

IN THE GENERAL SESSIONS COURT  
OF HAMILTON COUNTY TENNESSEE

STATE OF TENNESSEE

v.

ROBERT STONE

---

)  
)  
)  
)  
)  
)  
)  
)  
)

NO: 1629662-63

**MOTION TO DISMISS**

Comes now the State of Tennessee, by and through the District Attorney General's Office, and would ask this Honorable Court for an order dismissing the above-captioned case numbers.

Respectfully submitted the 21 day of October, 2016.



---

Neal Pinkston  
District Attorney General  
600 Market Street, Suite 310  
Chattanooga, TN 37402  
423-209-7400

**IN THE GENERAL SESSIONS COURT  
OF HAMILTON COUNTY TENNESSEE**

**STATE OF TENNESSEE**

**v.**

**ROBERT STONE**

---

)  
)  
)  
)  
)  
)  
)  
)  
)

**NO: 1629662-63**

**MEMORANDUM IN SUPPORT OF MOTION TO DISMISS**

Comes now the State of Tennessee, by and through the District Attorney General's Office, and would submit this Memorandum in Support of the Motion to Dismiss. The State of Tennessee would more specifically show the investigations concluded as follows:

1. That the alleged victim, Lacie Stone, contacted Chattanooga Police Chief Fred Fletcher via telephone and stated her husband, Robert Stone, had tried to choke her, assaulted her, tried to kill her and broke out a window in an automobile. After this phone call, Lacie Stone proceeded to the residence of Fred Fletcher. The events occurred during the late night hours of May 20, 2016 and early morning hours of May 21, 2016.
2. That Robert Stone also contacted Chief Fred Fletcher by telephone and text message and stated "I am sure she's telling you how I beat her up. That's not true we did wrestle over the phone but I never hit her."
3. That Chief Fletcher reported the incident to the Chattanooga Police Department. Chattanooga Police Officers arrived at Fletcher's residence to

investigate the incident. Lacie Stone stated to these officers on two occasions that no assault had occurred and she was concerned about her job, the publicity this event may garner and allegations of extramarital affairs. She also gave a written statement to the officers where she denied being assaulted.

4. At some point in time, Stacy Richardson had been contacted and traveled to Fletcher's residence. Richardson arrived during the initial stage of the investigation, Stacy Richardson stated to law enforcement agents that Lacie Stone wanted "all this to go away."

5. After the original officers had conducted interviews, that individual(s) from the City Mayor's office and Chattanooga Police Department decided the Special Victims Unit should handle the investigation.

6. A detective whose has been with the Chattanooga Police Department's Special Victims Unit for one year was assigned to investigate this matter. She traveled to Chief Fletcher's residence during the early morning hours of May 21, 2016. Upon this detective's arrival, Lacie Stone was not present but had left Fletcher's house with Stacy Richardson. The Special Victims unit detective contacted Lacie Stone but she declined to speak any further with law enforcement at this time.

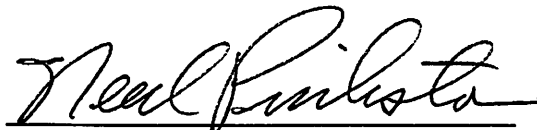
7. The original responding officers traveled to the residence of Robert Stone and gathered facts about the investigation. Stone was then transported via police patrol vehicle to the Chattanooga Police Services Center for an interview to be conducted by the Special Victims Unit detective. Before leaving for the police department, Robert Stone gave a written statement regarding the incident and again denied hitting Lacie.

8. That the Special Victims Unit detective conducted an audio interview with Robert Stone but failed to notify Stone of his constitutional rights to remain silent. Based upon his statement alone, the detective swore out warrants for domestic assault and vandalism for Robert Stone. It was noted by law enforcement officers that Lacie Stone's inconsistent statements alone did not provide enough cause for an arrest warrant.
9. That the Special Victims Unit detective, in a sworn affidavit, averred that "Lacie Stone called a friend who worked at the police department stating her husband was going to kill her." For unknown reasons, the person at the police department was not identified. This is a hearsay statement which isn't attributed.
10. That several days after the incident, Lacie Stone was interviewed by the Special Victims Unit detective. She was also interviewed by the Tennessee Bureau of Investigation. Each of her statements contain minor and major inconsistencies.
11. That within days of the incident, Chattanooga Mayor Andy Berke issued a statement that read in part, "Last weekend a member of my senior staff was the victim of a domestic assault involving her husband." Subsequent public statements were also made by Chief Fletcher and Lacie Stone. These statements occurred before Robert Stone made his first appearance in court and prompted his counsel to release a statement requesting Mayor Berke and Chief Fletcher to refrain from making any further public comments.
12. Cases have to be evaluated by the evidence as applied to Tennessee law and

not upon public comments.

13. Based upon all the foregoing reasons, the State of Tennessee declines to prosecute the case and dismisses the matter so it will no longer burden the judicial system.

Respectfully submitted the 21 day of October, 2016.

A handwritten signature in black ink, reading "Neal Pinkston", written over a horizontal line.

Neal Pinkston  
District Attorney General  
600 Market Street, Suite 310  
Chattanooga, TN 37402  
423-209-7400