

IN THE CRIMINAL COURT OF TENNESSEE AT CHATTANOOGA

THE ELEVENTH JUDICIAL DISTRICT

DIVISION ONE

STATE OF TENNESSEE	*	
	*	
vs.	*	
	*	
MICHAEL ANDERSON	*	CASE NO. 279332
ANDRE LAVELL BALLARD	*	CASE NOS. 267837, 280797,
	*	280908
CHRISTOPHER B. BETTIS	*	CASE NO. 282945
MARY JEAN BLAIR	*	CASE NO. 256491
FRANCIS A. BRANAN	*	CASE NO. 283592
BILLY JOSEPH BRYANT	*	CASE NOS. 268882, 268952
	*	268953
ALLISON R. BURKETT	*	CASE NO. 282369
JEFFERY LEE BUSH	*	CASE NOS. 262888, 269950
JEREMY M. CAREATHERS	*	CASE NOS. 279253, 279338
	*	279490
BRANDON BARRY CLAYBORN	*	CASE NOS. 275780, 275781,
	*	276354, 277500
MELISSA DAWN CONNAR	*	CASE NOS. 274989, 275108,
	*	283762, 283845
DIONE M. CORNES	*	CASE NO. 283348
JOHN MICHAEL COX	*	CASE NOS. 280752, 283766
CARTER I. CROOKS	*	CASE NOS. 280510, 280512,
	*	280513, 284617,
	*	280516
ERICA J. DAVIS	*	CASE NO. 280515
DAVID R. DUNCAN	*	CASE NO. 283087
ELISHA D. GILREATH	*	CASE NO. 283095
JOSEPH A. GODSEY	*	CASE NO. 284133
TADARRIAN GORE	*	CASE NO. 283178
CHARLES E. HAINS, SR.	*	CASE NO. 283690
TYRONE ANTONIO HEARD	*	CASE NOS. 281638, 283639
CAROLYN HEATH	*	CASE NOS. 283998, 284074
ALLEN D. HENDLEY	*	CASE NO. 259313
BRUCE WILLIAM JAY	*	CASE NO. 248464
ALEXANDDRIA JONES	*	CASE NO. 283739
CHARLES JONES	*	CASE NO. 278869
DEXTER LASHON JONES	*	CASE NOS. 276989, 276930,
	*	284214, 284216,
	*	284390

RONALD WAYEN KIDD	*	CASE NO.	282830
ALONZO C. LEWIS	*	CASE NO.	282990
JEFFERY J. MARSHALL	*	CASE NO.	271303
NANCY L. MORGON	*	CASE NO.	279113
DEBRA ANN MYERS	*	CASE NO.	284560
JAMES MICHAEL NOEL	*	CASE NOS.	271493, 283742
ROXIE NORWOOD	*	CASE NO.	282318
RALPH EDWARD OLDHAM	*	CASE NOS.	277621, 280949,
	*		283131
MICHAEL PANTAGES	*	CASE NOS.	276559, 284735,
	*		284739, 284741
ROBERT E. PARKS, JR.	*	CASE NOS.	265680, 266936
MARGARET PORTER	*	CASE NO.	283864
CURTIS POWELL	*	CASE NOS.	282594, 270003,
	*		270068, 270069
TENNA REED	*	CASE NOS.	282757, 283471
AMANDA SANDERSON	*	CASE NOS.	283839, 283867
MATTHEW SIMPSON	*	CASE NO.	283715
ANTHONY DAVID SMITH	*	CASE NOS.	265904, 277369,
	*		283029
KIMBERLY STARK	*	CASE NO.	283948
JONATHAN W. STREUN	*	CASE NOS.	278659, 284760
ROBERT ALBERT TANNER	*	CASE NO.	281821
FREDERICK TAYLOR	*	CASE NO.	283874
MARCUS L. THOMAS	*	CASE NO.	284490
TYLAN D. THOMAS	*	CASE NO.	280838
BREATHA VAUGHN,	*	CASE NOS.	280002, 280143
JOSHUA ZIEGLER	*	CASE NO.	281402
	*		
Defendants.	*		

**AFFIDAVIT OF MARY ANN GREEN**

The Affiant, Mary Ann Green, after being duly sworn, states as follows:

1. Affiant is licensed to practice law in Tennessee and is an Assistant District Public Defender for the 11<sup>th</sup> Judicial District. She has held this position since 1992.
  
2. I have practiced law in the State of Tennessee since the 11<sup>th</sup> day of April, 1981. I have never been disciplined by any professional disciplinary body and, in fact, served

The Board of Professional Responsibility of the Supreme Court of Tennessee as a Hearing Committee Member from 2002 to 2008.

3. To my knowledge and best of my recollection I have been alleged to have provided ineffective assistance of counsel by four former clients. I have never been found to have rendered ineffective assistance of counsel. I have testified in post conviction hearings four times, two of those were as an expert witness on attorney performance. None of those hearings have been before Judge Barry Steelman and to my knowledge he did not participate as a witness or attorney in any of those hearings since I believe both of them either pre-date his employment by the Eleventh Judicial District Attorney General's office or his election as judge of Division I of Hamilton County's Criminal Court.
4. In her capacity as Assistant District Public Defender, Affiant was assigned to represent some of the above-referenced Defendants.
5. Affiant previously represented Fredrick Anderson, Case No. 280277, at his trial in September 2011. Affiant was allowed to withdraw from his case after his conviction but before his sentencing.
6. Affiant is licensed to practice law in Tennessee, and is currently assigned to represent multiple Defendants in Division I of the Criminal Courts of Hamilton County, Tennessee.
7. On August 13, 2012, the Affiant was notified that she was to be available to testify as a witness in a recusal motion in State of Tennessee v. Fredrick Anderson, Docket #280277.
8. On August 14, 2012, Affiant testified in the hearing on the recusal motion before Judge Steelman and the Affiant was present during the entire hearing.
9. Affiant was questioned at length about this Judge's Order in the Jesse Mathews Case, pending, no. 280020, in which the Judge accused Affiant of misconduct. The Judge's

Order in that case is mistaken in many regards, as pointed out in the Motion for Recusal in this case.

10. On August 15, as the District Public Defender, filed in open court motions regarding recusal in all of the District Public Defender's cases on the docket for that date, based on the Judge's failure to comply with the Code of Judicial Conduct.
11. The Judge improperly questioned each of my client's in open court, without swearing them, and after the Motion for Recusal had been filed.
12. Affiant's personal knowledge, the transcript of the recusal motion hearing of State of Tennessee v. Fredrick Anderson, Case No. 280277, and the transcript of the August 15, 2012, proceedings of State of Tennessee v. Michael Anderson, Docket # 279332, *et al* , Transcript of Proceedings, State of Tennessee v. Raymond Phillips, Case No. 271344; State of Tennessee v. Jesse Ray Mathews, Order, Case No. 280020; State of Tennessee v. Fredrick Anderson, Indictment, Motion to Recuse and Affidavit, and Rule Docket, Case No. 280227; constitute the sources of the allegations made and facts presented in the Motion for Recusal
13. Affiant adopts by reference all of the factual statements regarding Judge Steelman's comments and conduct regarding myself and the Office of the 11<sup>th</sup> District Public Defender on August 14 and 15, 2012.
14. All Exhibits to the Motion for Recusal are accurate and exact copies of the identified exhibits.
15. All factual statements in the Motion to Recusal are true and correct to the best of Affiant's knowledge and belief.