

RITA HARKINS
CLERK OF SUPERIOR COURT
325 RILEY ROAD, ROOM 108
DAHLONEGA, GA 30533-0541
TEL: 706-864-3736
FAX: 706-864-5298

IN THE SUPERIOR COURT OF LUMPKIN COUNTY

STATE OF GEORGIA

VS

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT
Filed 440p M 1.11.17

DOLES, CHESTER JAMES

Rita Harkins
RITA HARKINS, CLERK

Received from Lumpkin County District Attorney

 Uniform Traffic Citation(s) (LCSO/Georgia State Patrol/NGCSU)

 2 Warrant(s)

 GCIC ID Report/ FBI Response Report /Arrest/Booking Report

 1 Bond(s) (Property/Cash/Bonding Company/OR/ /Military) *(not provided)*

 X Exhibit(s)

 Other:

PRE-INDICTMENT/ACCUSATION CASE NO.

17-PI-4- SG



Office of the Sheriff
Lumpkin County



Professionalism - Integrity - Honesty - Courage

Bond

Printed on December 19, 2016

DOLES, CHESTER JAMES (#20161899)

State of Georgia, Lumpkin County

Current Date: 12/19/16

Bond Type: Bonding Company

Bond Amount: \$ 5200.00

Property Description

Important Court Information: SUPERIOR COURT DATE TO BE NOTIFIED BY MAIL

Court Date and Time:

Court Type: Superior

Case Number: 16-12-216

Charges:

16-5-23.1 - Battery - Misdemeanor; 16-5-23.1 - Battery - Misdemeanor

KNOW ALL MEN BY THESE PRESENTS, that we the principal and the sureties are held and firmly bound unto his Excellency THE, Governor of said State and his successors in office, in the penal sum of the above stated amount for the true payment whereof we bind our heirs, executives and administrators, jointly and severally, firmly by these presents. And to better secure the payment of this bond, in the event of forfeiture, we and each of us, expressly waive and renounce for ourself and families all rights to any benefit rising or to arise from any homestead exemption and state laws whatever until the obligation is fully discharged. Said property described in any Exhibit attached herto is incorporated herein and made a part of hereof.

The conditions of the above obligation are such, that if the above bound principal shall personally be and appear at the next term of said court, from day to day, and from term to term, then and there to answer to an indictment/accusation for the above named offense(s), with which he/she stands charged, and shall not depart thence without leave of said court, then the above obligation to be null and void, otherwise to remain in full force and effect.

Signed with our hand, sealed with our seals on the above date.

Principal:

Name

Address

Home

Home

Home

Home

Cell

Cell

Cell

Cell

DOLES, CHESTER JAMES

647 WINTERS MTN. RD.

DAHLONEGA, GA 30533

(706) 867-0291

(706) 867-0227

(706) 867-6696

(706) 867-9765

(706) 973-1659

(706) 973-7674

(706) 973-7245

(706) 973-0978

Principal

Signed

Surety:
Name
Address

BONDING, LIBERTY
P.O. BOX 731
DAWSONVILLE, GA 30534
(706) 864-0122

Surety:

Liberty Bonding Inc

Business

Signed, Sealed and Acknowledged in the presence of: APPROVED:

X *[Signature]* 736

APPROVED BOND
[Signature] 736

In the event that a cash bond is returned, it shall be returned to the

Principal/Surety:

NOTE IF SUPERIOR COURT:

1. You will be sent a notice by the Clerk of the Superior Court to the above address, notifying you of the date you are to appear.

2. If you change addresses, you must notify the office of the Clerk of the Superior Court, in person, in writing, or by certified mail, return receipt requested to Rita Harkins, Clerk of the Superior Court, Lumpkin County, 325 Riley Road, Room 108, Dahlonega, GA 30533. FAILURE TO NOTIFY THE CLERK OF SUPERIOR COURT OF A CHANGE IN YOUR MAILING ADDRESS COULD RESULT IN YOUR RE-ARREST AND HOLDING UNTIL TRIAL!

S.O. Case #: IC16-12-216

WARRANT NO: 16-17914MW

GEORGIA, LUMPKIN COUNTY

AFFIDAVIT

Personally came Dep. C. Roberts #733, who on oath says that, to the best of affiant's knowledge and belief that Chester James Doles did, in the County aforesaid, commit the offense of, TO WIT §16-5-23.1 Battery on or between 12/17/16, at approximately 23:50 and 12/18/16 at approximately 02:00, in LUMPKIN County, Georgia; the place of occurrence of said offense being 438 Main Street West, Dahlonega, Georgia; and against the laws of the State of Georgia.

Said offense being described as:

§16-5-23.1 Battery. For the said Chester James Doles did violate O.C.G.A. §16-5-23.1 when he willingly and knowingly did intentionally cause visible bodily harm to [REDACTED] when he struck him with his fist, causing facial bruising and lacerations

and thus deponent makes this affidavit that a warrant may issue for his/her arrest.

Sworn to and subscribed before me, this 19th day of December, 2016 at 8:55A m.


Magistrate


Affiant

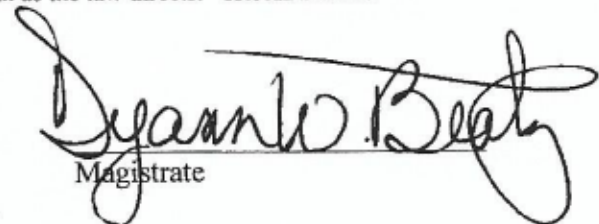
GEORGIA, LUMPKIN COUNTY

WARRANT

To any sheriff, deputy sheriff, coroner, constable, marshal or other law enforcement officer of Georgia -
Greetings:

For sufficient causes made known to me in the above affidavit and from other oral testimony given under oath, you are hereby commanded to arrest Chester James Doles, the Defendant named in the foregoing affidavit charged by the prosecutor therein with the offense against the laws of this State as enunciated in this affidavit and bring him before me or some other Judicial Officer of this State to be dealt with as the law directs. Herein fail not.

This December 19, 2016, at 8:55A m.


Magistrate

THE STATE

VS.

Chester James Doles
647 Winters Mountain Road
Dahlonega, GA 30533

PROSECUTOR:

Dep. C. Roberts #733
385 East Main Street
Dahlonega, GA 30533

White Male DOB: 07/14/1960

Warrant executed on the 19 day of December, 2016 at 9:20 o'clock a m.

Arresting Officer

Warrants Date Time Initials
Received 12/19/16 0930 SM

GCIC

Interops 12/19/16 0940 SM

Book 8 p. 50

S.O. Case #: IC16-12-216

WARRANT NO: 16-17915MW

GEORGIA, LUMPKIN COUNTY

AFFIDAVIT

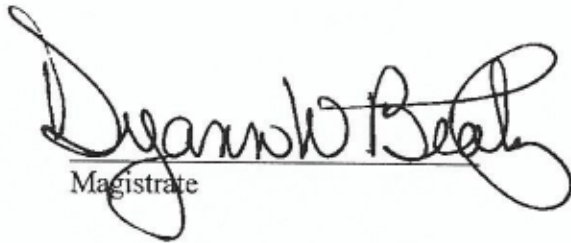
Personally came Dep. C. Roberts #733, who on oath says that, to the best of affiant's knowledge and belief that Chester James Doles did, in the County aforesaid, commit the offense of, TO WIT §16-5-23.1 Battery on or between 12/17/16, at approximately 23:50 and 12/18/16 at approximately 00:00, in LUMPKIN County, Georgia; the place of occurrence of said offense being 438 Main Street West, Dahlonega, Georgia; and against the laws of the State of Georgia.

Said offense being described as:

§16-5-23.1 Battery. For the said Chester James Doles did violate O.C.G.A. §16-5-23.1 when he willingly and knowingly did intentionally cause visible bodily harm to [REDACTED] when he pushed her against a wall, causing bruising and swelling to her face

and thus deponent makes this affidavit that a warrant may issue for his/her arrest.

Sworn to and subscribed before me, this 19th day of December, 2016 at 8:56A m.


Magistrate


Affiant

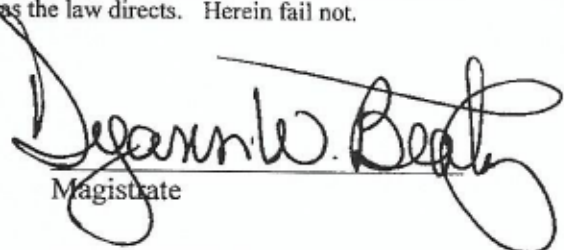
GEORGIA, LUMPKIN COUNTY

WARRANT

To any sheriff, deputy sheriff, coroner, constable, marshal or other law enforcement officer of Georgia -
Greetings:

For sufficient causes made known to me in the above affidavit and from other oral testimony given under oath, you are hereby commanded to arrest Chester James Doles, the Defendant named in the foregoing affidavit charged by the prosecutor therein with the offense against the laws of this State as enunciated in this affidavit and bring him before me or some other Judicial Officer of this State to be dealt with as the law directs. Herein fail not.

This December 19, 2016, at 8:56A m.


Magistrate

THE STATE

VS.

Chester James Doles
647 Winters Mountain Road
Dahlonega, GA 30533

PROSECUTOR:

Dep. C. Roberts #733
385 East Main Street
Dahlonega, GA 30533

White Male DOB: 07/14/1960

Warrant executed on the 19 day of December, 2016 at 9:20 o'clock AM.

Arresting Officer

Warrants Date Time Initials
Received 12/19/16 0930 SM

GCIC

Interops 12/19/16 0946 SM

Book 8 pg 50

Please sign here:

100% ▾

S.O. Case #: IC16-12-216 LUMPKIN COUNTY MAGISTRATE COURT
BOND HEARING

STATE OF GEORGIA vs
Chester James Doles

Warrant(s)
16-17914MW
16-17915MW

OFFENSE
Battery
Battery

Do you speak, understand, read and write English? YES
The purpose of this initial appearance is to inform you of your constitutional rights, to determine whether you request a lawyer, to tell you when preliminary hearings are held and to consider the setting of bond.

Before I ask you any questions, you must understand your rights:

You have the right to remain silent, anything you say can and will be used against you.

You have the right to an Attorney, Do you have an Attorney? NO

•? 1. If so, What is your Attorney's Name _____

•? 2. If you cannot afford an attorney, you must fill out an application form at the sheriff's office to determine if you qualify for the public defender to represent you.

•? 3. Do you understand the charges against you? YES
A felony means possible imprisonment of more than a year.
A misdemeanor means possible maximum imprisonment of up to twelve months.

•? 4. You have the right to a committal or preliminary hearing. A committal or preliminary hearing is for the Judge to listen to the evidence against you and to determine whether or not there is evidence to justify your arrest on these charges. Probable cause means there is enough evidence to believe that you committed these or other crimes. If probable cause is found, the case will be sent to the prosecutors for presentation to a Grand Jury or preparation of an accusation. If probable cause is not found, the charges can be dismissed. At this hearing, you have the right to confront witnesses, the presumption of innocence and a trial by jury. You may waive your right to a committal or preliminary hearing.

Do you wish to waive your right to a committal / preliminary hearing? YES

- Waived Committal Hearing Hearing Date and Time: _____

- Schedule the committal Hearing if requested, Date of Hearing _____

•? 5. Do you want the judge to set you a bond? YES

•? 6. Do you understand these matters? YES

•? 7. Bond if applicable in the sum of \$ \$2,500.00, \$2,500.00

•? 8. Bond conditions? YES

Chester J. Doles
Defendant
Date: 12/19/2016 2:41:30 PM

[Signature]
Magistrate Judge
Date: 12/19/2016 2:41:53 PM

Please sign here:

100%

IN THE MAGISTRATE COURT OF LUMPKIN COUNTY
STATE OF GEORGIA
S.O. Case #: IC16-12-216

STATE OF GEORGIA
VS.
Chester James Doles
Defendant

Warrant No 16-17914MW 16-17915MW

Charges Battery
Battery

SPECIAL CONDITIONS OF BOND

This Court has addressed the issue of bond regarding this defendant and the pending charges. Wherefore, this Court hereby orders the following conditions be placed on this Defendant's bond in accordance with Court rule 23.3:

This Court hereby orders and adjudicates that such bond be set in the amount of \$10,000.00, \$2,500.00

The Defendant shall not

- ☒ possess or be in control of any weapons;
- ☐ occupy the front seat of any motor vehicle or operate any motor vehicle;
- ☐ possess or consume any alcohol or illegal drugs;
- ☒ violate any local, state or Federal laws while these charges are pending;

☒ The Defendant shall have no contact, directly or indirectly with [REDACTED]. Violations involving contact of any kind with [REDACTED] may subject the Defendant to a separate prosecution for the NO BOND felony offense of AGGRAVATED STALKING.

☒ The Defendant shall not go on or within 100 yards of the residential premise of [REDACTED] located at wherever the victims reside.

☐ The Defendant shall not go on the work place of [REDACTED] located at [REDACTED]

☐ Defendant waives his/her 4th amendment right as to search and seizure under United States and Georgia Constitution.

☐ Defendant shall be evaluated for ☐ Alcohol ☐ Drug ☐ Domestic Violence ☐ Anger Management within ten (10) days of release and take such treatment as deemed necessary.

☐ Defendant shall abide by a curfew and not leave his/her residence between the hours of [REDACTED] p.m. and [REDACTED] a.m., except for verifiable employment or medical emergency.

Other:

Any law enforcement officer having probable cause to believe that the defendant has violated any of the foregoing conditions shall arrest the Defendant and bring him/her before a Judge of this Court.

SO ORDERED This 19 day of December, 2016 at 2:41:53PM

I have served the Defendant a copy of this ORDER,
Date: _____

MAGISTRATE COURT JUDGE

Chester J. Doles
DEFENDANT

SERVING OFFICER BADGE # _____

IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

CHESTER DOLES
Defendant

:
: *Case # 17-PJ-H-SG*
: CASE NO.: 16-12-216
:
:

ENTRY OF APPEARANCE

Come Now, Evan A. Watson who enters his name as counsel for the Defendant.

Respectfully submitted, this 7th day of March, 2017.

Evan A. Watson
Evan A. Watson
Attorney for Defendant
State Bar No. 395411

351-A Dahlonga Street
Cumming, Georgia 30040
770-887-3720
770-887-3729 (fax)

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing document in the above-reference case to the Solicitor General's office.

Respectfully submitted, this 7th day of March, 2017.

Evan A. Watson
Evan A. Watson
Attorney for Defendant
State Bar No. 395411

351-A Dahlonga Street
Cumming, Georgia 30040
770-887-3720
770-887-3729 (fax)

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT
Filed 9:15A M 3.9.17

Rita Harkins
RITA HARKINS, CLERK

IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

CHESTER DOLES
Defendant

: Case # 17-PJ-4-SG
:
: CASE NO.: 16-12-216
:
:

DEMAND FOR STATUTORY DISCOVERY

NOW COMES the Defendant and demands all statutory discovery allowed under Georgia law, specifically the Defendant demands:

1. A copy of the accusation/UTC under which the Defendant is charged in the above referenced case, pursuant to State of Georgia Constitution, Art. I, Sec. I, Par. XIV and O.C.G.A. § 17-16-21.
2. A complete list of witnesses upon whose testimony or evidence the State's case against Defendant is based, plus each witness' address and phone number, pursuant to O.C.G.A. § 17-16-21, and Uniform Superior Court Rule 30.3.
3. A copy of all statements made by the Defendant either orally or in writing while in police custody reduced to writing, pursuant to O.C.G.A. § 17-16-22.
4. Copies of any and all scientific reports which were taken as part of the arrest procedures, while the Defendant was in police custody or which the State intends to introduce at trial either in the State's case-in-chief or in rebuttal, pursuant to O.C.G.A. § 17-16-23.

WHEREFORE, the Defendant requests that these items be delivered to the Defendant's attorney at least ten (10) days prior to any pre-trial motion hearings or the trial of this case.

This 7th day of March, 2017.

Evan A. Watson
Evan A. Watson
Attorney For Defendant
State Bar # 395411

351-A Dahlonga Street
Cumming, GA 30040
770-887-3720
770-887-3729 – fax

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT
Filed 9/15A M 3.9.17

Rita Harkins
RITA HARKINS, CLERK

IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

CHESTER DOLES
Defendant

: Case 17-PJ-4 SA
:
: CASE NO.: 16-12-216
:
:

MOTION FOR DISCOVERY UNDER *BRADY v. MARYLAND*

This motion is made pursuant to the authority of *Brady v. Maryland*, 373 U.S. 83 (1963), *Giles v. Maryland*, 386 U.S. 66 (1967), *Giglio v. United States*, 405 U.S. 103 (1972), *Moore v. Illinois*, 408 U.S. 786 (1972), *Kyles v. Whitley*, 514 U.S. 419, 131 L.Ed.2d 490 (1995) and subsequent cases.

COMES NOW the Defendant, by counsel, and moves the Court to require the State to produce 10 days prior to trial for Defendant's inspection any exculpatory evidence within the meaning of the above referenced cases, including, but not limited to:

(a) any statements made by any witnesses regarding this matter which may be favorable to the Defendant's case or exculpatory in any fashion;

(b) any written reports, documents, or other physical evidence that may in any way tend to be favorable to the Defendant;

(c) any other evidence of any kind and character discovered by, known by or available to the State or State law enforcement personnel in their investigation or interrogation of witnesses for this case, or known to them as part of their position within a state agency, that might be favorable to the Defendant.

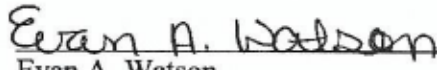
The aforesaid documents are in the possession of the State or are available to the Solicitor and are favorable or arguably favorable to the Defendant as to the issues of innocence and punishment.

The Defendant cannot go safely to trial on this accusation/UTC without the production of said evidence. In the absence of the production of such evidence, Defendant will be denied due process of law and equal protection of the law.

WHEREFORE, Defendant requests:

1. That the State be required to produce for the Defendant all exculpatory evidence within a reasonable time prior to any pre-trial hearings or trial, but in no event later than ten (10) days before the case is scheduled for pre-trial hearings or called for trial.
2. That the Court conduct an *in camera* inspection and examination of said evidence, and that Defendant's counsel be permitted to see, copy and reproduce any evidence which the Court determines to be favorable to the Defendant as to the questions of guilt or punishment, or for the purpose of impeaching any of the witnesses to be called by the State in this case.
3. That an exact copy be made of each item which is not presented to Defendant's counsel and that the same be sealed and included in the record of this case for the purpose of insuring effective review of the Court's denial of the Defendant's previous requests for disclosure.

This 7th day of March, 2017.


Evan A. Watson
Attorney For Defendant
State Bar # 395411

351-A Dahlonga Street
Cumming, GA 30040
770-887-3720
770-887-3729 – fax

IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

CHESTER DOLES
Defendant

: Case # 17. Pl. 4. SG
:
: CASE NO.: 16-12-216
:
:

MOTION RESERVING THE RIGHT TO FILE ADDITIONAL MOTIONS

NOW COMES the Defendant and requests an Order of this Court reserving the right to supplement motions and to file such additional motions as the future progression of this case might merit. In support of this motion, Defendant shows:

1. Discovery is ongoing and incomplete. Problems of availability, as well as propriety of revealing certain information in the possession of the State may arise upon which Defendant may be compelled to file formal motions with the Court.

2. The gravity and severity of the offenses with which the State has charged the Defendant compels careful scrutiny of all materials discovered and the process of such examination could lead to the necessity of additional substantive motions.

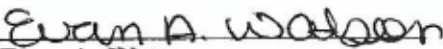
3. Further, Defendant and his counsel have not received full discovery, nor had an opportunity to inspect all items of evidence and to have same tested by experts, which may require the filing of additional substantive motions.

4. This motion is made to insure Defendant's right under the Fifth, Sixth, and Fourteenth Amendments of the United States Constitution.

5. Finally, Defendant has filed several preliminary motions which depend upon discovery matter not produced as of this date. Undersigned counsel requests a reasonable time after receipt of said discovery to particularize the aforementioned preliminary motions.

WHEREFORE, the Defendant prays that the Court grant this motion and order that the Defendant has reserved his right to file additional motions prior to the time of the pre-trial hearing or trial of this case, as he may find necessary.

This 7th day of March, 2017.


Evan A. Watson
Attorney For Defendant
State Bar # 395411

351-A Dahlonge Street
Cumming, GA 30040
770-887-3720
770-887-3729 – fax

IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

CHESTER DOLES
Defendant

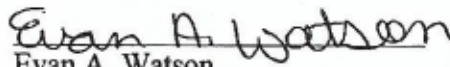
:
: Case # 17. Pl. 4.SG
: CASE NO.: 16-12-216
:
:

CERTIFICATE OF SERVICE

I hereby certify that I served copies of the following documents in the above-referenced case to the District Attorney's office.

- (1) Demand for Statutory Discovery
- (2) Motion for Discovery under *Brady v. Maryland*
- (3) Motion Reserving the Right to File Additional Motions

This 7th day of March, 2017.


Evan A. Watson
Attorney For Defendant
State Bar # 395411

351-A Dahlonega Street
Cumming, GA 30040
770-887-3720
770-887-3729 - fax

IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA

ACCUSATION

STATE OF GEORGIA

VS

Chester Doles

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT

Filed

9:30 AM 05-24-17

Rita Harkins
RITA HARKINS, CLERK

ACC

CASE NUMBER: 17-CR-214-SG

CHARGE(S):

Ct. 1: BATTERY

O.C.G.A. 16-5-23.1 (Misd)

Ct. 2: SIMPLE BATTERY

O.C.G.A. 16-5-23 (Misd)

Ct. 3: BATTERY

O.C.G.A. 16-5-23.1 (Misd)

Ct. 4: SIMPLE BATTERY

O.C.G.A. 16-5-23 (Misd)

PROSECUTOR:

Charlie Roberts, IC 16-12-216, Lumpkin County Sheriff's Office

WITNESSES:

Charlie Roberts, Lumpkin County Sheriff's Office, Lumpkin County Sheriff's Office, 385 E. Main Street, Dahlonega, GA 30533, Main Office: 706-864-0414

Sgt Benjamin F. Hughes, Jr., Lumpkin County Sheriff's Office, Lumpkin County Sheriff's Office, 385 E. Main Street, Dahlonega, GA 30533, Home Phone: 706-864-0066, Main Office: 706-864-0414

Gabriel J Brown,

KY

Teresa Ann Doles, 647 Winters Mountain Rd., Dahlonega, GA 30533, Home Phone: 706-867-0291, Cell Phone: 706-973-7245
Zane Shawn Doles, 198 Norris Rd, Dahlonega, GA 30533, Cell Phone: 706-973-9901, Email Address: egcraze@hotmail.com,
Other: Cassandra Theur 470-422-9275

Karen Denise Dunson, 221 Misty Ridge Pl., Hiram, GA 30141, Cell Phone: 678-993-5688, Cell Phone: 678-873-9993

Mr. Shawn Christopher Dunson, 221 Misty Ridge Pl., Hiram, GA 30141, Cell Phone: 770-294-8399

Peter Mitchell Gaughenbaugh, 9910 NE 33rd Ave., Anthony, FL 32617

Jason Chance Reeves, 6934 Recreation Ln., Acworth, GA 30102

PLEA

The Defendant herein waives formal Arraignment, Indictment by grand jury and Pleads:

(GUILTY) (NOT GUILTY) (NOLO CONTENDERE)

This _____ day of _____,

Defendant

Attorney for Defendant

State of Georgia vs. CHESTER DOLES

The Defendant herein waives formal Arraignment, Indictment by grand jury and Pleads:

(GUILTY) (NOT GUILTY) (NOLO CONTENDERE)

This _____ day of _____,

Defendant

Attorney for Defendant

Case Number 17-CR-214-SG

JEFFREY LANGLEY
DISTRICT ATTORNEY
ENOTAH JUDICIAL CIRCUIT

JEFFREY LANGLEY
DISTRICT ATTORNEY
ENOTAH JUDICIAL CIRCUIT

By: _____
Assistant District Attorney

By: _____
Assistant District Attorney

COUNT 1

I, Jeffrey Langley, District Attorney for the Enotah Judicial Circuit of Georgia in the name of and on behalf of the citizens of Georgia, charge and accuse **Chester Doles** with the offense of **Battery** for that said accused in Lumpkin County, Georgia on or about the 19th day of December, 2016 did intentionally cause visible bodily harm, to wit: facial bruising and cuts, to [REDACTED] by punching him in the face, contrary to the laws of said State, the good order, peace and dignity thereof.

Jeffrey Langley
District Attorney

COUNT 2

I, Jeffrey Langley, District Attorney for the Enotah Judicial Circuit of Georgia in the name of and on behalf of the citizens of Georgia, charge and accuse **Chester Doles** with the offense of **Simple Battery** for that said accused in Lumpkin County, Georgia between the 17th day of December, 2016, and the 18th day of December, 2016, the exact date of the offense being unknown to the Grand Jury did intentionally make physical contact of an insulting or provoking nature, with the person of [REDACTED] by punching him in the face, contrary to the laws of said State, the good order, peace and dignity thereof.

Jeffrey Langley
District Attorney

COUNT 3

I, Jeffrey Langley, District Attorney for the Enotah Judicial Circuit of Georgia in the name of and on behalf of the citizens of Georgia, charge and accuse **Chester Doles** with the offense of **Battery** for that said accused in Lumpkin County, Georgia on or about the 19th day of December, 2016 did intentionally cause visible bodily harm, to wit: bruising of the face, to [REDACTED] by pushing her against a wall, contrary to the laws of said State, the good order, peace and dignity thereof.

Jeffrey Langley
District Attorney

COUNT 4

I, Jeffrey Langley, District Attorney for the Enotah Judicial Circuit of Georgia in the name of and on behalf of the citizens of Georgia, charge and accuse **Chester Doles** with the offense of **Simple Battery** for that said accused in Lumpkin County, Georgia between the 17th day of December, 2016, and the 18th day of December, 2016, the exact date of the offense being unknown to the Grand Jury did intentionally make physical contact of an insulting or provoking nature with the person of [REDACTED] by pushing her against a wall, contrary to the laws of said State, the good order, peace and dignity thereof.

Jeffrey Langley
District Attorney

IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA

State of Georgia
v.
Chester Doles,
Defendant

:
: COURT NUMBER 17-CR-214-SG
:
:
:

CERTIFICATE OF DISCOVERY

COMES NOW, THE STATE OF GEORGIA, by and through Jeffrey Langley, District Attorney, Enotah Judicial Circuit, and hereby serves upon Attorney for the Defendant in the above-styled case, the following documents:

- Two (2) DVD discs of Video Recording, IC 16-12-216
- One (1) CD disc containing the following information:
 1. Accusation
 2. Warrants
 3. Bond Paperwork
 4. LCSO Report IC 16-12-216
 5. Written Witness Statements
 6. Photographs, as listed in Property/Evidence

This 17th day of June, 2017.



Callie C. Adams
Assistant District Attorney
Enotah Judicial Circuit
Georgia Bar Number: 432081

325 Riley Road, Suite 236
Lumpkin County Justice Center
Dahlonega, GA 30533
706-864-6754

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT

Filed 11:45 AM 06-07-17


RITA HARKINS, CLERK

CERTIFICATE OF SERVICE

This is to certify that I have this date served the attorney for the defendant with a copy of the attached Certificate of Discovery as follows:

✓ By depositing a copy of same in the United States mail, in a properly addressed envelope, with adequate postage affixed thereon to insure delivery, to the recipient listed below:

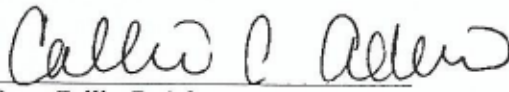
_____ By personally delivering a copy of same to the recipient listed below:

_____ By depositing a copy of same in the receptacle of the Public Defender located in the Clerk's Office of the Superior Court of Lumpkin County to the recipient listed below:

Evan A Watson
351-A Dahlonega St
Cumming, GA 30040
Main Office: 770-887-3720

This 7th day of June, 2017.

Jeffrey Langley
District Attorney


By: Callie C. Adams
Assistant District Attorney
Enotah Judicial Circuit
Georgia Bar Number: 432081

325 Riley Road, Suite 236
Lumpkin County Justice Center
Dahlonega, GA 30533
706-864-6754

IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA

AMENDED ACCUSATION

STATE OF GEORGIA

VS

CHESTER DOLES

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT

Filed

2:40 P.M. 01-03-17
Amended Acc

Rita Harkins
RITA HARKINS, CLERK

CASE NUMBER: 17-CR-214-SG

CHARGE(S):

Ct. 1: BATTERY

O.C.G.A. 16-5-23.1

Ct. 2: SIMPLE BATTERY

O.C.G.A. 16-5-23

Ct. 3: BATTERY

O.C.G.A. 16-5-23.1

Ct. 4: SIMPLE BATTERY

O.C.G.A. 16-5-23

PROSECUTOR:

Charlie Roberts, IC 16-12-216, Lumpkin County Sheriff's Office

WITNESSES:

Sgt Benjamin F. Hughes, Jr., Lumpkin County Sheriff's Office, Lumpkin County Sheriff's Office, 385 E. Main Street, Dahlonega, GA 30533, Home Phone: 706-864-0066, Main Office: 706-864-0414

Gabriel J Brown

KY

Teresa Ann Doles, 647 Winters Mountain Rd., Dahlonega, GA 30533, Home Phone: 706-867-0291, Cell Phone: 706-973-7245
Zane Shawn Doles, 198 Norris Rd, Dahlonega, GA 30533, Cell Phone: 706-973-9901, Email Address: egeraze@hotmail.com, Other: Cassandra Theur 470-422-9275
Karen Denise Dunson, 221 Misty Ridge Pl., Hiram, GA 30141, Cell Phone: 678-993-5688, Cell Phone: 678-873-9993
Mr. Shawn Christopher Dunson, 221 Misty Ridge Pl., Hiram, GA 30141, Cell Phone: 770-294-8399
Peter Mitchell Gaughenbaugh, 9910 NE 33rd Ave., Anthony, FL 32617

Jason Chance Reeves, 6934 Recreation Ln., Acworth, GA 30102

PLEA

The Defendant herein waives formal Arraignment, Indictment by grand jury and Pleads:

(GUILTY) (NOT GUILTY) (NOLO CONTENDERE)

This _____ day of _____,

Defendant

Attorney for Defendant

JEFFREY LANGLEY

State of Georgia vs. CHESTER DOLES

The Defendant herein waives formal Arraignment, Indictment by grand jury and Pleads:

(GUILTY) (NOT GUILTY) (NOLO CONTENDERE)

This _____ day of _____,

Defendant

Attorney for Defendant

JEFFREY LANGLEY

Case Number 17-CR-214-SG

By: _____
Assistant District Attorney

By: _____
Assistant District Attorney

COUNT 1

I, Jeffrey Langley, District Attorney for the Enotah Judicial Circuit of Georgia in the name of and on behalf of the citizens of Georgia, charge and accuse **CHESTER DOLES** with the offense of **Battery** for that said accused in Lumpkin County, Georgia on or about the 17th day of December, 2016 did intentionally cause visible bodily harm, to wit: facial bruising and cuts, to [REDACTED] by punching him in the face, contrary to the laws of said State, the good order, peace and dignity thereof.

Jeffrey Langley
District Attorney

COUNT 2

I, Jeffrey Langley, District Attorney for the Enotah Judicial Circuit of Georgia in the name of and on behalf of the citizens of Georgia, charge and accuse **CHESTER DOLES** with the offense of **Simple Battery** for that said accused in Lumpkin County, Georgia between the 17th day of December, 2016, and the 18th day of December, 2016, the exact date of the offense being unknown to the Grand Jury did intentionally make physical contact of an insulting or provoking nature, with the person of [REDACTED] by punching him in the face, contrary to the laws of said State, the good order, peace and dignity thereof.

Jeffrey Langley
District Attorney

COUNT 3

I, Jeffrey Langley, District Attorney for the Enotah Judicial Circuit of Georgia in the name of and on behalf of the citizens of Georgia, charge and accuse **CHESTER DOLES** with the offense of **Battery** for that said accused in Lumpkin County, Georgia on or about the 17th day of December, 2016 did intentionally cause visible bodily harm, to wit: bruising of the face, to [REDACTED] by pushing her against a wall, contrary to the laws of said State, the good order, peace and dignity thereof.

Jeffrey Langley
District Attorney

COUNT 4

I, Jeffrey Langley, District Attorney for the Enotah Judicial Circuit of Georgia in the name of and on behalf of the citizens of Georgia, charge and accuse **CHESTER DOLES** with the offense of **Simple Battery** for that said accused in Lumpkin County, Georgia between the 17th day of December, 2016, and the 18th day of December, 2016, the exact date of the offense being unknown to the Grand Jury did intentionally make physical contact of an insulting or provoking nature with the person of [REDACTED] by pushing her against a wall, contrary to the laws of said State, the good order, peace and dignity thereof.

Jeffrey Langley
District Attorney

IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA

State of Georgia
v.
Chester Doles,
Defendant


:
: COURT NUMBER 17-CR-214-SG
:
:
:

CERTIFICATE OF DISCOVERY

COMES NOW, THE STATE OF GEORGIA, by and through Jeffrey Langley, District Attorney, Enotah Judicial Circuit, and hereby serves upon Attorney for the Defendant in the above-styled case, the following documents:

- One (1) copy of Amended Accusation

This 7th day of July, 2017.



Callie C. Adams
Assistant District Attorney
Enotah Judicial Circuit
Georgia Bar Number: 432081

325 Riley Road, Suite 236
Lumpkin County Justice Center
Dahlonega, GA 30533
706-864-6754

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT

Filed

1:40 P M 07-07-17


RITA HARKINS, CLERK

CERTIFICATE OF SERVICE

This is to certify that I have this date served the attorney for the defendant with a copy of the attached Certificate of Discovery as follows:

X By depositing a copy of same in the United States mail, in a properly addressed envelope, with adequate postage affixed thereon to insure delivery, to the recipient listed below:

_____ By personally delivering a copy of same to the recipient listed below:

_____ By depositing a copy of same in the receptacle of the Public Defender located in the Clerk's Office of the Superior Court of Lumpkin County to the recipient listed below:

Evan A Watson
351-A Dahlonga St
Cumming, GA 30040

This 7th day of July, 2017.

Jeffrey Langley
District Attorney


By: Callie C. Adams

Assistant District Attorney
Enotah Judicial Circuit
Georgia Bar Number: 432081

325 Riley Road, Suite 236
Lumpkin County Justice Center
Dahlonga, GA 30533
706-864-6754

**RITA HARKINS
CLERK OF SUPERIOR COURT
325 RILEY ROAD, ROOM 108
DAHLONEGA, GA 30533-0820
TEL: 706-864-3736
FAX: 706-864-5298**

IN THE SUPERIOR COURT OF LUMPKIN COUNTY

STATE OF GEORGIA

VS

DOLES, CHESTER JANE

Received from Lumpkin County Sheriffs Department

_____ Warrant(s)

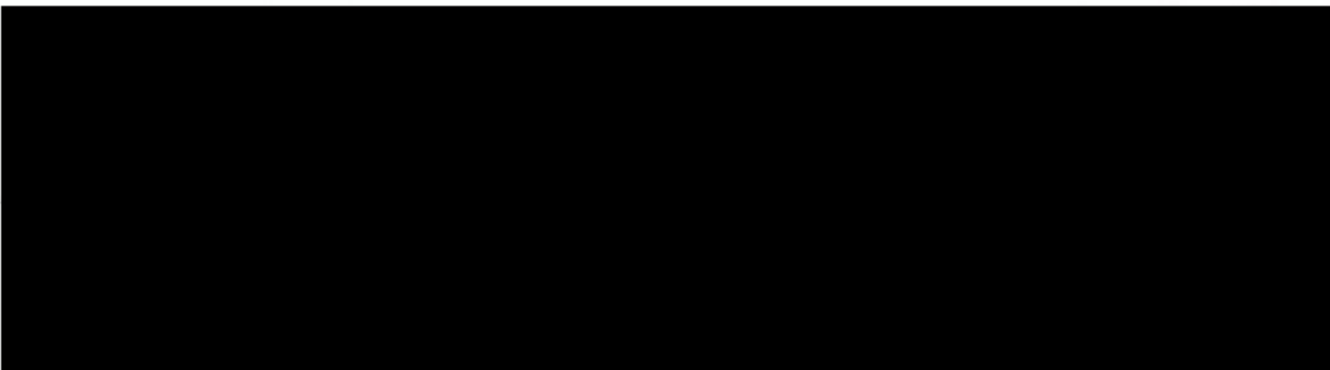
_____ Exhibit(s)

X Email received from LCSO containing OTN & SID information

PRE-INDICTMENT/ACCUSATION CASE NO.

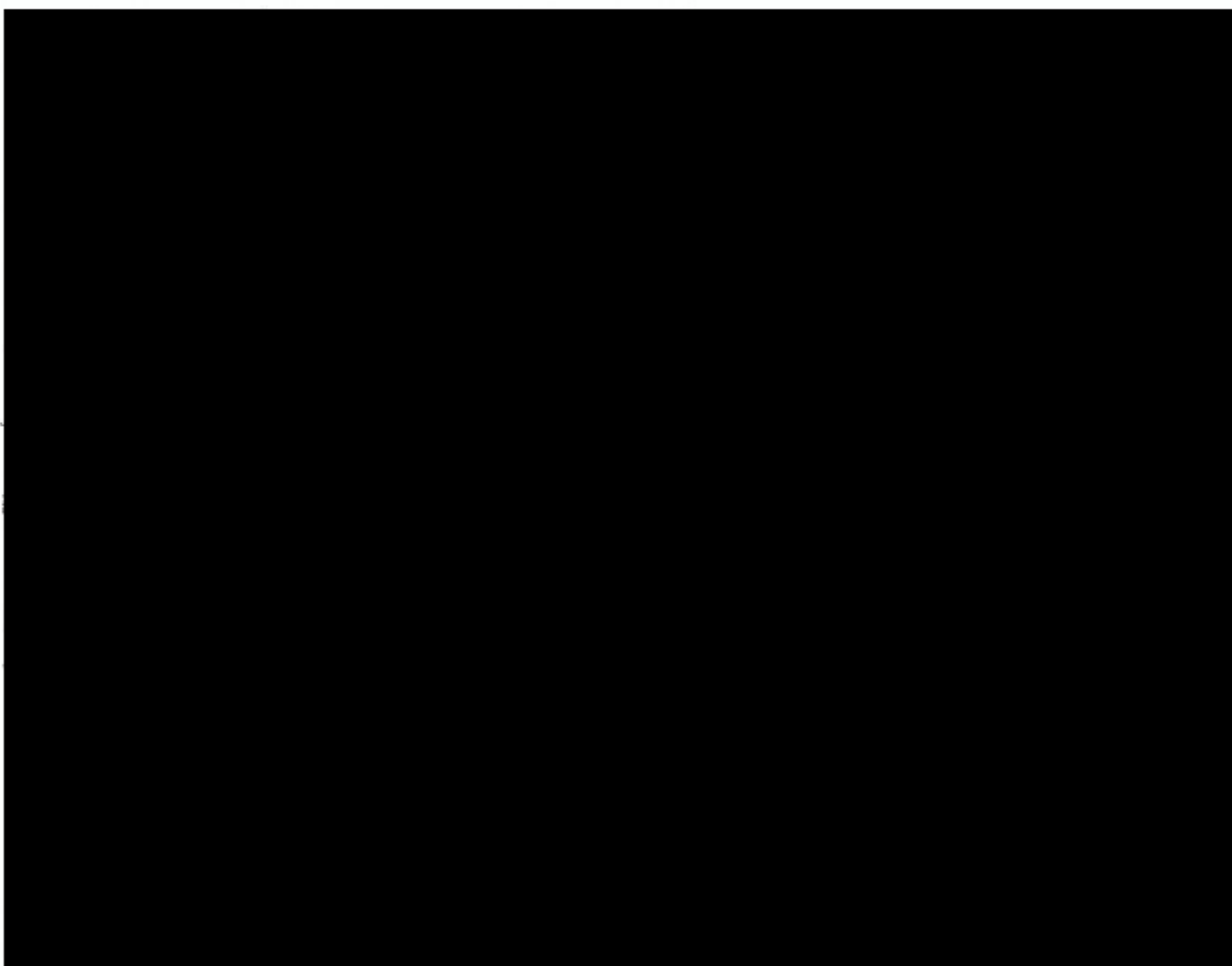
2017-CR-214-SG

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT
FILED 9:00 AM 7-19-17
Received From LCSO, (Bergeron) via e-mail
Rita Harkins
RITA HARKINS, CLERK



17-CR-214
PF: Chester Jane Doles
Arrest Date: 12-19-16
SO Case#: 1C16-12-216
Offense: Battery

GA 3040886L
OTN 88406722983



**IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA**

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT

Filed 9:30 AM 08-10-17

STATE OF GEORGIA

v.

**CHESTER DOLES,
Defendant**

:
:
:
:
:

CASE NO.: 17-CR-214-SG

Rita Harkins
RITA HARKINS, CLERK

MOTION FOR IMMUNITY FROM PROSECUTION / PLEA IN BAR

NOW comes the Defendant in the above styled case, by and through his attorney, and petitions this Court under O.C.G.A. §§ 16-3-21, 16-3-23, 16-3-24 & 16-3-24.2 to find him immune to any further prosecution because he was reasonably defending himself against the alleged victim(s). Furthermore, Defendant petitions this Court to hold a hearing on this issue at the soonest possible date so that, if he is found to be immune, he is not subject to any further prosecution, see Boggs v. State, 261 Ga. App. 104, 106, 581 S.E.2d 722 (2003) (explaining immunity language in O.C.G.A. § 16-3-24.2) and because this issue must be decided prior to trial. Fair v. State, 284 Ga. 165, 165-66, 664 S.E.2d 227, 230 (2008). Defendant also petitions this court to make factual findings and issue a final decision regarding Defendant's immunity under a preponderance of the evidence standard with the burden placed upon Defendant. Bunn v. State, 284 Ga. 410, 412-13, 667 S.E.2d 605, 608 (2008). Defendant also asks that said hearing be transcribed. Finally, Defendant does not waive his right to raise the affirmative defenses of self-defense, defense of property, and defense of habitation under O.C.G.A. §§ 16-3-21, 16-3-23, & 16-3-24 at trial, if a trial is necessary, because the immunity issue addresses whether the State can continue to prosecute the case, and it is ancillary to Defendant's guilt or

innocence at trial, which must be determined by a jury under a reasonable doubt standard.

Bunn, 284 Ga. at 412-13, 667 S.E.2d at 608.

The foregoing motion is respectfully submitted this 8th day of August, 2017.



Evan A. Watson
Attorney for Defendant
State Bar No. 395411

Zeliff and Watson, LLC
351-A Dahlonga Street
Cumming, Georgia 30040
770-887-3720
770-887-3729 fax
evan@zwdefense.com

IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

CHESTER DOLES,
Defendant

:
:
: CASE NO.: 17-CR-214-SG
:
:

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing Motion for Immunity
from Prosecution/Plea in Bar to the Lumpkin County District Attorney's Office, at:

District Attorney's Office
325 Riley Road
Room 226
Dahlonega, GA 30533

Dated this 8th day of August, 2017



Evan A. Watson
Attorney for Defendant
State Bar No. 395411

Zeliff and Watson, LLC
351-A Dahlonega Street
Cumming, Georgia 30040
770-887-3720
770-887-3729 fax
evan@zwdefense.com

**IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA**

STATE OF GEORGIA

v.

**CHESTER DOLES,
Defendant**

:
:
: **CASE NO.: 17-CR-214-SG**
:
:

**DEFENDANT'S WAIVER OF FORMAL ARRAIGNMENT, ENTRY OF "NOT
GUILTY" PLEA, AND JURY TRIAL DEMAND**

Now comes the Defendant and waives formal arraignment to all charges, enters a plea of "not guilty" to the State's charges against him, and requests a Jury Trial.

Dated: August 9, 2017.

Evan A. Watson
Evan A. Watson
Attorney For Defendant
State Bar No. 395411

351-A Dahlonge Street
Cumming, Georgia 30040
770-887-3720
770-887-3729 - fax

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT
Filed 9:10 a.m. 08-11-17

CERTIFICATE OF SERVICE

Rita Harkins
RITA HARKINS, CLERK

I hereby certify that I served a copy of the following document in the above-referenced case to the District Attorney's Office:

Waiver of Formal Arraignment, Plea of Not Guilty, and Jury Trial Demand

Dated: August 9, 2017.

Evan A. Watson
Evan A. Watson
Attorney For Defendant
State Bar No. 395411

351-A Dahlonge Street
Cumming, Georgia 30040
770-887-3720
770-887-3729 - fax

IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA

State of Georgia
v.
Chester Doles,
Defendant

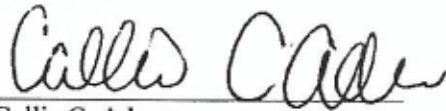
:
: COURT NUMBER 17-CR-214-SG
:
:
:

CERTIFICATE OF DISCOVERY

COMES NOW, THE STATE OF GEORGIA, by and through Jeffrey Langley, District Attorney, Enotah Judicial Circuit, and hereby serves upon Attorney for the Defendant in the above-styled case, the following documents:

- One (1) DVD copy of UNG Video Footage, 16-0399
- One (1) copy of UNG Report 16-0399

This 16th day of August, 2017.



Callie C. Adams
Assistant District Attorney
Enotah Judicial Circuit
Georgia Bar Number: 432081

325 Riley Road, Suite 236
Lumpkin County Justice Center
Dahlonega, GA 30533
706-864-6754

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT

Filed 3:45P M 08-16-17


RITA HARKINS, CLERK

CERTIFICATE OF SERVICE

This is to certify that I have this date served the attorney for the defendant with a copy of the attached Certificate of Discovery as follows:

✓ By depositing a copy of same in the United States mail, in a properly addressed envelope, with adequate postage affixed thereon to insure delivery, to the recipient listed below:

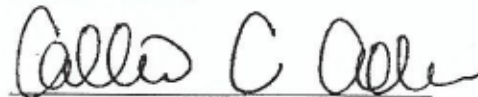
_____ By personally delivering a copy of same to the recipient listed below:

_____ By depositing a copy of same in the receptacle of the Public Defender located in the Clerk's Office of the Superior Court of Lumpkin County to the recipient listed below:

Evan A Watson
351-A Dahlonge St
Cumming, GA 30040

This 16th day of August, 2017.

Jeffrey Langley
District Attorney



By: Callie C. Adams
Assistant District Attorney
Enotah Judicial Circuit
Georgia Bar Number: 432081

325 Riley Road, Suite 236
Lumpkin County Justice Center
Dahlonge, GA 30533
706-864-6754

**IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA**

STATE OF GEORGIA

vs.

**CHESTER DOLES
Defendant**

CASE NO: 2017-SU-CR-214-SG

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT
Filed 4:40p M 10/23/2017
Rita Harkins
RITA HARKINS, CLERK

NOTICE OF HEARING

The Defendant in the above-styled case having filed the attached **Motion for Immunity from Prosecution/ Plea in Bar** on August 10, 2017, said motions will be heard by this court on the November 7, 2017, at 9:00 o'clock a.m. at the Lumpkin County Superior Court. At such time, the Prosecutor shall appear and show cause why the requested motions should not be granted.

This 23rd day of October, 2017.



Evan A. Watson, Attorney for Defendant

Prepared by: Evan A. Watson
Attorney for Defendant
Zeliff and Watson, LLC
351-A Dahlonga Street
Cumming, Georgia 30040

Copies to:

Mrs. Callie C. Adams, Assistant District Attorney, Enotah Judicial Circuit
Mrs. Jennifer Vandiver, Secretary to Judge N. Stanley Gunter

Return

IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT
Filed 9:30a M 08-10-17

STATE OF GEORGIA

v.

CHESTER DOLES,
Defendant

:
:
:
:
:

CASE NO.: 17-CR-214-SG

Rita Harkins
RITA HARKINS, CLERK

MOTION FOR IMMUNITY FROM PROSECUTION / PLEA IN BAR

NOW comes the Defendant in the above styled case, by and through his attorney, and petitions this Court under O.C.G.A. §§ 16-3-21, 16-3-23, 16-3-24 & 16-3-24.2 to find him immune to any further prosecution because he was reasonably defending himself against the alleged victim(s). Furthermore, Defendant petitions this Court to hold a hearing on this issue at the soonest possible date so that, if he is found to be immune, he is not subject to any further prosecution, see Boggs v. State, 261 Ga. App. 104, 106, 581 S.E.2d 722 (2003) (explaining immunity language in O.C.G.A. § 16-3-24.2) and because this issue must be decided prior to trial. Fair v. State, 284 Ga. 165, 165-66, 664 S.E.2d 227, 230 (2008). Defendant also petitions this court to make factual findings and issue a final decision regarding Defendant's immunity under a preponderance of the evidence standard with the burden placed upon Defendant. Bunn v. State, 284 Ga. 410, 412-13, 667 S.E.2d 605, 608 (2008). Defendant also asks that said hearing be transcribed. Finally, Defendant does not waive his right to raise the affirmative defenses of self-defense, defense of property, and defense of habitation under O.C.G.A. §§ 16-3-21, 16-3-23, & 16-3-24 at trial, if a trial is necessary, because the immunity issue addresses whether the State can continue to prosecute the case, and it is ancillary to Defendant's guilt or

innocence at trial, which must be determined by a jury under a reasonable doubt standard.

Bunn, 284 Ga. at 412-13, 667 S.E.2d at 608.

The foregoing motion is respectfully submitted this 8th day of August, 2017.



Evan A. Watson
Attorney for Defendant
State Bar No. 395411

Zeliff and Watson, LLC
351-A Dahlonga Street
Cumming, Georgia 30040
770-887-3720
770-887-3729 fax
evan@zwdefense.com

IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

CHESTER DOLES,
Defendant


:
:
: CASE NO.: 17-CR-214-SG
:
:

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing Motion for Immunity
from Prosecution/Plea in Bar to the Lumpkin County District Attorney's Office, at:

District Attorney's Office
325 Riley Road
Room 226
Dahlonega, GA 30533

Dated this 8th day of August, 2017



Evan A. Watson
Attorney for Defendant
State Bar No. 395411

Zeliff and Watson, LLC
351-A Dahlonega Street
Cumming, Georgia 30040
770-887-3720
770-887-3729 fax
evan@zwdefense.com

IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,

VS.

CASE NO.:

Chester Dales

2017-SU-CR-214 SG

Defendant.

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT

Filed 10:15A M 11-07-17

CONCEALED WEAPONS PERMIT NOTICE

Pursuant to O.C.G.A. §16-11-129(e)(2)

Rita Harkins
RITA HARKINS, CLERK

If you are charged or convicted of the offenses listed below, your ability to obtain a concealed weapons carry permit may be affected. If you currently possess a concealed weapons carry permit, the charge or conviction of the offenses listed below may affect the status of the permit.

Offenses which may affect a concealed weapons carry permit:

- Any felony offense;
- Any violation of V.G.C.S.A. involving sale or manufacturing of drugs;
- Any second or subsequent charge or conviction of a violation of V.G.C.S.A. involving possession of drugs;
- Any other offense which would otherwise prohibit the issuance of a concealed weapons carry permit.

You are required to inform this Court if you currently possess a concealed weapons carry permit and of which county issued the permit.

By signing this, you acknowledge that you have been advised of the requirement to inform this Court of the possession of a concealed weapons carry permit and that the charge or conviction may result in prohibition of obtaining a permit.

I do _____ or do not (D) currently possess a concealed weapons carry permit.

The permit was issued in n/a County, Georgia.

Name

Chester Dales

Date

11/7/2017

IN THE SUPERIOR COURT OF LUMPKIN COUNTY.

STATE OF GEORGIA

STATE OF GEORGIA

vs.

Chester Dales
Defendant

Case No.(s): 2017-SK-CR-214 SG

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT
Filed 10:15A M 11-07-17

Rita Harkins
RITA HARKINS, CLERK

ACKNOWLEDGMENT OF NOTICE OF TIME
OF FILING FOR WRIT OF HABEAS CORPUS

I acknowledge that any action for habeas corpus brought pursuant to Title 9, Chapter 14, Article 2 or Title 40, Chapter 13, Article 2 of the Official Code of Georgia Annotated must be filed within the following time(s) after the judgment of conviction becomes final by the conclusion of direct review, if any, or the expiration of the time for seeking such review the date on which an impediment to filing a petition which was created by state action in violation of the Constitution or laws of the United States or of this state is removed, if the petitioner was prevented from filing such state action; the date on which the right asserted was initially recognized by the Supreme Court of the United States or the Supreme Court of Georgia if that right was newly recognized by said courts and made retroactively applicable to cases on collateral review; or the date on which the facts supporting the claims presented could have been discovered through the exercise of due diligence:

C.O.

- (1) one year, for misdemeanor offenses;
- (2) four years, for felony offenses;
- (3) 180 days, for any misdemeanor conviction of any traffic laws of the state or subdivision thereof.

Chester F. Dales
Defendant

[Signature]
Defendant's Attorney

Notice Given by:

[Signature]
Judge, Superior Court

IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA

AMENDED ACCUSATION

STATE OF GEORGIA

VS

CHESTER DOLES

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT

Filed 2:40 P M 01-03-17
Amended Acc

Rita Harkins
RITA HARKINS, CLERK

CASE NUMBER: 17-CR-214-SG

CHARGE(S):

Ct. 1: BATTERY

O.C.G.A. 16-5-23.1

Ct. 2: SIMPLE BATTERY

O.C.G.A. 16-5-23

Ct. 3: BATTERY

O.C.G.A. 16-5-23.1

Ct. 4: SIMPLE BATTERY

O.C.G.A. 16-5-23

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT

Filed 10:15 A M 11-07-17

Rita Harkins
RITA HARKINS, CLERK

PROSECUTOR:

Charlie Roberts, IC 16-12-216, Lumpkin County Sheriff's Office

WITNESSES:

Sgt Benjamin F. Hughes, Jr., Lumpkin County Sheriff's Office, Lumpkin County Sheriff's Office, 385 E. Main Street,
Dahlonega, GA 30533, Home Phone: 706-864-0066, Main Office: 706-864-0414

Gabriel J Brown,

KY

Teresa Ann Doles, 647 Winters Mountain Rd., Dahlonega, GA 30533, Home Phone: 706-867-0291, Cell Phone: 706-973-7245
Zane Shawn Doles, 198 Norris Rd, Dahlonega, GA 30533, Cell Phone: 706-973-9901, Email Address: egcraze@hotmail.com,
Other: Cassandra Theur 470-422-9275
Karen Denise Dunson, 221 Misty Ridge Pl, Hiram, GA 30141, Cell Phone: 678-993-5688, Cell Phone: 678-873-9993
Mr. Shawn Christopher Dunson, 221 Misty Ridge Pl, Hiram, GA 30141, Cell Phone: 770-294-8399
Peter Mitchell Gaughenbaugh, 9910 NE 33rd Ave., Anthony, FL 32617

Jason Chance Reeves, 6934 Recreation Ln., Acworth, GA 30102

PLEA

The Defendant herein waives formal Arraignment, Indictment by
grand jury and Pleads:

(GUILTY) (NOT GUILTY) (NOLO CONTENDERE)

This 7 day of November, 2017

Defendant

Attorney for Defendant

JEFFREY LANGLEY

State of Georgia vs. CHESTER DOLES

The Defendant herein waives formal Arraignment, Indictment by
grand jury and Pleads:

(GUILTY) (NOT GUILTY) (NOLO CONTENDERE)

This _____ day of _____,

Defendant

Attorney for Defendant

JEFFREY LANGLEY

Case Number 17-CR-214-SG

DISTRICT ATTORNEY
ENOTAH JUDICIAL CIRCUIT

DISTRICT ATTORNEY
ENOTAH JUDICIAL CIRCUIT

By:



Assistant District Attorney

By:

Assistant District Attorney

COUNT 1

I, Jeffrey Langley, District Attorney for the Enotah Judicial Circuit of Georgia in the name of and on behalf of the citizens of Georgia, charge and accuse **CHESTER DOLES** with the offense of **Battery** for that said accused in Lumpkin County, Georgia on or about the 17th day of December, 2016 did intentionally cause visible bodily harm, to wit: facial bruising and cuts, to [REDACTED] by punching him in the face, contrary to the laws of said State, the good order, peace and dignity thereof.

Jeffrey Langley
District Attorney

COUNT 2

I, Jeffrey Langley, District Attorney for the Enotah Judicial Circuit of Georgia in the name of and on behalf of the citizens of Georgia, charge and accuse **CHESTER DOLES** with the offense of **Simple Battery** for that said accused in Lumpkin County, Georgia between the 17th day of December, 2016, and the 18th day of December, 2016, the exact date of the offense being unknown to the Grand Jury did intentionally make physical contact of an insulting or provoking nature, with the person of [REDACTED] by punching him in the face, contrary to the laws of said State, the good order, peace and dignity thereof.

Jeffrey Langley
District Attorney

COUNT 3

I, Jeffrey Langley, District Attorney for the Enotah Judicial Circuit of Georgia in the name of and on behalf of the citizens of Georgia, charge and accuse **CHESTER DOLES** with the offense of **Battery** for that said accused in Lumpkin County, Georgia on or about the 17th day of December, 2016 did intentionally cause visible bodily harm, to wit: bruising of the face, to [REDACTED] by pushing her against a wall, contrary to the laws of said State, the good order, peace and dignity thereof.

Jeffrey Langley
District Attorney

COUNT 4

IN THE SUPERIOR COURT OF WALKIN COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

Chester Dales

Defendant

CASE NO: 2017-SU-CL-214 SG

CHARGES: Battery (12)

PETITION TO ENTER PLEA OF NOT GUILTY

I, the above named defendant, hereby state to the Court that I wish to enter a plea of NOT GUILTY to the above numbered accusation/indictment. In connection with that plea of NOT GUILTY, I inform the Court that the answers to the following questions are true:

1. What is your name? Chester Dales
2. How much education have you had? 14 yrs. Are you able to read and write? Yes ☒ No ☐
3. Are you now under the influences of any alcohol, intoxicants, or any drugs? No ☒ Yes ☐
4. To your knowledge, do you now suffer from any mental or emotional disability? No ☒ Yes ☐
5. Have you received a copy of the charging document (Indictment/accusation) in this case? Yes ☒ No ☐
6. Have you read it or had it read and explained to you? Yes ☒ No ☐
7. Do you fully understand the charges against you? Yes ☒ No ☐
8. Have you had enough time to talk with your lawyer about your case? Yes ☒ No ☐
9. Have you discussed your case fully and explained everything you know about it to your lawyer including all of the facts and circumstances surrounding any statement, confession, or other evidence obtained from you by anyone? Yes ☒ No ☐
10. Has your lawyer advised you of the nature of the charges against you and any possible defenses you may have including including the right to challenge the legality of any statement, confession, or other evidence obtained or seized from you? Yes ☒ No ☐
11. Do you understand that you have a right to assistance of counsel during trial? Yes ☒ No ☐
12. Do you understand that you have a right to plead NOT GUILTY to every charge filed against you? Yes ☒ No ☐
13. Do you understand that if you plead NOT GUILTY you have a right to a speedy and public trial by a judge and jury? Yes ☒ No ☐
14. Do you understand that if you plead NOT GUILTY you have a right to confront, that is to see, hear, question, and cross examine, the witnesses called to testify against you at trial? Yes ☒ No ☐
15. Do you understand that if you plead NOT GUILTY you have a right to use the subpoena power of the Court to require the attendance of any witnesses on your behalf, whether they want to come or not? Yes ☒ No ☐
16. Do you understand that if you plead NOT GUILTY you have the right to testify or not testify at trial, as you choose, that you cannot be required to testify at trial and that if you do not testify, the jury cannot take that as evidence against you? Yes ☒ No ☐
17. Do you understand that by pleading guilty, you will be knowingly and voluntarily waiving your right against self-incrimination but by not pleading guilty or remaining silent and not entering a plea, you will have a jury trial? Yes ☒ No ☐
18. Do you understand that if you plead NOT GUILTY you will be presumed to be innocent and that before you can be convicted the prosecution will have the duty of proving your guilt beyond a reasonable doubt? Yes ☒ No ☐
19. Do you understand that in the event you were convicted in a trial you would have the right to appeal your conviction? Yes ☒ No ☐
20. Do you understand that if you plead NOT GUILTY you will have waived, that is, given up, each of the rights mentioned in questions 11 through 19, along with others? Yes ☒ No ☐
21. Do you realize that if you plead NOT GUILTY the Court may impose the same punishment as if you had pled NOT GUILTY and been convicted? Yes ☒ No ☐
22. Do you know that the sentence you will receive is solely a matter for the judge to decide? Yes ☒ No ☐
23. Have you been advised of the maximum and mandatory minimum punishment provided by law for the offense or offenses to which you want to plead NOT GUILTY? Max 12 mos. \$100 Mandatory Minimum None Yes ☒ No ☐
24. Do you realize that if you plead NOT GUILTY the Court may sentence you to the maximum punishment authorized by law for the offense or offenses to which you plead NOT GUILTY? Yes ☒ No ☐
25. COLLATERAL CONSEQUENCE WARNING: Your conviction in this case may result in collateral consequences beyond the control of your attorney and the court which may negatively impact your ability to: obtain or maintain a driver's license; obtain or maintain employment or certain professional licenses; vote or hold elective office. There may be other collateral consequences which you cannot and do not now anticipate. If you are convicted of a felony or a misdemeanor involving domestic violence, you will permanently lose your right to possess any firearm or ammunition (18 U.S.C. § 922(g)(9)). Some Federal jurisdictions or agencies and some other states do not recognize First Offender discharge and acquittal. Do you understand? Yes ☒ No ☐
26. Has anyone made guarantees to you concerning collateral consequences of your plea? If so, what? Yes ☒ No ☐
27. Do you understand that any adverse consequences of your plea shall not be a basis for voiding your conviction? Yes ☒ No ☐
28. If you are now on probation or parole, do you know that by pleading NOT GUILTY here your probation or parole may be revoked and that you may be required to serve time in that case in addition to the sentence imposed upon you in this case? Yes ☒ No ☐
29. If you are now serving another sentence, do you know that the sentence in this case could be made to follow the sentence you are now serving? Yes ☒ No ☐
30. Has any person used any threats, force, pressure, or intimidation to make you plead NOT GUILTY? Yes ☒ No ☐
31. Has any promise, other than a plea agreement, been made by anyone which causes you to plead NOT GUILTY? Yes ☒ No ☐
32. Has any person suggested to you or led you to believe that you will be placed on probation or be given a lighter sentence or otherwise rewarded for pleading NOT GUILTY? Yes ☒ No ☐

If so, who made the suggestion and exactly what was suggested?

33. Has any plea agreement been made by you with anyone which causes you to plead GUILTY?
If so, exactly what is that agreement as you understand it? 24 months probation, 100 days jail, 40 hours community service, fine
34. Did you commit the unlawful acts set forth in the charge or charges to which you want to plead GUILTY?
Specifically, what unlawful acts did you commit? engaged in fight @ restaurant bgr
causing injuries to 2 people
35. Has your lawyer gone over all of these questions and your answers to them with you?
36. Are you satisfied with your lawyer and the way you were represented in the case?
37. Do you understand all the questions? If not, which ones do you not understand?
38. Is there any other information or advice you want before you enter a plea of GUILTY?
39. Do you understand that if you plead GUILTY the Court may place you under oath and ask you questions about the offense or offenses to which you have pled and the answers to these questions may later be used against you in a prosecution for perjury or false statement or in any proceedings challenging the entry of your plea?
40. Is your plea of GUILTY given voluntarily and of your free will and accord?
41. Do you now want to plead GUILTY?
- For Non-US Citizens Only:
42. Do you understand that if you are not a citizen of the United States that your plea may result in deportation, the exclusion of admission to this country or denial of naturalization under federal law.
43. Have there been any promises made to you by your defense attorney, the prosecutor, or the Court concerning your right to stay in the United States?
- I therefore petition the Court to accept my plea of GUILTY.

Yes ☒ No ☐

Yes ☒ No ☐

Yes ☒ No ☐

Yes ☒ No ☐

Yes ☒ No ☐

Yes ☐ No ☒

Yes ☒ No ☐

Yes ☒ No ☐

Yes ☒ No ☐

Yes ☐ No ☐

Yes ☐ No ☐

This 7 day of November, 2017

Notary Public
My Commission Expires on _____

[Signature]
DEFENDANT

CERTIFICATE OF COUNSEL

I, as attorney for the defendant, hereby certify that:

- I have read and fully explained to the defendant all of the charges contained in the charging document in this case.
- I have explained and discussed with defendant the facts and elements of the case which the prosecution must prove and the defenses that may be available to the charge or charges.
- I have explained to the defendant the maximum and minimum penalty provided by law for the offense or offenses to which the defendant offers a plea of guilty and the possible consequences of a plea of guilty. I have explained to the defendant all the rights and ramifications listed above in this petition.
- I have informed the defendant that I cannot provide any guarantees concerning collateral consequences of this plea.
- The plea of guilty offered by the defendant to the charge or charges accords with my understanding of the facts the defendant has related to me, is consistent with my advice to the defendant and in my opinion is voluntarily and understandably made.
- To the best of my knowledge and belief the statements, representations, and declarations made by the defendant in the foregoing petition are in all respects accurate and true.
- I have explained to the defendant his right to appeal and habeas corpus.
- I do not know of any reason why the Court should not accept the plea of guilty.

This 7 day of November, 2017

[Signature]
ATTORNEY FOR DEFENDANT

ORDER

After examination by the Court, the Court ascertains, determines and adjudges that the plea of guilty by the defendant is freely, knowingly and voluntarily made and was made without undue influence, compulsion, or duress and without promise of leniency. It is therefore ordered that his/her plea of guilty be entered on the minutes and that this Transcript and Certificate be filed with the Charging Document.

This 7th day of November, 2017

[Signature]
JUDGE, SUPERIOR COURT
ENOTAH JUDICIAL CIRCUIT

After examination by the Court, the Court rejects the plea of guilty.

This _____ day of _____, 20____

JUDGE, SUPERIOR COURT
ENOTAH JUDICIAL CIRCUIT

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT
Filed 10:15A M 11-07-17
[Signature]
RITA HARKINS, CLERK

IN THE SUPERIOR COURT OF LUMPKIN COUNTY, STATE OF GEORGIA

STATE OF GEORGIA versus

Chester Jane Doles

CRIMINAL ACTION #:

2017-CR-214-SGAUGUST Term of 2017Clerk to complete if
incomplete:OTN(s): 88406722983DOB: 7/14/1960Ga. ID#: 3040886LFinal Disposition:
MISDEMEANORFirst Offender/Conditional Discharge
entered under:☐ O.C.G.A. § 42-8-60☐ O.C.G.A. § 16-13-2☐ O.C.G.A. § 3-3-23.1

PLEA:

☒ Negotiated ☐ Non-negotiated

VERDICT:

☐ Jury ☐ Non-jury

The Court enters the following judgment:

Count	Charge (as indicted or accused)	Disposition (Guilty, Guilty-Alford, Guilty-Lesser Incl, Not Guilty, Nolo, Nol Pros, Dead Docket)	Sentence	High & Aggravated?	Fine	Concurrent/ Consecutive, Merged, Suspended
1	Battery	Nolo	12 Months		750.00	
2	Simple Battery	Nol Pros				
3	Battery	Nolo	12 Months			Consecutive Ct1
4	Simple Battery	Nol Pros				

The Defendant is adjudged guilty or sentenced under First Offender/Conditional Discharge for the above-stated offense(s); the Court sentences the Defendant to confinement in the County Jail, with the period of confinement to be computed as provided by law.

Sentence Summary: The Defendant is sentenced for a total of 24 months, ☒ with the first 48 hours (Time Deemed Served) to be served in confinement and the remainder to be served on probation; or ☐ to be served on probation.

The Defendant is to receive credit for time served in custody: ☐ from ____; or ☒ as determined by the custodian.

☐ 1. The above sentence may be served on probation provided the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence.

☒ 2. Upon service of 48 hours (Time Deemed Served), the remainder of the sentence may be served on probation; PROVIDED, that the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence.

GENERAL CONDITIONS OF PROBATION

The Defendant is subject to arrest for any violation of probation. If probation is revoked, the Court may order incarceration. The Defendant shall comply with the following General Conditions of Probation: 1) Do not violate the criminal laws of any governmental unit and be of general good behavior. 2) Avoid injurious and vicious habits. 3) Avoid persons or places of disreputable or harmful character. 4) Report to the Probation Officer as directed and permit the Probation Officer to visit you at home or elsewhere. 5) Work faithfully at suitable employment insofar as may be possible. 6) Do not change your place of abode, move outside the jurisdiction of the Court, or leave Georgia without permission of the Probation Officer. If permitted to move or travel to another state, you agree to waive extradition from any jurisdiction where you may be found and not contest any effort by any jurisdiction to return you to this State. 7) Support your legal dependents to the best of your ability. 8) When directed, in the discretion of the Probation Officer: (a) submit to evaluations and testing relating to rehabilitation and participate in and successfully complete rehabilitative programming; (b) wear a device capable of tracking location by means including electronic surveillance or global positioning satellite systems; (c) complete a residential or nonresidential program for substance abuse or mental health treatment; and/or (d) agree to the imposition of graduated sanctions as defined by law. 9) Make restitution as ordered by the Court.

FINE SURCHARGES or ADD-ONS: The Court assesses all fine surcharges or add-ons as required by the laws of the State of Georgia and as are applicable to offense(s) for which the Defendant has been convicted.

- 1) The Court orders that: ☒ the Defendant shall pay the probation supervision fee as required by law; ☐ the probation supervision fee is waived.
- 2) If counsel was provided under the Georgia Indigent Defense Act: ☐ the Defendant shall pay the \$50 Public Defender Application Fee; or ☐ the Public Defender Application Fee is waived.
- 3) If counsel was provided at public expense: ☐ the Defendant shall pay attorney's fees of \$_____ to LUMPKIN County; or ☐ attorney's fees are waived.
- 4) The Defendant shall pay the Crime Lab Fee as required by law.

OTHER CONDITIONS OF PROBATION

The Defendant is advised that violation of any Special Condition of Probation may subject the Defendant to a revocation of probation and the Court may require the Defendant to serve up to the balance of the sentence in confinement. The Defendant shall comply with all other Special Conditions of Probation: ☐ as designated on the attached Inventory of Special Conditions of Probation; or ☒ as follows:

***SC3:** The Defendant shall perform 40 hours of community service at the direction of the Probation Officer, to be completed within (as determined by Probation Officer) days of this date, with transportation to be provided by the Defendant.

***SC10: Fourth Amendment waiver.** The Defendant shall submit to a search of person, residence, papers, vehicle, and/or effects at any time of day or night without a search warrant, whenever requested to do so by a Probation Officer or other law enforcement officer upon reasonable cause to believe that the Defendant is in violation of probation or otherwise acting in violation of the law, and the Defendant shall specifically consent to the use of anything seized as evidence in any judicial proceedings or trial.

***SC11: Specimen; admissibility.** The Defendant shall produce from time to time upon oral or written request by a Probation Officer, a law enforcement officer, or official of a Georgia

DHS-approved substance abuse or mental health provider personnel a breath, saliva, urine and/or blood specimen for analysis for the presence of drugs including alcohol. ☒ The Defendant shall waive evidentiary foundation for admissibility of the laboratory results.

*SC12: Limited or no contact. The Defendant shall: ☐ stay _____ yards away from ☐ have no violent contact with ☒ have no contact of any kind, in person, or by telephone, mail, or otherwise, with [REDACTED] ☐ or with his/her family members ☐ and the Defendant shall not enter the premises of _____.

*SC16: Evaluation and treatment. The Defendant shall provide verification of evaluation and/or treatment for: ☐ mental health ☒ substance abuse ☐ clinical evaluation ☐ anger management ☐ cognitive skills training ☐ educational training or ☐ _____ at a State- or Court-approved provider at his/her own expense, and shall cooperate and comply with all rules and regulations of the treatment or program, including any aftercare deemed necessary.

*SC32: Avoid alcohol, drug use. The Defendant shall: ☒ not consume alcoholic beverages, and not use narcotics or dangerous drugs unless lawfully prescribed ☒ not associate with anyone who uses or possesses illegal drugs ☒ not occupy any residence or vehicle where alcohol or illegal drugs are present ☒ not consume alcohol and operate a motor vehicle ☐ not go to establishments that serve alcohol.

*Other special condition(s). The Defendant shall abide by the following additional special condition(s): Probationer shall not take into his body any substance prohibited, or controlled by any law of this State or of the United States except pursuant to a physician's prescription. All prescriptions shall be submitted to the Probation officer prior to ingesting any of the prescribed substances.

FIRST OFFENDER OR CONDITIONAL DISCHARGE

(If designated by the Court)

~~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 the Defendant is hereby sentenced to confinement at such institution as the Commissioner of the State Department of Corrections or the Court may direct, with the period of confinement to be computed as provided by law.~~


~~Upon violation of the terms of probation, upon conviction for another crime during the period of probation, or upon the Court's determination that the Defendant is or was not eligible for sentencing under the First Offender Act or for Conditional Discharge, the Court may enter an adjudication of guilt and proceed to sentence the Defendant to the maximum sentence as provided by law.~~

~~Upon fulfillment of the terms of this sentence, 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 guilt and shall be completely exonerated of guilt of said offense charged.~~

For Court's Use:

The Hon. Evan A Watson, Attorney at Law, represented the Defendant by: ☒ employment; or ☐ appointment.

SO ORDERED this 7th day of November, 2017.



Judge of Superior Court
ENOTAH Judicial Circuit

N. STANLEY GUNTER
(print or stamp Judge's name)

State of Georgia v. Chester Jane Doles

Criminal Action # 2017-CR-214-SG

SC-6.3 Final Disposition Misdemeanor Sentence

Page 3 of 4

FIREARMS – If you are convicted of a crime punishable by imprisonment for a term exceeding one year, or of a misdemeanor crime of domestic violence where you are or were a spouse, intimate partner, parent, or guardian of the victim, or are or were involved in another similar relationship with the victim, it is unlawful for you to possess or purchase a firearm including a rifle, pistol, or revolver, or ammunition, pursuant to federal law under 18 U.S.C. § 922(g)(9) and/or applicable state law.

Acknowledgment: I have read the terms of this sentence or had them read and explained to me. If all or any part of this sentence is probated I certify that I understand the meaning of the order of probation and the conditions of probation. I understand that violation of a condition of probation could result in revocation of all time remaining on the period of probation.



Probation Officer




Defendant

**ADDENDUM TO SENTENCE SHEET REFLECTING SURCHARGES, ADD-ONS, AND FEES
REQUIRED BY LAW**

	COUNT 1	COUNT 2	COUNT 3	COUNT 4	COUNT	COUNT
COURT COST						
..... \$100.00						
FINE	\$750.00	\$0.00	\$0.00	\$0.00		
POPIDF-A FUND (10% TO MAX)	50.00	0.00	0.00	0.00	0.00	0.00
POPIDF-B FUND (10%)	75.00	0.00	0.00	0.00	0.00	0.00
JAIL FEE (10%)	75.00	0.00	0.00	0.00	0.00	0.00
DUI SURCHARGE (10%/\$26 MAX)	0.00					
DATE SURCHARGE (50%)						
CRIME VICTIM ASSISTANCE (5%)	37.50	0.00	0.00	0.00	0.00	0.00
LAW LIBRARY						
..... \$5.00						
BSIT FUND (10%) DUFS ONLY						
DETF (1.5%)						
.....						
TOTAL: COURT COSTS AND FINES	\$987.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
PLUS CRIME LAB FEE						
TOTAL TO CLERK OF COURT						
..... \$1,127.50						

and a PROBATION FEE of **\$36.00** and **\$9.00 G.C.V.E.F.** per month.

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT
Filed **4:40 PM 11-07-17**

RITA HARKINS, CLERK

IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

vs.

Case No. 2017-SU-CR-214

CHESTER DOLES,

Defendant.

-----/

PLEA AND SENTENCING
BEFORE THE HONORABLE STANLEY GUNTER
NOVEMBER 7, 2017
LUMPKIN COUNTY COURTHOUSE, DAHLONEGA, GEORGIA

APPEARANCES:

FOR THE STATE:

CALLIE ADAMS, ASSISTANT DISTRICT ATTORNEY
Enotah Judicial Circuit
Dahlonega, Georgia

FOR THE DEFENDANT:

EVAN A. WATSON, ESQUIRE
Cumming, Georgia

FILED IN OFFICE
CLERK OF SUPERIOR COURT
12/01/2017 01:16 PM
RITA HARKINS, CLERK
LUMPKIN COUNTY, GA

PATTY CARLSON, RPR, CRR
Appalachian Court Reporting - Enotah Judicial Circuit
P.O. Box 943
Blairsville, Georgia 30514
(706) 745-4455

1 PROCEEDINGS

2 ASSISTANT D.A. ADAMS: Your Honor, we are here in the
3 State of Georgia versus Chester Doles, 17-CR-214-SG. We
4 are here on an accusation. Mr. Doles is charged with
5 battery, simple battery, battery, and simple battery.

6 For that, on the 17th day of December, 2016, he did
7 intentionally cause visible bodily harm, to wit, facial
8 bruising and cuts to the person of [REDACTED] by
9 punching him in the face.

10 Count 2, simple battery, that he did on December 17th
11 intentionally make physical contact of an insulting or
12 provoking nature with the person of [REDACTED] by
13 punching him in the face.

14 Count 3 is battery. On the 17th day of December,
15 2016, he did cause visible bodily harm, bruising of the
16 face to [REDACTED] by pushing her against a wall.

17 And Count 4, simple battery, again on the 17th day of
18 December did intentionally make physical contact of an
19 insulting or provoking nature with the person of [REDACTED]
20 [REDACTED] by pushing her against the wall.

21 These events all occurred in Lumpkin County. I
22 believe Mr. Watson has agreed to stipulate to a factual
23 basis beyond that.

24 MR. WATSON: We have.

25 THE COURT: Thank you.

1 ASSISTANT D.A. ADAMS: Today Mr. Doles will be
2 pleading guilty to Count 1 and Count 3. Counts 2 and 4
3 will be nol prossed in consideration of this plea.

4 Count 1 would be 12 months' probation, serve 48 hours.
5 That's to be deemed served. Count 3 would be 12 months'
6 probation consecutive to Count 1. There would be a \$750
7 fine, 40 hours of community service, Fourth waiver,
8 specimen admissibility, no contact with [REDACTED]
9 [REDACTED], records release, evaluation and treatment for
10 substance abuse.

11 He's to avoid alcohol and drug use, not to consume
12 alcohol or narcotics unless prescribed, not to associate
13 with anyone who uses or possesses illegal drugs, not to
14 occupy a residence where alcohol or drugs are present, and
15 not consume alcohol and drive a motor vehicle.

16 Additionally he would pre-clear all prescriptions with
17 probation. If I may approach, Your Honor?

18 THE COURT: Thank you.

19 ASSISTANT D.A. ADAMS: Additionally, Your Honor, the
20 victims have been notified of this plea agreement, and they
21 are in agreement with it.

22 THE COURT: All right. Mr. Watson, anything you want
23 to tell me?

24 MR. WATSON: No, Your Honor. We would ask -- we've
25 tendered the plea. We would ask that you accept those two

1 counts as a no contest.

2 THE COURT: Nolo.

3 MR. WATSON: We're asking that you accept it as that.
4 We're in agreement with all of the terms and conditions of
5 the plea.

6 THE COURT: All right. If you don't mind me asking,
7 what difference does it make on a case like this? Would it
8 help his license or something?

9 MR. WATSON: It does not. It really has to do with us
10 talking about the case. We were down for a motion today --
11 an immunity motion. Given the facts and circumstances, the
12 discussion that we have had about everything, it's really
13 only if you want to say concession -- it's really the only
14 earmark that we're asking for to dispose of it. It is
15 changing none of the terms and conditions.

16 THE COURT: Does the State have any objection to the
17 nolo plea?

18 ASSISTANT D.A. ADAMS: The State leaves it to the
19 discretion of the Court.

20 THE COURT: All right. I'm just trying to
21 differentiate if it's an Alford plea or a nolo plea that
22 you are trying to make here.

23 MR. WATSON: It's not an Alford plea. We would just
24 ask if you would be inclined or would accept it as no
25 contest to the two counts. There's no practical affect on

1 the terms.

2 THE COURT: The only other question that I have is,
3 what kind of history does your client have?

4 MR. WATSON: His representation was the last criminal
5 history was in 2002. I know the prosecutor has his
6 criminal history.

7 ASSISTANT D.A. ADAMS: He has a -- would Your Honor
8 like for me to --

9 THE COURT: Announce it.

10 ASSISTANT D.A. ADAMS: He has a 1979 malicious
11 destruction and damage of private property. He has two
12 handgun-carrying convictions.

13 THE COURT: What year?

14 ASSISTANT D.A. ADAMS: 1988 and again in 1989. He has
15 a battery charge from -- well, a battery conviction from
16 1993. He has a burglary conviction from 1997. He has
17 another firearms possession in 2003. Then I believe the
18 most recent was a non-related DUI back in 2007.

19 THE COURT: I will accept it as a nolo.

20 MR. WATSON: Thank you, Your Honor.

21 THE COURT: All right. Anything else?

22 MR. WATSON: No, Your Honor.

23 THE COURT: All right. Mr. Doles, if I can get you to
24 raise your right hand.

25 (Defendant sworn.)

1 THE COURT: You can put your hand down. Are you the
2 Chester Doles listed in Lumpkin County Amended Accusation
3 17-CR-214? Is that correct?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: And how old are you, sir?

6 THE DEFENDANT: 57.

7 THE COURT: It says here 14 years. So you went a
8 little beyond high school into college?

9 THE DEFENDANT: Yes. Two years of college at North
10 Georgia.

11 THE COURT: All right. Have you had a chance to read
12 the accusation -- the amended accusation? Do you
13 understand the charges?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: All right. You have gone over that with
16 your attorney?

17 THE DEFENDANT: We have.

18 THE COURT: And have you had enough time to talk to
19 your attorney about your case?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: Are you satisfied with the representation
22 that you have gotten?

23 THE DEFENDANT: Yes.

24 THE COURT: You are a U.S. citizen?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: Has anybody threatened you to get you to
2 enter a plea?

3 THE DEFENDANT: No.

4 THE COURT: Okay. Outside of the plea negotiation
5 have they promised you anything to get you to plead?

6 THE DEFENDANT: No.

7 THE COURT: Are you under the influence of any drugs
8 or alcohol at this time?

9 THE DEFENDANT: Absolutely not.

10 THE COURT: Do you suffer from any mental disease or
11 mental impairment that would keep you from understanding
12 what we're doing?

13 THE DEFENDANT: No, sir.

14 THE COURT: Now, you and Mr. Watson went over this
15 paper I'm holding up. Do you recognize what I'm holding?

16 THE DEFENDANT: I do.

17 THE COURT: As you went through this did he explain
18 each question to you so that you understood it?

19 THE DEFENDANT: He did.

20 THE COURT: And did you answer truthfully to each
21 question?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: This is a list of the rights you have in a
24 criminal case. I want to highlight some of those for you.

25 First of all, you're presumed innocent. You have the

1 right to be represented by counsel. You have the right to
2 a public jury trial. At a jury trial because you're
3 presumed innocent you don't have to testify, call
4 witnesses, or put up any evidence; and the jury would be
5 instructed that that is your constitutional right and not
6 to hold it against you if you don't. Should you wish to
7 testify, that is also your constitutional right. You would
8 be allowed to do that.

9 You'd also be allowed to use the subpoena power of the
10 Court to call in witnesses to testify on your behalf and
11 through those witnesses to introduce any evidence that
12 might be favorable to you at trial.

13 The State has to prove your guilt beyond a reasonable
14 doubt on each and every element of the crimes that they
15 charged you with. And with that, you get to confront the
16 State's witnesses. That means you get to see and hear them
17 testify and through your counsel to cross-examine them on
18 the testimony they give at trial and also to challenge any
19 evidence the State would try to introduce against you at
20 trial through those witnesses.

21 When you enter a guilty plea in this case, you give up
22 these rights that I went over with you and all the rest
23 that you and your attorney went over on this plea sheet.
24 Do you understand that?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: Knowing you are waiving those rights do
2 you still want to enter a nolo plea?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: Did you, in fact, commit the offenses as
5 alleged in Counts 1 and 3 of the amended accusation?

6 THE DEFENDANT: Yes. I have never denied that there
7 was an altercation. I don't know how I was the only person
8 arrested out of all of this.

9 THE COURT: I find that the entry of your plea is
10 freely and voluntarily and knowingly made. I will follow
11 the negotiated plea that y'all have worked out and accept
12 your plea as a nolo plea.

13 On Count 1 I will sentence you to 12 months, to serve
14 48 hours. That's deemed served. The balance will be on
15 probation with credit for whatever time you did before.

16 Count 3 will be 12 months to serve on probation. This
17 will run consecutive to Count 1. The total fine in the
18 case will be \$750 plus court costs and fees that go with
19 that. You understand that it is significantly more than
20 \$750?

21 THE DEFENDANT: Not exactly. What do you mean by
22 "significantly more"?

23 THE COURT: Do you have a figure for me? How much
24 more are the fees added to a \$750 fine?

25 PROBATION OFFICER: I am not certain at this time.

1 We're working on it.

2 THE COURT: Closer to 1100 instead of 750 is my guess.
3 It will be significantly more. Do you understand that?

4 THE DEFENDANT: I do now.

5 THE COURT: Okay. Does that change your mind about
6 the entry of a plea?

7 THE DEFENDANT: No. I mean, I got a period of time to
8 pay it; right?

9 THE COURT: Two years.

10 THE DEFENDANT: Yes, sir. That's fine.

11 THE COURT: You will have 40 hours of community
12 service to perform. You will waive your Fourth Amendment
13 rights. What that is is if your probation officer or a law
14 enforcement officer believe that you are in violation of
15 your probation or some other state law, they can search
16 your person, your car, your home anytime of the day or
17 night. They don't need a search warrant to do it, and they
18 don't need your consent to do it. If they find anything,
19 they can use that against you at a revocation hearing,
20 trial, or other proceeding that follows. Do you understand
21 that?

22 THE DEFENDANT: I do.

23 THE COURT: Are you willing to abide by that?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Also is the specimen provision. In that

1 one if your probation officer or a law enforcement officer
2 believe that you have something in your system that you
3 shouldn't have, they can ask for breath, blood, urine,
4 hair, sweat, spital -- whatever kind of sample they need --
5 and if it comes back positive, you're specifically
6 consenting to the use of it against you at a revocation
7 hearing, trial, or other proceeding. Do you understand
8 that?

9 THE DEFENDANT: Yes, Your Honor.

10 THE COURT: Are you willing to abide by that?

11 THE DEFENDANT: Yes.

12 THE COURT: No contact with [REDACTED] or [REDACTED]

13 [REDACTED] You understand by no contact that means exactly
14 that; not even through social media, Facebook, e-mails,
15 snail mail, anything like that, third parties. You cannot
16 make contact with these folks. Do you understand that?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: All right. You will sign a records
19 release giving your probation officer access to all your
20 medical, clinical, treatment, attendance, work records, and
21 for your driving and criminal history.

22 If requested you will submit to a drug and alcohol
23 evaluation. If there is any treatment recommended by that,
24 you will take that treatment at your expense.

25 You shall not consume alcoholic beverages and not use

1 narcotics or dangerous drugs unless lawfully prescribed,
2 not associate with anyone who uses or possesses illegal
3 drugs, not occupy any residence or vehicle where alcohol or
4 illegal drugs are present and not consume alcohol and
5 operate a motor vehicle.

6 Lastly, if you go to the doctor and they give you a
7 prescription, before you fill it, take it to your probation
8 officer and make sure they're aware of what it is that you
9 are taking. I think we covered it all.

10 This is a form regarding your habeas corpus rights.
11 Did you and your attorney go over this?

12 THE DEFENDANT: We did.

13 THE COURT: Did he explain to you your habeas rights
14 in a way that you understood it?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Do you have any questions of me about any
17 of this?

18 THE DEFENDANT: I guess not, no, sir.

19 THE COURT: Okay. That will be your sentence. You
20 will need to talk to the probation officer before you leave
21 today.

22 THE DEFENDANT: Okay.

23 MR. WATSON: May I be excused after I talk to my
24 client?

25 THE COURT: Yes, sir, you may.

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MR. WATSON: Thank you so much.
(Reported proceedings concluded.)

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CERTIFICATE OF COURT REPORTER

STATE OF GEORGIA)
COUNTY OF LUMPKIN)

I, Patty Carlson, Certified Court Reporter, do hereby certify that proceedings were held in the above-entitled case at the time and place set forth in the caption hereof; that I was authorized to, and did, report in shorthand the testimony and proceedings had, and that the foregoing pages constitute a true and correct transcription of my said shorthand report.

WITNESS MY HAND THIS 7th day of November, 2017, at Lumpkin County, Georgia.

A rectangular area containing a handwritten signature "Patty Carlson" in cursive script. Behind the signature is a faint, circular notary seal for the State of Georgia, featuring the text "NOTARY PUBLIC STATE OF GEORGIA" and "COMMISSION EXPIRES 12-31-2018".

Patty Carlson, CCR
Certified Court Reporter

IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

CHESTER DOLES

CASE NO.: 17-CR-214-SG

GEORGIA, LUMPKIN COUNTY
CLERK OF SUPERIOR COURT
Filed 10:50 A.M. 1/22/19

MOTION TO TERMINATE PROBATION


RITA HARKINS, CLERK

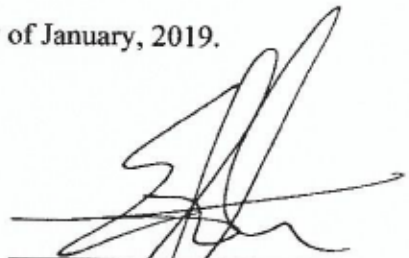
COMES NOW the Defendant and submits this *Motion to Terminate Probation*. In

support of that motion, the Defendant shows this Honorable Court the following:

1. On November 7, 2017, the Defendant entered a guilty plea to two counts of Battery.
2. The Defendant was sentenced to twenty-four months of probation, as well as other general and special conditions of probation.
3. The Defendant has completed all conditions of probation and provided proof of the same to the probation office.
4. The Defendant has been successful and compliant with the terms of probation.

WHEREFORE, the Defendant respectfully requests that this Honorable Court set a hearing date to allow Defendant to further petition the Court for probation to terminate.

Respectfully submitted this 18th day of January, 2019.



Evan A. Watson
Attorney for Defendant
State Bar No. 395411

ZELIFF AND WATSON, LLC
351-A Dahlonga St.
Cumming, Georgia 30040
(770) 887-3720
(770) 887-3729 (f)

**IN THE SUPERIOR COURT OF LUMPKIN COUNTY
STATE OF GEORGIA**

STATE OF GEORGIA

v.

CHESTER DOLES

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:
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:
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CASE NO.: 17-CR-214-SG

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a copy of the forgoing *Motion to Terminate Probation* in the above-referenced case to the Lumpkin County District Attorney (or an authorized assistant).

This 18 day of January, 2019.



Evan A. Watson
Attorney for Defendant
State Bar No. 395411

ZELIFF AND WATSON, LLC
351-A Dahlonega St.
Cumming, Georgia 30040
(770) 887-3720
(770) 887-3729 (f)
evan@zwdefense.com