

Amended

FILED IN OFFICE
CLERK SUPERIOR CT.
ROCKDALE CO., ILL.
2018 DEC 17 PM 4:26

**Petition for Modification / Revocation of Probation
Department of Corrections / Probation Division**

THE STATE OF GEORGIA

DOCKET NUMBER:
2011CR10671

VS

William J. ... CLERK

Superior Court of Rockdale Circuit

BUSSLER, TRINITY WAYNE
SID# 3575149L
GDC # 1000646122
Arrest Date: 09/01/2018

Now comes **T. Maragh, CSO** in the name of and on behalf of the State of Georgia and brings this action against **BUSSLER, TRINITY WAYNE** hereinafter called the defendant, and shows

I
That the defendant entered a plea of guilty to or was convicted of the offense(s) of **Burglary & False Imprisonment**.

That this court did sentence the Defendant to serve as follows: Ct. 1: 10 years to serve 7 years, balance on probation; Ct. 2: 20 years to serve 7 years, balance on probation, to run concurrent with Ct. 1. This sentence is run concurrent with Rockdale County Case no. 2011CR12861 and 2011CR120111. Credit for time served from 05/23/10 to 06/04/10 and from 05/09/11 to 09/14/11.

Toll Time: N/A

III

That this Court, by proper order, however, permitted the Defendant to serve said sentence on probation, the terms and conditions of which are fully set forth in the copy of said sentence which is attached hereto, and marked "Exhibit A", and specifically incorporated herein.

IV

That the defendant has violated the terms and conditions of probation in the following particulars:


Condition #1: Do not violate the criminal laws of any governmental unit and be of general good behavior. To wit, the defendant committed the new offense(s) of Murder (F), Possession Of Firearm Or Knife During Commission Of Or Attempt To Commit Certain Felonies (F) & Receipt, Possession Or Transport Of Firearm By Convicted Felon Or Felony First Offender, ETC (F) on or about 09/01/18 as charged by the Rockdale County Sheriffs Office.

Condition #6: Do not change his present place of abode, move outside the jurisdiction of the court, or leave the state for any period of time without the permission of his Community Supervision Officer. To wit, The defendant changed his place of abode without the consent of the Probation Officer on or about 08/30/18 and whereabouts were unknown.

Special Condition: Do not return to the Lakeshore Drive Area. To wit, the defendant returned to the Lakeshore Drive Area on or about 09/01/18.

WHEREFORE, the State of Georgia prays that the citation for modification / revocation of probation be served on the Defendant and that the Defendant be directed to appear before this court on a day to be fixed by the Court and at that time to show cause why probation should not be modified or revoked.

This 17th day of December, 2018


T. Maragh, CSO
Rockdale Superior Court Circuit

Having read and considered the foregoing petition, it is hereby ordered that the Defendant be served with a copy of same and that the Defendant show cause before the presiding Judge on the 1st day of October, 2018 at 9:00 AM at the courthouse in Conyers, Georgia why said probation should not be modified/revoked. 7th January, 2019

This _____ day of _____, 2018

Judge, David B. Irwin
Rockdale Superior Court

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing petition upon the defendant in person (or by registered mail).

This _____ day of _____, 2018

Community Supervision Officer
Rockdale Judicial Circuit

ACKNOWLEDGEMENT

I hereby acknowledge service of the foregoing petition. I further acknowledge I am aware that I may employ legal representation at said hearing and that if I am indigent, I have the right to representation at the hearing by the Circuit Public Defender or to be represented otherwise as the Court may direct.

This _____ day of _____, 2018

(Defendant)

Whereas pursuant to notice given to the defendant, a full hearing was conducted by the Court on the date aforesaid in accordance with O.C.G.A. 42-8-38 and the Court has adjudicated that the terms and conditions of probation had been violated as set forth in the following particulars: _____

_____ Technical violation of probation conditions or
_____ New non-violent misdemeanor offense

And Revocation/Modification is therefore limited in accordance with O.C.G.A. 17-10-1 (a)(3)(A) to a Probation Division Alternative or County Jail.

OR

- _____ New violent misdemeanor offense, or
- _____ Serious infraction of rules or regulations in a Community Corrections facility, or _____ New felony offense.
- _____ Violation of Special Condition of Probation so worded and ordered at initial sentencing.
- _____ Violation of Special Condition of Probation ordered at a Revocation Hearing or by Waiver/Consent.

And the defendant is therefore eligible in accordance with O.C.G.A. 17-10-1(a)(3)(A) for Revocation/Modification of sentence to Prison, or a Probation Division Alternative, or County Jail.

NOW, THEREFORE, it is ordered and adjudged that the probation provisions in said original sentence be: _____
Revoked in accordance with O.C.G.A. 42-8-38 and the defendant is required to serve _____ yrs, _____ months
_____ days with credit for time served from _____ (date) **Indicate:** In the County Jail, County Correctional
Institution, State Penal System or other such place as the Court may direct, OR
_____ **Continued on probation** subject to the added further provisions that:

So ordered, this the _____ day of _____ 2018

_____ Restitution Owed

David B. Irwin
Superior Court Rockdale Judicial Circuit

RETENTION SCHEDULE: Upon completion place a copy in the probationer's file

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing petition upon the defendant in person (or by registered mail).

This _____ day of _____, 2018

Community Supervision Officer
Rockdale Judicial Circuit

ACKNOWLEDGEMENT

I hereby acknowledge service of the foregoing petition. I further acknowledge I am aware that I may employ legal representation at said hearing and that if I am indigent, I have the right to representation at the hearing by the Circuit Public Defender or to be represented otherwise as the Court may direct.

This _____ day of _____, 2018

(Defendant)

Whereas pursuant to notice given to the defendant, a full hearing was conducted by the Court on the date aforesaid in accordance with O.C.G.A. 42-8-38 and the Court has adjudicated that the terms and conditions of probation had been violated as set forth in the following particulars: Special Condition: Do not return to the LAKEshore Dr. Area

Technical violation of probation conditions or

New non-violent misdemeanor offense

And Revocation/Modification is therefore limited in accordance with O.C.G.A. 17-10-1 (a)(3)(A) to a Probation Division Alternative or County Jail.

OR

- ____ New violent misdemeanor offense, or
- ____ Serious infraction of rules or regulations in a Community Corrections facility, or ____ New felony offense.
- Violation of Special Condition of Probation so worded and ordered at initial sentencing.
- ____ Violation of Special Condition of Probation ordered at a Revocation Hearing or by Waiver/Consent.

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ROCKDALE

And the defendant is therefore eligible in accordance with O.C.G.A. 17-10-1(a)(3)(A) for Revocation/Modification of sentence to Prison, or a Probation Division Alternative, or County Jail.

NOW, THEREFORE, it is ordered and adjudged that the probation provisions in said original sentence be:
Revoked in accordance with O.C.G.A. 42-8-38 and the defendant is required to serve 12 yrs. 4 months
7 days with credit for time served from 09/01/18 (date) **Indicate:** In the County Jail, County Correctional Institution, State Penal System or other such place as the Court may direct, OR
____ **Continued on probation** subject to the added further provisions that:

So ordered, this the 18th day of December 2018

____ Restitution Owed

David B. Irwin
Superior Court Rockdale Judicial Circuit

RETENTION SCHEDULE: Upon completion place a copy in the probationer's file

IN THE SUPERIOR COURT OF ROCKDALE COUNTY

BILL OF INDICTMENT

NO. 2011-CR-1067J

JANUARY TERM, 2011

THE STATE OF GEORGIA

V.

TRINITY WAYNE BUSSLER

OFFENSES: AGGRAVATED
SODOMY-F; BURGLARY-F

True Bill
Angela J. Tutten Foreperson
The Defendant

waives a copy of indictment, list of witnesses, full panel, formal arraignment and pleads

guilty as to least-lesser included felony
This the 14 day of September, 2011.
Dr. D. M. Full
District Attorney
Trinity Bussler
Defendant

District Attorney

Defendant's Attorney

Defendant

State's Witnesses:

Mamie Putnam

RICHARD R. READ, DISTRICT ATTORNEY
ROCKDALE JUDICIAL CIRCUIT

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

THE GRAND JURORS selected, chosen and sworn for the County of Rockdale, to-wit: **Douglas T. Tutten, Foreperson**

- | | |
|-------------------------|----------------------------------|
| 2. Jennifer M. Payne | 13. Bradford W. Surret |
| 3. Jolene W. Blevins | 14. Jane F. Conyers |
| 4. Crystal Brockman | 15. Melissa G. Beam |
| 5. Alvin A. Culver, Jr. | 16. Cherie A. Fambrough |
| 6. Ada U. Atkins | 17. Lee E. Dire |
| 7. Sean P. Bailey | 18. Kristi M. Carter |
| 8. Linda L. Broadfoot | 19. Carol H. Cromwell |
| 9. AnneMarie McCarty | 20. Stacey B. Beam |
| 10. Jeffery M. Higgins | 21. Arthur I. Belback, Jr. |
| 11. MaryBeth G. Cabe | 22. Gary G. Kitchens, Jr. |
| 12. Brandon J. Evans | 23. Richard S. Camp |

Ruth A. Williams CLERK

11 FEB - 8 AM 9:25

FILED IN OFFICE
CLERK OF SUPERIOR CT.
ROCKDALE COUNTY, GA

CGA

SCANNED

INDICTMENT

COUNT ONE

And the GRAND JURORS, aforesaid, in the name and behalf of the citizens of Georgia charge and accuse TRINITY WAYNE BUSSLER with having committed the offense of AGGRAVATED SODOMY (O.C.G.A. § 16-6-2) for that the said accused person in Rockdale County, Georgia, on the 23rd day of May, 2010, did unlawfully then and there perform a sexual act involving his sex organ and the mouth of another person, Mamie Putnam, with force and against the will of the said victim, to wit: said accused did place the penis of said accused into the mouth of Mamie Putnam, forcibly and against the will of Mamie Putnam,

CONTRARY TO THE LAWS OF SAID STATE, THE GOOD ORDER, PEACE AND DIGNITY THEREOF.

ROCKDALE COUNTY SUPERIOR COURT

RICHARD R. READ
District Attorney
Rockdale Judicial Circuit

INDICTMENT

COUNT TWO

And the GRAND JURORS, aforesaid, in the name and behalf of the citizens of Georgia charge and accuse TRINITY WAYNE BUSSLER with having committed the offense of BURGLARY (O.C.G.A. § 16-7-1) for that the said accused person in Rockdale County, Georgia, on the 23rd day of May, 2010, did unlawfully then and there without authority and with the intent to commit Aggravated Sodomy, a felony therein, enter the dwelling house of Mamie Putnam, located at 20 Lakeshore Drive, Conyers, Georgia,

CONTRARY TO THE LAWS OF SAID STATE, THE GOOD ORDER, PEACE AND DIGNITY THEREOF.

ROCKDALE COUNTY SUPERIOR COURT

RICHARD R. READ
District Attorney
Rockdale Judicial Circuit

THE SUPERIOR COURT OF ROCKDALE COUNTY, GEORGIA

FINAL DISPOSITION
CRIMINAL ACTION NO. 2011-CR-1067

THE STATE
VS.

Trinity Wayne Bussler

OFFENSE(S)

- 1 Aggravated Sodomy F
- 2 Burglary F

OTN # 88375035781

July TERM, 2011

PLEA: ALFORD PLEA:
 NEGOTIATED
 GUILTY ON COUNT(S) 2
 NOLO CONTENDERE ON
COUNT(S) _____
 GUILTY ON COUNT(S) 1 TO
LESSER INCLUDED
OFFENSE(S) OF: False Imprisonment -
E

JURY
 NON-JURY
 VERDICT
 GUILTY ON
COUNT(S) _____
 NOT GUILTY ON
COUNT(S) _____
 GUILTY OF INCLUDED
OFFENSE(S) OF _____
ON COUNT(S) _____

OTHER DISPOSITION:
 NOLLE PROSEQUI ORDER
ON COUNT(S) _____
 DEAD DOCKET ORDER ON
COUNT(S) _____

(SEE SEPARATE ORDER)

FELONY SENTENCE MISDEMEANOR SENTENCE

WHEREAS, the above-named defendant has been found guilty of the above-stated offense. WHEREUPON, it is ordered and adjudged by the Court that: The said defendant is hereby sentenced to 10 years with confinement to be for a period of 7 years in the State Penal System or such other institution as the Commissioner of the State Department of Corrections or Court may direct, to be computed as provided by law. (Ct. 1) 10 years to serve 7 years, balance on probation; (Ct. 2) 20 years to serve 7 years, balance on probation, to run concurrent with Ct. 1; This sentence is to run concurrent with Rockdale County Case No. 2011-CR-1286 I and 2011-CR-2011 I; credit for time served from 5-2-10 to 6-4-10 and from 5-9-11 to present;

HOWEVER, it is further ordered by the Court:

- 1) THAT the above sentence may be served on probation
- 2) THAT upon service of 7 years of the above sentence, the remainder of Balance may be served on probation PROVIDED that the said defendant complies with the following general, other and special conditions herein imposed by the Court as part of this sentence.

Probation is to be: REPORTING NON-REPORTING

GENERAL CONDITIONS OF PROBATION

The Defendant, having been granted the privilege of serving all or part of the above-stated sentence on probation, hereby is sentenced to the following general conditions of probation:

- 1) Do not violate the criminal laws of any governmental unit.
- 2) Avoid injurious and vicious habits – especially alcoholic intoxication & narcotics & other dangerous drugs, unless prescribed lawfully.
- 3) Avoid person's or places of disreputable or harmful character.
- 4) Report to the Probation-Parole Supervisor as directed and permit such Supervisor to visit him(her) at home or elsewhere.
- 5) Work faithfully at suitable employment insofar as may be possible.
- 6) Do not change his(her) present place of abode, move outside the jurisdiction of the Court, or leave the State for any period of time without prior permission of the Probation Supervisor.
- 7) Support his(her) legal dependants to the best of his(her) ability.
- 8) Probationer shall, from time to time upon oral or written request by a Probation Officer, produce a breath, urine, and/or blood specimen for analysis for the possible presence of a substance prohibited or controlled by any law of the State of Georgia or of the United States.
- 9) Submit to evaluations and testing relating to rehabilitation and participate in and successfully complete rehabilitative programming as directed by the Department of Corrections.

OTHER CONDITIONS OF PROBATION

IT IS FURTHERED ORDERED that the defendant pay a fine in the amount of _____, restitution in the amount of _____, monthly probation fee in the amount of \$32.00, Court Costs of _____, Attorney's Fees in the amount of _____.

Further payments are:

- Plus 10% or \$50 (whichever is less) of fines and costs pursuant to O.C.G.A. 15-21-73;
- Plus 10% of fines and costs per IDF code section 15-21-73;
- Plus 10% of fines and costs for jail construction and staffing act;
- Plus 5% of fines and costs per code section 15-21-131;
- Plus \$50.00 per code section 42-8-34(D)(1);
- Plus 50% of fines and costs per code section 15-21-100;
- Plus \$25 per code section 42-8-34(D)(2) (if 16-13-30(j)(1) or DUI drugs/alcohol);
- Plus 11% or \$26 (whichever is less) of fines & costs per code section 15-21-112 (DUI drugs/alcohol);
- Plus 10% of fines & costs per code section 15-21-149 (DUI drugs/alcohol);

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 ROCKDALE CO., GA
 2011 SEP 14 PM 5:43
 Ruth A. Wilson CLERK

- Plus \$25 publication per code section 40-6-391(J)(1) (2nd DUI);
- Plus \$25 publication per code section 16-5-26 and 16-5-96 (Stalking or Aggravated Stalking, Simple Assault-FV, Simple Battery-FV or battery-FV);
- Plus \$50.00 Public Defender fee, to be paid to the Public Defender Office (cases after January 1, 2005);
- Plus 5% of fines & costs per code section 15-21-179 (Traffic Offenses);
- Plus: _____

[X] SPECIAL CONDITIONS OF PROBATION

- A special condition of probation, if violated, authorizes the court to revoke all of the time then remaining on defendant's probation.
- Defendant is to complete a rehabilitative program consisting of six (6) months physical training at the Rockdale County Jail, scheduled for one (1) hour, five (5) days a week, starting at 5:30 a.m. beginning _____; and, prior to said training defendant must obtain a note from a physician stating defendant may engage in physical activity.
 - Banishment from the State of Georgia except for the Southern Judicial Circuit;
 - Banishment from the Rockdale Judicial Circuit;
 - Plus Alcohol & Drug Evaluation & Treatment if deemed necessary;
 - Plus Random screens to be at defendant's expense;
 - Intensive Probation;
 - Defendant is to undergo adult literacy screening and successfully complete a GED or adult literacy program as directed;
 - Defendant is not to have any contact with victim, Mamie Putnum;**
 - Defendant is not to return to Lakeshore Drive area;**

IT IS THE FURTHER ORDER of the Court and the defendant is hereby advised that the Court may, at any time, revoke any condition of probation herein granted. If such probation is revoked, the Court may order the execution of the sentence which was originally imposed or any portion thereof in the manner provided by law after deducting there from the amount of time the defendant has served on probation. The defendant was represented by the Honorable Mark A. Hinds, Attorney at Law, Rockdale County, Georgia.

By Employment Appointment

By the Court September 14, 2011.

So ordered this 14th day of September, 2011.

DAVID B. IRWIN

Judge, Rockdale Superior Court

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this Sentence or Probation has been delivered in person to the defendant and he/she instructed regarding the conditions as set forth above.

This _____ day of _____, 2011.

Probation Officer

Copy received and instructions regarding conditions acknowledged.

This _____ day of _____, 2011.

Probationer

Copy Received by Sheriff

DATE: _____

Deputy Sheriff

CRIMINAL ACTION NO. 2011-CR-1067

IN THE SUPERIOR COURT OF ROCKDALE COUNTY
ACCUSATION

No. 2011-CR-1286J

THE STATE OF GEORGIA

V.

TRINITY WAYNE BUSSLER

The Defendant in writing, waives indictment, list of witnesses, a copy of accusation, full panel and pleads

guilty

This 14th day of September 2011.

De M. Jull
District Attorney

CHARGES: THEFT BY TAKING-F;
CRIMINAL TRESPASS-M

R. C. G. H.
Defendant's Attorney

Trinity Bussler
Defendant

RICHARD R. READ
DISTRICT ATTORNEY
ROCKDALE JUDICIAL CIRCUIT

IN THE SUPERIOR COURT OF ROCKDALE COUNTY

Came in person before me _____ who being duly sworn,
deposes and says on an oath that from the best of _____
knowledge and belief _____ is guilty of the offense of
_____ in that the said accused person, in said County of
Rockdale, on the ____ day of _____, 2011, did _____
contrary to law.

Sworn to and subscribed before me
this ____ day of _____, 2011.

FILED IN OFFICE
CLERK SUPERIOR CT.
ROCKDALE CO., GA.

2011 JUL -1 AM 9:12

Ruth A. Wilson
CLERK

SCANNED

MDK

IN THE SUPERIOR COURT OF ROCKDALE COUNTY

ACCUSATION

COUNT ONE

STATE OF GEORGIA, ROCKDALE COUNTY

I, RICHARD R. READ, District Attorney of the Rockdale Judicial Circuit, in the name and on behalf of the citizens of Georgia, charge and accuse TRINITY WAYNE BUSSLER with the offense of THEFT BY TAKING (O.C.G.A. § 16-8-2) for that the said accused person, in Rockdale County, Georgia, on the 17th day of March, 2011, unlawfully did then and there take a Honda XR100, a motor vehicle, said property belonging to Melissa Head and Damon Head, with the intention of depriving said owner of the described property,

CONTRARY TO THE LAWS OF SAID STATE, THE GOOD ORDER, PEACE AND DIGNITY THEREOF.

**RICHARD R. READ, DISTRICT ATTORNEY
ROCKDALE JUDICIAL CIRCUIT**


Prosecutor

**IN THE SUPERIOR COURT OF ROCKDALE COUNTY
ACCUSATION**

COUNT TWO

STATE OF GEORGIA, ROCKDALE COUNTY

I, RICHARD R. READ, District Attorney of the Rockdale Judicial Circuit, in the name and on behalf of the citizens of Georgia, further charge and accuse TRINITY WAYNE BUSSLER with the offense of CRIMINAL TRESPASS (O.C.G.A. § 16-7-21) for that the said accused person, in Rockdale County, Georgia, on the 17th day of March, 2011, unlawfully did then and there intentionally damage property, a tarp, belonging to Melissa Head, without the consent of that person, said damage less than \$500.00,

CONTRARY TO THE LAWS OF SAID STATE, THE GOOD ORDER, PEACE AND DIGNITY THEREOF.

**RICHARD R. READ, DISTRICT ATTORNEY
ROCKDALE JUDICIAL CIRCUIT**

NUNC PRO TUNC TO SEPTEMBER 16, 2011 TO REMOVE CT. 3 AS IT WAS ERRONEOUSLY ADDED

THE SUPERIOR COURT OF ROCKDALE COUNTY, GEORGIA

FINAL DISPOSITION
CRIMINAL ACTION NO. 2011-CR-1286 I

THE STATE
VS.

Trinity Wayne Bussler

OFFENSE(S)

- 1 Theft By Taking F
- 2 Criminal Trespass M

OTN # 88379970103

July TERM, 2011

PLEA: ALFORD PLEA: VERDICT OTHER DISPOSITION:

NEGOTIATED JURY GUILTY ON NOLLE PROSEQUI ORDER

GUILTY ON COUNT(S) 1,2 NON-JURY COUNT(S) _____ ON COUNT(S) _____

NOLO CONTENDERE ON NOT GUILTY ON DEAD DOCKET ORDER ON

COUNT(S) _____ COUNT(S) _____ COUNT(S) _____

GUILTY ON COUNT(S) _____ TO GUILTY OF INCLUDED

LESSER INCLUDED OFFENSE(S) OF _____

OFFENSE(S) OF: _____ ON COUNT(S) _____ (SEE SEPARATE ORDER)

FELONY SENTENCE MISDEMEANOR SENTENCE

WHEREAS, the above-named defendant has been found guilty of the above-stated offense. WHEREUPON, it is ordered and adjudged by the Court that: The said defendant is hereby sentenced to 10 years with confinement to be for a period of 7 years in the State Penal System or such other institution as the Commissioner of the State Department of Corrections or Court may direct, to be computed as provided by law. (Ct. 1) 10 years to serve 7 years, balance on probation; (Ct. 2) 12 months to serve, to run concurrent to Ct. 1; This sentence is to run concurrent with Rockdale County Case No. 2011-CR-1067 I and 2011-CR-1384 I; credit for time served from 5-23-10 to 6-4-10 and from 5-9-11 to present;

HOWEVER, it is further ordered by the Court:

- 1) THAT the above sentence may be served on probation
- 2) THAT upon service of 7 years of the above sentence, the remainder of Balance may be served on probation PROVIDED that the said defendant complies with the following general, other and special conditions herein imposed by the Court as part of this sentence.

Probation is to be: REPORTING NON-REPORTING

GENERAL CONDITIONS OF PROBATION

The Defendant, having been granted the privilege of serving all or part of the above-stated sentence on probation, hereby is sentenced to the following general conditions of probation:

- 1) Do not violate the criminal laws of any governmental unit.
- 2) Avoid injurious and vicious habits – especially alcoholic intoxication & narcotics & other dangerous drugs, unless prescribed lawfully.
- 3) Avoid person's or places of disreputable or harmful character.
- 4) Report to the Probation-Parole Supervisor as directed and permit such Supervisor to visit him(her) at home or elsewhere.
- 5) Work faithfully at suitable employment insofar as may be possible.
- 6) Do not change his(her) present place of abode, move outside the jurisdiction of the Court, or leave the State for any period of time without prior permission of the Probation Supervisor.
- 7) Support his(her) legal dependants to the best of his(her) ability.
- 8) Probationer shall, from time to time upon oral or written request by a Probation Officer, produce a breath, urine, and/or blood specimen for analysis for the possible presence of a substance prohibited or controlled by any law of the State of Georgia or of the United States.
- 9) Submit to evaluations and testing relating to rehabilitation and participate in and successfully complete rehabilitative programming as directed by the Department of Corrections.

OTHER CONDITIONS OF PROBATION

IT IS FURTHERED ORDERED that the defendant pay a fine in the amount of _____, restitution in the amount of \$1498.92 monthly probation fee in the amount of \$32.00, Court Costs of _____, Attorney's Fees in the amount of _____.

Further payments are:

- Plus 10% or \$50 (whichever is less) of fines and costs pursuant to O.C.G.A. 15-21-73;
- Plus 10% of fines and costs per IDF code section 15-21-73;
- Plus 10% of fines and costs for jail construction and staffing act;
- Plus 5% of fines and costs per code section 15-21-131;
- Plus \$50.00 per code section 42-8-34(D)(1);
- Plus 50% of fines and costs per code section 15-21-100;
- Plus \$25 per code section 42-8-34(D)(2) (if 16-13-30(j)(1) or DUI drugs/alcohol);
- Plus 11% or \$26 (whichever is less) of fines & costs per code section 15-21-112 (DUI drugs/alcohol);
- Plus 10% of fines & costs per code section 15-21-149 (DUI drugs/alcohol);
- Plus \$25 publication per code section 40-6-391(J)(1) (2nd DUI);

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 KATH A. WILSON
 CLERK

NUNC PRO TUNC TO SEPTEMBER 16, 2011 TO REMOVE CT. 3 AS IT WAS ERRONEOUSLY ADDED

- Plus \$25 publication per code section 16-5-26 and 16-5-96 (Stalking or Aggravated Stalking, Simple Assault-FV, Simple Battery-FV or battery-FV);
- Plus \$50.00 Public Defender fee, to be paid to the Public Defender Office (cases after January 1, 2005);
- Plus 5% of fines & costs per code section 15-21-179 (Traffic Offenses);

SPECIAL CONDITIONS OF PROBATION

- A special condition of probation, if violated, authorizes the court to revoke all of the time then remaining on defendant's probation.
- Defendant is to complete a rehabilitative program consisting of six (6) months physical training at the Rockdale County Jail, scheduled for one (1) hour, five (5) days a week, starting at 5:30 a.m. beginning _____; and, prior to said training defendant must obtain a note from a physician stating defendant may engage in physical activity.
 - Banishment from the State of Georgia except for the Southern Judicial Circuit;
 - Banishment from the Rockdale Judicial Circuit;
 - Plus Alcohol & Drug Evaluation & Treatment if deemed necessary;
 - Plus Random screens to be at defendant's expense;
 - Intensive Probation;
 - Defendant is to undergo adult literacy screening and successfully complete a GED or adult literacy program as directed;
 - Defendant is not to have any contact with victims, Melissa Head and Damon Head;**
 - Defendant is not to return to Briarwood Drive Subdivision area;**

IT IS THE FURTHER ORDER of the Court and the defendant is hereby advised that the Court may, at any time, revoke any condition of probation herein granted. If such probation is revoked, the Court may order the execution of the sentence which was originally imposed or any portion thereof in the manner provided by law after deducting there from the amount of time the defendant has served on probation. The defendant was represented by the Honorable Mark A. Hinds, Attorney at Law, Rockdale County, Georgia.

By Employment Appointment

By the Court September 14, 2011.

NUNC PRO TUNC TO SEPTEMBER 16, 2011

So ordered this 23 day of Sept, 2011.

DAVID B. IRWIN

Judge, Rockdale Superior Court

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this Sentence or Probation has been delivered in person to the defendant and he/she instructed regarding the conditions as set forth above.

This _____ day of _____, 2011.

Probation Officer

Copy received and instructions regarding conditions acknowledged.

This _____ day of _____, 2011.

Probationer

Copy Received by Sheriff

DATE: _____

Deputy Sheriff

CRIMINAL ACTION NO. 2011-CR-1286

IN THE SUPERIOR COURT OF ROCKDALE COUNTY

BILL OF INDICTMENT

NO. 2011-CR-1384 I

JULY TERM, 2011

THE STATE OF GEORGIA

V.

TRINITY WAYNE BUSSLER

OFFENSES: BURGLARY-F

True Bill
C.P. [Signature] Foreperson

The Defendant

waives a copy of indictment, list of witnesses, full panel, formal arraignment and pleads guilty

This 14th day of September, 2011.

[Signature]
District Attorney

[Signature]
Defendant's Attorney

[Signature]
Defendant

State's Witnesses:
Inv. J. Anderson, RCSI

RICHARD R. READ, DISTRICT ATTORNEY
ROCKDALE JUDICIAL CIRCUIT

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

THE GRAND JURORS selected, chosen and sworn for the County of Rockdale,

to-wit: **Charles R. Simpson, Foreperson**

- | | |
|-------------------------------------|------------------------------------|
| 2. Wendell A. English | 13. Tassanee S. Jones |
| 3. Mackenzie A. Cheatham | 14. Willie L. Childs |
| 4. William R. Bond | 15. Roderick D. Harris |
| 5. Warren F. Akins | 16. Gaila N. Youtsey |
| 6. Paula D. Estes | 17. Malik R. Washington |
| 7. M. Adam Potts | 18. B. Carter Rogers |
| 8. Owen G. Kelly | 19. Deborah D. Harper |
| 9. Joy J. Johnson | 20. Cass J. Gaddis |
| 10. Kevin W. Ward | 21. Deborah A. Golden |
| 11. Karen V. Rice | 22. Carl R. Moore, III |
| 12. Victor M. Riddell | 23. Joy S. Wypasek |

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ROCKDALE CO., GA
2011 AUG - 1 PM 12:55
Ruth A. Wilson
CLERK

SCANNED

INDICTMENT

COUNT ONE

And the GRAND JURORS, aforesaid, in the name and behalf of the citizens of Georgia charge and accuse TRINITY WAYNE BUSSLER with having committed the offense of BURGLARY (O.C.G.A. § 16-7-1) for that the said accused person in Rockdale County, Georgia, on the 28th day of April, 2011, did unlawfully then and there without authority and with the intent to commit a theft therein, enter the dwelling house of Margaret Sue Conn, located at 625 Hull Drive, Conyers, Georgia,

CONTRARY TO THE LAWS OF SAID STATE, THE GOOD ORDER, PEACE AND DIGNITY THEREOF.

ROCKDALE COUNTY SUPERIOR COURT

RICHARD R. READ
District Attorney
Rockdale Judicial Circuit

THE SUPERIOR COURT OF ROCKDALE COUNTY, GEORGIA

FINAL DISPOSITION
CRIMINAL ACTION NO. 2011-CR-1384

THE STATE
VS.

Trinity Wayne Bussler

OFFENSE(S)

1 Burglary

F

OTN # 88379970103

July TERM, 2011

PLEA: ALFORD PLEA:
 NEGOTIATED
 GUILTY ON COUNT(S) 1
 NOLO CONTENDERE ON
COUNT(S) _____
 GUILTY ON COUNT(S) _____ TO
LESSER INCLUDED
OFFENSE(S) OF: _____

JURY
 NON-JURY

VERDICT
 GUILTY ON
COUNT(S) _____
 NOT GUILTY ON
COUNT(S) _____
 GUILTY OF INCLUDED
OFFENSE(S) OF _____
ON COUNT(S) _____

OTHER DISPOSITION:
 NOLLE PROSEQUI ORDER
ON COUNT(S) _____
 DEAD DOCKET ORDER ON
COUNT(S) _____

(SEE SEPARATE ORDER)

FELONY SENTENCE MISDEMEANOR SENTENCE

WHEREAS, the above-named defendant has been found guilty of the above-stated offense. WHEREUPON, it is ordered and adjudged by the Court that: The said defendant is hereby sentenced to 20 years with confinement to be for a period of 7 years in the State Penal System or such other institution as the Commissioner of the State Department of Corrections or Court may direct, to be computed as provided by law.

(Ct. 1) 20 years to serve 7 years, balance on probation; This sentence is to run concurrent with Rockdale County Case No. 2011-CR-1087 and 2011-CR-1289; credit for time served from 5-23-10 to 6-4-10 and from 5-9-11 to present;

HOWEVER, it is further ordered by the Court:

- 1) THAT the above sentence may be served on probation
- 2) THAT upon service of 7 years of the above sentence, the remainder of Balance may be served on probation PROVIDED that the said defendant complies with the following general, other and special conditions herein imposed by the Court as part of this sentence.

Probation is to be: REPORTING NON-REPORTING

GENERAL CONDITIONS OF PROBATION

The Defendant, having been granted the privilege of serving all or part of the above-stated sentence on probation, hereby is sentenced to the following general conditions of probation:

- 1) Do not violate the criminal laws of any governmental unit.
- 2) Avoid injurious and vicious habits – especially alcoholic intoxication & narcotics & other dangerous drugs, unless prescribed lawfully.
- 3) Avoid person's or places of disreputable or harmful character.
- 4) Report to the Probation-Parole Supervisor as directed and permit such Supervisor to visit him(her) at home or elsewhere.
- 5) Work faithfully at suitable employment insofar as may be possible.
- 6) Do not change his(her) present place of abode, move outside the jurisdiction of the Court, or leave the State for any period of time without prior permission of the Probation Supervisor.
- 7) Support his(her) legal dependants to the best of his(her) ability.
- 8) Probationer shall, from time to time upon oral or written request by a Probation Officer, produce a breath, urine, and/or blood specimen for analysis for the possible presence of a substance prohibited or controlled by any law of the State of Georgia or of the United States.
- 9) Submit to evaluations and testing relating to rehabilitation and participate in and successfully complete rehabilitative programming as directed by the Department of Corrections.

OTHER CONDITIONS OF PROBATION

IT IS FURTHERED ORDERED that the defendant pay a fine in the amount of _____, restitution in the amount of \$1612.58, monthly probation fee in the amount of \$32.00, Court Costs of _____, Attorney's Fees in the amount of _____.

Further payments are:

- Plus 10% or \$50 (whichever is less) of fines and costs pursuant to O.C.G.A. 15-21-73;
- Plus 10% of fines and costs per IDF code section 15-21-73;
- Plus 10% of fines and costs for jail construction and staffing act;
- Plus 5% of fines and costs per code section 15-21-131;
- Plus \$50.00 per code section 42-8-34(D)(1);
- Plus 50% of fines and costs per code section 15-21-100;
- Plus \$25 per code section 42-8-34(D)(2) (if 16-13-30(j)(1) or DUI drugs/alcohol);
- Plus 11% or \$26 (whichever is less) of fines & costs per code section 15-21-112 (DUI drugs/alcohol);
- Plus 10% of fines & costs per code section 15-21-149 (DUI drugs/alcohol);
- Plus \$25 publication per code section 40-6-391(J)(1) (2nd DUI);
- Plus \$25 publication per code section 16-5-26 and 16-5-96 (Stalking or Aggravated Stalking, Simple Assault-FV, Simple Battery-FV or battery-FV);

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- Plus \$50.00 Public Defender fee, to be paid to the Public Defender Office (cases after January 1, 2005);
- Plus 5% of fines & costs per code section 15-21-179 (Traffic Offenses);

SPECIAL CONDITIONS OF PROBATION

A special condition of probation, if violated, authorizes the court to revoke all of the time then remaining on defendant's probation.

Defendant is to complete a rehabilitative program consisting of six (6) months physical training at the Rockdale County Jail, scheduled for one (1) hour, five (5) days a week, starting at 5:30 a.m. beginning ____; and, prior to said training defendant must obtain a note from a physician stating defendant may engage in physical activity.

Banishment from the State of Georgia except for the Southern Judicial Circuit;

Banishment from the Rockdale Judicial Circuit;

Plus Alcohol & Drug Evaluation & Treatment if deemed necessary;

Plus Random screens to be at defendant's expense;

Intensive Probation;

Defendant is to undergo adult literacy screening and successfully complete a GED or adult literacy program as directed;

Defendant is not to return to Hull Drive area;

Defendant is to have no contact with victim, Margaret Sue Conn;

IT IS THE FURTHER ORDER of the Court and the defendant is hereby advised that the Court may, at any time, revoke any condition of probation herein granted. If such probation is revoked, the Court may order the execution of the sentence which was originally imposed or any portion thereof in the manner provided by law after deducting there from the amount of time the defendant has served on probation. The defendant was represented by the Honorable Mark A. Hinds, Attorney at Law, Rockdale County, Georgia.

By Employment Appointment

By the Court September 14, 2011.

So ordered this 15th day of September, 2011.

DAVID B. IRWIN

Judge, Rockdale Superior Court

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this Sentence or Probation has been delivered in person to the defendant and he/she instructed regarding the conditions as set forth above.

This _____ day of _____, 2011.

Probation Officer

Copy received and instructions regarding conditions acknowledged.

This _____ day of _____, 2011.

Probationer

Copy Received by Sheriff

DATE: _____

Deputy Sheriff

CRIMINAL ACTION NO. 2011-CR-1384