBERG, PHILIP J
PHILIP J KLEINBERG [[View Person Record](#)] Age: 69

3635 LAKE ELEANOR DR, MOUNT DORA, FL 32757-4529 (LAKE COUNTY)
(352) 383-1410 (ET)- MAYO, M
M MAYO [[View Person Record](#)] Age: 62

3635 LAKE ELEANOR DR, MOUNT DORA, FL 32757-4529 (LAKE COUNTY)
(352) 383-1410 (ET)- MAYO, G
G MAYO

3635 LAKE ELEANOR DR, MOUNT DORA, FL 32757-4529 (LAKE COUNTY)
(352) 383-1410 (ET)- MAYO, CHRISTA
CHRISTA MAYO [[View Person Record](#)] Age: 34

3635 LAKE ELEANOR DR, MOUNT DORA, FL 32757-4529 (LAKE COUNTY)
(352) 383-1410 (ET)- MAYO, BRYANT
BRYANT MAYO [[View Person Record](#)] Age: 35

3664 LAKE ELEANOR DR, MOUNT DORA, FL 32757-4530 (LAKE COUNTY)

(352) 385-0556 (ET)- LONG, JOHN
[JOHN LONG \[View Person Record \]](#) Age: 91

Exhibit Q

**Transcript of 911 call made by Kortni Butterson
January 29, 2020 from 1638 hours - 1706 hours**

Transcribed from a digital file by:

Laurie McClain
615-351-6293
lauriemcclainmusic@gmail.com

1 911 OPERATOR: Okay. But who is he to you?

2 MS. KORTNI BUTTERTON: He is someone from a dating
3 app. And I told women about my past experiences with him
4 being aggressive, like he's being right now.

5 911 OPERATOR: Okay. All right. Were you ever in
6 any sort of relationship him at all?

7 MS. KORTNI BUTTERTON: No.

8 911 OPERATOR: Okay.

9 MS. KORTNI BUTTERTON: I just need someone here to
10 tell him to leave and not to come back, because he is
11 trespassing. He is consistently ringing my doorbell right
12 now. I am fucking terrified. I'm -- I'm locked in my
13 bathroom.

14 911 OPERATOR: Okay. Do you know his name?

15 MS. KORTNI BUTTERTON: Yes.

16 911 OPERATOR: Okay. What is it?

17 MS. KORTNI BUTTERTON: It's Karl Vonhartman.

18 911 OPERATOR: H-a-r-t for the last name?

19 MS. KORTNI BUTTERTON: Yes. V-o-n-h-a-r-t-m-a-n.

20 911 OPERATOR: I'm sorry. Spell that one more
21 time.

22 MS. KORTNI BUTTERTON: V-o-n-h-a-r-t-m-a-n.

23 911 OPERATOR: Okay. Is he Black, white,
24 Hispanic?

25 MS. KORTNI BUTTERTON: He's white.

1 911 OPERATOR: About how old is he?

2 MS. KORTNI BUTTERTON: He's 35.

3 911 OPERATOR: What color of clothing is he
4 wearing today?

5 MS. KORTNI BUTTERTON: He's got a blue hat on,
6 that I could tell. But that was me trying to peek without
7 letting him see me.

8 911 OPERATOR: Okay.

9 MS. KORTNI BUTTERTON: Oh, my God, he's banging on
10 my fucking house right now.

11 911 OPERATOR: You said you had to warn other
12 people about him?

13 MS. KORTNI BUTTERTON: Yes. Someone else made a
14 post, and all I did was say, "yes," in agreement, "he's been
15 aggressive with me."

16 He's been threatening some other woman today,
17 saying that he was going to find out where she lives and
18 where she works by the end of the day.

19 911 OPERATOR: And you said he was going to find
20 out where she lived or worked?

21 MS. KORTNI BUTTERTON: Both.

22 I've blocked him on everything so he couldn't
23 contact me to say any of that, but he apparently found out
24 where I lived.

25 911 OPERATOR: Were you able to see his vehicle or

1 anything?

2 MS. KORTNI BUTTERTON: I can't see it, no, not
3 without him seeing me.

4 911 OPERATOR: Okay.

5 Okay. And you said you can still hear him right
6 now?

7 MS. KORTNI BUTTERTON: Yes.

8 911 OPERATOR: Okay. All right. I've got a call
9 out for them to come out there. Do you want me to stay on
10 the line with you?

11 MS. KORTNI BUTTERTON: Will you please, yeah.

12 911 OPERATOR: Yeah, that's fine.

13 MS. KORTNI BUTTERTON: Oh, my God. I can't even
14 feel fucking safe in my house.

15 Do you know how long?

16 911 OPERATOR: No, I don't know.

17 Just let me know if the noises start going away or
18 anything like that, okay?

19 MS. KORTNI BUTTERTON: Okay.

20 [Pause in speaking]

21 [Time below represents minutes into recording only, not
22 actual time of day]

23 6:27-6:33:

24 MS. KORTNI BUTTERTON: He just rang my doorbell
25 again.

1 911 OPERATOR: Okay.

2 [Pause in speaking]

3 7:27-7:55:

4 911 OPERATOR: Okay. And they are extremely
5 backed up in that area so it may be a longer response time
6 today.

7 MS. KORTNI BUTTERTON: Well, I'm basically stuck
8 in my bathroom until then, because anywhere I walk in my
9 house right now he can see me.

10 911 OPERATOR: Okay.

11 MS. KORTNI BUTTERTON: This man has been arrested
12 for battery and -- and -- burglary and battery, prior.

13 [Pause in speaking]

14 9:34-9:39:

15 911 OPERATOR: Okay. Have you heard anything
16 else?

17 MS. KORTNI BUTTERTON: Yeah. He's still knocking.

18 [Pause in speaking]

19 11:14-11:22:

20 MS. KORTNI BUTTERTON: He just rang my doorbell
21 again. Definitely still here.

22 911 OPERATOR: Okay.

23 [Pause in speaking]

24 14:14-14:18:

25 911 OPERATOR: Okay. Are you still hearing

1 anything?

2 MS. KORTNI BUTTERTON: Yeah. He's knocked.

3 [Pause in speaking]

4 16:12-16:19:

5 911 OPERATOR: Okay. And you said you heard him
6 knocking again?

7 MS. KORTNI BUTTERTON: Yeah.

8 911 OPERATOR: Okay. Okay.

9 [Pause in speaking]

10 19:19-19:28:

11 911 OPERATOR: All right. Have you heard anything
12 recently?

13 MS. KORTNI BUTTERTON: Not in the last couple
14 minutes.

15 911 OPERATOR: Okay. Okay.

16 [Pause in speaking]

17 20:45-21:06

18 911 OPERATOR: Okay. You're still not hearing
19 anything?

20 MS. KORTNI BUTTERTON: No. But I still want
21 someone to come here, because I have no way to tell if he's
22 just being quiet and -- and hiding out somewhere where I
23 can't see. But I already figured out if I were to leave the
24 bathroom, he would be able to see me (Unintelligible) place
25 (Unintelligible).

1 STATE OF TENNESSEE)
)
2 COUNTY OF DAVIDSON)

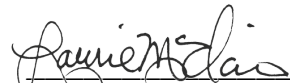
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I, Laurie McClain, Transcriber,

DO HEREBY CERTIFY that the foregoing proceedings were transcribed by me from a digital file, and the foregoing proceedings constitute a true and correct transcript of said recording, to the best of my ability.

I FURTHER CERTIFY I am not a relative or employee or attorney or counsel of any of the parties hereto, nor a relative or employee of such attorney or counsel, nor do I have any interest in the outcome or events of this action.

Date 05/08/2020



Laurie McClain
Transcriber

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Exhibit R



Betsy Lee [REDACTED]

Match Account Notice [Incident: 200418-000674]

Match Customer Care <customer@support.match.com>

Thu, Apr 23, 2020 at 9:07 AM

Reply-To: Match Customer Care <customer@support.match.com>

To: [REDACTED]



Below is a summary of your recent interaction with our Customer Care Team.

Subject**Match Account Notice**

Response By Email (James M.) (04/23/2020 09:07 AM)

Dear Elizabeth,

My name is James M., and I am the Customer Experience Advocate for Match in the Corporate Office. We received your report on Carl VonHartman, thank you for sending us your concerns.

I can assure you that we are absolutely interested in pursuing any situation involving those who attempt to use our site in dishonest or inappropriate ways. We have a dedicated team that works diligently to identify and take action on these kinds of members.

I can verify we did receive your reported concerns about this person on 8/14/2016 and I can verify as a result of your report we took the appropriate actions in 2016 based on the information you provided.

Due to the policies that protect our members' privacy and confidentiality, we cannot disclose specifics about any Match member or Match account, including your own, without a valid subpoena or search warrant directed to Match.com, LLC.

In addition, because of system space restrictions we are unable to house member to member emails for more than 180 days. After 180 days member emails are automatically deleted and once the emails are deleted, we cannot retrieve them.

As a result we are not able to provide the information you are requesting.

Our Privacy Policy can be viewed at the following link: <http://www.match.com/registration/privacystatement.aspx>

Please let me know if you have any additional concerns.

Warm Regards,

James M.
Customer Experience Advocate 4

Customer By CSS Web () (04/18/2020 11:13 AM)

Hi there. Several years ago I reported an interaction with the man in this article:
https://www.wsmv.com/news/lawsuit-filed-against-woman-who-warned-other-women-not-to-date-nashville-man/article_d4f8afae-8102-11ea-bb66-6bce36e4c67e.html

Would it be possible to get a copy of the report and the messages I reported? They were very threatening, and I would like to provide them to the woman he's frivolously suing.

My screenname is GaCutie14.

Thank you!