

IN THE STATE COURT OF FULTON COUNTY  
STATE OF GEORGIA

State of Georgia

vs.

Accusation No. 12CR391147

JUSTIN W PEEK  
Defendant(s)

SEXUAL BATTERY - MHAN

I, Carmen D. Smith, Solicitor General for the County of Fulton, State of Georgia, in the name and on behalf of the citizens of Georgia do hereby charge and accuse JUSTIN W PEEK with the offense of **SEXUAL BATTERY**, a misdemeanor of a high and aggravated nature for that said accused in the County of Fulton, State of Georgia on February 4, 2012 did intentionally make physical contact by touching the genital area of [REDACTED] without the consent of said person, in violation of O.C.G.A. § 16-6-22.1, contrary to the laws of this State, the good, order, peace and dignity thereof.

Carmen D. Smith

CARMEN D. SMITH, SOLICITOR GENERAL  
SG#: SG-486790-12  
PARTY ID: @2847011

SG1401

FULTON COUNTY GEORGIA  
CLERK/STATE COURT OF  
JENNIFER HARPER

2012 DEC 28 PM 3:45

FILED  
CRIMINAL DIVISION

*amended charge from sexual battery to simple battery*

IN THE STATE COURT OF FULTON COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA

vs.

ACCUSATION NO. 12CR 391147  
Simple Battery

JUSTIN W PEEK  
Defendant(s)

I, Carmen D. Smith, Solicitor General for the County of Fulton, State of Georgia, in the name and on behalf of the citizens of Georgia do hereby charge and accuse JUSTIN W PEEK with the offense of Simple Battery a misdemeanor, for that said accused in the County of Fulton, State of Georgia did on or about February 4, 2012 intentionally make physical contact of an insulting or provoking nature with the person of [REDACTED], in violation of O.C.G.A § 16-5-23, contrary to the laws of this State, the good order, peace and dignity thereof.

*Carmen D. Smith*

Date Filed:

CARMEN D. SMITH, SOLICITOR GENERAL  
SG#: SG-486790-12  
PERSON ID: 1598216

FILED IN OFFICE  
2014 JAN 28 AM 10:09  
*UP*

DEFENDANT'S GUILTY PLEA STATEMENT

Circle one

Do you PLEAD GUILTY to the charge(s) which has (have) been read to you?

YES  NO

Are you now under the influence of any medication, drugs or alcohol?

YES  NO

Have you told your lawyer all the facts and circumstances known to you about the charge(s) against you?

YES  NO  N/A

Are you satisfied with the services and advice of your lawyer?

YES  NO  N/A

Do you understand that by pleading GUILTY you are GIVING UP THE FOLLOWING RIGHTS:

- the right to the presumption of innocence;
- the right to a speedy and public trial by judge or jury, whichever you prefer;
- the right to see, hear and cross-examine all witnesses called to testify against you;
- the right to compel production of evidence and the presence of witnesses in your favor;
- the right to assistance of an attorney hired by you, or of a court-appointed lawyer if you cannot afford to hire one and if there is a real possibility that you would be incarcerated if convicted, or if you fail to comply with any conditions of your sentence;
- the right to remain silent and not testify against yourself;
- the right to have the State prove the charge(s) against you beyond a reasonable doubt.

YES 3L  
Initial

Do you understand that the Court may sentence you to the maximum punishment allowed by law which is imprisonment for a total of 12 months and a fine totaling \$1,000.00 (\$5,000.00 for Misdemeanors of a High and Aggravated Nature) or both?

YES  NO  N/A

Has anyone told you that you will receive a lesser sentence for pleading GUILTY?

~~YES~~  NO JJ

Has anyone promised you anything to PLEAD GUILTY?

YES  NO

Do you understand that the State is recommending a sentence of

12m BP, 409s, 200 fine, Sexual Deviant etc

*Evaluation + treatment?*

*if deemed necessary. 1st Offender Status. Upon completion probation will terminate.*

YES  NO  N/A

Do you understand that the Court does not have to accept that recommendation and can impose the maximum sentence, and if that sentence is less favorable than that recommended by the State, you have the right to withdraw your guilty plea?

YES  NO

Has anyone forced or threatened you to plead GUILTY?

YES  NO

Do you understand that if you are currently on probation your probation may be revoked because of your guilty plea here?

YES  NO

Do you understand that if you are not a United States citizen your immigration status may be effected because of your guilty plea here?

YES  NO

DO YOU OFFER THIS GUILTY PLEA FREELY AND VOLUNTARILY WITH A FULL UNDERSTANDING OF THE CHARGE(S) AGAINST YOU?

YES  NO

JUSTIN LUK  
DEFENDANT

[Signature]  
JUDGE, STATE COURT OF FULTON COUNTY

I have discussed this case with my client and, in my opinion, he/she fully understands the charge(s), his/her rights and the consequences for his/her plea.

[Signature]  
DEFENDANT'S ATTORNEY

1/23/14  
DATE

#4

COUNTY OF FULTON, STATE OF GEORGIA

CRIMINAL DIVISION

STATE OF GEORGIA,

ACCUSATION NUMBER 12-CR-391147

v.

CHARGE(S): Simple

Justin W. PEEK

Battery

Defendant.

PLEA AND VERDICT

I hereby plead NOT GUILTY.

I hereby plead GUILTY/NOLO CONTENDERE.

This \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

This 22 day of January, 2014

\_\_\_\_\_  
Defendant

Justin PEEK  
Defendant

\_\_\_\_\_  
Defendant's Attorney

[Signature]  
Defendant's Attorney

\_\_\_\_\_  
Assistant Solicitor-General

[Signature]  
Assistant Solicitor-General

I hereby voluntarily, knowingly, and intelligently  
WAIVE my right to trial by jury, and request a bench  
trial on the above-styled case.

\_\_\_\_\_  
Defendant

We, the Jury, find the defendant \_\_\_\_\_

\_\_\_\_\_  
Date

[Signature]  
Judge-Foreperson

vs.

Justin Beck

Accusation Number 12 CR 391147

**GENERAL CONDITIONS OF PROBATION**

1. Do not violate the criminal laws of any governmental unit.
2. Avoid Injurious and vicious habits – especially alcoholic intoxicants, narcotics, and other dangerous drugs unless prescribed lawfully.
3. Avoid persons or places of disreputable character.
4. Report to the probation officer as directed and permit such officer to visit you at home or elsewhere.
5. Work faithfully at suitable employment in so far as may be possible.
6. Do not change your address, move outside the jurisdiction of the Court, or leave the state for any period of time without prior permission of your probation supervisor.
7. Support your legal dependants to the best of your ability.

**SPECIAL CONDITIONS OF PROBATION**

1. ( ) Get counseling for violent behavior. ( ) Anger Management ( ) Domestic Violence counseling
2. ( ) No further contact with victim: \_\_\_\_\_.
3. ( ) No further VIOLENT CONTACT with victim: \_\_\_\_\_.
4. ( ) Submit to a drug/alcohol evaluation and undergo treatment if recommended by the evaluating agency.
5. ( ) No alcohol or drugs while on probation.
6. ( ) Attend \_\_\_\_ AA/NA meetings weekly. Start within \_\_\_\_ days.
7. ( ) Continue AA/NA program (or any other alcohol/drug related program) presently enrolled in.
8. ( ) Random/Weekly urine screens upon reporting to the probation department.
9. ( ) Continue alcohol/drug treatment.
10. ( ) Submit proof of full time employment with \_\_\_\_ days.
11. ( ) Get job counseling.
12. ( ) Pay \$ \_\_\_\_\_ by the \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_, at 4:00pm.
13. ( ) Continue mental health treatment.
14. ( ) Continue medication.
15. ( ) Take an AIDS test within \_\_\_\_\_ days of the \_\_\_\_\_ of \_\_\_\_\_, 20 \_\_\_\_\_.
16. ( ) Report to the Fulton County Jail on the \_\_\_\_\_ of \_\_\_\_\_ 20 \_\_\_\_\_ at \_\_\_\_\_ am/pm.
17. ( ) Weapon is hereby forfeited. No weapons whatsoever during period of probation (or suspended sentence).
18. ( ) Leave Fulton County, Georgia, by \_\_\_\_\_.
19. ( ) No driving except to and from work, to and from church, and in case of emergency for the next \_\_\_\_\_.
20. ( ) Absolutely NO driving for the next \_\_\_\_\_.
21. ( ) Risk Reduction.
22. ( ) MAAD Panel.
23. ( ) Interlock Ignition.
24.  Probation becomes ( ) Non-Reporting  Suspended upon completion of all conditions.
25. ( ) Victim Impact Panel.
26.  Sexual Deviance Class. I
27. ( ) Shoplifting Class.
28. ( ) Home Confinement/House arrest \_\_\_\_\_ days / month.
29. ( ) Curfew: \_\_\_\_\_
30. ( ) Other: Sexual Deviancy evaluation & treatment if necessary

FINAL DISPOSITION ON MISDEMEANOR SENTENCE IN THE STATE COURT OF FULTON COUNTY-CRIMINAL DIVISION

STATE OF GEORGIA VS.

O.B.T.S.#

JUSTIN W PEEK 12-CR-391147  
SEXUAL BATTERY - MHAN

Simple Battery

**PLEA**

NEGOTIATED **A**

GUILTY ON **A**

NOLO CONTENDERE ON \_\_\_\_\_

ALFORD VS N.C. \_\_\_\_\_

**TRIAL**

JURY

NON JURY

**VERDICT**

GUILTY ON \_\_\_\_\_

NOT GUILTY ON \_\_\_\_\_

DIRECTED VERDICT ON \_\_\_\_\_

**OTHER DISPOSITIONS**

DEAD DOCKET ORDER ON \_\_\_\_\_

NOLLE PROSEQUI ORDER ON \_\_\_\_\_

See Separate Order

See Separate Order

MERGED WITH \_\_\_\_\_

CASH FORFEITURE OPTION

IT IS CONSIDERED ORDERED AND ADJUDGED BY THE COURT THAT THE ABOVE NAMED DEFENDANT ON COUNT:

PAY A FINE OF	§ GA. 15-21-73(a) (10%/\$50) P.O.P.I.D.F.	§GA 15-21-73(b) (10%) P.O.P.I.D.F.	§ GA 15-21-93 (10%) J.C.S.A.	§ GA 15-21-131 (5%) Victim's Assist.	§ GA 15-21-112 (\$26) Victim's Fund	§ GA 40-6-391 (\$25) Publication Fee 2nd DUI IN 5 YEARS	§ GA 15-21-149 (10%) Brain Injury Fund	§ GA 42-8-34 (\$25) DUI	Possession Marijuana	§GA 40-6 (5%) Traffic Violation Only	§GA 15-21-100 (50%) D.A.T.E
200	20	20	20	10							
PAY RESTITUTION OF \$										275	

AND BE CONFINED FOR A PERIOD OF 12 MONTHS  WEEKS  DAYS  HOURS IN THE FULTON COUNTY JAIL OR OTHER SUCH PLACE AS THE DEFENDANT MAY, BY LAW, BE CONFINED.  TO RUN CONCURRENTLY WITH \_\_\_\_\_  TO FOLLOW \_\_\_\_\_ CFTS SINCE 2 days

FINE SUSPENDED  SENTENCE REDUCED TO TIME SERVED. DEFENDANT HAS BEEN IN JAIL SINCE: \_\_\_\_\_

FINE & SENTENCE SUSPENDED  COMPLETE 40 HOURS OF COMMUNITY SERVICE

PAY A FINE OF	§ GA. 15-21-73(a) (10%/\$50) P.O.P.I.D.F.	§GA 15-21-73(b) (10%) P.O.P.I.D.F.	§ GA 15-21-93 (10%) J.C.S.A.	§ GA 15-21-131 (5%) Victim's Assist.	§ GA 15-21-112 (\$26) Victim's Fund	§ GA 40-6-391 (\$25) Publication Fee 2nd DUI IN 5 YEARS	§ GA 15-21-149 (10%) Brain Injury Fund	§ GA 42-8-34 (\$25) DUI	Possession Marijuana	§GA 40-6 (5%) Traffic Violation Only	§GA 15-21-100 (50%) D.A.T.E
PAY RESTITUTION OF \$											

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FINE SUSPENDED  SENTENCE REDUCED TO TIME SERVED. DEFENDANT HAS BEEN IN JAIL SINCE: \_\_\_\_\_

FINE & SENTENCE SUSPENDED  COMPLETE \_\_\_\_\_ HOURS OF COMMUNITY SERVICE

PAY A FINE OF	§ GA. 15-21-73(a) (10%/\$50) P.O.P.I.D.F.	§GA 15-21-73(b) (10%) P.O.P.I.D.F.	§ GA 15-21-93 (10%) J.C.S.A.	§ GA 15-21-131 (5%) Victim's Assist.	§ GA 15-21-112 (\$26) Victim's Fund	§ GA 40-6-391 (\$25) Publication Fee 2nd DUI IN 5 YEARS	§ GA 15-21-149 (10%) Brain Injury Fund	§ GA 42-8-34 (\$25) DUI	Possession Marijuana	§GA 40-6 (5%) Traffic Violation Only	§GA 15-21-100 (50%) D.A.T.E
PAY RESTITUTION OF \$											

AND BE CONFINED FOR A PERIOD OF \_\_\_\_\_ MONTHS  WEEKS  DAYS  HOURS IN THE FULTON COUNTY JAIL OR OTHER SUCH PLACE AS THE DEFENDANT MAY, BY LAW, BE CONFINED.  TO RUN CONCURRENTLY WITH \_\_\_\_\_  TO FOLLOW \_\_\_\_\_ CFTS SINCE \_\_\_\_\_

FINE SUSPENDED  SENTENCE REDUCED TO TIME SERVED. DEFENDANT HAS BEEN IN JAIL SINCE: \_\_\_\_\_

FINE & SENTENCE SUSPENDED  COMPLETE \_\_\_\_\_ HOURS OF COMMUNITY SERVICE

ALL SENTENCES REDUCED TO TIME SERVED. DEFENDANT HAS BEEN IN JAIL SINCE: \_\_\_\_\_

PROVIDED THAT THE CONFINEMENT SPECIFIED SHALL BE  PROBATED ON A  SUSPENDED ON \_\_\_\_\_

AFTER SERVICE OF \_\_\_\_\_ MONTHS  WEEKS  DAYS  HOURS ON \_\_\_\_\_

FINES AND/OR RESTITUTION LISTED IN A ARE TO BE PAID THROUGH PROBATION UNLESS OTHERWISE SPECIFIED. THE SENTENCE OF CONFINEMENT OR BALANCE OF PROBATION SHALL BE SUSPENDED UPON PAYMENT IN FULL OF ANY FINE AND RESTITUTION AND COMPLETION OF ANY AND ALL GENERAL AND/OR SPECIAL CONDITIONS

SEE ATTACHED SPECIAL CONDITIONS  DEFENDANT IS TO REMAIN ON PROBATION FOR THE ENTIRE SPECIFIED PERIOD

WAIVE PROBATION FEE DUE TO INDIGENCY. NOTE: INCLUDED IN THE COST OF SUPERVISION IS A \$9 G.C.V.E.F. STATE SURCHARGE AND A \$2 COUNTY SURCHARGE

FEE FOR INDIGENT DEFENSE APPLICATION OR SERVICES \$50  WAIVED  FEE FOR PUBLICATION § GA 16-6-12 - PANDERING (\$25)

\$25 PUBLICATION FEE FOR 2ND OR SUBSEQUENT CONVICTION FOR SIMPLE ASSAULT FVA, SIMPLE BATTERY FVA, BATTERY FVA, STALKING, AND AGGRAVATED STALKING.

TOTAL OWED TO COURT \$

STAY AWAY FROM: \_\_\_\_\_  PAY \$ 49 PER MONTH COST OF SUPERVISION.

FIRST OFFENDER TREATMENT AS TO COUNT(S) A ONLY. WHEREAS, the above named defendant has been found guilty of the above stated offense, and; WHEREAS, said defendant has not previously been convicted of a felony nor availed himself of the provision of the First Offender Act(Ga. Laws 1968, p. 324) NOW, THEREFORE, the defendant consenting hereto, it is the judgment of the Court that no judgment of guilt be imposed at this time, but that further proceedings are deferred and defendant, after completion of this above stated sentence and provided that said 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/suspension, the court may enter an adjudication of guilt and proceed to sentence the defendant to the maximum sentence provided by the law. Upon fulfillment of the terms of probation/suspensions, or upon release of the defendant by the court prior to the termination of the period thereof, the defendant shall stand discharged of said offense charged and shall be completely exonerated of guilt of said offense charged. Let a copy of this Order be forwarded to the identification Division of the Federal Bureau of Investigation.

NOTICE: The defendant is advised that the court may at any time revoke any condition of this probated/suspended sentence and/or discharge the defendant from probation/suspended sentence. The defendant shall be subject to arrest for violation of any condition of probation/suspended sentence herein granted. If such probation is revoked, the court may order the execution of the sentence which was originally imposed thereon in the manner by law after deducting the amount of time the defendant served on probation/suspended sentence.

SO ORDERED THIS 28 DAY OF January 2014

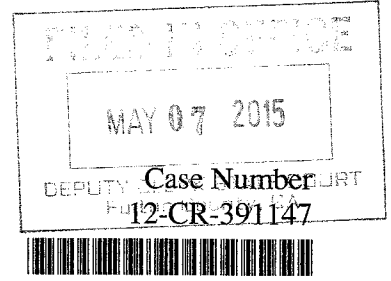
THIS SENTENCING ORDER IS HEREBY FILED IN OPEN COURT THIS 28 DAY OF Jan 2014

CERTIFICATE OF SERVICE: This is to certify, that a true and correct copy of the sentence above has been delivered to person to the defendant and he/she has been instructed regarding the conditions as set forth above.

DATE: 1-28-14 PROBATION OFFICER: \_\_\_\_\_ PROBATIONER: Justin PEEK

4217-21

# Fulton County State Court



STATE OF GEORGIA  
vs.  
JUSTIN W. PEEK  
Defendant

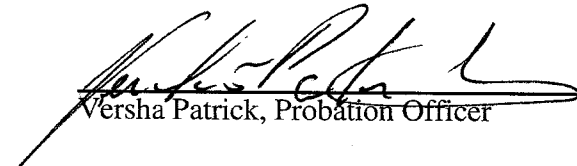
## NOTICE OF COMPLETION OF PROBATION

This was heard in the above styled court before the Honorable **Myra H. Dixon**, and the defendant placed under the supervision of Judicial Correction Services. The undersigned Probation Officer, Versha Patrick informs the Court that the Defendant has completed all conditions of probation imposed by the court as follows:

**Start of Probation: 1/28/2014**  
**Charge(s): Simple Battery**

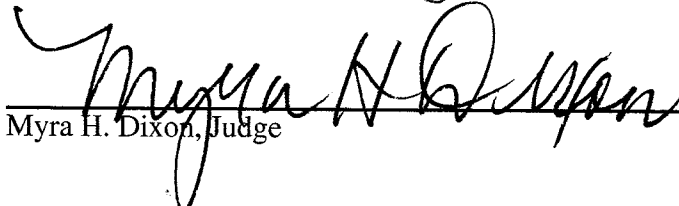
**Length of Probation: 12 months**

<u>Conditions Imposed by Court</u>	<u>Assessments</u>	<u>Condition Status</u>
Fines	\$200.00	Completed
Court Cost	\$70.00	Completed
Community Service Hours	40	Completed
Treatment		Verified Completed
Sexual Deviancy		Verified Completed

  
Versha Patrick, Probation Officer  
Date: 12/30/14

It is hereby DONE AND ORDERED that this probation is terminated. It is further ordered that the clerk of this court file this order in his office, enter copy of same in the minutes of the Court, in compliance with the requirements of the law.

Given under my hand and seal this 27<sup>th</sup> day of January, 2014

  
Myra H. Dixon, Judge