

IN THE SUPERIOR COURT OF JEFF DAVIS COUNTY, GEORGIA FINAL DISPOSITION

STATE OF GEORGIA  
VS

CRIMINAL ACTION NO. 2009SUR107  
OFFENSES: 1) conspiracy to defraud political  
Subdivision; 3 & 4) Theft by taking

Roger Byrd

March TERM 2009

2009 AUG 24 AM 9:26  
MAYRA MURPHY, CLERK  
JUDGE: [Signature]  
CLERK: [Signature]

<input checked="" type="checkbox"/> PLEA:		<input type="checkbox"/> VERDICT:	<input type="checkbox"/> OTHER DISPOSITION
<input checked="" type="checkbox"/> NEGOTIATED	<input type="checkbox"/> JURY	<input type="checkbox"/> GUILTY ON	<input checked="" type="checkbox"/> NOLLE PROSEQUI ORDER
<input checked="" type="checkbox"/> GUILTY ON CTS <u>3,4</u>	<input checked="" type="checkbox"/> NON JURY	COUNT (S) _____	CTS <u>1</u>
<input type="checkbox"/> NOLO CONTENDERE ON		<input type="checkbox"/> NOT GUILTY ON	<input type="checkbox"/> DEAD DOCKET ORDER ON
COUNT (S) _____		COUNT(S) _____	COUNT (S) _____
<input type="checkbox"/> TO LESSER INCLUDED		<input type="checkbox"/> GUILTY OF INCLUDED	<input type="checkbox"/> DISMISSED _____
OFFENSE (S) _____		OFFENSE (S) _____	
<input type="checkbox"/> ALFORD V. N.C.		ON COUNT (S) _____	(SEE SEPARATE ORDER)
<input type="checkbox"/> DEFENDANT WAS ADVISED OF HIS / HER RIGHT TO HAVE THIS SENTENCE REVIEWED BY THE SUPERIOR COURT'S SENTENCE PANEL.			

FELONY SENTENCE

MISDEMEANOR SENTENCE

WHEREAS, the above named defendant has been found guilty of the above-stated offense. WHEREUPON, it is ordered and adjudged by the Court that: The said defendant is hereby sentenced to confinement for a period of \_\_\_\_\_ in the State Penal System or such other institution as the Commissioner of the Georgia Department of Corrections may direct, to be computed as provided by law. HOWEVER, it is further ordered by the Court:

- 1) THAT THE ABOVE SENTENCE MAY BE SERVED ON PROBATION
- 2) THAT upon service of \_\_\_\_\_ of the above sentence, the remainder of \_\_\_\_\_ may be served on probation PROVIDED that the said defendant complies with the following general and other conditions herein imposed by the Court as a part of this sentence.

FIRST OFFENDER TREATMENT

WHEREAS, no adjudication of guilty has been made subsequent to the entry of the plea or verdict shown above, and WHEREAS, the Court has reviewed the defendant's criminal record on file with Georgia Crime Information Center, and WHEREAS, the defendant has not previously been convicted of a felony or used the provisions of the First Offender Act (Ga. Laws 1968, p. 364).

NOW THEREFORE, the defendant consenting hereto, it is the judgement of the Court that no judgement of guilt be imposed at this time but that further proceedings and deferred and the defendant is hereby sentenced to confinement for the period of \_\_\_\_\_ and/or placed on probation for the period of NP on ct. 1; (10) years on ct. 3; (10) years on ct. 4 consecutive to ct. 3 from this date PROVIDED, that the defendant complies with the following general and special conditions herein imposed by the Court as part of the sentence.

PROVIDED, further, that upon violation of the terms of probation, the Court may enter an adjudication of guilt and proceed to sentence defendant to the maximum sentence provided by law. Upon the fulfillment of the terms of probation, or upon release of the defendant by the Court prior to the termination of this sentence, the defendant shall stand discharged of said offense without court adjudication of guilty and shall be completely exonerated of guilty of said offense charged.

Let a copy of this Order be forwarded to the office of the State Probation System of Georgia and the Identification Division of the Federal Bureau of Investigation.

CONDITIONS OF PROBATION

The defendant, having been granted the privilege of serving all or part of the above -stated sentence on probation, hereby is sentenced to the following general conditions of probation:

1. Do not violate the criminal laws of any governmental unit.
2. Avoid injurious and vicious habits - especially alcoholic intoxication and narcotics and other dangerous drugs unless prescribed lawfully.
3. Avoid persons or places of disreputable or harmful character.
4. Report to the Probation Officer as directed and permit such Officer to visit him (her) at home or elsewhere.
5. Work faithfully at suitable employment insofar as may be possible.
6. Do not change his (her) present place of abode, move outside the jurisdiction of the Court, or leave the State for any period of time without prior permission of the Probation Supervisor.
7. Support his (her) legal dependants to the best of his (her) ability.
8. Defendant is required to submit to random drug/alcohol screens at the discretion of the Probation Office.
9. Submit to evaluations and testing relating to rehabilitation and participate in and successfully complete rehabilitative programming as directed by the department.

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	COUNT 1	COUNT 2	COUNT 3	COUNT 4	COUNT 5
FINE	\$	\$			
POT FUND	\$	\$			
VWA FUND	\$	\$			
COURT COST	\$	\$			
INDIGENT APP FEE	\$	\$			
INDIGENT FUND	\$	\$			
CRIME LAB	\$	\$			
JAIL FUND	\$	\$			
DRUG SURCHARGE	\$	\$			
RESTITUTION	\$210,000.00				
ATTORNEY FEE					
TOTAL	\$210,000.00	\$			

SPECIAL CONDITIONS

Said amounts shall be paid not less than monthly (or as often as the defendant is paid, if less than monthly) and in an amount not less than 1/44TH of the total amount of fines, fees, and restitution per month, with the final amount due not later than 02/18/2012

- ✓ Probation fee of \$ 32.00 per month.
- ✓ Restitution is payable to Jeff Davis County Commission
- ✓ 50-60 months in PDC; Suspended upon payment of \$25,000.00 within 60 days and an additional \$25,000.00 within 180 days of sentencing. If money is not paid as stated defendant enters and completes PDC as directed.
- ✓ After the initial 6 months the defendant will pay at a monthly rate for 144 months @ 6% interest.
- ✓ All fines and interest must be paid within 30 months. *or PDC goes into effect*
- ✓ Defendant will testify truthfully against any co-defendant.
- ✓ Defendant must remain on probation for a minimum of 36 months. After that time and all conditions are met, the defendant may petition the Courts for termination.

IT IS THE FURTHER ORDER of the Court, and the defendant is hereby advised that the Court may, at any time, revoke any conditions of this probation and/or discharge the defendant from probation. The probationer shall be subject to arrest for violation of any condition of probation herein granted. If such probation is revoked, the Court may order the execution of the sentence which was originally imposed or any portion thereof in the manner provided by law after deducting therefrom the amount of time the defendant has served on probation.

The defendant was represented by the Honorable Joshua Lowther, Attorney at Law, Jeff Davis Co, by (Employment/Public Defender).

So ordered this 18th day of August, 2009.

*Amanda F. Williams*  
 Judge Amanda F. Williams, Chief Judge  
 Jeff Davis County Superior Court  
 Brunswick Judicial Circuit

Certificate of Service - This is to certify and acknowledge that a true and correct copy of this Final Disposition has been delivered in person and the defendant has been duly instructed regarding the conditions as set forth.

This \_\_\_\_\_ Day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Probation Officer

This \_\_\_\_\_ Day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Probationer