



## IN THE DISTRICT COURT OF MORGAN COUNTY, ALABAMA

STATE OF ALABAMA,

PLAINTIFF,

*vs.*

CASE NO.: DC17-1988

LEON BRADLEY,

DEFENDANT.

ORDER

This cause comes before the Court on the Defendant's Motion To Dismiss, Suppress and Return Property filed on January 30, 2018, in the above-styled action. The parties appeared before the Court for an evidentiary hearing and the Court over the course of two (2) days heard the testimony from eleven (11) witnesses and viewed exhibits admitted during the course of the hearing. After careful consideration of the testimony, evidence received, arguments of counsel and the applicable law, it is hereby **ORDERED, ADJUDGED and DECREED** as follows:

1. This Court finds that Ana Franklin and Blake Robinson of the Morgan County Sherriff's Department (MCSD) deliberately misled this Court for the purposes of obtaining search warrants for Leon Bradley's residence and Glenda Lockhart's business known as Straight Line Drywall.
2. The Court finds the following specific facts were intentionally withheld from this Court at the time the search warrants at issue were requested:
  - i. That the confidential informant, Daniel Lockhart, was a paid agent of the MCSD.
  - ii. That the MCSD made threats of incarceration to Daniel Lockhart in order to secure the level of cooperation from him sought by the MCSD in order for their investigation to proceed forward.

- iii. That the MCSD instructed the confidential informant to unlawfully enter the business Straight Line Drywall owned by Glenda Lockhart, to access and remove files and/or documents from her business for purposes of providing the documents and information to the MCSD. Further, the confidential informant was instructed to enter Straight Line Drywall in order to obtain passwords and unlawfully access computers and email accounts for the purposes of forwarding said information to the MCSD.
  - iv. That the MCSD provided their confidential informant with a keylogger/keystroke software program to be unlawfully installed on the computers at Straight Line Drywall.
  - v. On or about September 30, 2016, while the confidential informant was gathering documents, information and accessing computers pursuant to the request of the MCSD, Blake Robinson was maintaining a "perimeter" in the immediate vicinity of Straight Line Drywall for the purposes of alerting the confidential informant of the business owner's approach or return to her office.
  - vi. That the MCSD threatened to arrest the confidential informant in the event he disclosed to anyone that he was working as their informant.
3. The Court further finds the following pertinent specific facts elicited from witnesses at the hearing are relevant to this Order:
- i. That the MCSD "shopped" or sought assistance with the prosecution of both Leon Bradley and Glenda Lockhart from multiple agencies which include but are not limited to the Morgan County District Attorney's office, Madison County Sheriff's Department, Limestone County Sheriff's Department, Alabama Law Enforcement Agency (ALEA). Each agency mentioned above declined to assist the Morgan County Sheriff's Department relative to the prosecution of Leon Bradley and Glenda Lockhart.
  - ii. That prior to the issuance of the search warrants, Ana Franklin met with an investigator from Madison County Sheriff's Department for purposes of seeking their assistance in the prosecution of Leon Bradley and Glenda Lockhart. During this meeting, Ana Franklin acknowledged that she knew

about the keylogger or keystroke program and further indicated that she was awaiting information to be provided by the keylogger or keystroke program.

- iii. That "informally" the subject investigation of the Morgan County Whistleblower Blog (Glenda Lockhart) and subsequently Leon Bradley all began as a personal matter for Blake Robinson.
  - iv. The MCSD "lied" to Inv. McGlathery of the Etowah County Sheriff's Department in order to garner their assistance in proceeding forward with the prosecution of Leon Bradley.
4. This Court is of the opinion that the MCSD, namely Ana Franklin, Blake Robinson, Robert Wilson, a/k/a "Bones" and Justin Powell, a/k/a J.P. endeavored to hide or cover up their deception and criminal actions under the color of law.
  5. This Court finds that the search warrant issued on October 4, 2016, for Leon Bradley's residence, is suppressed and all evidence, property or items obtained as a result of the search of Mr. Leon Bradley's home is to be immediately returned to him. Furthermore, copies or duplicates made of the illegally obtained evidence from the search of Leon Bradley's Residence are to be immediately destroyed or returned to Mr. Bradley.
  6. This Court finds that the search warrant issued on October 5, 2016, for Straight Line Drywall owned by Glenda Lockhart is suppressed and all evidence, property or items obtained as a result of the search of Straight Line Drywall is to be immediately returned to Mrs. Lockhart. Furthermore, copies or duplicates made of the illegally obtained evidence from the search of Straight Line Drywall are to be immediately destroyed or returned to Mrs. Lockhart.
  7. Further, the Court finds that this action is due to be dismissed with prejudice.
  8. The State's Motion to Nolle *Prosequi* filed on March 9, 2018 is rendered moot.

DONE and ORDERED this the 27<sup>th</sup> day of April, 2018.

A handwritten signature in black ink that reads "Glenn Thompson". The signature is written in a cursive style with a large initial "G".

GLENN E. THOMPSON  
CIRCUIT JUDGE  
Case No. 52-DC-2017-1988