

PRETRIAL DIVERSION PROGRAM

District Attorney's Office
Cobb Judicial Circuit

COBB COUNTY, GA
CLERK OF SUPERIOR COURT

99 SEP -8 PM 2:44

Jay C. Stephenson
COBB SUPERIOR COURT CLERK

DIVERSION AGREEMENT

WARRANT NO. 99-W-4163

INDICTMENT NO. 99-2030 -34

I, Paulette Elizabeth Rakestraw, have been charged with the criminal offense(s) of Insurance Fraud felony(ies) with a possible penalty of 5 years in the penal institute and a fine up to \$5,000.00. I have read and signed a Constitutional Rights Questionnaire. I agree to do the following:

1.

Pay the applicable fee of \$200.00. I understand this fee is not refundable.

2.

Obey all Local, State and Federal laws.

3.

Meet with the Diversion Representative as requested.

4.

Keep the Diversion Representative advised of my current address, telephone, employment or school, and status with any community agencies at all times.

5.

Notify the Diversion Representative immediately of any future arrests, citations, and Court appearances.

6.

Notify the Diversion Representative prior to traveling outside the State of Georgia.

7.

Pay all fees by August 17th, 1999.

8.

I agree to perform 100 hours of community service at a charitable or non profit organization.

IN THE SUPERIOR COURT
FOR THE COUNTY OF COBB, STATE OF GEORGIA

STATE OF GEORGIA VS. RAKESTRAW PAULETTE ELIZABETH
INDICTMENT NO. 9990203034

The above styled case will be called on 09/10/99 at 09:00 A.M.
in Courtroom C, Cobb Superior Court Building, for Jury Trial
during the week of 09/13/99 in Courtroom C, and the week of
09/20/99 in Courtroom C.

FAILURE OF DEFENDANT TO APPEAR ON ANY DATE WILL RESULT IN THE
ISSUANCE OF A BENCH WARRANT FOR HIS OR HER ARREST, AND POSSIBLE
BOND FORFEITURE.

SIGNED AND MAILED ON 08/27/99

JAY C. STEPHENSON
CLERK SUPERIOR COURT
COBB JUDICIAL CIRCUIT

ANYTIME BAIL BONDING INC
2357 AUSTELL ROAD
MARIETTA, GA. 30008

IN THE SUPERIOR COURT
FOR THE COUNTY OF COBB, STATE OF GEORGIA

STATE OF GEORGIA VS. RAKESTRAW PAULETTE ELIZABETH
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SIGNED AND MAILED ON 08/27/99

JAY C. STEPHENSON
CLERK SUPERIOR COURT
COBB JUDICIAL CIRCUIT

GORDON M BERGER
1850 PARKWAY PLACE
SUITE 420
MARIETTA, GA. 30067

IN THE SUPERIOR COURT
FOR THE COUNTY OF COBB, STATE OF GEORGIA

STATE OF GEORGIA VS. RAKESTRAW PAULETTE ELIZABETH
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09/20/99 in Courtroom C.

FAILURE TO APPEAR ON ANY DATE WILL RESULT IN THE ISSUANCE OF A
ENCH WARRANT FOR YOUR ARREST.

SIGNED AND MAILED ON 08/27/99

JAY C. STEPHENSON
CLERK SUPERIOR COURT
COBB JUDICIAL CIRCUIT

RAKESTRAW PAULETTE ELIZABETH
391 QUAIL RIDGE ROAD
HIRAM, GA. 30141

WAIVER OF RIGHTS

I, Paulette Elizabeth Rakestraw, understand that I am guaranteed by the Federal and State Constitutions the following right(s):

1.

A speedy trial;

2.

A trial by jury;

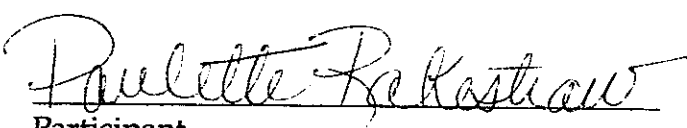
3.

The right to be confronted by the witnesses against me; and that as a condition of acceptance into the Pretrial Diversion Program, I expressly waive that right so long as I remain a participant in the program. I understand that by my participation in the program that I am neither admitting nor denying guilt in the charge(s) against me.

I also understand that at such time as I am terminated, voluntarily or involuntarily, from the program, that my waiver of the right to a speedy trial also terminates and that the charge(s) against me may be prosecuted by the State, subject to the applicable Statute of Limitations.

This the 17th day of August, 1999.


Participant's Attorney

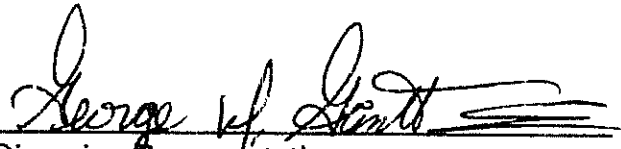

Participant


Assistant District Attorney
Cobb Judicial Circuit

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this agreement has been delivered in person to the defendant and they have been duly instructed regarding the conditions as set forth above.

This the 17th day of August, 1999.


Diversion Representative
Pretrial Diversion Program

9.

I agree to follow through and pay for any redirection program suggested for me:

10.

Support my dependents to the best of my ability.

11.

To avoid places and associations of any undesirable character.

12.

I must not knowingly associate with persons who violate the law.

13.

I must report as directed by the Diversion Representative as follows: Beginning on the 17th day of August, 1999, and continue to report on the 1st of each month thereafter, through the completion of the program, the 17th day of February, 2000. Said reporting shall be done in the following manner: by mail :

The Pretrial Diversion Program
Cobb County District Attorney's Office
10 East Park Square
Marietta, Georgia 30090
(770) 528-8969.

I understand that if I abide by the terms of this agreement that the charges against me will result in dismissal or nolle prosequi with no further obligation on my part and that no record of a conviction will be entered against me.

I understand that if I do not abide by the terms of this agreement, I will be terminated for the program and returned to court for prosecution.

Bond will be null and void upon successful completion and final disposition of this case.

I understand that if I am charged with a new offense, alleged to have occurred after August 17th, 1999, I could be terminated automatically and returned to court for prosecution.

I hereby state that all information I have provided to the Diversion Representative is the truth. I am aware that participation is voluntary and that I may withdraw at any time. I agree to abide by the agreement from August 17th, 1999 to February 17th, 2000.

IN THE SUPERIOR COURT
FOR THE COUNTY OF COBB, STATE OF GEORGIA

STATE OF GEORGIA VS. RAKESTRAW PAULETTE ELIZABETH
INDICTMENT NO. 9990023034

The above styled case has been scheduled for arraignment
on 07/26/99 at 09:00 A.M. in Courtroom C, 6th floor,
Cobb Superior Court Building.

FAILURE OF DEFENDANT TO APPEAR ON ANY DATE WILL RESULT IN THE
ISSUANCE OF A BENCH WARRANT FOR HIS OR HER ARREST, AND POSSIBLE
BOND FORFEITURE.

SIGNED AND MAILED ON 07/03/99

JAY C. STEPHENSON
CLERK SUPERIOR COURT
COBB JUDICIAL CIRCUIT

ANYTIME BAIL BONDING INC
2357 AUSTELL ROAD
MARIETTA, GA. 30006

0457 264

IN THE SUPERIOR COURT
FOR THE COUNTY OF COBB, STATE OF GEORGIA

STATE OF GEORGIA VS. RAKESTRAW PAULETTE ELIZABETH
INDICTMENT NO. 9990303034

The above styled case has been scheduled for arraignment
on 07/26/99 at 01:00 A.M. in Courtroom C, 6th floor,
Cobb Superior Court Building.

FAILURE TO APPEAR ON ANY DATE WILL RESULT IN THE ISSUANCE OF A
BENCH WARRANT FOR YOUR ARREST.

SIGNED AND MAILED ON 07/05/99

JAY C. STEPHENSON
CLERK SUPERIOR COURT
COBB JUDICIAL CIRCUIT

RAKESTRAW PAULETTE ELIZABETH
391 QUAIL RIDGE ROAD
HIRAM, GA. 30141

0457 2541

SUPERIOR

STATE

COBB COUNTY, GEORGIA

BAIL BOND

AMOUNT:

DATE:

WARRANT NO.:

CHARGES:

Be it known that

Principal an

firmy bound to his Excellency Roy E. Barnes, Governor of said State, and his successors in office, in the penal sum written above for payment whereof we firmly bind ourselves, our heirs, executors and administrator, jointly and severally.

CONDITIONS OF BOND

1. If the above bound principal shall personally be and appear before the Superior Court / State Court, or any other Court in which the cause may be transferred or pending, from day to day, and from term to term, to then and there answer to an indictment and/or accusation for the offense(s) named above, or any include or related offenses therein with which he/she may stand charged and shall not depart the state without leave of the Court, then the above obligation to be null and void, else to remain in full force and virtue; and,
2. Principal and Surety agree and covenant that this bond is conditioned upon the appearance of the principal before the Court at the time fixed for his/her arraignment as required by the Code of Georgia Sec. 17-6-17 and Sec. 17-7-91; and,
3. To better secure payment of this bond in the event of forfeiture, Principal and Surety agree for themselves, their families and as the head of their respective families to renounce and waive all right and benefit of the homestead exemption laws of this State, including both constitutional and legislative provision, and each of us further assert that we have never taken or availed ourselves of any homestead or exemption under the laws of this State, or of the United States or elsewhere and
4. If this bond charges real estate, surety affirms said real estate is that tract recorded by proper Warranty Deed in Deed Book _____

Page _____, in the Cobb County Superior Court Clerk's Office, or is that tract described in the 19 _____ Tax Receipt as being District _____, Land Lot _____, Parcel _____, A copy of said Deed / Tax Receipt is attached hereto and made a part hereof. Surety expressly intends to charge and encumber said real estate with this bond which shall become a lien against said property and may be discharged or enforced as provided by law. Surety further affirms that the current, unencumbered value of the property is greater than twice the amount of this bond, exclusive of the homestead exemption.

IN WITNESS WHEREOF, Principal and Surety have executed this bail bond at Marietta, Georgia, Cobb County on the date above

Signed and Acknowledged in the presence of

Deputy Sheriff acting on behalf of
Bill Hutson, Sheriff of Cobb County,
Georgia

Notary Expires _____

COURT DATE: YOU WILL BE NOTIFIED OF
ALL HEARING DATES BY U.S. MAIL OR BY
OFFICIAL SIGNED RECEIPT

PHONE NUMBERS WORK / HOME:

PRINCIPAL: WA (7) 432 6173

HV 7) 432 1254

SURETY: WA 332 8582

HV _____

NOTE: SHOULD PRINCIPAL OR SURETY'S MAILING ADDRESS CHANGE, IT SHALL BE EACH INDIVIDUAL'S RESPONSIBILITY TO NOTIFY THE SHERIFF AND CLERK OF THE COURT IN WHICH THE CHARGES ARE PENDING. FAILURE TO NOTIFY THE SHERIFF MAY RESULT IN THE ISSUANCE OF A WARRANT FOR YOU RE-ARREST AS REQUIRED BY LAW. IF A DRIVER'S LICENSE WAS POSTED IN LIEU OF BAIL, THEN FAILURE TO APPEAR IN COURT WILL RESULT IN SUSPENSION OF YOUR DRIVER'S LICENSE BY OPERATION OF LAW EFFECTIVE UPON THE DATE OF YOUR SCHEDULED COURT APPEARANCE.

NOTICE TO THE ADDRESS SHOWN HEREIN SHALL BE DEEMED SUFFICIENT NOTICE.

PRINCIPAL'S SIGNATURE

PRINCIPAL'S MAILING ADDRESS

CITY

STATE

ZIP

1) SURETY'S SIGNATURE

2) SURETY'S SIGNATURE

SURETY'S MAILING ADDRESS

CITY

STATE

ZIP

Initial Appearance Hearing held on _____ day of _____, 19____

MAGISTRATE

Witnesses for the State

HEATHER STALEY / GA DEPT OF
INSURANCE FRAUD DIVISION

NO. 99W0004163

MAGISTRATE COURT
OF
COBB COUNTY
CRIMINAL WARRANT

THE STATE

versus

PAULETTE RAKESTRAW
391 QUAIL RIDGE ROAD
HIRAM, GA 30141

BOND: \$ 5,000.00

Conditions:

CHARGE
INSURANCE FRAUD (F)

Georgia, Cobb County

I have this date executed this Warrant by
placing the Defendant in the Cobb County Jail
This _____ day of _____, 19____

Arresting Officer

This Criminal Warrant is DISMISSED for the following reasons

_____ The affiant has requested a dismissal and all costs have been paid.

_____ The prosecutor has requested dismissal - see attached paper work.

_____ Failure of the prosecuting witness to appear for a scheduled hearing after valid service of a subpoena.

_____ After this court heard evidence in a committal hearing it is determined that no probable cause exists.

_____ Other reason:

This the _____ day of _____, 19____

MAGISTRATE

This Criminal Warrant is transferred to the (State) (Superior) Court of Cobb County for the following reasons

_____ This Court heard evidence in a committal hearing and determined that probable cause existed.

_____ The accused waived a committal/probable cause hearing

✓ _____ Administratively transferred without waiving any rights the defendant may have in the Magistrate Court

This the 27th day of April, 1999

MAGISTRATE

R. Victor Reynold

CRIMINAL WARRANT

MAGISTRATE COURT OF COBB COUNTY

No. 99W0004163

GEORGIA, COBB COUNTY

Personally came HEATHER STALEY who makes oath before
Magistrate of the Court that PAULETTE RAKESTRAW (hereinafter called
the accused) did, at 14TH day of SEPTEMBER
the year 1998 in Cobb County, Georgia, commit the offense of INSURANCE FRAUD (F)

violating O.C.G.A., Section 33-1-9, for that the said accused

ON THE ABOVE DATE AND APPROX. TIME, AT 5001 MCNEEL INDUSTRIAL WAY, POWDER
SPRINGS, GA, KNOWINGLY AND WILLFULLY MADE FRAUDULENT STATEMENTS BY
SUBMITTING THREE RECEIPTS TOTALING \$1,724.88 FOR REPAIR TO HER COMPUTER. UPON IN
INVESTIGATION BY THE INSURANCE COMPANY, TRAVELERS INSURANCE, THE THREE
RECEIPTS HAD BEEN ALTERED.

and affiant makes this affidavit that a warrant may issue for the arrest of the accused.

Affiant Heather Staley #105

Sworn to and subscribed before me, this 14TH day of APRIL, 1999

Wm W. Wick
Magistrate (Deputy Clerk)

**To any Sheriff, Deputy Sheriff, Coroner, Constable, or Marshall of said State -
GREETINGS:**

For sufficient cause made known to me in the above affidavit incorporated by reference herein, and other
sworn testimony established probable cause for the arrest of the accused, you are therefore commanded to
arrest PAULETTE RAKESTRAW accused named in the foregoing affidavit
charged by the prosecutor therein with the offense against the laws of this State named in said affidavit and
bring him/her before, or some other judicial officer of Georgia, to be dealt with as the law directs.

HEREIN FAIL NOT.

This 14TH day of APRIL, 1999

[Signature]
MAGISTRATE HARKINS

SUPERIOR COURT OF COBB COUNTY

ACCUSATION

WARRANT NO. 99-W-4163

NO. **992030**

STATE OF GEORGIA

VS.

PAULETTE ELIZABETH RAKESTRAW

The Defendant hereby waives formal arraignment and pleads _____
this _____ day of _____, 19____.

Defendant

Defendant's Attorney

Assistant District Attorney

SUPERIOR COURT OF COBB COUNTY, GEORGIA

PATRICK H. HEAD, DISTRICT ATTORNEY

DAVID PRINCE
DATASTAR

1999 JUN 25 PM 3:15

THIS FORM MUST BE COMPLETED AND FILED IN THE CLERK'S OFFICE BEFORE THIS CASE CAN BE ASSIGNED TO A JUDGE OR SCHEDULED FOR ANY TYPE HEARING.

CLERK OF SUPERIOR COURT DISCLOSURE STATEMENT

STATE OF GEORGIA

VS.

CASE NUMBER: _____

Paulette Elizabeth Rapestraw

CATEGORIES

- | | |
|---|---|
| 1. <input type="checkbox"/> DEATH PENALTY | 16. <input type="checkbox"/> AGGRAVATED SODOMY |
| 2. <input type="checkbox"/> MURDER | 17. <input type="checkbox"/> TRAFFICKING DRUGS |
| 3. <input type="checkbox"/> RAPE | 18. <input type="checkbox"/> SALE-DRUGS |
| 4. <input type="checkbox"/> ARMED ROBBERY | 19. <input type="checkbox"/> POSSESSION W/INTENT TO
DISTRIBUTE |
| 5. <input type="checkbox"/> KIDNAPPING | 20. <input type="checkbox"/> POSSESSION DRUGS |
| 6. <input type="checkbox"/> VOLUNTARY MANSLAUGHTER | 21. <input type="checkbox"/> BURGLARY |
| 7. <input type="checkbox"/> FELONY INVOLUNTARY MANSLAUGHTER | 22. <input type="checkbox"/> THEFT OFFENSE |
| 8. <input type="checkbox"/> FELONY VEHICULAR HOMICIDE | 23. <input type="checkbox"/> HABITUAL VIOLATOR |
| 9. <input type="checkbox"/> MISD. INVOLUNTARY MANSLAUGHTER | 24. <input type="checkbox"/> FELONY OBST OF AN OFFICER |
| 10. <input type="checkbox"/> MISD. VEHICULAR HOMICIDE | 25. <input checked="" type="checkbox"/> OTHER <i>also. Fraud</i> |
| 11. <input type="checkbox"/> AGGRAVATED BATTERY | 27. <input type="checkbox"/> AGGRAVATED STALKING |
| 12. <input type="checkbox"/> AGGRAVATED ASSAULT | 28. <input type="checkbox"/> MCS NARCOTICS |
| 13. <input type="checkbox"/> AGGRAVATED CHILD MOLESTATION | |
| 14. <input type="checkbox"/> CHILD MOLESTATION | |
| 15. <input type="checkbox"/> CRUELTY TO CHILDREN | |

CATEGORIES ARE LISTED BY SEVERITY. PLEASE SELECT ONLY ONE (1) CATEGORY. IF MORE THAN ONE (1) CATEGORY, SELECT THE MOST SEVERE OFFENSE.

PREVIOUS RELATED CASES

DOES THIS CASE INVOLVE SUBSTANTIALLY THE SAME PARTY AS ANY OTHER CASE FILED IN THIS COURT?

☒ NO

☐ YES

IF YES PLEASE FILL OUT THE FOLLOWING:

1. CASE # _____

2. DEFENDANT _____

3. ASSIGNED JUDGE _____

4. IS THIS CASE STILL PENDING? ☐ YES ☐ NO

REV. 1/8/99

[Signature]
DISTRICT ATTORNEY OR SUBMITTING PARTY

1999 JUN 25 PM 3:55

SUPERIOR COURT OF COBB COUNTY
ACCUSATION

WARRANT NO. 99-W-4163

NO. **992030**

STATE OF GEORGIA
VS.
PAULETTE ELIZABETH RAKESTRAW

The Defendant hereby waives formal arraignment and pleads _____
this _____ day of _____, 19____.

Defendant

Defendant's Attorney

Assistant District Attorney

SUPERIOR COURT OF COBB COUNTY, GEORGIA
PATRICK H. HEAD, DISTRICT ATTORNEY

DAVID PRINCE
DATASTAR

1999 JUN 25 PM 3:15

STATE OF GEORGIA, COBB COUNTY
IN THE SUPERIOR COURT OF COBB COUNTY

I, PATRICK H. HEAD, the undersigned prosecuting attorney for the Superior Court of Cobb County, on behalf of the people of the State of Georgia, do hereby charge and accuse **PAULETTE ELIZABETH RAKESTRAW** with the offense of **INSURANCE FRAUD** for that the said accused, in the County of Cobb and State of Georgia, on or about the 14th day of **SEPTEMBER, 1998**, did knowingly and willfully make fraudulent statements in filing an insurance claim by altering the dates on three receipts as to the repairs done on a computer; contrary to the laws of said State, the good order, peace and dignity thereof.

Patrick H. Head RWS
PATRICK H. HEAD, District Attorney

DATE: June 25, 1999

IN THE SUPERIOR COURT OF COBB COUNTY

STATE OF GEORGIA

THE STATE OF GEORGIA

*

WARRANT NO. 99-W-4163

vs.

*

Paulette Elizabeth Rakestraw


*

ACC./ IND. NO. 99-2030


NOLLE PROSEQUI

The above and foregoing case is hereby removed from the Dead Docket and a Nolle Prosequi is hereby entered for the following reason: The above Defendant having successfully completed the Pretrial Diversion Program.

This the 29 day of Feb, 2000.


David Hilts
Assistant District Attorney
Cobb Judicial Circuit

Consented to:


S. Lark Ingram
Judge, Superior Court
Cobb Judicial Circuit

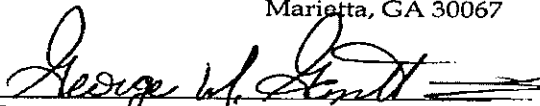
CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the defense counsel and the defendant a copy of the Nolle Prosequi by placing a copy of same in the United States Mail properly addressed and adequate postage affixed thereon.

This the 3 day of March, 2000.

Paulette Elizabeth Rakestraw
391 Quail Ridge Rd.
Hiram, GA 30141

David M. Berger
1850 Parkplace #420
Marietta, GA 30067


George W. Gantt, III
Director, Pretrial Diversion Unit
Cobb Judicial Circuit

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

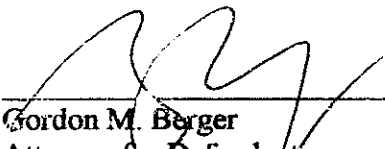
Filed in Office Mar-03-2000 11:24am
COBB COUNTY GA.
ID# 2000-0021849-CR
Page 1

5.

That the Defendant has been advised of all of her Constitutional Rights by the undersigned attorney, and understands the requirements to waive certain of these rights in order to enter the program, but that should they not be accepted in the Diversion Program for any reason then the case will be returned to the normal criminal justice system.

Wherefore, Defendant prays that the Court enter a Pretrial Diversion Order thereby allowing entrance to said Diversion Program.

This the 23rd day of July, 1999.



Gordon M. Berger
Attorney for Defendant
Georgia Bar No. 054704

Gordon M. Berger, P.C.
1850 Parkway Place
Suite 420
Marietta, Georgia 30067
(770) 218-6646

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

THE STATE OF GEORGIA

v.

PAULETTE RAKESTRAW

DP

CASE NO. 99902030 - 34

PETITION FOR PRETRIAL DIVERSION ORDER

COMES NOW, Paulette Rakestraw, Defendant charged in the above styled case and shows the court the following facts:

1.

That the Defendant is charged with the offense of insurance fraud, which a non-violent and non-aggressive offense against the laws of the State of Georgia.

2.

Defendant further shows she is 32 years of age and has never plead guilty to nor has been adjudicated guilty of a crime.

3.

That the Defendant has been advised of the Cobb County District Attorney's Pretrial Diversion Program and is able and willing to meet all criteria necessary to enter said program. Defendant has further been advised that upon satisfactorily completing the program the charges will be nolle prossed or dismissed.

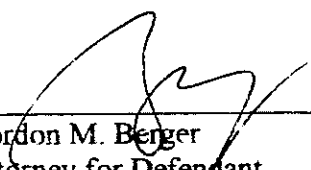
4.

That the Defendant understands that should she fail to complete the requirements of the program as may be hereafter prescribed, the Defendant's case will be returned to the normal criminal justice system.

That the Defendant has been advised of all of her Constitutional Rights by the undersigned attorney and understands the requirements to waive certain of these rights in order to enter the program, but that should they not be accepted in the Diversion Program for any reason then the case will be returned to the normal criminal justice system.

Wherefore, Defendant prays that the Court enter a Pretrial Diversion Order thereby allowing entrance to said Diversion Program.

This the 30th day of July, 1999.



Gordon M. Berger
Attorney for Defendant
Georgia Bar No. 054304

Gordon M. Berger, P.C.
1850 Parkway Place
Suite 420
Marietta, Georgia 30067
(770) 218-6646

COBB COUNTY, GA

IN THE SUPERIOR COURT OF COBB COUNTY

99 AUG 25 AM 10:16

STATE OF GEORGIA

J. C. Stephenson
COBB SUPERIOR COURT CLERK

THE STATE OF GEORGIA

*

WARRANT NO. 99-W-4163

vs.

*

Paulette Elizabeth Rakestraw

*

ACC./ IND. NO. 99-2030

-34

DEAD DOCKET

DP

Upon recommendation of the District Attorney, the defendant has entered the District Attorney's Pretrial Diversion Program;

The above and foregoing case is therefore placed on the Dead Docket pending the Defendant's successful completion of said program;

SO ORDERED AND ADJUDGED AND DECREED this the 23
day of August, 1999.

S. Lark Ingram
S. Lark Ingram
Judge, Superior Court
Cobb Judicial Circuit

Presented by

Steven C. Chen
Steven C. Chen
Assistant District Attorney
Cobb Judicial Circuit