

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE,  
AT CHATTANOOGA**

2009 JUL 28 P 12: 28

**ROY L. DENTON,**  
*Plaintiff*

U.S. DISTRICT COURT  
EASTERN DIST. TENN.  
\*

**Case No. 1:07-cv-211**

BY \_\_\_\_\_ DEPT. CLERK

**Judge: Collier/ Carter**

v.

\*

**STEVE RIEVLEY,**  
*in his individual capacity*  
**Defendant**

\*

\*

\*

\*

\*

\*

**JURY DEMAND**

**AFFIDAVIT OF ROY L. DENTON IN SUPPORT OF  
MOTION TO RECONSIDER PLAINTIFF'S CLAIM OF FALSE ARREST**

Comes the affiant, Roy L. Denton, after being duly sworn, and states the following to be true, as to his knowledge, information and belief:

1. I am over (18) years of age and am competent to make this sworn statement of the facts.
2. This information is based on my personal knowledge unless stated otherwise.
3. On September 9, 2006 a car dropped Brandon Denton off at my home. Brandon's brother Dustin went outside where Brandon was. Just a few minutes later I heard Brandon and Dustin arguing about something and me and my wife Kim went outside to see what was going on.
4. When we went out onto the porch Dustin and Brandon were in a physical altercation where several hits were exchanged between the two brothers. Kim and myself jumped in and started pulling the two brothers apart and quickly the skirmish was over. I directed Dustin to go inside and directed Brandon to leave the property.
5. Brandon was mad and was complaining that he needed his glasses because he said Dustin

had grabbed them off his face and broke them I told him to find the glasses and leave.

6. I did not hit, choke or strangle Brandon on September 9, 2006, as Officer Rievley has stated all by himself and without any corroboration that I did.

7. At the jail, when Officer Rievley got into his car to drive to my home at almost 2:30 a.m. he stated that he only had a "*reasonable suspicion*" to believe that Brandon Denton had been the victim of a domestic assault.

8. Due to my complaint against Chief Chris Sneed and other members of the Dayton Police department at the August 2006 Dayton Council meeting, Officer Rievley had reason, motive and opportunity for retaliation to falsify reports in order to establish probable cause to arrest me.

9. On July 2, 2009 Jessica Carbajal was served a lawfully issued subpoena from this court of record requesting she provide answers to an attached document labeled as "Exhibit A".

10. Jessica Carbajal in compliance with the subpoena and discussion with me and a witness, stated that she never gave Officer Rievley a statement at the jail, but gave one the following day to some other officer at the Dayton City Police department.

11. Officer Rievley has repeatedly stated that he collected Brandon Denton's personal belongings from my home yet he can't remember for certain what property he took, who he gave the property to or even the date he supposedly gave it.

12. Various other items of personal property that belong to me are missing from my home which were in my home prior to Officer Rievley searching it.

13. Officer Rievley admitted that he spent 10 minutes inside my home where he searched it, collected various personal property and arrested a guest without a warrant.

14. Brandon Denton told me that Officer Rievley never gave him anything except his glasses while he was at the jail on September 9, 2006.

15. Brandon Denton told me that he never told Officer Rievley that I hit him, choked him or strangled him.

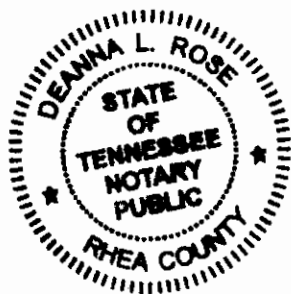
FURTHER AFFIANT SAITH NOT.

BY:   
Roy L. Denton

STATE OF TENNESSEE

COUNTY OF RHEA

Sworn to and subscribed before me this 24<sup>th</sup> day of July, 2009.



  
NOTARY PUBLIC

My commission expires: April 23, 2011