

**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 Case No. 1:07-cv-211
EASTERN DIST. TENN.

CLERK OF COURT Judge: *Collier/ Carter*

v.

STEVE RIEVLEY,
in his individual capacity
Defendant

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JURY DEMAND

AFFIDAVIT OF KIMBERLY DENTON

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 vehicle pulled into our driveway and dropped Brandon Denton off at our home. Brandon Denton came up on the front porch and sat down on a bench.
4. Brandon's older brother Dustin went outside on the front porch where Brandon was. A few minutes later I heard the two brothers arguing in what sounded like a shouting match. At that time Roy and I went outside to see what was going on.
5. When Roy and I went out onto the porch Dustin and Brandon were involved in an scuffle. Dustin and Brandon exchanged only a few hits but from what I saw the incident was more grabbing and shouting.
6. Roy and I quickly started intervening grabbing each of the two brothers trying to pull

them apart. This skirmish was over rather quick and I heard Roy tell Dustin to go inside the house and he told Brandon to leave.

7. Brandon lingered around for just a very short time saying how he couldn't see without his glasses. Roy told him to find his glasses and go. At that time Dustin, Roy and myself went back inside our home and shut the door.

8. After a length of time had passed we decided that we wanted something to eat. I took our orders and me and my son Brody drove to McDonalds less that 2 miles away.

9. When we arrived back home I noticed that the whole inside of the house was lit up with the porch light on. As me and Brody walked up to the front porch I noticed that the screen door was opened and that the front door was not locked.

10. As Brody and I went inside our home, I called out to Roy and Dusty that we were back and I got no response.

11. I looked in every room calling out their name and noticed that every light in every room was on which struck me as odd.

12. I then went outside to see if maybe Roy and Dustin was in the back yard, but they was not there either. At this point I started to get worried because Roy's car and Dustin's car was still in the driveway.

13. I went back inside and started looking for a note or something because something didn't feel right. As I was looking around I noticed a cigarette butt on the carpet near a support column which was about 3 or 4 feet inside the front door. At that time I became fearful that maybe something had happened to Roy as he was in poor health.

14. I called the Rhea County Medical Center to see if Roy or Dustin was there and they told me that neither Roy or Dustin had came into the emergency room. I then called the sheriff's

department and asked them if they knew anything about their whereabouts and a female jailor told me that Roy and Dustin had been arrested and were there at the jail.

15. On July 2, 2009 I served Jessica Carbajal a subpoena for Roy Denton with a questionnaire attached to it at the Dollar Tree where Jessica worked.

16. Jessica walked up to us and I served her the subpoena. Roy told her that if she wanted to answer the few short questions that was attached to the subpoena then he would consider the subpoena complied with and that would be all. Jessica answered the written questions and conversed with us about the incident about Brandon. She signed the paper and we left.

17. I was a witness to everything that Jessica said and witnessed her answer the questionnaire of her own free will. In fact, she was very pleasant.

FURTHER AFFIANT SAITH NOT.

BY: Kimberly Denton
Kimberly Denton

STATE OF TENNESSEE

COUNTY OF RHEA

Sworn to and subscribed before me this 24th day of July, 2009.



Deanna L. Rose
NOTARY PUBLIC

My commission expires: April 23, 2011