IN THE CRIMINAL COURT FOR UNION COUNTY, TENNESSEE

STATE OF TENNESSEE

VS.

PAUL GREGORY HOUSE

COUNT NOIND CIRCUIT A-J WILLIAMS, CLERK OF THE COURT FOR UNION COUNTY, TENNESSEE DO HEREBY CERTIFY THE FOREGOING TO BE A TRUE AND EXACT COPY AS IT APPEARS ON FILE IN THE. CLERKS OFFICE IN MAYNARDVILLE PETITION TO ENTER NOLLE PROSEQU TEN CLERK

The State of Tennessee moves the Court to grant the entry of Nolle Prosequi in this cause for the following reasons:

1. Since the Defendant was granted a new trial in this case, the State has conducted an extensive new investigation to search as thoroughly as possible for the truth in this matter utilizing the latest forensic technology (that was unavailable at the time of this

2. The forensic science strengthens the conclusion that the Victim's blood was on the Defendant's jeans as a result of contact with the Victim and not as a result of any negligence or misconduct by law enforcement in this investigation;

- 3. The State can prove beyond a reasonable doubt that the Defendant was involved in the crime that is the subject of this indictment, but the new evidence (including the forensic examinations) raises a reasonable doubt that he acted alone and the possibility that others were involved in the crime;
- 4. Since others may have been involved in this crime, the evidence raises a reasonable doubt as to whether the Defendant's involvement was as a principal, accomplice, or an accessory to the crime;
- 5. The new evidence in this case raises a reasonable doubt in the opinion of the District Attorney General as to the degree of culpability of the Defendant in this crime;
- 6. The Defendant has already served a substantial sentence in this case and as a convicted sex offender from the State of Utah must comply with the registration and restrictions required of a violent sex offender;

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- 7. The fact that this crime occurred twenty-four years ago creates evidentiary issues that greatly complicate the prosecution of this case; and
- 8. The State, Defense Counsel Dale Potter, and the Court have worked conscientiously to avoid any unnecessary delays in the search for the truth in this case.

Wherefore, it is in the interest of justice that a Nolle Prosequi be entered in this case.

day of May, 2009. This

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Wm. Paul Phillips District Attorney General

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Petition was delivered by

hand to defense counsel on the 124 day of May, 2009.

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Wm. Paul Phillips District Attorney General

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