

IN THE CRIMINAL COURT OF TENNESSEE AT NASHVILLE
THE TWENTIETH JUDICIAL DISTRICT

STATE OF TENNESSEE,)
)
 Plaintiff,)
)
vs.) CASE NO.: 2013-C-2294
)
CHRISTOPHER MAURICE BOYD,)
)
 Defendant.)

TRANSCRIPT OF THE EVIDENCE

GUILTY PLEA PROCEEDINGS

September 13, 2013
Volume One of One Volume

APPEARANCES

THE HONORABLE STEVE R. DOZIER, PRESIDING JUDGE

For the STATE:

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For the DEFENDANT:

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IN THE CRIMINAL COURT OF DAVIDSON COUNTY, TENNESSEE

DIVISION ONE

STATE OF TENNESSEE)
)
)
vs) CASE NO.: 2013-C-2294
)
)
CHRISTOPHER MAURICE BOYD)

 This cause came on to be heard and was
heard before the Honorable Steve R. Dozier, Judge, on
September 13, 2013, holding the Criminal Court for
Davidson County, Tennessee, at Nashville, for a Guilty
Plea, when the following proceedings were had and entered
of record; to-wit:

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September 13, 2013

GUILTY PLEA PROCEEDINGS

(WHEREUPON, the Defendant stepped forward and stood with his Counsel before the Court, as the following proceedings were had:)

THE COURT: All right. Mr. Boyd, if you'll raise your right hand and be sworn.

(WHEREUPON, the Defendant was duly sworn by the Clerk.)

THE COURT: All right. Mr. Boyd, you're under oath; and any questions asked of you need to be answered truthfully.

Do you understand that?

THE DEFENDANT: Yes, sir.

THE COURT: Are you at this time under the influence of any alcohol or drugs?

THE DEFENDANT: No, sir.

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THE COURT: Suffering from any
mental-health problem, you're aware of?

THE DEFENDANT: No, sir.

THE COURT: You're here charged with
accessory after the fact, an E felony, which, if found
guilty, would result in a sentence of from one-to-six
years, depending on prior record, again, if you were
convicted.

Do you understand the charge against
you?

THE DEFENDANT: Yes, sir.

THE COURT: Have you been able to
discuss and go over this charge with your attorneys, Mr.
May, Mr. Ryan?

THE DEFENDANT: Yes, sir.

THE COURT: And are you satisfied with
their representation?

THE DEFENDANT: Yes, sir.

1 THE COURT: And what, General Thurman,
2 is the State's recommendation?

3
4 GENERAL THURMAN: 'Court, please, on
5 his plea of guilty to criminal attempt to be an accessory
6 after the fact to a felony, that he would be placed on
7 judicial diversion for eleven months and twenty-nine days,
8 and be on unsupervised probation during that period; with
9 conditions of probation, that he will agree to testify
10 truthfully in Case Twenty-thirteen-C-twenty-one-ninety-
11 nine, against all four defendants in that case; and he will
12 pay the court costs.

13
14 THE COURT: And is he technically -- I
15 know it's in the same case -- but is he technically a
16 co-defendant?

17
18 GENERAL THURMAN: No, he's not a
19 co-defendant.

20
21 THE COURT: Even though there's other
22 defendants in this case.

23
24 GENERAL THURMAN: Yes. He's not
25 testifying against defendants in --

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THE COURT: Right.

GENERAL THURMAN: -- co-defendants in this case. It's in the other cases.

THE COURT: All right. Mr. Boyd, it's being recommended, on your conditional plea to the misdemeanor of criminal attempt to commit accessory after the fact, that you would receive an eleven-month-and-twenty-nine-day suspended sentence with probation, under this special code section that, if you complete the probation, this would be removed from your record.

Do you understand that?

THE DEFENDANT: Yes, sir.

THE COURT: There's conditions about testifying truthfully, if called, in another case.

Do you understand that?

THE DEFENDANT: Yes, sir.

THE COURT: If you did not complete the probation satisfactorily, this would be become a

1 conviction; and you would be subject to the eleven-month-
2 and-twenty-nine-day jail sentence.

3 Do you understand that?

4

5 THE DEFENDANT: Yes, sir.

6

7 THE COURT: You could, if you chose to,
8 have a jury trial in this case. At that trial you would
9 be represented by your attorney.

10 Do you understand that?

11

12 THE DEFENDANT: Yes, sir.

13

14 THE COURT: If you had that trial, the
15 State would call witnesses. Your attorney would be able
16 to question those witnesses for you.

17 You, also, could have witnesses
18 subpoenaed into court to testify for you, if there were
19 any; and you yourself would test -- could testify before
20 that jury, if you chose to.

21 Do you understand those rights
22 pertaining to a jury trial?

23

24 THE DEFENDANT: Yes, sir.

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THE COURT: If you were found guilty by that jury, you would be sentenced by the Court. Your attorney could appeal the conviction and the sentence to a higher court, to make sure you'd received a fair trial here in this court.

If you enter this conditional plea here today, there would not be a trial, there would not be an appeal, and this would be your last day in court on this case, if you comply with these probationary conditions.

Do you understand that?

THE DEFENDANT: Yes, sir.

THE COURT: And is this what you choose to do?

THE DEFENDANT: Yes, sir.

THE COURT: All right. If you'll look at this document and see if that is your signature.

(WHEREUPON, said document was passed to the Defendant, who examined same.)

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THE DEFENDANT: Yes, sir.

THE COURT: Is there anyone forcing you
in any way to enter this plea?

THE DEFENDANT: No, sir.

THE COURT: Anyone promising you
anything, other than this agreement, with -- between your
attorney, you and the State, that we've previously
discussed?

THE DEFENDANT: No, sir.

THE COURT: Do you have any questions?

THE DEFENDANT: No, sir.

THE COURT: All right. Mr. May, is it
satisfactory that the State give the Court a factual basis
for the plea and do you waive the confrontation of
witnesses?

MR. MAY: Yes, Your Honor.

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THE COURT: All right. General
Thurman.

GENERAL THURMAN: 'Court, please, in
Case Twenty-thirteen-C-twenty-two-ninety-four, State's
witnesses are available to testify that, on June the
twenty-third of twenty-thirteen, early morning hours,
Brandon Vandenburg took an unconscious female Vanderbilt
student from the Tin Roof Bar to his room in Gillette Hall,
which is located on Vanderbilt campus here in Nashville,
Davidson County.

Mr. Vandenburg was joined in the room by
Cory Batey, Brandon Banks and JaBorian McKenzie, where
this female student was sexually assaulted by different
individuals.

During one of the aggravated rapes, Mr.
Vandenburg sent a text to Mr. Boyd, showing the unconscious
victim with an object inserted in her anally. Mr. Boyd
promptly deleted this text, because he didn't want his
girlfriend to see it.

Shortly after receiving the text, Mr.
Boyd received a phone call from Mr. Vandenberg, saying that
the victim had been messed with in the hall and sexually
assaulted in the room and he needed Mr. Boyd to come over.

1 Mr. Vandenburg further stated that he
2 wanted to have sex with the victim but could not get an
3 erection, even though he'd used cocaine.

4 When Mr. Boyd arrived, he found the
5 victim laying in the hall unconscious, not fully clothed.
6 He and two other individuals carried her back in the room
7 and placed her in the bed and left.

8 After the incident Mr. Boyd exchanged
9 texts with Mr. Vandenburg and Mr. Batey about the incident.
10 The texts were as follows:

11 Mr. Boyd to Mr. Vandenburg: "Tell your
12 boys to delete that shit. I'm looking out for your ass."

13 Boyd to Vandenburg: "And tell your
14 roommate he didn't see shit."

15 Mr. Boyd's girlfriend to Mr. Boyd in a
16 text: "How's everything going with Brandon?"

17 Mr. Boyd's response: "Good. I got
18 everything cleared up, and I talked to both Tip and Cory
19 already. Deleted everything. She didn't remember shit
20 and feels bad."

21 All of those texts were on June the
22 twenty-third, the same day of the offense.

23 The following day there -- there was a
24 text from Mr. Batey to Mr. Boyd: "We still good? I'm
25 stressing."

1 Mr. Batey to Mr. Boyd again: "Video
2 deleted. Have you talked to her?"

3 Boyd back to Batey: "Nah (sic). She
4 doesn't know anything that happened, but she passed out
5 in Vandenburg's bed. Me, Carta (phonetic) and Vanderwall
6 (phonetic) and Vanderburg helped us move her out the
7 hallway."

8 Batey to Boyd: "Tell him, 'Don't say
9 nothing to anybody.'"

10 Mr. Boyd was present in a meeting with
11 the four defendants involved in the case, at Popeye Chicken
12 Restaurant, where the case was discussed. The Defendant
13 was not completely truthful with the police or the District
14 Attorney's Office, in his initial interviews, by admitting
15 details of two conversations he had with Mr. Vandenburg,
16 in which Mr. Vandenburg made incriminating statements to
17 Mr. Boyd.

18 He later came forward and gave
19 additional information about these conversations.

20 On his plea of guilty, pursuant to
21 Forty-thirty-five-three-thirteen, the State would
22 recommend he be placed on judicial diversion for eleven
23 months and twenty-nine days; his probation be
24 unsupervised, with the condition that he will agree to
25 testify truthfully in Case Twenty-thirteen-C-twenty-one-

1 ninety-nine, against the four defendants in that case; and
2 that he would pay the court costs in this matter.

3

4 THE COURT: All right. Mr. Boyd, were
5 you able to hear the statement made by the District
6 Attorney?

7

8 THE DEFENDANT: Yes, sir.

9

10 THE COURT: And was that statement true
11 and correct?

12

13 THE DEFENDANT: Yes, sir.

14

15 THE COURT: What is your conditional
16 plea, to this criminal attempt to accessory after the fact,
17 guilty or not guilty?

18

19 THE DEFENDANT: Guilty.

20

21 THE COURT: All right. The Court finds
22 a factual basis for the plea, that it is knowingly and
23 voluntarily entered; will impose an eleven-month-and-
24 twenty-nine-day suspended sentence, with eleven-twenty-
25 nine days' unsupervised probation, under Forty-thirty-

1 five-three-thirteen; with the truthful testimony, that
2 you agreed to make in this other case.

3 And they'll interview you here today for
4 probation. Ms. Mondelli, if you can help him get with
5 Probation and then Mr. May -- or you can take the file or
6 get -- work arrangements out with the Clerk's Office, about
7 paying the costs.

8
9 MR. MAY: It's unsupervised probation,
10 Your Honor. Does he still wanna (sic) be interviewed?

11
12 THE COURT: Well, they'll interview him
13 and just have his name there. If he got re-arrested in
14 the next year, they would know it. But he won't be
15 reporting.

16
17 MR. MAY: That's fine.

18
19 THE COURT: All right. Thank you.
20 You can step back.

21
22 (WHEREUPON, this was all that
23 was heard on this matter on
24 this date.)

25

CERTIFICATE OF THE COURT REPORTER

I, JOANNA H. BLACKWELL, Official Court Reporter for the Twentieth Judicial District of Tennessee, do hereby certify that the foregoing is a true, accurate and complete transcript, to the best of my knowledge and ability, of the Guilty Plea proceedings, had on September 13, 2013, in the captioned matter, in the Criminal Court for Davidson County, at Nashville, Tennessee.

I DO FURTHER CERTIFY that I am neither of kin, counsel nor interest to any party hereto.

September 13, 2013

DATE

JOANNA H. BLACKWELL
COURT REPORTER