
AFFIDAVIT OF ROBERT E. MCGUIRE

I, Robert E. McGuire, declare under penalty of perjury that the following is true and correct:

- 1.) My name is Robert Elliott McGuire, I am over the age of eighteen (18) and am competent to testify about the matters contained in this affidavit.
- 2.) I am currently licensed to practice law in the State of Tennessee and have been since 2001. My Board of Professional Responsibility number is 021594.
- 3.) I was an Assistant District Attorney General for the 20th Judicial District (Nashville-Davidson County) from 2001 to 2014.
- 4.) During my tenure as an Assistant District Attorney General, I assisted another prosecutor with the prosecution of Calvin Bryant for the sale and possession of narcotics in a Drug Free School Zone.
- 5.) As I recall, Mr. Bryant was arrested on that indictment in May of 2008, did not make bond and remained in custody pending trial.
- 6.) I do not recall if Mr. Bryant was made a plea agreement offer before the trial. As I was not the primary prosecutor on that case, I would not have been the prosecutor to make a plea agreement offer on the case.
- 7.) As I recall, Mr. Bryant was convicted of those offenses after a jury trial in February of 2009. I participated in representing the State of Tennessee at that trial.

- 8.) In the spring of 2009, Mr. Bryant was subsequently sentenced to 17 years in prison at 100% with the percentage of service being mandatory and fixed by the fact that he was convicted of a narcotics offense while in a Drug Free School Zone
- 9.) At this time, I believe that Mr. Bryant has been in continuous confinement for over nine years (from May of 2008 to present) with over eight years of that incarceration coming post-conviction.
- 10.) According to the latest information available from the Tennessee Department of Corrections Mr. Bryant's sentence is scheduled to conclude on May 23, 2023, a little less than six years from the date of the signing affidavit.
- 11.) I fail to see how an additional six years of incarceration will improve Mr. Bryant's amenability to correction or would be required to maintain public safety.
- 12.) I additionally fail to see how his release at a time earlier than 2023 – and after over nine years of incarceration – will deprecate the seriousness of the offenses for which he was convicted or significantly imperil the public safety.
- 13.) I am no longer a prosecutor and I cannot speak for the Office of the District Attorney General for the 20th Judicial District, therefore I only speak for myself. But as a prosecuting attorney for Mr. Bryant I would personally not oppose a clemency or early release petition by him given the long term of incarceration he has already served and the non-violent nature of the offenses for which he was convicted.

FURTHER THIS AFFIANT SAYETH NOT.

Robert E. McGuire
ROBERT E. MCGUIRE

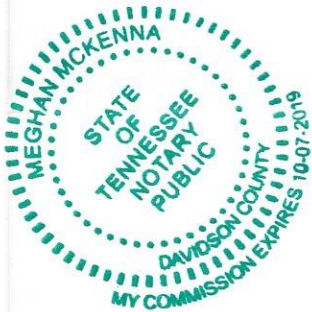
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

I, Robert E. McGuire, after first being duly sworn according to the law, make oath and state that I am the Affiant in the foregoing Affidavit; that I have read my statements contained therein, which are true and correct to the best of my knowledge, information and belief; and which are not made out of levity or collusion with the Respondent, but out of sincerity and truth for the causes alleged in the pleading.

Robert E. McGuire

SWORN TO AND SUBSCRIBED before me this the 2 day of August, 2017

Meghan McKenna
NOTARY PUBLIC



My commission expires: 10-7-19