

ADMONITION AND WAIVER

Name of Agency 7BI + Sevier County Sheriff's Department

Before we ask you any questions, you must understand your rights.

You have the right to remain silent.

Anything you say can be used against you in court.

You have the right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning.

If you cannot afford to hire a lawyer, one will be appointed to represent you before any questioning, if you wish one.

If you decide to answer any questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

WAIVER OF RIGHTS

I have read this statement of my rights and I understand what my rights are. I am willing to make a statement and answer questions. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

I have initiated this conversation with law enforcement. I do not want David Webb present or any other attorney at this time. I am willing to talk to law enforcement without an attorney present.

Signed X

Place Sevier Co. Jail

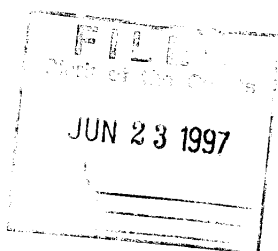
Date March 09, 1992

Time 11:40 AM

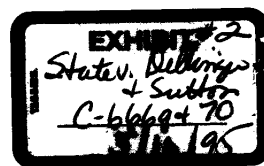
Witness X A. David Chapman

Witness X Det. Mark Turner

Time X 11:45 AM



TSI-BLER 13 (5-78)



March 09, 1992

To: Case File 5A-513

From: SA David Davenport

Subject: Interview of Subject Gary Wayne Sutton at the Sevier County Jail on March 09, 1992.

On March 09, 1992, I was informed by Sevier County Sheriff Don Ogle that Subject Gary Sutton had requested to speak with officers on Saturday March 07, 1992. The request was relayed from Sutton to Sheriff Ogle by jailer Wester Owenby. I went to the Sevier County Jail and had Sutton brought to a visiting room in the jail. I was joined in the room by Sevier County detective Mark Turner. Before Detective Turner and I started talking to Sutton I told him that I understood that he had requested to talk to officers and he stated that he had. I then read him his constitutional rights and added to the bottom of the waiver he did not want or request to have Attorney David Webb present or any other attorney present. (see attached waiver). Sutton stated he understood

these rights and ~~wanted~~ but wanted to talk. He did not sign the waiver. I asked him if he had talked to David Webb and Sutton stated he had talked to him on Friday, but that Webb was not representing him. I then asked Sutton what he wanted to talk to us about and he stated "he had been locked up for something he hadn't done", that he had never killed anyone. Sutton stated that he and James Dellinger were together all day Friday, Saturday and Sunday, Feb. 21, 22, and 23, 1992 and that he did not ever see James Dellinger shoot or kill anyone during the time he was with him. Sutton stated the last time he saw Dooley was when they left him at the Blount County Courthouse after bonding him out of jail on Friday night. Sutton stated on Friday night early they, James Dellinger, Tommy Griffin and him, had been driving his Camaro. Sutton also stated the Camaro did have one headlight out. They had left Tommy in the presence of a fat ugly girl near Maryville and came back to Dellinger's house. Sutton stated his car had trouble with the water pump and that he had left it at his brother's house and drove his

Okay. AS
for the headlight
Gary have been
talking about
when he first bought
it?

brothers truck to Pelling's. Sutton denied
 any knowledge of setting fire to Tommy
 Griffin's trailer. Sutton stated the
 first time he knew Tommy was in jail
 was when Connie Beavum called James
 asking him to go bail Tommy out of jail.
 Sutton stated he and James drove James
 wife's car an Oldsmobile to Maryville to
 get Dooley out of jail. After they got Griffin
 out of jail, the girl he had left with
 before was outside of the courthouse and
 Griffin left with her. He stated he did not
 know who the girl was. Sutton said he
 and James came back to James house and
 picked up his girl friend Carolyn and James
 wife Lynda and went to a new place
 in Pigeon Forge and ate and came back
 home and went to bed. On Saturday, Sutton
 stated he and James started drinking early
 and they went to his trailer to check the
 mail to see if a check he was expecting
 had come. Sutton stated they again
 went riding around and that they were
 in James' white truck. Sutton stated
 they had met Connie Beavum in Townsend
 where Wear's Valley meets the highway
 and she had turned around. Sutton
 and James agreed to help her go look
 for Tommy her brother. Sutton stated

they had went to a bar in Maryville
 shot a couple of games of pool and he
 danced one dance with Connie. Sutton
 stated they asked at the bar if any one had
 seen Tommy but no one had. He, Connie
 and James stayed at the bar for 45 minutes
 to an hour, then he drove the truck
 back to Townsend and they, James and Gary, left
 Connie out at her car. Connie told them
 she had one more place to look for Tommy
 and they left her. Sutton stated he and
 James left driving Dellinger's pick-up truck
 drove back through Weas Valley to
 Dellinger's house getting there before 7:00pm.
 Sutton stated he, Dellinger, Lynda and
 Carolyn stayed in the rest of the night.
 Sutton stated he didn't own a gun anymore
 that he had sold the shotgun he had
 had. Sutton did admit to shooting and
 target practicing at Dellinger's house.
 Sutton again stated he had not killed
 anyone. Sutton then started complaining
 about conditions at the jail and threatened
 to go on a hunger strike. I told
 Sutton I would relay his complaints
 about the jail to Sheriff Gale. Myself
 and Detective Murren informed Sutton
 that if he wished to speak to law
 enforcement again that he would have

(5)

to ask to speak with. Sutton was
advised when he obtained a lawyer that
if he wanted to speak with us with
his attorney, we would talk to him.
Sutton again stated he had not killed
anyone. Sutton was then taken back
to his jail cell.

Sgt David E. Haverpost TBT
Det. Mark Turner Sevier to S.O.