

SC-6.2 Final Disposition Felony Sentence With Probation

IN THE SUPERIOR COURT OF LOWNDES COUNTY, STATE OF GEORGIA

STATE OF GEORGIA versus

CHARLES ROSSMAN
AKA BORIS CERNOCH

CRIMINAL ACTION #:

2011CR1003

MARCH Term of 2014

Clerk to complete if Incomplete:

OTN(s): 88393178672
DOB: 11/19/1945
Ga. ID#: GA4349971W

GEORGIA LOWNDES COUNTY
Filed in office this

JUN 17 2014 *1052A*

B. D. C. Greene
Clerk Superior Court/State Court/
Juvenile 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, Not Guilty, Guilty-Alford, Guilty-Lesser Incl, Nolo, Nol Pros, Dead Docket)	Sentence	Fine	Concurrent/ Consecutive, Merged, Suspended
1	CRIMINAL ABORTION	GUILTY	TEN (10) YEARS	\$3,500.00	
2	CRIMINAL ABORTION	NOL PROS		\$	
3	CRIMINAL ABORTION	NOL PROS		\$	
4	CRIMINAL ABORTION	NOL PROS			
5	CRIMINAL ABORTION	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 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 TEN (10) YEARS, with the first FIVE (5) 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 *April 19, 2013*; 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 FIVE (5) 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 of \$32.00 per month 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; or the Public Defender Application Fee is waived.
- 3) If counsel was provided at public expense: the Defendant shall pay attorney's fees of \$500.00 to LOWNDES County; or attorney's fees are waived.
- 4) The Defendant shall pay the Crime Lab Fee of \$50.00 as required by law; or The Crime Lab Fee is waived.

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)*

***SC1: The Court finds that the Defendant shall pay restitution in the amount of \$TBD through the Probation Office for the benefit of the victim(s) FOR RETURN OF DEFENDANT TO**

State of Georgia v. Charles Rossman

Aka Boris Cernoch

Criminal Action # 2011CR1003

SC-6.2 Final Disposition Felony Sentence With Probation

Page 2 of 4

LOWNDES COUNTY, GEORGIA AND FOR TRANSLATION FEES, at a rate to be approved by the Court or the Probation Officer. Jointly and severally with Co-Defendant.

***SC2: The Defendant shall report to the Probation Office at VALDOSTA, Georgia by no later than (AS DIRECTED).**

***SC3: The Defendant shall perform 240 hours of community service at the direction of the Probation Officer, to be completed within (AS DIRECTED) days of this date.**

***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.

***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 TONI COWSER, SYNTHIA TUCKER, SHAMONICA CODY LOVETT, MARY ANN DEWITT, ANNETTE FAIRLEY or with his/her family members and the Defendant shall not enter the premises of _____.

***SC15: Records release.** The Defendant shall provide a release which allows the Probation Office to have access to all medical, clinical, treatment, attendance or work records, and for driving and criminal history.

***SC20: Bar order.** The Defendant shall not enter the confines of: County or the Southern Judicial Circuit (Brooks, Colquitt, Lowndes, Echols, Thomas Counties) during the period of probation for any reason whatsoever.

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.

Defendant's school enrollment: The Defendant: is 17 years of age or older, was convicted of the felony offense(s) of _____, and is or will be enrolled in _____ School or school system, O.C. G. A. § 15-6-36; or is 13 – 17 years of age,

State of Georgia v. Charles Rossman

Aka Boris Cernoch

Criminal Action # 2011CR1003

SC-6.2 Final Disposition Felony Sentence With Probation

Page 3 of 4

was convicted of the felony offense(s) of _____, and is or will be enrolled in _____ School or school system, O.C.G.A. § 15-11-560(g). The Clerk shall give notice as required by the statute.

For Court use:

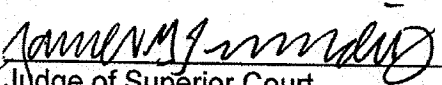
The Hon. DAN CONAWAY, Attorney at Law, represented the Defendant by:

employment; or appointment.

Court Reporter: Debra Nagy

District Attorney : Tracy K. Chapman

SO ORDERED this 17TH day of JUNE, 2014.



Judge of Superior Court
Southern Judicial Circuit

JAMES G. TUNISON, JR
(print or stamp Judge's name)

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

Date: _____

Probation Officer

State of Georgia v. **Charles Rossman**
Aka Boris Cernoch
Criminal Action # **2011CR1003**
SC-6.2 Final Disposition Felony Sentence With Probation
Page 5 of 5