

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

FILED

2008 JUL 31 A 10:06

ROY L. DENTON,  
*Plaintiff*

v.

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

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

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\* Judge: Collier/ Carter

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\* **JURY DEMAND**

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**AFFIDAVIT OF ROY L. DENTON IN SUPPORT OF THE PLAINTIFF'S MOTION TO  
ALTER OR AMEND JUDGMENT**

Comes the Affiant, Roy L. Denton, after being duly sworn, and states the following to be true and correct to the best of his knowledge, information and belief:

1. I am over (18) years of age and I am competent to make this affidavit.
2. This affidavit is based on my personal knowledge unless stated otherwise.
3. On September 9, 2006 at 1:40 a.m. I was dressed for bed wearing nothing at all but silk sleeping shorts awaiting my wife to come back home from a restaurant.
4. Brandon Denton did NOT live at my home located at 120 6<sup>th</sup> Ave., Dayton, TN.
5. Brandon Denton waited more than one hour before going to the jail on the night of September 9, 2006.
6. Brandon Denton was not attacked in any manner nor in the manner in which Steve Rievley describes in his affidavit where he claims having a "personal knowledge". (Court File No. 29-2)
7. All charges of domestic assault against Roy and Dustin Denton were promptly dismissed by a state court where costs were taxed against Brandon Denton.
8. Steve Rievley did not perform any "on scene interview" on the night of September 9, 2006. Furthermore, Steve Rievley didn't comply with the state law provisions set forth in Tennessee Code Annotated 36-3-619 dealing with domestic issues.

9. Brandon Scott Denton is the youngest son of Roy L. Denton and has not resided at 120 6<sup>th</sup> Ave., Dayton, Tennessee ever since he was raised and turned 18 years old.
10. Brandon Scott Denton without permission or authority uses Roy L. Denton's home address as his own so as to in part, evade and be illusive of law enforcement and creditors. Such usage of my address constitutes a form of identity theft on the part of Brandon Denton.
11. Steve Rievley came to my home without a warrant and stepped onto my private property which was and remains to be clearly posted "No Trespassing".
12. As stated in para. 22 of my complaint, *I was standing 3 feet inside my home* and never crossed the threshold stepping onto the porch at any time.
13. Steve Rievley forced his way across my threshold and into my home without warrant, consent or exigent circumstances and subdued and conducted a warrantless arrest and had me taken to jail without any regard as to my well being.
14. Steve Rievley never personally witnessed anything he swears to as fact, or otherwise hearsay third party information. The only knowledge Steve Rievley had was what some person walked in off the street and rambled off to a jailor.
15. Steve Rievley entered my home without warrant or legal authority to do so and searched my home searching for Dustin B. Denton, who was visiting me as my guest and arrested him without a warrant.
16. Dustin B. Denton, just like his brother Brandon, hasn't resided in my home since he turned 18 years old and left home as most grown up kids do.
17. Steve Rievley performed a warrantless search of my home collecting Brandon Denton's personal belongings.
18. It is averred that the act of Steve Rievley searching my home without a warrant gathering up the personal belongings of Brandon Denton, who was left at the jail as Rievley states, then Steve Rievley had absolutely no idea what items were Brandon Dentons or someone elses.
19. Steve Rievley did not give any personally belongs to Brandon Denton although he swears under oath that he gathered up his personal belongings.
20. Deputy sheriff Gerald Brewer entered my house with Steve Rievley and conducted a warrantless search of it also without any legal authority to do so.
21. Brandon Denton had a valid and current arrest warrant issued against him by a Hamilton County Tennessee court which had Steve Rievley simply performed a

simple check he would have found out that Brandon Denton was “wanted by the law” as there was an active arrest warrant for theft outstanding against him. (See attached Ex. A and A-1)

22. Steve Rievley performed no background information check on Brandon Denton.
23. Brandon Denton’s last know address in the year of **2006** was **3311 Blythes ferry Road, Dayton, Tennessee.** (See attached Ex. B)

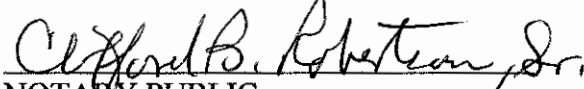
**FURTHER AFFIANT SAITH NOT.**

BY:   
Roy L. Denton

STATE OF GEORGIA

COUNTY OF MUSCOGEE

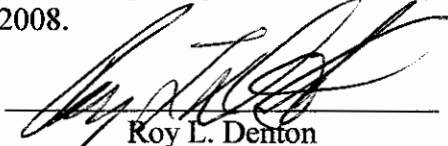
Sworn and subscribed before me this 29<sup>th</sup> day of July, 2008

  
NOTARY PUBLIC

My Commission Expires March 17, 2012  
My commission expires: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that an exact copy of this document has been served upon all parties of interest in this cause by placing an exact copy of same in the U.S. Mail addressed to such parties, with sufficient postage thereon to carry same to it’s destination, on this 29<sup>th</sup> day of July, 2008.

  
Roy L. Denton

Copy mailed to:

Ronald D. Wells, BPR# 011185  
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633 Chestnut Street  
Chattanooga, TN 37450  
423-756-5051