

**IN THE CRIMINAL COURT FOR THE THIRTIETH DISTRICT OF
TENNESSEE AT SHELBY COUNTY, DIVISION THREE**

STATE OF TENNESSEE

vs.

THORNE PETERS

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Indictment No. 09-07358

**DEFENDANT'S RESPONSE TO MOTION TO QUASH SUBPOENA OF MARK
LUTTRELL**

COMES NOW the Defendant, Thorne Peters, pro se, and hereby files his Response to the Motion to Quash Subpoena of Mark Luttrell, and in support thereof, respectfully states:

1. Defendant was arrested on July 16, 2009, in a widely publicized "sting" operation targeting a nightclub, Imbibrio's, where Defendant was employed.

2. Multiple news broadcasts showed then-Sheriff Mark Luttrell at the scene of the "sting" operation, and speaking to the assembled news media and making allegations about illegal activity that occurred at Imbibrio's. (See exhibit 1 (myfoxmemphis.com) and exhibit 2 (WREG), news broadcasts contained on compact disc accompanying this motion).

3. In fact, the "sting" operation was heavily stage-managed by law enforcement and, in order to present an appearance that was at odds with reality, an individual named Dustin Webster was actually arrested at a location miles away from Imbibrio's, brought to Imbibrio's by Shelby County Sheriff's deputies, and for the benefit of the news media who were present, Webster was paraded in handcuffs out of the club in a "perp walk" to make the "sting" operation appear more fruitful than it actually was.))

4. The fact that the Shelby County Sheriff's Department engaged in such blatantly bad-faith measures to impugn the Defendant to the media, shows that the Sheriff's Department went beyond merely making an arrest based on probable cause to believe Defendant broke the law, but actually took measures to falsify the nature of the "sting" operation for publicity purposes.

5. This willful, deliberate, planned effort to create a "fiction" about the nature of Imbibrio's and a fiction about the result of the "sting" calls into question the credibility of every aspect of the prosecution of Defendant, who has been held in the Shelby County Jail since July 16, 2009, the day of the arrest in that same stage-managed "sting" operation.

6. Furthermore, the key witness against Defendant in the instant prosecution, a confidential informant named Ashley Egan, is currently being prosecuted on two charges of theft (a felony and a misdemeanor) by the same District Attorney's office that is prosecuting Defendant in the instant case, one of which charges involves allegations that Egan stole funds used in making undercover drug buys.

7. All of the above facts call into question the credibility of the witnesses against Defendant, and the bad faith used in fictionalizing the "sting" operation make it crucially important to have the highest-ranking law enforcement officer present at the bust, who is then-Sheriff Mark Luttrell, testify about the authorization, planning, and execution of this "sting."

For all the above reasons, Defendant moves this Court to deny the motion to quash the subpoena of Mark Luttrell.

Respectfully submitted,