

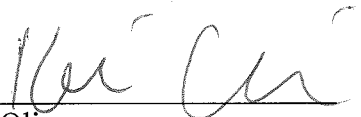
**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

THE ESTATE OF JOCQUES SCOTT)	
CLEMMONS, deceased, by Administratrix)	
SHEILA CLEMMONS LEE,)	Case No. 3:18-cv-00133
)	
Plaintiff,)	
)	Judge Campbell
v.)	Magistrate Judge Holmes
)	
THE METROPOLITAN GOVERNMENT)	
OF NASHVILLE AND DAVIDSON)	
COUNTY, et al.,)	
)	
Defendants.)	

DECLARATION OF COMPLIANCE

Counsel for Defendants, Keli Oliver, hereby declares the following in accordance with the Settlement Agreement and Stipulation of Dismissal (Doc. No. 16) filed in this case on March 2, 2018:

1. I am over the age of 18 and have direct knowledge of the matters stated herein.
2. I hereby certify that Defendants have administratively expunged and destroyed all data in their possession retrieved from Jocques Clemmons's Instagram account and Facebook account based on the first and second search warrants appended to the Plaintiff's Complaint at Doc. #1-2, PageID #20-#28. See Supplemental Report attached hereto as Exhibit A.
3. Further, Defendants have returned to Plaintiff, via Plaintiff's counsel, the cellular telephone that is the subject of the third search warrant appended to the Plaintiff's Complaint at Doc. #1-2, PageID #29-#33. See Evidence Transaction Receipt attached hereto as Exhibit B.


Keli Oliver

3-6-18
Date

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the forgoing has been served via the court's electronic filing system to:

Daniel A. Horwitz
1803 Broadway, Suite 531
Nashville, TN 37203

J. Alex Little
Bone McAllester Norton PLLC
Nashville City Center
511 Union Street, Suite 1600
Nashville, TN 37219

on this 6th day of March, 2018.

/s/Keli J. Oliver
Keli J. Oliver

Supplemental
ReportMetropolitan Police
Department
Nashville, TN

1. Name

☐ Arrestee☐ Driver No. 1☐ Victim

2. M.N.P. D. Incident No.

Jocques Clemmons

2017-0132239

3. Arrest No.

☒ N/A

4. Offense and Classification / Charge

Changed

☐ Yes
See Narrative

5. Page No.

1 of 1

6. Kind of Report Continued

☐ Incident☐ Missing Person☐ Arrest☒ Follow-up or Supplemental

7. Multiple Clear-up

☒ N/A☐ Yes(If Yes, List Other Incident No's, and/
or Victims in Narrative)☐ No8. Further Police Action
and Report Required☐ Yes☒ No

9. Value of Property Recovered

☒ N/A \$

10. Narrative

☐ N/A

Record all developments in the case subsequent to the last report. Describe and record value of any property recovered. Clearly show disposition of recovered property and inventory no's. List names and arrest numbers of any persons arrested. Explain any offense / classification change and cite prior offense / classification. For multiple clearance information, list each case by incident number and respective victim(s). Record crime scene protection information.

On February 17, 2017 Detective Danny Satterfield obtained search warrants for the electronic data related to the referenced accounts of Jocques Clemmons Facebook and Instagram accounts. Both search warrants were served on the provider and electronic data was provided in return.

This electronic data yielded insufficient evidence of motive, intent, the identification of any accomplices, or any other patently obvious information related to the investigation into the incident on February 10, 2017 as described in the warrants.

Pursuant to an agreement between the Metropolitan Government and the Estate of Jocques Clemmons (copy attached), I, Jason Reinbold, as of this date expunged and destroyed all data retrieved from Jocques Clemmons' Instagram account and Facebook account, based on the aforementioned search warrants, as maintained in the case file or otherwise known to be in our possession.

11. Signature of Recipient/Authorizer:

Jason Reinbold

12. Advisory Notice Issued

☐ Domestic Violence Notice☐ Citizen Information Notice☒ N/A☐ Other

13. Reporting Officer (Print Name: First, MI Last) (Date/Time)

Jason Reinbold

3/5/18

Employee No. Radio Call Sign

220235

3100

14. Approving Supervisor (Signature)

Employee No.

226138

17. Case Status

☐ Open☒ Unfounded☐ Cleared by ArrestCleared by Exception
(Select One Below)☐ Death of Offender☐ Prosecution Declined☐ Extradition Declined☐ Refused to Cooperate☐ Juvenile, No Custody

15. Reviewer

Employee No.

16. Date/Time Reproduced

Employee No.

THE ESTATE OF JOCQUES SCOTT	§
CLEMMONS, deceased, by	§
Administratrix SHEILA CLEMMONS	§
LEE,	§

U.

and

Defendants.

Judge Campbell
Magistrate Judge Holmes

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Defendants' counsel represents that following an independent inquiry, no data was extracted from Mr. Clemmons's cellular telephone.

3. As consideration for this stipulation of dismissal, Defendants acknowledge that the search warrants that are the subject of this action could possibly be construed as overbroad when applied to the circumstances related to Jocques Clemmons.

4. Defendants' counsel shall independently verify that Defendants have complied with the above described relief. Upon verification, Defendants' counsel shall certify Defendants' compliance by filing notice of such compliance with the Court.

5. Following certification by Defendants' counsel that all of the relief set forth in this Order has been provided, all remaining claims in this litigation, and all other pending matters arising out of, regarding, or relating to this litigation, shall be withdrawn, waived, dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(2), and/or denied as moot. The Plaintiff expressly disclaims any future claims against the Defendants regarding spoliation.

6. The Parties shall bear their own attorney's fees and discretionary costs incurred in bringing and defending against this action.

7. Defendants shall bear the court costs incurred in this action, for which execution may issue if necessary.

IT IS SO ORDERED.

Entered this ____ day of _____, 2018.

JUDGE WILLIAM L. CAMPBELL, JR.
UNITED STATES DISTRICT JUDGE

Evidence Transaction Receipt

Page 1 of 1

Barcode	Incident Number	Incident Date	Releasing ENO	Releasing Name	Accepting ENO	Accepting Name
PR25448575	20170132239	2/10/2017 12:55:00 PM	267737	BOWSER, DEBRA J	112093648	MELISSA SUE ROBERGE

Transfer Date	Destination	Purpose	Estimated Return Date	Transfer Comments	Evidence Description
3/1/2018 10:54:50 AM	RTO	RTO		METRO LEGAL ATTY ROBERGE IS TAKING POSSESSION OF THE LISTED ITEM TO GIVE TO THE ATTY DANIEL HORWITZ OR ALEX LITTLE ON BEHALF OF MS. CLEMMONS- MOTHER OF JOCUES CLEMMONS	SHOOTING DEATH, OFFICER INVOLVED, ZTC CELL PHONE MARKER #4 -- RELEASE FOR SHEILA CLEMMONS LEE PER DET DANNY SATTERFIELD

Signed: 
Attorney Daniel Horwitz

Signed: N/A
Attorney: Alex Little

Signed: 
Mother: Ms. Shelia Clemmons

Created on: 3/1/2018 10:59:24 AM
Created by: METROPD\dbowser

Signed: 

MELISSA SUE ROBERGE