

AFFIDAVIT AND APPLICATION FOR A SEARCH WARRANT

In the Superior Court of Gordon County
State of Georgia

Docket # _____

FILED

Clerk Superior Ct., Gordon County

MAR 23 2020

Grant Walraven
Clerk

The undersigned Special Agent Adam Jones, being duly sworn, deposes and says:

I am an officer of the State of Georgia or its political subdivision charged with the duty of enforcing the criminal laws, and that I have reason to believe that in Gordon County, Georgia, on the person, premises, or property described as follows:

The residence located at 217 Blackwood Ct. SE., Calhoun, Georgia to include outbuildings, curtilage, and any vehicles on the property that JONATHON LOVINS would have access to. The residence is described as being a single level structure with a brick exterior. There are black shutters and white trim on the exterior of the residence. There is a mailbox in front of the residence that is labeled "217". A photograph of the residence is attached to this search warrant and labeled "Exhibit A".

There is now located certain instruments, articles, persons, or things, namely: bond paperwork, bond receipts, traffic citations, inmate forms, commissary forms, bank deposit slips, and US currency, which are being possessed in violation of Georgia Law(s):

O.C.G.A. 16-8-2: Theft by Taking

The facts tending to establish probable cause that a crime has been, or is being committed and the above described instruments, articles or things described above are presently located at the above described premises or property are as follows:

I, Special Agent Adam Jones, being duly sworn, shall hereafter be referred to as the affiant, state the following facts and circumstances:

Affiant is a Special Agent with the Georgia Bureau of Investigation and has been employed by the GBI since September 2014. Affiant is currently assigned to the GBI Region 1 Office which is based in Calhoun, Georgia. Affiant was previously employed by the Whitfield County Sheriff's Office since October 2004. While employed at the Whitfield County Sheriff's Office your affiant worked as a Jailer, Crime Scene Investigator, and a General Investigations Detective. My training and experience includes the investigation of numerous major criminal cases including, but not limited to, murder, aggravated assault, sexual assault, robbery, burglary, theft, fraud, and public corruption.

Affiant has more than 2,700 hours of official law enforcement related training recorded with the Georgia Peace Officers Standards and Training Council. Your affiant has been employed as a full-time law enforcement officer since 2006, properly certified pursuant to O.C.G.A. 35-8-1, et seq.

During the affiant's time in law enforcement the affiant has more that 500 investigations concerning felony crimes such as theft, murder, fraud, sexual assault, public corruption, child molestation, and cruelty to children. Affiant has participated in or written more than twenty search and seizure warrants.

Based on the affiant's knowledge, training, and experience, the affiant believes the following:

This affidavit is based upon affiant's personal knowledge and information that affiant has developed through participation in this investigation. This affidavit also contains information that affiant has learned from a review of written reports of domestic violence investigations; and from independent investigation.

Unless otherwise noted, where in this affidavit affiant asserts that a statement was made, the information was either based upon affiant's own interview or provided by another law enforcement officer with whom affiant has spoken or whose report affiant has read and reviewed. Such statements are not reported in their entirety, unless otherwise indicated. Similarly, information resulting from interviews, except where otherwise indicated, does not set forth affiant's, but rather, has been provided to affiant directly or indirectly through other law enforcement officers who conducted such interviews.

Because this affidavit is being submitted for the limited purpose of seeking authorization to search certain locations as set forth below, affiant has not set forth each and every fact learned during the course of the investigation.

On Monday, March 9, 2020, your affiant received information from the Gordon County Sheriff's Office regarding the theft of bond money. The Gordon County Probate Court had called the Gordon County Jail on February 28, 2020 and was looking for the bond concerning ERIN LEGATE. The message was received by jail SERGEANT STEVEN COCHRAN. SGT COCHRAN reviewed LEGATE'S file and all of the paperwork was present. LEGATE had been arrested on January 1, 2020 and later paid a cash bond in the amount of \$1,020.00.

SGT COCHRAN reported the issue to SERGEANT JONATHON LOVINS. SGT'S COCHRAN and LOVINS went to the jail sergeant's office to review the bond receipt book. SGT LOVINS commented that he remembered LEGATE'S name. SGT LOVINS then advised that he had accidentally taken the bond home with him and placed it in a drawer.

SGT LOVINS' supervisor confronted him regarding taking the bond home 58 days prior. SGT LOVINS stated he had put the bond in his pocket, which caused the bond to get washed in the laundry by his wife. The bond was then laid out to dry. SGT LOVINS was sent to his house to retrieve the bond. SGT LOVINS Gordon County Sheriff's Office personnel file states he lives at 217 Blackwood Ct SE, Calhoun, Georgia.

Once SGT LOVINS returned to the jail, he provided the bond to his supervisor. The supervisor noticed that the bond did not appear to have any water damage and confronted SGT LOVINS with this fact. SGT LOVINS recanted his story and advised that his wife had found the bond prior to it being washed.

The Gordon County Sheriff's Office began conducting an audit of the cash bonds and inmate money that would be collected at the jail. There have been a total of six cash bonds missing and two incidents involving deposit amounts being incorrect. The amount of missing currency is estimated at over \$6,000.00. All of the incidents involve SGT LOVINS receiving the bonds or inmate cash.

Gordon County Jail LIEUTENANT JOHN VICK reported that approximately two years ago he was verifying a cash bond that was \$100.00 short. The bond was prepared by SGT LOVINS. When SGT LOVINS was confronted with the shortage, SGT LOVINS stated it was his responsibility. SGT LOVINS opened his wallet and took a \$100 bill out of his wallet to correct the imbalance. LT VICK noticed there were more \$100 bills in SGT LOVINS' wallet.

On March 4, 2020, Gordon County Sheriff's Office MAJOR PAT BEDFORD had received a deposit bag and paperwork from LT VICK. The deposit was found to be \$300.00 short. The missing \$300.00 has not been located. The deposit had been handled by SGT'S BRANNON and LOVINS.

Your affiant obtained information that SGT LOVINS would not have had access to cash bonds or inmate money until he had been promoted to Officer in Charge (OIC). SGT LOVINS was promoted to OIC on

October 4, 2017. As OIC SGT LOVINS would have limited access to the money. SGT LOVINS was promoted to sergeant on March 19, 2018. As sergeant, SGT LOVINS would have full access to the bond and inmate money.

Your affiant is requesting to search SGT LOVINS residence and any vehicles SGT LOVINS has access to in order to locate any jail paperwork, citations, bond paperwork, or United States currency that may have been taken from the Gordon County Sheriff's Office jail.

Your affiant is also prepared to provide verbal testimony as needed.

For the above reasons, affiant has probable cause to believe that there is now contained: bond paperwork, bond receipts, traffic citations, inmate forms, commissary forms, bank deposit slips, and US currency, on the premises, vehicle(s) and/or person(s) described above.

I swear or affirm that all of the information contained in this Affidavit and all other testimony given by me under oath is true to the best of my knowledge and belief.

AFFIANT Adam Jones
TITLE Special Agent

Sworn to and subscribed to before me,

This 19th day of March, 2020, at 9:12 (A.M.)(P.M.)
Suzanne H. Smith
Judge of the Superior Court
Gordon County, Georgia

**SUZANNE H. SMITH
JUDGE SUPERIOR COURT
CHEROKEE JUDICIAL CIRCUIT**

SEARCH WARRANT

In the Superior Court of Gordon County
State of Georgia

Docket # _____

TO: ALL PEACE OFFICERS OF THE STATE OF GEORGIA

Affidavit having been made before me by Special Agent Adam Jones, an officer charged with the duty of enforcing the Criminal Laws, that he or she has reason to believe that in Gordon County, Georgia, on the following described person, premises, or property:

The residence located at 217 Blackwood Ct. SE., Calhoun, Georgia to include outbuildings, curtilage, and any vehicles on the property that JONATHON LOVINS would have access to. The residence is described as being a single level structure with a brick exterior. There are black shutters and white trim on the exterior of the residence. There is a mailbox in front of the residence that is labeled "217". A photograph of the residence is attached to this search warrant and labeled "Exhibit A".

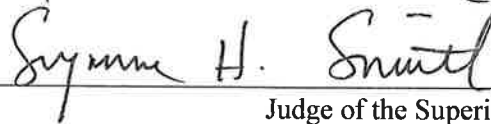
There is now located certain instruments, articles, persons, or things, namely: bond paperwork, bond receipts, traffic citations, inmate forms, commissary forms, bank deposit slips, and US currency, which are being possessed in violation of Georgia Law(s):

O.C.G.A. 16-8-2: Theft by Taking

Based upon the affidavit given under oath or affirmation and all other evidence given to me under oath or affirmation, I am satisfied that there is probable cause to believe that a crime is being committed or has been committed and that the property described above is presently located on the person, premises, or property described above.

You are hereby commanded to enter, search and seize within ten (10) days of this date, the person, premises, or property described above. A copy of this Warrant is to be left with the person searched, or if no person is available, on the premises or vehicle searched, and a written return, including an inventory of any things seized, shall be made before me or a Court of competent jurisdiction without unnecessary delay after the execution of this Search Warrant.

SO ORDERED, this 19th day of March, 2020, at 9:12 (A.M.)(P.M.)



Judge of the Superior Court
Gordon County, Georgia

**SUZANNE H. SMITH
JUDGE SUPERIOR COURT
CHEROKEE JUDICIAL CIRCUIT**

EXHIBIT A



NO KNOCK PROVISION
(Not Valid Unless Signed)

IT APPEARING from the aforementioned Affidavit that there are reasonable grounds to believe that the giving of verbal notice would greatly increase the officer's peril and (or) lead to the immediate destruction of the instruments, articles or things ordered to be seized.

IT IS, THEREFORE, ORDERED that entry be made without knocking and the giving of verbal notice of the officer's authority and purpose.

SO ORDERED, this ____ day of _____, 20 ____, at ____ (A.M.)(P.M.).

Judge of the Superior Court
Gordon County, Georgia

RETURN OF SERVICE

- This Search Warrant was not executed and is returned to the judicial officer who issued it.
- I executed this Search Warrant on the 20 day of March, 20 20, at 8:37 (~~A.M.~~ P.M.) and searched the person, premises or property described in the warrant.

A copy of this warrant:

- Was left with Cheley Louins.
- Was left in the following conspicuous place: _____
because no one was available to be given the warrant.

Attached hereto is an inventory consisting of 0 pages, of the instruments, articles or things which were seized pursuant to this Search Warrant.

This inventory was made in the presence of no items were taken, and I swear (affirm) that this inventory is a true and detailed account of all instruments, articles or things seized pursuant to this Search Warrant.

AFFIANT Adam Jones

TITLE Special Agent

Sworn and subscribed to before me,

This 23 day of March, 2020, at 2:11 (~~A.M.~~ P.M.)

Syanne H. Smith
TITLE Judge, Superior Court of Gordon County