

October 27, 2010

Mr. Walker,

Your request for expungement for Simple assault, simple battery, and obstruction of a 911 call has been approved. Please forward the enclosed packet of information along with your certified check or money order in the amount of \$25.00 to:

Georgia Crime Information Center
Expungements
P.O. Box 370808
Decatur, Georgia 30037-0808

For any questions, you may contact GCIC at 404-270-8396, or our department at 678-493-4206.

Thank You,

Karen Kelley

Karen Kelley
T.A.C.
GCIC/NCIC Services
Cherokee County Sheriff's Office

REQUEST TO EXPUNGE ARREST RECORD

O.C.G.A. 35-3-37(d)

Money Order
Certified Check
GBI Reference #

Internal Use Only

One (1) Date of Arrest Only Per Request and
A non-refundable \$25.00 Fee
(Money Order or Certified Check payable to "Georgia Bureau of Investigation") per Request
The local agency may also require a fee up to \$25.00

SECTION ONE - APPLICANT INFORMATION

(To be completed by Applicant)

O.C.G.A. 35-3-37(d)(1) provides in part that "An individual who was: (A) Arrested for an offense under the laws of this state but subsequent to such arrest is released by the arresting agency without such offense being referred to the prosecuting attorney for prosecution; or (B) After such offense referred to the proper prosecuting attorney, and the prosecuting attorney dismisses the charges without seeking an indictment or filing an accusation may request the original agency in writing to expunge the records of such arrest..."

Name: KERRY CRAIG WALKER

Date of Birth: 02/26/54 Race: WHITE Sex: MALE

Social Security Number: _____

Telephone Number: 423-260-5803 Email: kerrycw1@gmail.com
kerry6w1@gmail.com

Street Address: 502 MAPLE AVENUE

City: JASPER State: TN Zip Code: 37347

Arresting Agency: Cherokee County Sheriff's Dept.

Date of Arrest: 9/25/2001

Offense(s) Arrested For: Simple Assault [OCGA § 16-5-20]

Simple Battery [OCGA § 16-5-23]

Obstruction 911 call [OCGA § 16-10-24]

Sections One and Two of this form must be completed in their entirety before request may be submitted to the Prosecuting Attorney's Office.

I request the arrest record information (Date of Arrest and associated charges) described above pertaining to me be expunged from the record(s) of the arresting agency pursuant to the provisions of O.C.G.A. 35-3-37(d). - Per Judge Murphy E. Miller's ORDER signed on August 23, 2010 and FILED in office Clerk of Superior Court Cherokee County, GA. on August 27, 2010 P.M. 12:28, - SEE CERTIFIED COPY.

Signature: [Handwritten Signature] Date: 9/27/2010

SECTION TWO - ARREST INFORMATION
(To be completed by Arresting Agency)

O.C.G.A. 35-3-37(d)(1) provides in part that "An individual who was: (A) Arrested for an offense under the laws of this state but subsequent to such arrest is released by the arresting agency without such offense being referred to the prosecuting attorney for prosecution; or (B) After such offense referred to the proper prosecuting attorney, and the prosecuting attorney dismisses the charges without seeking an indictment or filing an accusation may request the original agency in writing to expunge the records of such arrest..."

Date Request Received: 9/30/10

Applicant's State Identification Number (SID): GA000661707

Offender Tracking Number: 00103449290

Arresting Agency Name: Cherokee County Sheriff's Office

Arresting Agency ORI Number: GA0280000

Case / Citation / Docket Number: 119825841

Date of Arrest: 0001-09-25

Arrest appears on Georgia and/or FBI criminal history record? Yes No

If arrest does not appear on either state or federal record, expungement cannot be processed and, therefore, there is no need to forward request to GCIC.

Arrest Charge Tracking Number(s) and Charges: 00103449290-1 Simple Assault
00103449290-2 Simple Battery / 00103449290-3 Obstructing
or hindering persons making emergency telephone call

Disposition of Arrest: None. Pended (2003-03-05; dismissed)

Disposition appears on Georgia criminal history record? Yes No

If No, official documentation containing disposition information is attached for processing. If official documentation is not available, please provide explanation and request for exception in Prosecutor's Comments. (Without a disposition on file, official documentation, or request for exception, this request cannot be processed. GCIC fee will not be refunded.)

Prosecuting Attorney/Court Case Referred To: Solicitor's Office

Official Completing Form:

Title: TAC

Name: Kelly Telephone Number: 678-493-4200

Signature: [Signature] Email: _____

SECTION THREE – PROSECUTING ATTORNEY
(To be completed by Prosecuting Attorney)

O.C.G.A. 35-3-37(d)(1) provides in part that "An individual who was: (A) Arrested for an offense under the laws of this state but subsequent to such arrest is released by the arresting agency without such offense being referred to the prosecuting attorney for prosecution; or (B) After such offense referred to the proper prosecuting attorney, and the prosecuting attorney dismisses the charges without seeking an indictment or filing an accusation may request the original agency in writing to expunge the records of such arrest..."

Date Request Received: 10/5/10

Judicial Circuit / County: Blue Ridge

Prosecuting Agency ORI Number: GA

District Attorney / Solicitor General: G. T. Moss

Prosecutor Assigned to Case: _____

Case / Citation / Docket Number: _____

Please select one of the following actions:

Expungement Meets Statutory Requirements

No Information Available; Expungement Forwarded Without Objection

No Information Available at Prosecutor's Office; Returned to Arresting Agency for Further Research. **DO NOT FORWARD EXPUNGEMENT FORM TO GCIC.**

Expungement Does Not Meet All Statutory Requirements
DO NOT FORWARD EXPUNGEMENT FORM TO GCIC.

If additional Charges from same Arrest Date, other than those identified on Page 2, are also approved for expungement, list the Arrest Charge Tracking Number(s) and Charges in Prosecutor Comments.

Prosecutor Comments: See attached order of court

requiring record be expunged.

Prosecutor Completing Form:	
Name: <u>G.T. Moss</u>	Telephone Number: _____
Signature: <u>G.T. Moss 10/5/10</u>	Email: _____

Arrest
Arrest Date 2001-09-25
Case Number M9825841
Arresting Agency GA0280000 CHEROKEE COUNTY SHERIFFS OFFICE
Subject's Name WALKER, KERRY CRAIG
Arrest Type Adult

Charge
Charge Tracking Number 00103449290-1
Charge Literal SIMPLE ASSAULT
Statute 16-5-20; GA
State Offense Code 1313
Severity Misdemeanor

Charge
Charge Tracking Number 00103449290-2
Charge Literal SIMPLE BATTERY
Statute 16-5-23; GA
State Offense Code 1379
Severity Misdemeanor

Charge
Charge Tracking Number 00103449290-3
Charge Literal OBSTRUCTING OR HINDERING PERSONS MAKING
EMERGENCY TELEPHONE CALL
Statute 16-10-24.3; GA
State Offense Code 4824
Severity Misdemeanor

Court Disposition
Case Number 02CR0053
Court Agency GA028015J
Subject's Name WALKER, KERRY CRAIG

Charge
Charge Tracking Number 00103449290-2
Charge Literal SIMPLE BATTERY
Statute 16-5-23; GA
State Offense Code 1379
Severity Misdemeanor
Disposition NOLLE PROSSED (2003-03-05; Dismissed)

Charge
Charge Tracking Number 00103449290-3
Charge Literal OBSTRUCTING OR HINDERING PERSONS MAKING
EMERGENCY TELEPHONE CALL
Statute 16-10-24.3; GA
State Offense Code 4824
Severity Misdemeanor
Disposition NOLLE PROSSED (2003-03-05; Dismissed)

Charge
Charge Tracking Number 00103449290-4
Charge Literal AGGRAVATED ASSAULT
Statute 16-5-21; GA
State Offense Code 1318
Severity Felony
Disposition NOLLE PROSSED (2003-03-05; Dismissed)

45
COPY
TO
JUDGE

ORIGINAL

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA

2010 AUG 27 PM 12:28

KERRY CRAIG WALKER,)
)
Plaintiff,)
)
vs.)
)
CHEROKEE COUNTY, GEORGIA)
SHERIFF ROGER GARRISON,)
PRESTON PEAVY, CHEROKEE)
COUNTY SHERIFF'S)
DEPARTMENT,)
)
Defendants.)

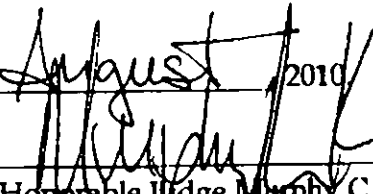
PATTY BAKER, CLERK
(CB)

Civil Action File No.
07-CV-3325-EM

ORDER

The Court having considered Plaintiff's Request to have his September 25, 2001 arrest expunged; and hearing the arguments of Plaintiff and counsel for the Defendants regarding all matters of record, the Court **GRANTS** Plaintiff's Request to have the September 25, 2001 arrest expunged from his record. It is further **ORDERED** that any warrants, finger prints, or other items collected in connection with the September 25, 2001 arrest be purged from the County's criminal records, and that final judgment be entered in this case, consistent with this Order and the Court's previous Order, **GRANTING** Defendant's Motion for Judgment on the Pleadings dated February 25, 2001.

SO ORDERED this 23rd day of August 2010



Honorable Judge Murphy C. Miller
Superior Court of Cherokee County

W-MAIL DOCUMENT

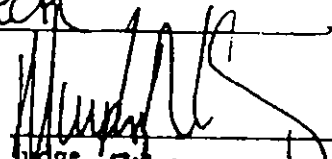
CERTIFIED COPY
PATTY BAKER
CLERK OF COURTS

ORDER

The above-styled affidavit having been presented to the Court, the same having been read and reviewed, the Court herewith ORDERS ---

- X a. that the petitioner not be relieved of paying costs; or,
 - b. that the petitioner be relieved of paying costs as a prerequisite for filing or obtaining relief; and, costs may be assessed to either party later; or,
 - c. that the petitioner pay costs no later than _____, 20____.
- Failure to pay costs within the time permitted may result in denial of relief or dismissal pursuant to O.C.G.A. § 9-15-2 (b).

SO ORDERED, this 24 day of MARCH, 2010.



 Judge, By Design
 Cherokee County Superior Court
 Blue Ridge Judicial Circuit

FILED IN OFFICE
 CLERK OF SUPERIOR COURT
 CHEROKEE COUNTY, GA
 2010 MAR 26 PM 1:52
 PATTY BAKER, CLERK

CERTIFIED COPY
 PATTY BAKER
 CLERK OF COURTS