



IN THE CIRCUIT COURT FOR BLOUNT COUNTY, ALABAMA

STATE OF ALABAMA,)	
)	
)	
v.)	CASE NUMBER: CC-17-282
)	
LEWIS DONALD FLOYD, JR.,)	
)	
Defendant.)	

**STATE’S OPPOSITION TO
TRANSFER TO COMMUNITY CORRECTIONS**

NOW COMES the State of Alabama and files this opposition to Defendant Lewis Donald Floyd, Jr., being transferred to Community Corrections:

1. In April 2016, Lewis Donald Floyd, Jr., was arrested in Floyd County, Georgia, in possession of 32 grams of methamphetamine. Floyd pled guilty to a felony drug offense and was placed on probation.

2. On May 15, 2017, while on probation for the offense committed in Georgia, Floyd was arrested in Blount County and charged with trafficking methamphetamine, to wit: approximately 58 grams of methamphetamine.

3. Prior to his arrest on May 15, 2017, Floyd was convicted of two felonies in the Circuit Court of Etowah County, Alabama, to wit: unlawful possession of a controlled substance and trafficking methamphetamine. Trafficking in methamphetamine is a Class A felony.

4. Since his arrest on May 15, 2017, Floyd has been convicted in Alabama of unlawful possession of a controlled substance (08/14/20) and unauthorized use of a vehicle (08/04/22).

5. Notwithstanding Floyd’s status as a habitual felony offender, the State offered Floyd a sentence of 180 months in prison in the case *sub judice* in exchange for Floyd pleading guilty to

trafficking methamphetamine.

6. On March 7, 2024, Floyd entered a guilty plea in this case and applied for probation.

7. Prior to March 7, 2024, the State of Georgia issued a writ for Floyd's arrest for violating the terms and conditions of his probation.

8. On or about May 24, 2024, this Honorable Court split Floyd's sentence, over the State's objection, to three years to serve. Floyd was given credit for 18 months of pretrial detention and was ordered to spend 12 months of his sentence in the custody of the Blount County Sheriff.

9. On May 24, 2024, the defendant surrendered to Floyd County, Georgia, for an outstanding warrant for a probation violation.

10. Within 72 hours of the probation/sentencing hearing in this case, the Blount County Sheriff told Floyd the Blount County Sheriff's Department would subject the District Attorney for the 41st Judicial Circuit of Alabama and her family to unwarranted surveillance, enforcement practices, and/or other forms of harassment in retaliation for prosecuting Floyd's case.

11. On or about August 28, 2024, this matter was called before the Court. Based, in part, on the conversation between Floyd and the Sheriff, this Honorable Court amended Floyd's sentence for Floyd to serve the balance of his sentence in the case *sub judice* in the custody of the Alabama Department of Corrections.

12. From May 24, 2024, through September 2024, the defendant and the Blount County Sheriff had multiple conversations about ways to undermine the sentencing order entered by this Honorable Court and/or give Floyd special privileges in the event Floyd was transferred to Blount County. Initially, the Blount County Sheriff told Floyd he would purchase a camper with discretionary funds and set it up in a grassy area near the Blount County Sheriff's Department for Floyd to stay in during Floyd's incarceration. The Sheriff updated Floyd from time to time about

campers the Sheriff had considered purchasing including a camper Floyd's father-in-law had for sale. The Sheriff told Floyd if he could not get the camper set up in time, Floyd could sleep on the couch in the the Sheriff's office and/or the Sheriff was toying with the idea of letting Floyd go home at night so Floyd did not have to "stay in jail with all them other terds." The two men also discussed the Sheriff (a) giving Floyd access to cigars, a cell phone and other contraband and (b) allowing Floyd to travel to collect food for Redeemed Ministries while Floyd was in the custody of the Blount County Sheriff.

13. Floyd remained in the custody of the State of Georgia until September 2024. In September 2024, Floyd was transferred to the Alabama Department of Corrections with a minimum release date of September 9, 2025.

14. Since May 24, 2024, the Blount County Sheriff has made multiple telephone calls and visits to probation officers in Alabama and Georgia at the behest of Floyd to attempt to influence and/or undermine the probation revocation process and court proceedings in both states.

15. Lewis Donald Floyd, Jr., has spent the last eight years trying to game the system in this case with a modest level of success. He continues to attempt to circumvent the law, subvert the consequences of his actions, and con this Honorable Court.

WHEREFORE, for each of the reasons set out herein-above, State of Alabama opposes the Defendant being transferred to the Blount County Community Corrections Program.

s/Scott A. Gilliland

FOR: PAMELA L. CASEY

DISTRICT ATTORNEY

41ST JUDICIAL CIRCUIT OF ALABAMA

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been filed and served via the Alafile.com electronic filing system this 31st day of October, 2024.

s/Scott A. Gilliland_____