

IN THE SUPERIOR COURT OF BUTTS COUNTY, STATE OF GEORGIA

STATE OF GEORGIA versus

Robert Lewis Henderson, Jr.

CRIMINAL ACTION #:

2021-SU-R-0097

OCTOBER Term of 2021

Clerk to complete if incomplete:

OTN(s): _____
 DOB: 5/2/1983
 Ga. ID#: GA4932759E

Filed 12/8/2021 at 4:50 P.M.
W. Ward
 Deputy Clerk, Butts Superior Court

**Final Disposition:
 FELONY with PROBATION**

First Offender/Conditional Discharge entered under:

- O.C.G.A. § 42-8-60 O.C.G.A. § 16-13-2
 Repeat Offender as imposed below
 Repeat Offender waived

PLEA:

- Negotiated Non-negotiated

VERDICT:

- Jury Non-jury

The Court enters the following judgment:

Count	Charge (as indicted or accused)	Disposition (Guilty (G), Not Guilty (NG), Guilty-Alford (GA), Guilty-Lesser Incl (GLI), Nolo, Nolo Pros (NP), Dead Docket (DD))	Sentence	Fine	Concurrent (CC)/ Consecutive (CS), Merged (M), Suspended (S)
2	Aggravated Assault (Felony)	G			M with count 3
3	Felony Murder (Felony)	GLI-Voluntary Manslaughter	20 Years		
4	Possession of Firearm During Commission of a Felony (Felony)	NG			

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 such institution as the Commissioner of the State Department of Corrections may direct, with the period of confinement to be computed as provided by law.

Sentence Summary: The Defendant is sentenced for a total of 20 Years, with the first 12 Years 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 12 Years, 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.

3. The Court sentences the Defendant as a recidivist under O.C.G.A.:

§ 17-10-7(a); § 17-10-7(c); § 16-7-1(b); § 16-8-14(b); or § _____.

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; or 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 within the 1st 30 days; 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 BUTTS County; or attorney's fees are waived.
- 4) The Defendant shall pay the Crime Lab Fee as required by law.

SPECIAL 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 Special Conditions of Probation: as designated on the attached Inventory of Special Conditions of Probation; or as follows: (*import conditions to be imposed from Inventory of Special Conditions of Probation*).

1. The Court finds that the Defendant shall pay restitution in the amount of \$_____ through the Probation Office for the benefit of the victim(s) _____, at a rate to be approved by the Court or the Probation Officer.
3. The Defendant shall perform _____ hours of community service at the direction of the Probation Officer, to be completed within _____ days of this date, with transportation to be provided by the Defendant.
4. The Defendant is sentenced under the provisions of the **Probation Management Act Sentencing Options System** with a: sanction cap of Probation Detention Center or Regional Substance Abuse Treatment Facility; or Court-designated sanction cap of _____.

7. **Detention Center, Diversion Center, or Boot Camp.** The Defendant shall serve _____ days in a: Detention Center County Diversion Center Boot Camp or _____. The Defendant shall be subject to the rules and regulations of the facility.
 The Defendant is sentenced to _____ in confinement, with that time suspended upon acceptance into the facility.
 Time spent in confinement awaiting acceptance into the facility shall be credited toward the time to be served at the facility.
 The Defendant may be at liberty until the date of acceptance into the facility.
8. **Regional Substance Abuse Treatment (RSAT) Facility.** The Defendant shall enter and complete a Regional Substance Abuse Treatment Program.
 The Defendant is sentenced to _____ in confinement, with that time suspended upon acceptance into the facility.
10. **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.
12. **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 Victim's Family or with his/her family members and the Defendant shall not enter the premises of _____.
16. **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.
18. **Diploma, GED, or training certificate.** The Defendant shall provide verification of completion of a high school diploma, GED, or vocational training certificate. In the event he/she does not have one, the Defendant shall attend all classes and work successfully toward obtaining a diploma, GED, or certificate during the period of probation and the Defendant shall provide verification of attendance.
20. **Bar order.** The Defendant shall not enter the confines of: BUTTS County or the TOWALIGA Judicial Circuit (Butts, Lamar & Monroe counties) during the period of probation for any reason whatsoever.
24. **Administrative or terminated probation.** The Defendant's probation sentence shall: become administrative terminate upon full and timely payment of all sums due hereunder and compliance with all Conditions of Probation, including Special Conditions of Probation.
26. **Sex offender special conditions.** The Defendant is subject to Special Conditions of Probation as a sex offender. These conditions are described more fully on separate pages which are incorporated into this sentence by reference.
33. **Contagious disease.** The Defendant shall submit to evaluation and provide proof of treatment as required by any governmental unit for any contagious communicable disease constituting a public health risk.

Other special condition(s). The Defendant shall abide by the following additional special condition(s): TURN OVER ALL LAW ENFORCEMENT BADGES AND IDENTIFICATION.

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

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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. Akil K. Secret, Attorney at Law, represented the Defendant by: employment; or appointment.

SO ORDERED this 8th day of DECEMBER, 2021.




Judge of Superior Court

R.L. Mack

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 special condition of probation could result in revocation of all time remaining on the period of probation.



Defendant

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

	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT
COURT COST						
FINE						
POPIDF-A FUND (10% TO MAX)\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
POPIDF-B FUND (10%)\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
JAIL FEE (10%)\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUI SURCHARGE (10%/\$26 MAX)						
DATE SURCHARGE (50%)						
CRIME VICTIM ASSISTANCE (5%)\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
LAW LIBRARY.....\$0.00	3.00					
BSIT FUND (10%) DUI'S ONLY						
DETF (5%).....						
RESTITUTION						
TOTAL: COURT COSTS AND FINES\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
PLUS CRIME LAB FEE.....\$50.00						
TOTAL TO CLERK OF COURT\$50.00						

and a **PROBATION FEE** of **\$23.00** and **\$9.00 G.C.V.E.F.** per month.