

**IN THE CIRCUIT COURT FOR BLOUNT COUNTY TENNESSEE**

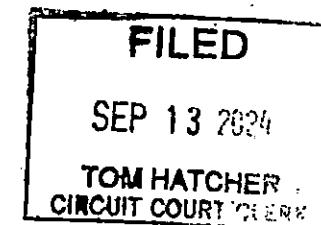
**STATE OF TENNESSEE**

**V.**

**KENNTH WAYNE DEHART JR**

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**C-29339**



**NOTICE OF THE STATE OF TENNESEE OF INTENT TO SEEK**  
**IMPOSITION OF THE DEATH PENALTY**

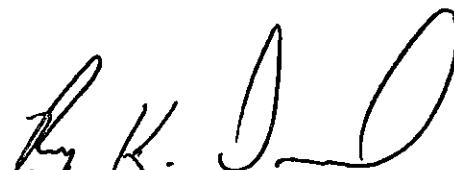
Comes now the State of Tennessee, by and through the office of District Attorney General Ryan K. Desmond, 5<sup>th</sup> Judicial District, in accordance with Tennessee Code Annotated §39-13-208 and Rule 12.3 of the Tennessee Rules of Criminal Procedure, and hereby gives notice to the Defendant of its intent to seek imposition of the penalty of death in Count 1 of the above captioned case.

Pursuant to Tennessee Code Annotated §39-13-204(i) and Rule 12.3 of the Tennessee Rules of Criminal procedure, the State would submit and provide notice that it intends to reply upon one or more of the following aggravating factors existing to support imposition of the death penalty:

1. The defendant was previously convicted of one (1) or more felonies, other than the present charge, whose statutory elements involve the use of violence to the person. *T.C.A. §39-13-204(i)(2)*.
2. The defendant knowingly created a great risk of death to two (2) or more persons, other than the victim murdered, during the act of murder. *T.C.A. §39-13-204(i)(3)*.
3. The murder was committed for the purpose of avoiding, interfering with, or preventing a lawful arrest or prosecution of the defendant or another. *T.C.A. §39-13-204(i)(6)*.

4. The murder was committed against any law enforcement officer, corrections official, corrections employee, probation and parole officer, emergency medical or rescue worker, emergency medical technician, paramedic or firefighter, who was engaged in the performance of official duties, and the defendant knew or reasonably should have known that the victim was a law enforcement officer, corrections official, corrections employee, probation and parole officer, emergency medical or rescue worker, emergency medical technician, paramedic or firefighter engaged in the performance of official duties. *T.C.A. §39-13-204(i)(9)*.

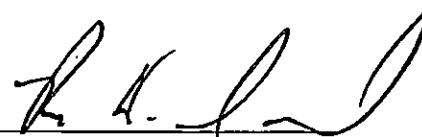
Respectfully submitted this 13<sup>th</sup> day of September, 2024.



Ryan K. Desmond  
District Attorney General

#### CERTIFICATE OF SERVICE

The undersigned hereby certifies that he delivered a true and exact copy of this motion to Stephen Johnson, counsel of record for the defendant, via electronic mail and/or U.S. Postal Service, this 13<sup>th</sup> of September, 2024.



Ryan K. Desmond  
District Attorney General