

**IN THE CRIMINAL COURT OF
HAMILTON COUNTY, TENNESSEE
SECOND DIVISION**

STATE OF TENNESSEE

v.

CHARLES SHELTON

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Case No: 305575

**NOTICE OF INTENT TO SEEK DEATH PENALTY AND SPECIFICATION OF
AGGRAVATING CIRCUMSTANCES**

Comes now the State of Tennessee, by and through the Office of the District Attorney General, pursuant to Rule 12.3 (b) of the Tennessee Rules of Criminal Procedure and would show to the Court that the defendant is indicted for the first degree premeditated murder and first degree felony murder of Bianca Horton. Should the defendant be convicted of murder in the first degree a separate sentencing hearing will be required wherein the State of Tennessee will ask for the death penalty.

Pursuant to *State v. Berry*, 592 S.W. 2d 553 (Tenn. 1980), the State will rely on three aggravating circumstances listed in Tenn. Code Ann. § 39-13-204 (i), specifically as follows,

- (5) The murder was especially heinous, atrocious, or cruel, in that it involved torture or serious physical abuse beyond that necessary to produce death;
- (6) The murder was committed for the purpose of avoiding, interfering with, or preventing a lawful arrest or prosecution of the defendant or another;
- (7) The murder was knowingly committed, solicited, directed or aided by the

defendant, while the defendant had a substantial role in committing or attempting to commit, or was fleeing after having a substantial role in committing or attempting to commit, any first degree murder, arson, rape, robbery, burglary, theft, kidnapping, aggravated child abuse, aggravated child neglect, rape of a child, placing or discharging of a destructive device or bomb.

Respectfully submitted,



Neal Pinkston
District Attorney General
600 Market Street, Suite 310
Chattanooga, TN 37402

CERTIFICATE OF SERVICE

I certify that a true and exact copy of the foregoing pleading has been forward by personal service, email, and/or by placing in the United States mail with sufficient postage on this the 14 day of August, 2018 to:

1. Dan Ripper
Luther Anderson
100 W. M.L.K. Blvd
Chattanooga, TN 37402

