

**IN THE CIRCUIT COURT OF BRADLEY COUNTY, TENNESSEE
AT CLEVELAND**

In Re: Investigative File
Tennessee Bureau of Investigation
Investigative File: ME-76C-0000042

Docket No. _____

**PETITION TO RELEASE TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE FILE**

Come the Petitioners, the State of Tennessee, by and through Stephen D. Crump, District Attorney General for the Tenth Judicial District, and the Tennessee Bureau of Investigation by and through Director Mark Gwyn, and hereby file this Petition for an order allowing the release to the public of the Tennessee Bureau of Investigation Investigative File CH-76C-0000042 and would show the following:

1. On July 28, 2015, Allan Franklin White III was shot and killed by Deputy Tiffany Oakley of the Bradley County Sheriff's Office.
2. On that same day, the District Attorney General exercised his authority pursuant to T.C.A. 38-6-102 and requested the Tennessee Bureau of Investigation conduct the investigation into the death of Allan Franklin White III. District Attorney General Crump maintains a standing request and policy that the Tennessee Bureau of Investigation investigate all officer involved shootings which result in injury or death.
3. On June 15, 2016, a Tennessee Bureau of Investigation agent presented the case to the Bradley County Grand Jury. All facets of the investigation were explained to the Grand Jury. Also, the Grand Jury was given a description of all of the witnesses and evidence obtained in the investigation.
4. Pursuant to the Grand Jury's statutory authority, they returned a no true bill. There will be no prosecution of Deputy Oakley, and as such, any release of the investigative file compiled by the Tennessee Bureau of Investigation would not compromise any investigation or violate any provision of the Tennessee Rules of Criminal Procedure.

5. Tennessee Code Annotated §10-7-504 provides that “all investigative records of the Tennessee Bureau of Investigation shall be treated as confidential and shall not be open to inspection by members of the public. The information contained in such records shall be disclosed to the public only in compliance with a subpoena or an order of a court of record...”
6. The Petitioners seek to provide access to the File to “members of the public” who ordinarily cannot inspect the File because of its confidential nature. T.C.A. §10-7-504(2) (A). This section provides a path for release of the File: that “[t]he information contained in such records shall be disclosed to the public only in compliance with a subpoena or an order of a court of record...” Id.
7. Identifying and personal information will be redacted by the District Attorney General’s Office. That redaction will be reviewed and confirmed by the Tennessee Bureau of Investigation.
8. It is in the best interest of the public that this file be made available immediately.
9. If this Petition is granted, Petitioner further asks permission to make the file available to the public through electronic means at a future date.

THIS IS THE FIRST APPLICATION FOR EXTRAORDINARY RELIEF IN THIS ACTION.

Respectfully Submitted this _____ day of August, 2016.

OFFICE OF THE DISTRICT ATTORNEY GENERAL

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CERTIFICATE OF SERVICE

I hereby certify a true and exact copy of the foregoing Petition was sent to Ms. Tiffany Oakley and the Bradley County Sheriff's Office through counsel for each by hand delivery on this _____ day of August, 2016.

STEPHEN D. CRUMP
District Attorney General