

IN THE CRIMINAL COURT OF _____ COUNTY, TENNESSEE

STATE OF TENNESSEE,

vs.

Blank County Case No. _____

AMY Q. PUBLIC,

Petitioner

PETITION FOR RESENTENCING

Pursuant to the newly-enacted Senate Bill 2753 (attached) and TENN. CODE ANN. §§ 39-17-432(h), as amended, AMY Q, PUBLIC, petitions the Court for resentencing.

Petitioner would show the Court:

On August 4, 2008, in a superseding presentment, Amy Q. Public was charged by Blank County Grand Jury on:

Count I with possession with intent to sell more than one-half ounce of marijuana within 1,000 feet of a school and on

Count II with possession with intent to sell more than one-half ounce of cocaine within 1,000 feet of a school.

Assistant District Attorney _____ filed a Notice to Seek Enhanced Punishment .

The trial commenced on February 10, 2010. Honorable William Judge presided over the trial.

Defense counsel, Larry Lawyer, on behalf of the defendant, entered pleas of guilty to the lesser included offenses of simple possession on the two counts.

On February 11, 2010, a jury convicted Petitioner on two counts:

1. possession of more than one-half ounce of marijuana with intent to sell or deliver, within 1,000 feet of a school in violation of TENN. CODE ANN. §§ 39-17-417(g)(1)(a) and 39-17-432, and for
2. possession of more than one-half ounce of cocaine with intent to sell or deliver, within 1,000 feet of a school in violation of TENN. CODE ANN. §§ 39-17-417(c) and 39-17-432.

On Count I, the Court sentenced the defendant to six years with a mandatory minimum of four years.¹ On Count II, the Court sentenced the defendant to twenty years with a mandatory minimum of fifteen years. The trial court ordered these sentences to be served concurrently.

¹ With regard to Count I, the trial court found the defendant was "multiple offender." With regard to Count II, the trial court found the defendant was a standard offender but enhanced from 15 to 20 years on the rationale that the defendant had a previous history of criminal convictions/criminal behavior in addition to that necessary to establish the appropriate range and further, that the defendant had a history of failing to comply with the conditions of sentences involving release into the community.

Respectfully submitted,

Amy Q. Public, *pro se*

Address:

CERTIFICATE

I hereby certify that a true and exact copy of the foregoing has been mailed, postage prepaid, to the State Attorney General, Office of Tennessee Attorney General, 500 Charlotte Avenue, Nashville, TN 37243-0497, on this _____ day of _____, 2022.

Amy Q. Public