IN THE CRIMINAL COURT FOR HAMILTON COUNTY, TENNESSEE
SECOND DIVISION

STATE OF TENNESSEE, EX. REL.	)	
COTY WAMP	)	
DISTRICT ATTORNEY GENERAL	)	
	)	
v.	)	**Case No: 314758**
	)	
THE LODGE OF CHATTANOOGA, LLC	)	
DBA BUDGETEL INN AND SUITES	)	
1410 MACK SMITH ROAD	)	
EAST RIDGE, TENNESSEE	)	

MOTION TO GAIN ENTRANCE TO BUDGETEL INN AND SUITES LOCATED AT 1410 MACK SMITH ROAD EAST RIDGE, TENNESSEE TO REMOVE PERSONAL PROPERTY ITEMS UNRELATED TO THE PETITION FOR NUISANCE ABATEMENT

Comes now Ruby Williamson (Williamson) and Emmanuel Wells (Wells), by and through undersigned counsel, and would ask this Honorable Court for an order allowing East Ridge Police Department (ERPD) and the Hamilton County District Attorney General's Office (HCDA) to accompany Ruby Williamson to Budgetel Inn and Suites Room 4216 to retrieve personal property items unrelated to the Petition for Nuisance Abatement. Williamson would show more specifically as follows:

1. That on or about July 9, 2022, Williamson and her fiance, Emmanuel Wells (Wells), rented an occupancy, Room 1108 for seven days at the Budgetel Inn and Suites located at 1410 Mack Smith Road East Ridge, Tennessee, 37412.

2. That Williams and Wells transferred to Room 4216 and rented this occupancy continuously until November 19, 2022 when were removed by order of this Honorable Court

pursuant to a temporary injunction.

3. That during the entire period of occupancy, Williamson and Wells never missed any rent payments and would normally rent the occupancy every two weeks. On November 12, 2022, Williamson and Wells made a payment of $277 to Budgetel Inn and Suites which was for two weeks rent. The next rent payment would have been due on or about November 26, 2022.

4. That for over five (5) months, Williamson and Wells used their occupancy at Budgetel Inn and Suites as their residence and domicile.

5. That Williamson is currently in her third trimester of pregnancy and has some medical complications related to her pregnancy.

6. That during the months leading up to their hasty eviction, Williamson and Wells gathered many items for their unborn child to include but not limited to the following: baby clothes, baby blankets, piggy bank, bassinet, baby bouncer, pregnancy pillow and other baby related times. In addition to these times, Williamson and Wells kept other baby items in a filing cabinet in their residence. Such items included in this filing cabinet were various ultrasound photographs of the unborn child.

7. That Williamson and Wells further have personal items including their clothes and other items such as tools in their residence.

8. That upon their eviction, Williamson and Wells were not given adequate time to retrieve any of the above-mentioned items. Upon information and belief, it appears these items remain in the residence.

9. That in the expansive, verbose Verified Petition for Abatement of Nuisance filed by

Hamilton County District Attorney General Coty Wamp (Wamp), there are no allegations of criminal or nefarious behavior on behalf of Williamson, Wells, and/or Room 4216.

10. That Williamson and Wells have an established property interest in Room 4216 as well as all of their personal items. In addition, the personal items contained in Room 4216 have no relevance or bearing on the legal remedy sought by Wamp.

11. That at the date of the filing of this motion, Wamp, ERPD, or any of their agents have never offered an explanation to Williamson and Wells as to why they could not get these personal property items at the time of eviction or since that time retrieve said items.

12. That since the Budgetel Inn and Suites is under a temporary injunction and closure, Williamson and Wells can not enter Room 4216 to retrieve personal property items.

13. That since their hasty eviction, Williamson and Wells have had to find a new residence to live and they have never received any rent monies back from the Budgetel Inn and Suites.

14. That a hearing on above-captioned matter is currently set for December 5, 2022 at 1:30 pm.

Wherefore premises considered, Williamson and Wells ask the following:

1. That this Honorable Court accept this motion,

2. That at the December 5, 2022 hearing date, this Honorable Court order representatives of ERPD and HCDA at a reasonable date and time to escort Williamson and Wells to Room 4216 and allow them an adequate time to retrieve all their personal property items within their residence.

3. That this Honorable Court grant other general relief as truth and justice demands.

Respectfully submitted this the 30th day of November, 2022.

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CERTIFICATE OF SERVICE

I certify that a true and exact copy of this pleading has been served via hand delivery on this the 30th day of November, 2022 to:

Coty Wamp, District Attorney General
600 Market Street, Suite 310
Chattanooga, TN 37402

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Neal Pinkston