

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

STATE OF GEORGIA VS.

O.B.T.S.#

GLENN MICHAEL CASTRO 20CR001232D

A. BATTERY-FV-1ST OFFENSE - Amended
B. CRUELTY TO CHILDREN-3RD DEGREE Dis orderly Conduct

PLEA TRIAL VERDICT
NEGOTIATED
GUILTY ON A
NOLO CONTENDERE ON
ALFORD VS N.C.
DEAD DOCKET ORDER ON
OTHER DISPOSITIONS
NOLLE PROSEQUI ORDER ON B
CASH FORFEITURE OPTION

Table with columns for P.O.P.I.D.F., J.C.S.A., Victim's Assist., Victim's Fund, Publication Fee, Brain Injury Fund, DUI, Possession Marijuana, Traffic Violation Only, D.A.T.E.

PAY RESTITUTION OF \$ TO:
AND BE CONFINED FOR A PERIOD OF 12 MONTHS
THE DEFENDANT MAY, BY LAW, BE CONFINED. TO RUN CONCURRENTLY WITH TO FOLLOW CFTS SINCE

Table with columns for P.O.P.I.D.F., J.C.S.A., Victim's Assist., Victim's Fund, Publication Fee, Brain Injury Fund, DUI, Possession Marijuana, Traffic Violation Only, D.A.T.E.

PAY RESTITUTION OF \$ TO:
AND BE CONFINED FOR A PERIOD OF MONTHS WEEKS DAYS HOURS IN THE FULTON COUNTY JAIL OR OTHER SUCH PLACE AS

Table with columns for P.O.P.I.D.F., J.C.S.A., Victim's Assist., Victim's Fund, Publication Fee, Brain Injury Fund, DUI, Possession Marijuana, Traffic Violation Only, D.A.T.E.

PAY RESTITUTION OF \$ TO:
AND BE CONFINED FOR A PERIOD OF MONTHS WEEKS DAYS HOURS IN THE FULTON COUNTY JAIL OR OTHER SUCH PLACE AS

ALL SENTENCES REDUCED TO TIME SERVED. DEFENDANT HAS BEEN IN JAIL SINCE:
PROVIDED THAT THE CONFINEMENT SPECIFIED SHALL BE PROBATED ON A
AFTER SERVICE OF MONTHS WEEKS DAYS HOURS ON

STAY AWAY FROM:
PAY \$49 PER MONTH COST OF SUPERVISION.
FIRST OFFENDER TREATMENT AS TO COUNT(S) 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 under 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 17 DAY OF February, 2021
THIS SENTENCING ORDER IS HEREBY FILED IN OPEN COURT THIS 17 DAY OF February, 2021
JUDGE, STATE COURT OF FULTON COUNTY
JUDICIAL CASE MANAGER

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

DATE PROBATION OFFICER PROBATIONER

vs.

Glenn Michael Castro

Accusation Number 20CR0012320

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 dependents to the best of your ability.

GENERAL CONDITIONS OF PROBATION

- 1. () Get counseling for violent behavior. Anger Management ^{12 week} () Domestic Violence counseling
- 2. () No further contact with victim: _____
- 3. No further VIOLENT CONTACT with victim. Arthur Arethia Castro
- 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, starting 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 within ____ days
- 11. () Get job counseling.
- 12. () Pay \$ _____ by the _____ of _____, 20 _____, at 4:00 pm
- 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. () MAAAD Panel
- 23. () Interlock Ignition
- 24. Probation becomes: non-reporting ^{no fees} () suspended upon completion of all conditions
- 25. () Victim-Impact Panel
- 26. () Sexual Deviance class
- 27. () Shoplifting class
- 28. () Home confinement/ House arrest for _____ day/month.
- 29. () Curfew: _____
- 30. () Other: _____

STATE OF GEORGIA

STATE OF GEORGIA v. Glenn Castro, Defendant. Criminal Case No. 20 CRM1232D

DEFENDANT'S ACKNOWLEDGMENT OF RIGHTS AND PETITION TO ENTER PLEA OF GUILTY OR NOLO CONTENDERE

I HAVE READ AND UNDERSTAND THE FOLLOWING (Please initial each line that applies to your case):

- all (1) I am not under the influence of alcohol or drugs.
- all (2) I do not suffer from any mental or physical disability which prohibits me from understanding my rights.
- all (3) I have read and understand the charge(s) against me. I understand I can ask for the charges to be explained further before I proceed.
- all (4) I understand that if I was on probation or parole when this offense occurred, a plea of guilty or no contest could cause that probated or paroled sentence to be revoked.
- ___ (5) I understand that if I am not a citizen of the United States I could suffer immigration consequences from this conviction, including deportation, exclusion, or denial of naturalization.
- ___ (6) I understand that any person convicted of a misdemeanor crime of domestic violence is prohibited by federal law from owning, shipping, transporting, possessing, or receiving any firearm or ammunition (18U.S.C. §922(g)(9)).
- ___ (7) I understand that my driver's license or vehicle registration may be suspended or revoked as a result of this plea.
- ___ (8) I understand that after conviction I have (180 days/traffic offenses) (one year/other misdemeanors) to file a habeas corpus challenge.
- all (9) When I enter a plea of GUILTY or NOLO CONTENDERE to the charges, I give up the following rights:
 - (a) The right to the presumption of innocence.
 - (b) The right to a speedy and public trial before a judge or jury, whichever I prefer.
 - (c) The right to see, hear, and cross-examine all witnesses called to testify against me.
 - (d) The right to use the subpoena power of the Court to compel the production of evidence and the presence of witnesses in my favor.
 - (e) The right to remain silent. The right to testify, or not testify, on my own behalf at trial.
 - (f) The right to make the State prove the charge(s) against me beyond a reasonable doubt.
 - (g) The right to the assistance of an attorney hired by me, or a Court appointed lawyer if I am indigent and can't afford to hire one.
 - (h) The right to appeal an adverse judgment within 30 days if I go to trial and I am convicted.
- ___ (10) I have been advised that for the charges pending against me I can receive a *maximum* sentence of a \$1,000.00 fine (\$5,000.00 for a Misdemeanor of a High and Aggravated Nature) and 12 months incarceration for each misdemeanor charged, and that the sentences can run consecutively.
- all (11) **NEGOTIATED PLEA:** I acknowledge the Court does not have to accept the State's recommendation and can impose the maximum sentence allowed by law. If that sentence is less favorable than what was recommended by the State, I have a right to withdraw my plea.
- ___ (12) **NON-NEGOTIATED PLEA:** I am rejecting the State's offer for a negotiated plea. I wish to enter a plea of GUILTY or NOLO CONTENDERE and throw myself on the Court's mercy for sentencing. I understand the Court can impose the maximum sentence allowed by law.
- ___ (13) I understand the State is recommending the following sentence:
 - (a) _____: _____ months, serve _____ hrs./days/mos. custody (CTS _____ days), balance probated, fine \$ _____
 - (b) _____: _____ months, serve _____ hrs./days/mos. custody (CTS _____ days), balance probated, fine \$ _____
 - (c) _____
 - (d) _____
 - (e) The above sentences shall run (concurrently) (consecutively) to each other.

(14) I understand the State is recommending the following Special Conditions of probation:

- 24-week family violence intervention program
- Screen and treat for
 - mental health
 - alcohol/drugs
 - violence
- (weeks) 12 (days) anger management classes
- No violent contact with / no contact with _____
- No guns or weapons / weapon forfeited
- _____ Parenting Classes
- Stay away from _____
- Pay \$ _____ restitution to _____
- _____ hours community service
- DUI risk reduction
- Defensive Driving School
- MADD Victim Impact Panel
- AA/NA meetings _____ times per week for _____ weeks
- License plate surrender
- Ignition interlock
- Publication of conviction
- License suspension notice
- HV notice
- No drugs or alcohol; random screens
- DUI Court Treatment Program - continuous participation and successful completion
- Shoplifting offenders class
- GED classes
- Job counseling; employment applications
- other: _____

all (15) **Fourth Amendment Waiver:** I understand that while on probation, I am subject to a search of my 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 I am in violation of probation or otherwise acting in violation of the law.

(16) **IF REPRESENTED BY A LAWYER:** My lawyer's name is _____. I have told my lawyer all the facts and circumstances that I know about the charges in the accusation. I believe that my lawyer is fully informed in all such matters. My lawyer has counseled me and advised me on the nature of these charges, possible defenses I may have in this case, and the potential consequences of entering this plea. I am satisfied with the advice and counsel my lawyer has given me.

(17) **IF PRO SE (REPRESENTING YOURSELF, WITHOUT A LAWYER):** I acknowledge I have a right to have a lawyer represent me at all hearings and proceedings before this Court. A lawyer can explain my rights and discover defenses, or other collateral consequences beyond the control of my lawyer and the court, which I may not be able to anticipate. I understand I can ask the Court to appoint a lawyer to represent me if I am indigent. If the Court determines I meet the guidelines for indigence it will appoint a lawyer to represent me without cost to me. Nevertheless, I freely and voluntarily waive my right to be represented by a lawyer and I want to represent myself in this court proceeding.

all (18) My decision to enter this plea is made freely and voluntarily and of my own accord, and with the advice of my lawyer, if represented. I understand the nature of the charges and the consequences of entering this plea. Other than the plea bargain offered by the prosecutor and stated in open court, no one has promised me any benefit or a lesser sentence, and no one has forced or threatened me, to influence my decision to enter this plea. I have read this form and knowingly give up each of the above stated rights.

Glenn Castro
DEFENDANT

DEFENDANT'S ATTORNEY/BAR NO.

I have made inquiry and am satisfied there is a factual basis to support this plea. I find that this defendant is in possession of his/her faculties and is able to understand the nature and consequences of his/her plea. I further find that the defendant is making this plea freely, understandingly, and voluntarily, without undue influence, compulsion, or duress, and without promise of leniency.

This 17 day of Feb., 2021

Shuan Edle
JUDGE, STATE COURT OF FULTON COUNTY

IN THE STATE COURT FOR THE
COUNTY OF FULTON, STATE OF GEORGIA

CRIMINAL DIVISION

STATE OF GEORGIA,)	ACCUSATION NUMBER <u>20CR001232D</u>
)	
v.)	CHARGE(S):
<u>Glenn Castro</u>)	<u>Disorderly Conduct</u>
Defendant.)	

PLEA AND VERDICT

I hereby plead NOT GUILTY.
This _____ day of _____, 20_____.

I hereby plead GUILTY/NOLO CONTENDERE.
This 17 day of Feb, 2021.


Defendant

Glenn Castro
Defendant

Defendant's Attorney

Defendant's Attorney

Assistant Solicitor-General


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.

Glenn Castro
Defendant

We, the Jury, find the defendant _____

Date

Judge-Foreperson

IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

vs.

Glenn Castro

ACCUSATION NO: 20CR001232D

NOLLE PROSEQUI ORDER

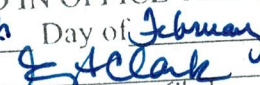
It is hereby considered, ordered, and adjudged that Count 2: Cruelty to Children from the above-styled case be Nolle Prossed for the following reasons(s): **An assessment has been made by the prosecutor and it is determined that in the best interest of justice the prosecution should be terminated. Record is restricted.**

SO ORDERED, this 17th day of February, 2021.



JUDGE Susan E. Edlein
FULTON COUNTY STATE COURT
ATLANTA JUDICIAL CIRCUIT

Prepared by:
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FILED IN OFFICE THIS THE
17th Day of February 2021

Evelyn Clark, Deputy Clerk
State Court of Fulton County, Georgia