

IN THE MAGISTRATE COURT OF ATHENS-CLARKE COUNTY, GEORGIA

STATE OF GEORGIA

Warrant Number: MC-01-CR-CR- 21-3757

VS
ANNA PETREE
Defendant

Charge: Murder

WARRANT

Personally appeared, SCOTT P BLACK who on oath says that, to the best of his/her knowledge and belief, ANNA PETREE, did between 09/18/2019 8:05PM and 09/18/2019 8:24PM commit the Felony offense of Murder in violation of O.C.G.A. Code Section 16-5-1 (a) at 122 Crows Nest Ct, ATHENS, GA, 30605, Athens-Clarke County, Georgia, and against JUSTIN BEEBE and the laws of the State of Georgia. Prosecutor further states that the accused; did unlawfully and with malice aforethought, cause the death of one JUSTIN BEEBE, another human being, by shooting the victim in the head resulting in the victim's death. Prosecutor makes this affidavit that a warrant may issue for the accused's arrest.

Sworn to and subscribed before me, This 6 day of August, 2021 at 1:56:28PM

Judge: Donarell Green
MAGISTRATE Court of Athens-Clarke County

8/6/2021 1:55:44 PM

Prosecutor: SCOTT P BLACK
ID#: 3352 Agency: Athens Clarke County PD

STATE WARRANT FOR ARREST

To any Sheriff, Deputy Sheriff, Coroner, Constable or Marshal of this State -- Greetings:
For sufficient cause made known to me in the above affidavit, incorporated by reference herein, and other sworn testimony, you are hereby commanded to arrest the accused, ANNA PETREE, charged by the Prosecutor therein with the above offense against the laws of this State, and bring the accused before me or some other judicial officer of this State to be dealt with as the law directs. Herein fail not.

This 6 day of August, 2021 at 1:56:28PM

Judge, Donarell Green
MAGISTRATE Court of Athens-Clarke County

INITIAL APPEARANCE AND BAIL ORDER

- Defendant appeared this day before the undersigned Judge for initial appearance as provided by law. The Defendant was fully informed of the charges and other matters as required by Uniform Magistrate Court Rule 25.1 and of the right to a committal hearing, unless waived.
- Defendant shall be granted bail in the amount of \$ _____ to secure Defendant's court appearance on the _____ day of _____, 20____ at _____ in the State/Magistrate Court of Athens-Clarke County, Georgia and from day to day thereafter until discharged by law.

Judge:

IN THE MAGISTRATE COURT OF ATHENS-CLARKE COUNTY, GEORGIA.

ORDER

The Defendant having been arrested on a warrant for the offense of Murder and brought before me,

- Upon the call of the case, no commitment hearing is requested.
- Commitment hearing is waived.
- Upon motion of Prosecutor/Defendant, the warrant is dismissed
- This warrant has been superseded by the filing of an accusation/indictment in State/Superior Court of Athens-Clarke County in Case Number _____.
- Upon hearing the evidence at the commitment hearing
- This warrant has been presented to the Grand Jury or superseded by the filing of an accusation/indictment in State/Superior Court of Athens-Clarke County in Case Number _____.

IT IS ORDERED,

Defendant be bound in a bail of \$ 20,000 for his/her appearance at the State/Superior Court Athens-Clarke County, to be held in and for the County of Athens-Clarke, for the offense of Murder on TBN or date to be notified, in default thereof, that he/she be committed to the common jail of said County, there to be safely kept until thence delivered by due course of law.

that this warrant is dismissed.

Given under my hand and seal, this 17 day of Sept, 2021.

[Handwritten Signature]

Subsequent to the call of the case, ^{Judge} ~~a commitment hearing was held.~~ ^{WAS PRESENTED TO GRAND JURY.} The Defendant is bound in a bail of \$ 20,000 ^{or held by Supri Court} to the State/Superior Court of Athens-Clarke County for the offense of Murder. This 12 day of October, 2021.

[Handwritten Signature]

 Judge,

CRIMINAL ARREST WARRANT

Warrant No.: MC-01-CR-CR- 21-3757

Hearing Date(s):

Arrested: Yes No

Judge Assignment: NORVIS

Language:

STATE OF GEORGIA
VS
ANNA PETREE

Address: 122 Crows Nest Ct
Athens, GA, 30605

DOB: 11/20/1988

Race: W, Sex: Female

Employment:
Social Security Number:

Height: 5'5", Weight: 153

Defendant was arrested on 8-6-21

[Handwritten Signature]

Police/Deputy Sheriff

Police Case No: 2019-09180221

WITNESSES FOR THE STATE

SCOTT P BLACK

Witness Name: N/A
Witness Address: N/A

Tracking No: EW-051982

21-51100
RECEIVED AUG 16 2021

IN THE MAGISTRATE COURT OF ATHENS-CLARKE COUNTY, GEORGIA

STATE OF GEORGIA

Warrant Number: MC-01-CR-CR- 21-3758

VS

ANNA PETREE

Defendant

Charge: Murder

WARRANT

Personally appeared, SCOTT P BLACK who on oath says that, to the best of his/her knowledge and belief, ANNA PETREE, did between 09/18/2019 8:05PM and 09/18/2019 8:24PM commit the Felony offense of Murder in violation of O.C.G.A. Code Section 16-5-1(c) at 122 Crows Nest Ct, ATHENS, GA, 30605, Athens-Clarke County, Georgia, and against JUSTIN BEEBE and the laws of the State of Georgia. Prosecutor further states that the accused: while in the commission of the felony offense of Aggravated Assault, did cause the death of Justin Beebe, a human being. Prosecutor makes this affidavit that a warrant may issue for the accused's arrest.

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MAGISTRATE Court of Athens-Clarke County

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Prosecutor: SCOTT P BLACK
ID#: 3352 Agency: Athens Clarke County PD

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MAGISTRATE Court of Athens-Clarke County

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Judge:

IN THE MAGISTRATE COURT OF ATHENS-CLARKE COUNTY, GEORGIA

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This warrant has been superseded by the filing of an accusation/indictment in State/Superior Court of Athens-Clarke County in Case Number
Upon hearing the evidence at the commitment hearing
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- Defendant be bound in a bail of \$20,000 for his/her appearance at the State/Superior Court Athens-Clarke County, to be held in and for the County of Athens-Clarke, for the offense of Murder on IBN or date to be notified, in default thereof, that he/she be committed to the common jail of said County, there to be safely kept until thence delivered by due course of law.

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Given under my hand and seal, this 17 day of September, 20 21.

[Signature]

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This 12 day of October, 20 21.

[Signature]

Judge,

CRIMINAL ARREST WARRANT

Warrant No.: MC-01-CR-CR- 21-3758

Hearing Date(s):

Arrested: [] Yes [x] No

Judge Assignment: NOVVIS

Language:

STATE OF GEORGIA VS ANNA PETREE

Address: 122 Crows Nest Ct Athens, GA, 30605

DOB: 11/20/1988

Race: W, Sex: Female

Employment: Social Security Number:

Height: 5'5", Weight: 153

Defendant was arrested on 8-6-21

[Signature]

Police/Deputy Sheriff

Police CaseNo: 2019-09180221

WITNESSES FOR THE STATE

SCOTT P BLACK

Witness Name: N/A Witness Address: N/A

Tracking No: EW-051983

21-51101 RECEIVED AUG 06 2021

IN THE MAGISTRATE COURT OF ATHENS-CLARKE COUNTY, GEORGIA

STATE OF GEORGIA

Warrant Number: MC-01-CR-CR-21-3759

VS

ANNA PETREE

Defendant

Charge: Aggravated Assault

WARRANT

Personally appeared, SCOTT P BLACK who on oath says that, to the best of his/her knowledge and belief, ANNA PETREE, did between 09/18/2019 8:05PM and 09/18/2019 8:24PM commit the Felony offense of Aggravated Assault in violation of O.C.G.A. Code Section 16-5-21 (a)(1) at 122 Crows Nest Ct, ATHENS, GA, 30605, Athens-Clarke County, Georgia, and against JUSTIN BEEBE and the laws of the State of Georgia. Prosecutor further states that the accused: did commit a violent injury to JUSTIN BEEBE with intent to murder, to wit: accused did shoot the victim in the head with a firearm. Prosecutor makes this affidavit that a warrant may issue for the accused's arrest.

Sworn to and subscribed before me, This 6 day of August, 2021 at 1:56:28PM



Judge: Donarell Green
MAGISTRATE Court of Athens-Clarke County

8/6/2021 1:55:44 PM

Prosecutor: SCOTT P BLACK
ID#: 3352 Agency: Athens Clarke County PD

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This 6 day of August, 2021 at 1:56:28PM



Judge, Donarell Green
MAGISTRATE Court of Athens-Clarke County

INITIAL APPEARANCE AND BAIL ORDER

[] Defendant appeared this day before the undersigned Judge for initial appearance as provided by law. The Defendant was fully informed of the charges and other matters as required by Uniform Magistrate Court Rule 25.1 and of the right to a committal hearing, unless waived.

[] Defendant shall be granted bail in the amount of \$ _____ to secure Defendant's court appearance on the _____ day of _____, 20____ at _____ in the State/Magistrate Court of Athens-Clarke County, Georgia and from day to day thereafter until discharged by law.

Judge:

IN THE MAGISTRATE COURT OF ATHENS-CLARKE COUNTY, GEORGIA

ORDER

The Defendant having been arrested on a warrant for the offense of Aggravated Assault and brought before me,

- Upon the call of the case, no commitment hearing is requested.
- Commitment hearing is waived.
- Upon motion of Prosecutor/Defendant, the warrant is dismissed
- This warrant has been superseded by the filing of an accusation/indictment in State/Superior Court of Athens-Clarke County in Case Number _____
- Upon hearing the evidence at the commitment hearing
- This warrant has been presented to the Grand Jury or superseded by the filing of an accusation/indictment in State/Superior Court of Athens-Clarke County in Case Number _____

IT IS ORDERED,

Defendant be bound in a bail of \$ 20,000 ~~no bond~~ for his/her appearance at the State/Superior Court Athens-Clarke County, to be held in and for the County of Athens-Clarke, for the offense of Aggravated Assault on TBN or date to be notified, in default thereof, that he/she be committed to the common jail of said County, there to be safely kept until thence delivered by due course of law.

that this warrant is dismissed.

Given under my hand and seal, this 17 day of Sept, 20 21.

[Signature]

Judge

Subsequent to the call of the case, ~~a commitment hearing was held~~ ^{CASE PRESENTED TO GRAND JURY.} The Defendant is bound in a bail of \$ 20,000 ^{cf by Sup Ct} to the State/Superior Court of Athens-Clarke County for the offense of Aggravated Assault This 12 day of Oct, 20 21.

[Signature]

Judge,

CRIMINAL ARREST WARRANT

Warrant No.: MC-01-CR-CR-21-3759

Hearing Date(s):

Arrested: Yes No

Judge Assignment: NORRIS

Language:

STATE OF GEORGIA
VS
ANNA PETREE

Address: 122 Crows Nest Ct
Athens, GA, 30605

DOB: 11/20/1988

Race: W, Sex: Female

Employment:
Social Security Number:

Height: 5'5", Weight: 153

Defendant was arrested on 8-6-21

[Signature]

Police/Deputy Sheriff

Police CaseNo: 2019-09180221

WITNESSES FOR THE STATE

SCOTT P BLACK

Witness Name: N/A
Witness Address: N/A

Tracking No: EW-051984

21-51102
RECEIVED AUG 06 2021



CLARKE COUNTY SHERIFF'S OFFICE

FIELD ARREST REPORT

CASE# 2021-08060040

Family Violence: NO

DETAILS	ARREST DATE/TIME	08/06/2021 17:07	ARREST TYPE	Warrants/In Custody	ARRESTING OFFICER	6213 Beri, Patrick
	LOCATION OF ARREST	3015 LEXINGTON RD Athens, GA				

ARRESTEE

ARRESTEE	NAME (JACKET TYPE LAST, FIRST, MIDDLE SUFFIX)					
	Petree; Anna Gatlin					
	DOB	AGE	ADDRESS (STREET, CITY, STATE, ZIP)			
	11/20/1988	32	122 CROWS NEST CT ATHENS, GA 30605			
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYE	
White	Female	5'5	153	Brown	Hazel	
DL NUMBER/STATE	SSN	PRIMARY PHONE		PHONE #2		
051470252 / GA	EDACTE-3947	Home (706)206-5991				

150 Hancock Lane
Athens, GA
30605

CHARGES

	STATUTE / DESCRIPTION	COUNTS	ATTEMPT/COMMIT
01	16-5-1 Murder/Malice Murder/Felony Murder/Murder 2nd Degree	1	Completed
02	16-5-1 Murder/Malice Murder/Felony Murder/Murder 2nd Degree	1	Completed
03	16-5-21 Aggravated Assault	1	Completed

Superior Court NARRATIVE

1) MURDER (FEL) #CRCR213757
 2) MURDER (FEL) #CRCR213758
 3) AGGRAVATED ASSAULT (FEL) #CRCR213759

TRANSFER OF CUSTODY	DATE & TIME
REPORTING OFFICER 6213 Beri, Patrick	DATE 08/06/2021
	REVIEWED BY <i>[Signature]</i>

21PT0515 -N

IN THE MAGISTRATE COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA

FILED IN OFFICE
CLERK SUPERIOR COURT
CLARKE COUNTY, GEORGIA

2021 AUG -9 PM 3:15

BEVERLY LOGAN, CLERK
CLARKE COUNTY, GEORGIA

PR DOCKET INITIALS

TO: Judge _____, Superior Court
Athens-Clarke County, Georgia

From: Patricia Barron, Chief Magistrate
Benjamin R. Makin, Magistrate
Donarell R. Green, IV, Magistrate

Re: Determination of Bail Status

Detainee: **ANNA PETREE**

Charge(s): MURDER (2 Counts); AGGRAVATED ASSAULT
Warrant Number(s): MC-01-CR-CR-21-0003757-3759

This court held a hearing to determine bailability of the above-referenced detainee on August 7, 2021 at 8:30 am at the Athens-Clarke County Courthouse. Following that hearing, the Court determined that it was not authorized to set bail for said detainee pursuant to O.C.G.A. § 17-6-1 (a).

Pursuant to the requirements of O.C.G.A. § 17-6-1 (c) this notice is to advise Your Honor, that the detainee is currently being held at the Athens-Clarke County Jail without bail. The detainee will be notified by Superior Court of the court date.

This report is submitted to Your Honor within 48 hours of the above determination not to set bail.

This 9th August, 2021.

Judge, Magistrate Court

IN THE MAGISTRATE COURT OF ATHENS-CLARKE COUNTY, GEORGIA

STATE OF GEORGIA

Warrant Number: MC-04-CR-CR-

21-3757

VS
ANNA PETREE

Defendant

Charge: Murder

WARRANT

Personally appeared, SCOTT P BLACK who on oath says that, to the best of his/her knowledge and belief, ANNA PETREE, did between 09/18/2019 8:05PM and 09/18/2019 8:24PM commit the Felony offense of Murder in violation of O.C.G.A. Code Section 16-5-1 (a) at 122 Crows Nest Ct, ATHENS, GA, 30605, Athens-Clarke County, Georgia, and against JUSTIN BEEBE and the laws of the State of Georgia. Prosecutor further states that the accused: did unlawfully and with malice aforethought, cause the death of one JUSTIN BEEBE, another human being, by shooting the victim in the head resulting in the victim's death. . Prosecutor makes this affidavit that a warrant may issue for the accused's arrest.

Sworn to and subscribed before me, This 6 day of August, 2021 at 1:56:28PM

Donarell Green

SCOTT P BLACK

Judge: Donarell Green
MAGISTRATE Court of Athens-Clarke County

8/6/2021 1:55:44 PM

Prosecutor: SCOTT P BLACK
ID#: 3352 Agency: Athens Clarke County PD

COPY

STATE WARRANT FOR ARREST

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For sufficient cause made known to me in the above affidavit, incorporated by reference herein, and other sworn testimony, you are hereby commanded to arrest the accused, ANNA PETREE, charged by the Prosecutor therein with the above offense against the laws of this State, and bring the accused before me or some other judicial officer of this State to be dealt with as the law directs. Herein fail not.

This 6 day of August, 2021 at 1:56:28PM

Donarell Green

Judge, Donarell Green
MAGISTRATE Court of Athens-Clarke County

INITIAL APPEARANCE AND BAIL ORDER

- Defendant appeared this day before the undersigned Judge for initial appearance as provided by law. The Defendant was fully informed of the charges and other matters as required by Uniform Magistrate Court Rule 25.1 and of the right to a committal hearing, unless waived.
- Defendant shall be granted bail in the amount of \$ _____ to secure Defendant's court appearance on the _____ day of _____, 20 _____ at _____ in the State/Magistrate Court of Athens-Clarke County, Georgia and from day to day thereafter until discharged by law.

Judge:

RECEIVED AUG 11 2021

IN THE MAGISTRATE COURT OF ATHENS-CLARKE COUNTY, GEORGIA

ORDER

The Defendant having been arrested on a warrant for the offense of Murder and brought before me,

- Upon the call of the case, no commitment hearing is requested.
- Commitment hearing is waived.
- Upon motion of Prosecutor/Defendant, the warrant is dismissed
- This warrant has been superseded by the filing of an accusation/indictment in State/Superior Court of Athens-Clarke County in Case Number _____
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- This warrant has been presented to the Grand Jury or superseded by the filing of an accusation/indictment in State/Superior Court of Athens-Clarke County in Case Number _____

IT IS ORDERED,

- Defendant be bound in a bail of \$ _____ for his/her appearance at the State/Superior Court Athens-Clarke County, to be held in and for the County of Athens-Clarke, for the offense of _____ on _____ or date to be notified, in default thereof, that he/she be committed to the common jail of said County, there to be safely kept until thence delivered by due course of law.

- that this warrant is dismissed.

Given under my hand and seal, this _____ day of _____, 20 _____

Judge,

Subsequent to the call of the case, a commitment hearing was held. The Defendant is bound in a bail of

\$ _____ to the State/Superior Court of Athens-Clarke County for the offense of _____

This _____ day of _____, 20 _____

Judge,

CRIMINAL ARREST WARRANT

Warrant No.: MC-01-CR-CR- 21-3757

Hearing Date(s):

Arrested: Yes No

Judge Assignment:

Language:

STATE OF GEORGIA

VS

ANNA PETREE

Address: 122 Crows Nest Ct
Athens, GA, 30605

DOB: 11/20/1988

Race: W, Sex: Female

Employment:

Social Security Number:

Height: 5'5", Weight: 153

Defendant was arrested on

COPY

8-6-21

P. Ber

Police/Deputy Sheriff

Police CaseNo: 2019-09180221

WITNESSES FOR THE STATE

SCOTT P BLACK

Witness Name: N/A

Witness Address: N/A

Tracking No: EW-051982

21-51100
RECEIVED AUG 06 2021

IN THE MAGISTRATE COURT OF ATHENS-CLARKE COUNTY, GEORGIA

STATE OF GEORGIA

Warrant Number: MC-01-CR-CR-

21-3758

VS

ANNA PETREE

Defendant

Charge: Murder

WARRANT

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Judge:

RECEIVED FOR JUDGE GREEN

COPY

IN THE MAGISTRATE COURT OF ATHENS-CLARKE COUNTY, GEORGIA

ORDER

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This _____ day of _____, 20_____

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CRIMINAL ARREST WARRANT

Warrant No.: MC-01-CR-CR- 21-3758

Hearing Date(s):

Arrested: Yes No

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Language:

STATE OF GEORGIA

VS

ANNA PETREE

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DOB: 11/20/1988

Race: W, Sex: Female

Employment:

Social Security Number:

Height: 5'5", Weight: 153

Defendant was arrested on 8-6-21

COPY

P. B. B. i

Police/Deputy Sheriff

Police Case No: 2019-09180221

WITNESSES FOR THE STATE

SCOTT P BLACK

Witness Name: N/A

Witness Address: N/A

Tracking No: EW-051983

21-51101
RECEIVED AUG 06 2021

IN THE MAGISTRATE COURT OF ATHENS-CLARKE COUNTY, GEORGIA

STATE OF GEORGIA

VS

ANNA PETREE

Defendant

Warrant Number: MC-01-CR-CR-21-3759

Charge: Aggravated Assault

WARRANT

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ORDER

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This _____ day of _____, 20_____.

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CRIMINAL ARREST WARRANT

Warrant No.: MC-01-CR-CR-21-3759

Hearing Date(s):

Arrested: Yes No

Judge Assignment:

Language:

STATE OF GEORGIA

VS.

ANNA PETREE

Address: 122 Crows Nest Ct
Athens, GA, 30605

DOB: 11/20/1988

Race: W, Sex: Female

Employment:

Social Security Number:

Height: 5'5", Weight: 153

Defendant was arrested on

8-6-21

P. Best

Police/Deputy Sheriff

Police Case No: 2019-09180221

WITNESSES FOR THE STATE

SCOTT P BLACK

Witness Name: N/A

Witness Address: N/A

Tracking No: EW-051984

21-51102
RECEIVED AUG 06 2021

COPY



SUPERIOR COURT
WESTERN JUDICIAL CIRCUIT OF GEORGIA
ATHENS-CLARKE and OCONEE COUNTIES

FILED IN OFFICE
CLERK OF SUPERIOR COURT
ATHENS-CLARKE COUNTY, GEORGIA
21PI0515-EWN
8/11/2021 2:10PM

Beverly Logan, Clerk
Athens-Clarke County, Georgia

Honorable Eric W. Norris, Chief Judge

325 E. Washington St.
Suite 580
Athens, GA 30601
(706) 546-7704
(706) 208-0186 - Fax

August 11, 2021

Ms. Deborah Gonzalez
District Attorney
Western Judicial Circuit
Athens, Georgia 30601

Mr. John Donnelly
Public Defender Office
P.O. Box 1644
Athens, Georgia 30603

RE: Determination of Bail Status
Detainee: **ANNA PETREE**
Charge (s): Murder (2 Counts); Aggravated Assault
Warrant No. (s). MC-01-CR-CR-21 – 3757-3759
ATHENS-CLARKE COUNTY SUPERIOR COURT

Dear Counsel:

Please appear before me for a hearing with respect to the above Detainee at
2:00 p.m. on Wednesday, August 25, 2021 at the **Athens-Clarke County Courthouse,**
Athens, Georgia. Defendant will appear by video conference.

Sincerely,

Eric W. Norris
Judge, Superior Court
Western Judicial Circuit

EWN:mm

21PI0515 -N

IN THE MAGISTRATE COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA

FILED IN OFFICE
CLERK SUPERIOR COURT
CLARKE COUNTY, GEORGIA

2021 AUG -9 PM 3:15

BEVERLY LOGAN, CLERK
CLARKE COUNTY, GEORGIA

RR DOCKET INITIALS

TO: Judge _____, Superior Court
Athens-Clarke County, Georgia

From: Patricia Barron, Chief Magistrate
Benjamin R. Makin, Magistrate
Donarell R. Green, IV, Magistrate

Re: Determination of Bail Status

Detainee: **ANNA PETREE**

Charge(s): MURDER (2 Counts); AGGRAVATED ASSAULT

Warrant Number(s): MC-01-CR-CR-21-0003757-3759

This court held a hearing to determine bailability of the above-referenced detainee on August 7, 2021 at 8:30 am at the Athens-Clarke County Courthouse. Following that hearing, the Court determined that it was not authorized to set bail for said detainee pursuant to O.C.G.A. § 17-6-1 (a).

Pursuant to the requirements of O.C.G.A. § 17-6-1 (c) this notice is to advise Your Honor, that the detainee is currently being held at the Athens-Clarke County Jail without bail. The detainee will be notified by Superior Court of the court date.

This report is submitted to Your Honor within 48 hours of the above determination not to set bail.

This 9th August, 2021.



Judge, Magistrate Court

IN THE SUPERIOR COURT OF Clarke COUNTY
STATE OF GEORGIA

21PI0515

STATE OF GEORGIA

WARRANT NO. MC-01-CR-CR-21-3757-3759

VS.

CHARGE(S): _____

ANNA PETREE
Defendant

BAIL DETERMINATION

IT IS HEREBY ORDERED that the above named defendant be GRANTED/DENIED bail.

IT IS HEREBY ORDERED that bail in the amount of \$ 20,000.00 good surety, subject to the following conditions.

THE COURT having determined that: (1) the Defendant IS/~~IS NOT~~ flight risk, and (2) it is LIKELY/~~UNLIKELY~~ that a Felony will be committed if bail is granted and that (3) the Defendant ~~DOES~~/DOES NOT pose a risk of influencing witnesses and (4) the Defendant ~~DOES~~/DOES NOT pose a risk to the community or witnesses that Bail is APPROPRIATE/NOT APPROPRIATE.

Defendant is hereby ordered to:

(X) Shall reside at 122 Crow Nest Ct, Athens, GA 30605

Turn in passport to the D.A. office within 48 hr release
No travel outside state except with court approval
Not possess any firearms.

STATE AND DEFENSE Agree that a Bond order is appropriate.

Any violation of this order will subject Defendant to revocation of this bond or additional charges.

SO ORDERED, this 25 day of August, 2021.

Judge Eric W. Norris
Superior Court of Clarke County
Western Judicial Circuit

Copy of order received, this _____ day of _____, 20____.

Defendant _____

open court
Filed in Clerk's Office
This 25th day of Aug, 2021
[Signature], Deputy Clerk
Athens-Clarke County Superior/State Court

CASH BOND PROPERTY BOND SURETY BOND OWN RECOGNIZANCE BOND

STATE OF GEORGIA, ATHENS-CLARKE COUNTY

JOHN Q. WILLIAMS, SHERIFF

KNOW ALL BY THESE PRESENTS, that we, the undersigned ANNA PETREE Principal, and, BOND, JAMES BOND INC Security (ies), are held firmly bound unto his Excellency, Brian Kemp,

the Governor of said State, and his Successors in office, in the penal sum of \$ 20,000 G.S.// 2,200 CRT FEES// 22,200 for the true payment whereof in cash or other security approved by the Sheriff of said County we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents. The condition of this obligation is

such, that is the aforesaid Principal shall personally be and appear at the SUPERIOR Court of said County on

T//B//N, 20 at : M or as TO BE NOTIFIED BY SAID COURT BY MAIL OR SERVICE TO THE ADDRESS given below, and from day to day and from term to term thereafter, to answer to a prosecution for the offense(s) of:

MURDER, MURDER, AGGRAVATED ASSAULT (MC-01-CR-CR-21-3757-3759)

and shall not depart thence without the leave of said Court, then the above obligation shall be null and void. And we, and each of us expressly waive and renounce for ourselves and our families all rights to and any benefits arising from any homestead exemption and State laws whatever until this obligation is fully discharged. As a condition of this bond, you may not violate any local, state, or federal law. Should you violate any local, state or federal law, you may be subject to having your bond revoked.

PROPERTY AFFIDAVIT (PROPERTY BONDS ONLY)

Personally appears the above named Security(ies), who being sworn, deposes and says, that he/she is security on the within bond; that he/she owns in his/her own right and name, unencumbered by mortgage, lien or judgment, real estate lying in said county, of the value \$ N/A dollars, the amount of said bond, over and above the amount which may be claimed exempt from levy and sale for debts under the Constitution and laws of this State, and all debts and other liabilities. The real property is described as follows:

Real property located in Athens-Clarke County, Georgia, at N/A with a fair market value of \$ N/A less encumbrances of \$ N/A and other outstanding criminal bonds totaling \$ N/A --

By signing this document and providing your email address and/or cellular phone number, you agree that the Court may use these, in addition to your address, to contact you and convey information regarding your court hearings (message and data rates may apply).

Signed, sealed, and acknowledged this date of AUGUST 25TH, 2021

Anna Petree
Principal Signature
Principal email: ANNA.PETREE88@GMAIL.COM

Chris Man
Security Signature

Mailing Address: 122 CROWNS NEST CT

City, State, Zip ATHENS, GA 30605

Telephone Number: 706-206-5991

Telephone for Text Notifications: 706-340-4667

Additional Security Signature
Mailing Address: **BOND, JAMES BOND, INC.**
P.O. Box 2307
City, State, Zip CARTERSVILLE, GA 30120
(770) 613-0007
Telephone Number: www.BONDJAMESBONDINC.COM

John Q. Williams
Sheriff, Clarke County, Georgia

T. Palmer #6372
Deputy Sheriff, Clarke County, Georgia

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA)

vs.)

ANNA PETREE,)

Defendant.)

Case No. 21-PI-0515

FILED IN OFFICE
CLERK OF SUPERIOR COURT
ATHENS-CLARKE COUNTY, GEORGIA

21PI0515-EWN

8/29/2021 11:25AM



Beverly Logan, Clerk
Athens-Clarke County, Georgia

BOND MOTION

BEFORE THE HONORABLE ERIC NORRIS
WESTERN JUDICIAL CIRCUIT
AUGUST 25, 2021
ATHENS-CLARKE COUNTY COURTHOUSE, ATHENS, GEORGIA
COMMENCING AT 2:27 P.M.

APPEARANCE OF COUNSEL:

ON BEHALF OF THE STATE:

MR. GERALD HENDERSON
WESTERN JUDICIAL CIRCUIT DISTRICT ATTORNEY'S OFFICE
325 EAST WASHINGTON STREET
ATHENS, GEORGIA 30601
(706) 613-3240

ON BEHALF OF THE DEFENDANT:

MR. BENJAMIN PEARLMAN
WESTERN JUDICIAL CIRCUIT PUBLIC DEFENDER'S OFFICE
440 COLLEGE AVENUE, SUITE 220
ATHENS, GEORGIA 30601
(706) 369-6440

Reported by:
DEBBIE SEYMOUR, CCR
POST OFFICE BOX 1508
MONROE, GEORGIA 30655
(706) 207-6173
dseymour0618@yahoo.com

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P R O C E E D I N G S

THE COURT: At this time we're doing a bail determination on State vs. Anna -- is it Petree?

MR. PEARLMAN: Petree (different pronunciation).

THE DEFENDANT: Petree.

MR. PEARLMAN: Is it Petree?

THE DEFENDANT: Uh-huh (affirmative response).

MR. PEARLMAN: I've been saying it wrong this whole time.

THE COURT: Well, there you go.

So is it two counts?

MR. PEARLMAN: It's three warrants but it's all one related incident.

THE COURT: All right.

MR. PEARLMAN: Just in the alternative.

THE COURT: Gotcha. All right. So, Mr. Henderson, Mr. Pearlman, as you're ready.

MR. PEARLMAN: I think we've discussed this, and if Mr. Henderson wants to make a representation to the Court then I think we'll -- we can streamline this process is what we're aiming for.

THE COURT: All right.

MR. HENDERSON: Yes, Your Honor. Ms. Petree has a single conviction in 2017 for affray and then a violation of probation I believe for same.

1 This comes from an investigation of a shooting on
2 September 18th of 2019. The investigation has been
3 principally because Ms. Petree was present and indicated it
4 was a suicide. Based on our investigation we believe it's
5 a homicide. It will go to the grand jury within 90 days
6 now that the investigation has been complete.

7 Just briefly as to the evidence, we anticipate showing
8 she was present at the scene. She gave conflicting
9 stories. The ballistics indicate that it would be near
10 impossible for the victim to have shot themselves at the
11 angle. It's a back-to-front wound. There was a series of
12 differing stories about how this happened.

13 In terms of special conditions, Your Honor -- and
14 she's aware of this. She's been under investigation for
15 two years. The most recent GCIC is since her
16 incarceration. There's nothing new in terms of criminal
17 history.

18 We are asking that she surrender her passport, if she
19 has one, that she possess no firearms, and there is to be
20 no travel outside the state unless approved by the Court.

21 So, surrender passport, no firearms, no travel outside
22 the state unless approved.

23 I'm asking for a bond of \$100,000. That is based on
24 the severity of the offense.

25 THE COURT: Mr. Pearlman.

1 MR. PEARLMAN: And, Your Honor, I think those
2 conditions that the State wants is acceptable as Mr.
3 Henderson said. Ms. Petree has been living in the same
4 location actually for ten years and just signed a new lease
5 at the same place. So she's not a risk of going anywhere.

6 I have a courtroom full of people who -- family and
7 friends who know Ms. Petree very well and we're prepared to
8 testify in support of her family or ties to the community
9 and all of the *Ayala* factors.

10 But, given the State's concession, the only issue is
11 going to be with financial resources. Ms. Petree is
12 disabled and would rely on her mother here, Alice Cobble,
13 to post any sort of bond, and her financial resources, also
14 living on a fixed income, are limited.

15 So we would ask the court to set a bond in the amount
16 of \$20,000 with good security with those conditions. And
17 if there were any other conditions the Court wished to
18 impose, Ms. Petree would reside at 122 Crows Nest, her
19 address where she's been, as I said, for ten years. And
20 her mother lives almost literally around the corner. So
21 the family is -- and she's in very close contact pretty
22 much every day.

23 So if the Court had any questions about that I can
24 have Ms. Cobble testify. But in my discussions with her --
25 because this is something we've talked about multiple

1 times, how much can be afforded -- I really think that
2 \$20,000 is pretty close. They might be able to do \$30,000,
3 but it would just be, you know, the financial resources
4 they have available. That's what led me to believe what I
5 was going to originally ask for.

6 THE COURT: Mr. Henderson, anything else?

7 MR. HENDERSON: Yes, sir. Just to inform Your Honor,
8 I did speak with the victim's mother. She lives out of
9 state. She is aware that we would be agreeing to a bond,
10 and she understands.

11 THE COURT: I mean, are y'all looking at doing a cash
12 bond, a bail bondsman, or a property bond? I mean, that's
13 sort of the other aspect, if she's got family support and
14 who and what and how.

15 MR. PEARLMAN: Right. If the bond was much lower,
16 like five or ten thousand dollars, they could probably do a
17 cash bond. Otherwise it would have to be through a
18 bondsman.

19 THE COURT: But definitely no property bonds?

20 MR. PEARLMAN: There's no property bond that the
21 family could put up to secure that bond.

22 THE COURT: And how old is Ms. Petree?

23 THE DEFENDANT: I'm 32.

24 MR. PEARLMAN: Thirty-two.

25 THE COURT: Any children?

1 THE DEFENDANT: No, sir.
2 MR. PEARLMAN: Just multiple pets.
3 THE DEFENDANT: Yes.
4 THE COURT: So it's 122 Crows Nest Lane? Drive?
5 THE DEFENDANT: Court.
6 MR. PEARLMAN: Court.
7 THE COURT: Court.
8 MR. PEARLMAN: And 30605.
9 THE COURT: Do you have a passport?
10 THE DEFENDANT: Yes, sir, I do.
11 THE COURT: Where is it located?
12 THE DEFENDANT: It is at my residence.
13 THE COURT: Where do you want that passport to go to?
14 THE DEFENDANT: My mother.
15 MR. PEARLMAN: Hang on. He was asking the DA.
16 THE DEFENDANT: Oh. Sorry.
17 THE COURT: The DA's office? Clerk's office? I don't
18 know. Do y'all?
19 MR. HENDERSON: I guess the Clerk. Well ...
20 THE COURT: That's what I was thinking.
21 MR. HENDERSON: Your Honor, the DA's office. I've
22 never been asked that question before.
23 MR. PEARLMAN: In the last case I was involved in that
24 had that was in 2002, so I don't remember where that was.
25 But I can -- the best thing is probably for Ms. Petree to

1 give it to me and I'll give it to the District Attorney's
2 office.

3 MR. HENDERSON: That would be perfect.

4 THE COURT: All right, Ms. Petree, I'm going to grant
5 bail in the amount of \$20,000. You're to reside at 122
6 Crows Nest Court, Athens. You're to turn in your passport
7 to the DA's office within 48 hours of release. Really just
8 give it to Mr. Pearlman and he'll make sure it gets in.

9 THE DEFENDANT: Yes, sir.

10 THE COURT: No travel outside the state of Georgia
11 except with Court approval. Do not possess any firearms.
12 And that will be the order of the Court.

13 Any questions?

14 MR. PEARLMAN: Any questions for the judge?

15 THE DEFENDANT: No. I'm just ...

16 MR. PEARLMAN: That's fine.

17 MR. HENDERSON: Thank you, Judge.

18 THE COURT: All right. Thank you very much for your
19 time.

20 (The proceedings were concluded at 2:36 p.m.)
21
22
23

G E O R G I A:

WALTON COUNTY:

C E R T I F I C A T E

The foregoing proceedings were taken down by me as an Official Court Reporter for the Superior Court of Athens-Clarke County, and the testimony of the witnesses, colloquy of counsel, rulings of the Court, and introduction of documentary evidence were reduced to typewriting by me personally. I hereby certify that Pages 2 - 7, inclusive, comprise a true, complete, and correct transcript of said proceedings which I reported.

This the 27th day of August, 2021.

Debbie Seymour
DEBBIE SEYMOUR
Official Court Reporter
Certificate Number B-2091

GEORGIA, CLARKE COUNTY

IN THE SUPERIOR COURT OF CLARKE COUNTY

The Grand Jurors selected, chosen and Sworn for the County of CLARKE, to wit:

I, Rachel Grimes, FOREPERSON

- | | |
|---------------------------------|--------------------------------------|
| 2. <u>Joshua Auckland</u> | 14. <u>Holly Ivy</u> |
| 3. <u>Brody Rowland</u> | 15. <u>Milton Johnson</u> |
| 4. <u>Adam Chandler</u> | 16. <u>Eric Hess</u> |
| 5. <u>Colin Huff</u> | 17. <u>Kazuko Broocks</u> |
| 6. <u>John St. John</u> | 18. <u>Ruby Jordan</u> |
| 7. <u>Shane Winger</u> | 19. <u>Vanessa Cervantes</u> |
| 8. <u>Clifford Heard</u> | 20. <u>Jessica Reynolds</u> |
| 9. <u>Richard Jock</u> | 21. <u>Austin Witteby</u> |
| 10. <u>Joshua Tijerina</u> | 22. <u>Anna Story</u> |
| 11. <u>Karen Dunlavy</u> | 23. <u>Richard Etheredge</u> |
| 12. <u>Judith Gex</u> | 24. <u>Stephen Nobles</u> |
| 13. <u>Leon Thomas</u> | 25. <u>Shawn Hinger</u> |

COUNT 1: In the name and on behalf of the citizens of the State of Georgia, do hereby charge and accuse ANNA ESTELLE PETREE with the offense of **MALICE MURDER** for that the said ANNA ESTELLE PETREE on the 18th day of September 2019, in the County aforesaid, did unlawfully, with malice aforethought, cause the death of Justin Beebe, a human being, by shooting him with a firearm; in violation of O.C.G.A. § 16-5-1(a), Contrary to the laws of said State.

COUNT 2: In the name and on behalf of the citizens of the State of Georgia, do hereby charge and accuse ANNA ESTELLE PETREE with the offense of **FELONY MURDER** for that the said ANNA ESTELLE PETREE on the 18th day of September 2019, in the County aforesaid, did commit the offense of murder when the accused caused the death of Justin Beebe, a human being, irrespective of malice while in the commission of a felony, Aggravated Assault with a firearm, a deadly weapon; in violation of O.C.G.A. § 16-5-1(c), Contrary to the laws of said State.

COUNT 3: In the name and on behalf of the citizens of the State of Georgia, do hereby charge and accuse ANNA ESTELLE PETREE with the offense of **AGGRAVATED ASSAULT** for that the said ANNA ESTELLE PETREE on the 18th day of September 2019, in the County aforesaid, did make an assault upon the person of Justin Beebe with a deadly weapon, to wit: a firearm, by shooting Justin Beebe; in violation of O.C.G.A. § 16-5-21, Contrary to the laws of said State.

COUNT 4: In the name and on behalf of the citizens of the State of Georgia, do hereby charge and accuse ANNA ESTELLE PETREE with the offense of **POSSESSION OF FIREARM DURING COMMISSION OF A FELONY** for that the said ANNA ESTELLE PETREE on the 18th day of September 2019, in the County aforesaid, did unlawfully have on her person a pistol, a firearm, during the commission of the crime of Malice Murder, a felony, a crime involving the person of Justin Beebe; in violation of O.C.G.A. § 16-11-106, Contrary to the laws of said State.

COUNT 5: In the name and on behalf of the citizens of the State of Georgia, do hereby charge and accuse ANNA ESTELLE PETREE with the offense of **POSSESSION OF FIREARM DURING COMMISSION OF A FELONY** for that the said ANNA ESTELLE PETREE on the 18th day of September, in the County aforesaid, did unlawfully have on her person a pistol, a firearm, during the commission of the crime of Felony Murder, a felony, a crime involving the person of Justin Beebe; in violation of O.C.G.A. § 16-11-106,

Contrary to the laws of said State, the good order, peace and dignity thereof.

Indictment
CLARKE COUNTY SUPERIOR COURT, October Term, 2021

Scott Black, Prosecutor
DEBORAH GONZALEZ, District Attorney

IN THE SUPERIOR COURT OF CLARKE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

Case No: SU-21-CR-0701

vs.

October Term 2021

ANNA ESTELLE PETREE,
Defendant

Charge(s):
Ct. 1: Malice Murder
Ct. 2: Felony Murder
Ct. 3: Aggravated Assault
Ct. 4: Possession of Firearm During Commission of a Felony
Ct. 5: Possession of Firearm During Commission of a Felony

INDICTMENT

Returned in Open Court,

True

Bill

*This 12th of October, 2021
Beverly Morgan, Clerk (SR)*

Lachal Gwinder

Foreperson

Scott Black, Prosecutor

DEBORAH GONZALEZ, District Attorney

ARRAIGNMENT

The Defendant, ANNA ESTELLE PETREE

hereby waives formal arraignment and pleads _____

This _____ day of _____ 2021.

Defendant

Attorney for Defendant

DEBORAH GONZALEZ, District Attorney

VERDICT

We, the jury, find the Defendant _____

This _____ day of _____ 2021.

Foreperson

SC-10 Criminal Case Information Form

Criminal Case Information Form

The prosecuting attorney shall concurrently with filing any accusation or within one business day after the return of an indictment file a criminal case information form with the clerk of court. That form shall include the following information:

State of Georgia v. **Anna Estelle Petree**

State ID No. (SID) **GA3492831K**

DOB: **11/20/1988**

OTN: **88425696984**

Charges:

- | | | |
|---|---|-----------|
| 1 | Malice Murder | 16-5-1(a) |
| 2 | Felony Murder | 16-5-1(c) |
| 3 | Aggravated Assault | 16-5-21 |
| 4 | Possession of Firearm During Commission of a Felony | 16-11-106 |
| 5 | Possession of Firearm During Commission of a Felony | 16-11-106 |

Severity of most serious charge:

Serious Felony Felony Misdemeanor

/s/ Gerald Lee Henderson
Assistant District Attorney
Bar Number: 345629

“Serious felony” is any case in which there is a charge for murder; armed robbery; kidnapping; rape; aggravated child molestation; aggravated sodomy; aggravated sexual battery, or racketeering.

This form contains criminal history record information and is being sent to the deputy clerk to assist in the submission of said information to the Georgia Crime Information Center under O.C.G.A. Sec. 35-3-30. Georgia law prohibits any further dissemination or filing of this document.

CLARKE COUNTY - ERIC W. NORRIS

ARRAIGNMENT NOTICE

Criminal Action Number SU21CR0701

Defendant ANNA ESTELLE PETREE

ERIC W. NORRIS

YOU ARE REQUIRED BY LAW TO BE PRESENT. HEREIN FAIL NOT.

To:

ANNA ESTELLE PETREE
122 CROWS NEST CT
ATHENS, GA 30605

You are hereby notified that the case against the above-named defendant will be called on November 15th, 2021 at 09:30AM in CLARKE County SUPERIOR Court in courtroom 570. The defendant is required to be present for the call of this case. SEE OTHER SIDE OF NOTICE FOR IMPORTANT INFORMATION.

You have the right to be represented by an attorney. You may be eligible for the appointment of an attorney to represent you, if you are indigent. If you do not have an attorney and believe you are indigent, you may apply at Indigent Defense to determine if you are eligible for an appointed attorney.

Count 1) MALICE MURDER

Count 2) FELONY MURDER

Count 3) AGGRAVATED ASSAULT

Count 4) FIREARM/KNIFE POSSESSION DURING CRIME/ATTEMPT CRIM

Count 5) FIREARM/KNIFE POSSESSION DURING CRIME/ATTEMPT CRIM

I, the undersigned Clerk of the court named herein, certify that I have on this date mailed to the above-named defendant, defendant's attorney, and bondsperson of record at the address shown above and of record in the above styled case a true and correct copy of the above and foregoing notice by depositing the same in the United States Post Office in an envelope properly addressed and stamped. You are required to be present or the Bond will be forfeited. This is the only notice you will receive.

This 1st day of November, 2021.



BEVERLY LOGAN
Clerk of the SUPERIOR Court
CLARKE COUNTY, GEORGIA

CC: BOND JAMES BOND INC, Surety

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

ARRAIGNMENT

1. Each defendant and Attorney on the attached list herein shall personally appear in Athens-Clarke County Superior Court at Athens-Clarke County Courthouse, Athens, Georgia, on the date and time given in the Notice of Arraignment at which time the case will be called for arraignment.
2. All Attorneys and Defendants who have not entered into a plea agreement must be prepared for trial at the date, time and place designated by the Court. The Court shall determine the order in which the cases will be called for trial.
3. No Attorney shall be excused from appearing in Athens-Clarke County Superior Court because of conflicts in other courts without express permission from the assigned Judge based upon an approved request for leave of Court.
4. Any Defendant desiring legal representation by an Attorney should make proper arrangements at the Defendant's expense for an Attorney to attend this arraignment. If the Defendant cannot afford to hire an Attorney, the Defendant should contact the Public Defender Office at 440 College Avenue, Suite 220, Athens, Georgia, telephone (706) 369-6440, to determine eligibility. If the Defendant is eligible for legal representation by the Public Defender, he or she will be represented at no cost. All Defendants are encouraged to obtain the services of an Attorney to avoid the risks associated with self-representation.
5. Failure to attend the arraignment shall result in the issuance of a bench warrant for the Defendant and the initiation of bond forfeiture proceedings.
6. All calendars are available for download at www.athensclarkecounty.com and www.athensclarkeclerkofcourt.com or is available for reproduction in the Office of the Clerk of Superior Court.

If interpreter is needed, you must contact the Judge's Office immediately upon receipt of notice.

Let a copy of the Arraignment Calendar be signed, published, and issued by the Clerk under authority of the Court.

Beverly Logan, Clerk

Superior Court of Athens-Clarke County

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

vs.

ANNA PETREE,
Defendant.

:
:
:
:
:
:
:

CASE NO.: SU-21-CR-0701 N

MURDER, etc.

FILED IN OFFICE
CLERK OF SUPERIOR COURT
ATHENS-CLARKE COUNTY, GEORGIA
SU21CR0701-EWN
11/11/2021 5:55PM



Beverly Logan, Clerk
Athens-Clarke County, Georgia

**DISCOVERY MOTION, DEMAND FOR JURY TRIAL, DEMAND FOR
EXCULPATORY EVIDENCE**

Comes now Defendant, through counsel, to file this Motion opting in Article 1 of O.C.G.A. § 17-16-1 et.seq. Pursuant to those statutes, Defendant demands copies of the indictment or accusation, a witness list, all statements of the Defendant and witnesses, expert's reports, scientific reports, photographs and recordings in the possession of law enforcement. Also Defendant demands access to all physical evidence in possession of law enforcement or the State. Defendant waives no rights or remedies extended under the discovery statutes.

Defendant demands all police reports in cases involving family violence under O.C.G.A. § 17-4-20.1.

Additionally, Defendant demands copies of any and all reports, pictures, recordings and witness statements or other information in the possession of the State or its law enforcement agents that may be favorable to the accused in defending against the charges, whether of a direct or impeaching nature. Brady v. Maryland, 373 U.S. 83 (1963). Defendant also demands names and details of any agreements the State has made for favorable treatment of any person associated with the case. Giglio v. U.S. 405 U.S. 150 (1972).

Defendant demands a jury trial, and waives no rights or procedure afforded by the Federal or State Constitutions, statute, Uniform Superior Court Rule, custom or interpretation.

CERTIFICATE OF SERVICE

This certifies that a copy of this Motion was served on the office of the District Attorney by hand delivery.

This 11th day of November, 2021.

/s/Benjamin A. Pearlman

Benjamin A. Pearlman

GA Bar No. 569217

Attorney for Defendant

**WESTERN CIRCUIT PUBLIC DEFENDER OFFICE
440 COLLEGE AVENUE SUITE 220
ATHENS, GEORGIA 30601
706-369-6440**

GEORGIA, CLARKE COUNTY

IN THE SUPERIOR COURT OF CLARKE COUNTY

The Grand Jurors selected, chosen and Sworn for the County of CLARKE, to wit:

I, Rachel Grimes, FOREPERSON

- | | |
|---------------------------------|---------------------------------|
| 2. <u>Joshua Auckland</u> | 14. <u>Holly Ivy</u> |
| 3. <u>Brody Rowland</u> | 15. <u>Milton Johnson</u> |
| 4. <u>Adam Chandler</u> | 16. <u>Eric Hess</u> |
| 5. <u>Colin Huff</u> | 17. <u>Kazuko Broocks</u> |
| 6. <u>John St. John</u> | 18. <u>Ruby Jordan</u> |
| 7. <u>Shane Winger</u> | 19. <u>Vanessa Cervantes</u> |
| 8. <u>Clifford Heard</u> | 20. <u>Jessica Reynolds</u> |
| 9. <u>Richard Jock</u> | 21. <u>Austin Willeby</u> |
| 10. <u>Joshua Tijerina</u> | 22. <u>Anna Story</u> |
| 11. <u>Karen Dunlavy</u> | 23. <u>Richard Etheredge</u> |
| 12. <u>Judith Gex</u> | 24. <u>Stephen Nobles</u> |
| 13. <u>Leon Thomas</u> | 25. <u>Shawn Hinger</u> |

COUNT 1: In the name and on behalf of the citizens of the State of Georgia, do hereby charge and accuse ANNA ESTELLE PETREE with the offense of MALICE MURDER for that the said ANNA ESTELLE PETREE on the 18th day of September 2019, in the County aforesaid, did unlawfully, with malice aforethought, cause the death of Justin Beebe, a human being, by shooting him with a firearm; in violation of O.C.G.A. § 16-5-1(a), Contrary to the laws of said State.

COUNT 2: In the name and on behalf of the citizens of the State of Georgia, do hereby charge and accuse ANNA ESTELLE PETREE with the offense of FELONY MURDER for that the said ANNA ESTELLE PETREE on the 18th day of September 2019, in the County aforesaid, did commit the offense of murder when the accused caused the death of Justin Beebe, a human being, irrespective of malice while in the commission of a felony, Aggravated Assault with a firearm, a deadly weapon; in violation of O.C.G.A. § 16-5-1(c), Contrary to the laws of said State.

COUNT 3: In the name and on behalf of the citizens of the State of Georgia, do hereby charge and accuse ANNA ESTELLE PETREE with the offense of AGGRAVATED ASSAULT for that the said ANNA ESTELLE PETREE on the 18th day of September 2019, in the County aforesaid, did make an assault upon the person of Justin Beebe with a deadly weapon, to wit: a firearm, by shooting Justin Beebe; in violation of O.C.G.A. § 16-5-21, Contrary to the laws of said State.

COUNT 4: In the name and on behalf of the citizens of the State of Georgia, do hereby charge and accuse ANNA ESTELLE PETREE with the offense of POSSESSION OF FIREARM DURING COMMISSION OF A FELONY for that the said ANNA ESTELLE PETREE on the 18th day of September 2019, in the County aforesaid, did unlawfully have on her person a pistol, a firearm, during the commission of the crime of Malice Murder, a felony, a crime involving the person of Justin Beebe; in violation of O.C.G.A. § 16-11-106, Contrary to the laws of said State.

COUNT 5: In the name and on behalf of the citizens of the State of Georgia, do hereby charge and accuse ANNA ESTELLE PETREE with the offense of POSSESSION OF FIREARM DURING COMMISSION OF A FELONY for that the said ANNA ESTELLE PETREE on the 18th day of September, in the County aforesaid, did unlawfully have on her person a pistol, a firearm, during the commission of the crime of Felony Murder, a felony, a crime involving the person of Justin Beebe; in violation of O.C.G.A. § 16-11-106,

Contrary to the laws of said State, the good order, peace and dignity thereof.

Indictment
CLARKE COUNTY SUPERIOR COURT, October Term, 2021

Scott Black, Prosecutor
DEBORAH GONZALEZ, District Attorney

IN THE SUPERIOR COURT OF CLARKE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

vs.

ANNA ESTELLE PETREE,
Defendant

Case No: SU-21-CR-0701

October Term 2021

Charge(s):
Ct. 1: Malice Murder
Ct. 2: Felony Murder
Ct. 3: Aggravated Assault
Ct. 4: Possession of Firearm During Commission of a Felony
Ct. 5: Possession of Firearm During Commission of a Felony

INDICTMENT

True

Bill

Returned in Open Court,

*This 12th of October, 2021
Ben Morgan, Clerk (xx)*

Lachl Gwiner

Foreperson

Scott Black, Prosecutor

DEBORAH GONZALEZ, District Attorney

ARRAIGNMENT

The Defendant, ANNA ESTELLE PETREE

hereby waives formal arraignment and pleads not guilty

This 15th day of November 2021.

Anna Petree by BAO w/ express permission
Defendant

[Signature]
Attorney for Defendant

Filed in Clerk's Office

This 15 day of November, 2021

DEBORAH GONZALEZ, District Attorney

[Signature] Deputy Clerk
Athens-Clarke County Superior State Court

VERDICT

We, the jury, find the Defendant _____

This _____ day of _____ 2021.

Foreperson

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA

FILED IN OFFICE
CLERK SUPERIOR COURT
CLARKE COUNTY, GEORGIA

2021 NOV 15 PM 4:18

IN RE: :
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:
BENJAMIN PEARLMAN :

BEVERLY LOGAN, CLERK
CLARKE COUNTY, GEORGIA
BL DOCKET INITIALS

NOTICE OF LEAVE OF COURT


COMES NOW, BENJAMIN PEARLMAN, Assistant Public Defender at the Western
Judicial Circuit Public Defender's Office and pursuant to Rule 16 of the Uniform Superior
Court Rules, hereby serves notice of leave of court for the following dates:

December 15, 2021, for the purpose of presenting at a CLE;

December 16, 2021 through January 3, 2022, inclusive, for the purpose of personal
vacation.

The undersigned counsel is lead attorney for the cases listed in Exhibit "A", attached hereto.
I hereby certify by my signature below that the Office of the District Attorney for the Western
Judicial Circuit has been served with a copy of this notice by hand at their office in the Clarke
County Courthouse, and that a copy has been served on each presiding judge for each case as
reflected in Exhibit "A".

Respectfully submitted this 15th day of November, 2021.



Benjamin A. Pearlman
State Bar of Georgia No. 569217

WESTERN JUDICIAL CIRCUIT
440 College Ave. North, Ste 220
Athens, Georgia 30601
(706) 369-6440

Exhibit "A"

State v.	Case No.	Assigned Judge
Frankie Dean	SU-17-CR-0909	Hon. Eric Norris
Steven Eberhart	SU-08-CR-0399	Hon. Lawton Stephens
Terry Hawes	SU-17-CR-0492	Hon. Eric Norris
Whitney Howard	SU-16-CR-0992	Hon. Eric Norris
Marquavious Knox	SU-19-CR-0525	Hon. Lisa Lott
Kenbrijian Martin	SU-19-CR-0502	Hon. Lisa Lott
Eric Mitchell	SU-21-CR-0359	Hon. Lisa Lott
Leon Norman	SU-19-CR-0466R1	Hon. Eric Norris
Latoya Parker	SU-21-CR-0439	Hon. Eric Norris
Anna Petree	SU-21-CR-0701	Hon. Eric Norris
Virkerria Steward	SU-21-CR-0716	Hon. Eric Norris

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA

FILED IN OFFICE
CLERK SUPERIOR COURT
CLARKE COUNTY, GEORGIA
2021 DEC 22 AM 9:04

NOTICE OF LEAVE OF ABSENCE

BEVERLY LOGAN, CLERK
CLARKE COUNTY, GEORGIA
SMJ 12-22-21
DOCKET INITIALS

COMES NOW, Assistant District Attorney for the Western Judicial Circuit, Gerald L.

Henderson, and pursuant to Rule 16 of the Uniform Superior Court Rules, respectfully notifies all Judges before whom he has cases pending as lead counsel for the State, as well as all affected Clerks of Court, and all opposing counsel that I will be on leave as listed below:

- **February 14, 2022 thru February 21, 2022**

The undersigned counsel is lead attorney for the State for the following Cases

State v. Quatravis Hull & David Richard SU-21-CR-0846-L

State v. Anna Estelle Petree SU-21-CR-0701-N

State v. Marble, Steward & Steward SU-21-CR-0716-N

State v. Christopher Rollins SU-21-CR-0852-L

State v. Reginald Kelly SU-21-CR-0284-N

State v. Joseph Baughns SU-21-CR-0413-S

State v. Willie Evans SU-19-CR-0945-H

State v. Windord Adams SU-20-CR-0067-L

State v. Avery Pendergraph SU-21-0477-H

State v. Russell Daniel SU-19-CR-0098-S

State v. Alex Mosby SU-18-CR-0369-S

All affected judges and opposing counsel shall have ten days from the date of this notice to object to said leave. If no objections are filed, the leave shall be granted.

Respectfully submitted this 22nd day of December, 2022



Gerald L. Henderson
Assistant District Attorney

CERTIFICATE OF SERVICE

I certify that I have this date served a copy of the foregoing Notice of Leave of Absence upon judges, clerks of court, and opposing counsel by emailing a copy to their designated or official email addresses used to conduct business.

Jeffrey Alexander Jackson at Jeffrey@jacksonbrubakerlaw.com

Benjamin Pearlman at wcpubdef@gmail.com

Alison Parrish at wcpubdef@gmail.com

Brett Mizerak at bmizlaw@gmail.com

Will McIntosh at wmcintosh.gapd@gmail.com

John Donnelly at jdonnelly@gapublicdefender.org

F. Mayes Davison at fmayesdavison@gmail.com

James Webb at jwebb@webblawworks.com

Brian Aplin at TheAplinFirm@gmail.com

This 22nd day of December, 2021.



Gerald L. Henderson
Assistant District Attorney

Office of the District Attorney
Western Judicial Circuit
325 E. Washington Street, Suite 370
Athens, GA 30601
Phone: 706-613-3240
Fax: 706-613-3247

CLARKE COUNTY - ERIC W. NORRIS

STATUS NOTICE

Criminal Action Number SU21CR0701

Defendant ANNA ESTELLE PETREE

ERIC W. NORRIS

YOU ARE REQUIRED BY LAW TO BE PRESENT. HEREIN FAIL NOT.

To:

ANNA ESTELLE PETREE

122 CROWS NEST CT

ATHENS, GA 30605

You are hereby notified that the case against the above-named defendant will be called on February 25th, 2022 at 09:30AM in CLARKE County SUPERIOR Court in courtroom 570. The defendant is required to be present for the call of this case. SEE OTHER SIDE OF NOTICE FOR IMPORTANT INFORMATION.

You have the right to be represented by an attorney. You may be eligible for the appointment of an attorney to represent you, if you are indigent. If you do not have an attorney and believe you are indigent, you may apply at Indigent Defense to determine if you are eligible for an appointed attorney.

Count 1) MALICE MURDER

Count 2) FELONY MURDER

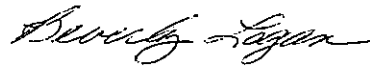
Count 3) AGGRAVATED ASSAULT

Count 4) FIREARM/KNIFE POSSESSION DURING CRIME/ATTEMPT CRIM

Count 5) FIREARM/KNIFE POSSESSION DURING CRIME/ATTEMPT CRIM

I, the undersigned Clerk of the court named herein, certify that I have on this date mailed to the above-named defendant, defendant's attorney, and bondsperson of record at the address shown above and of record in the above styled case a true and correct copy of the above and foregoing notice by depositing the same in the United States Post Office in an envelope properly addressed and stamped. You are required to be present or the Bond will be forfeited. This is the only notice you will receive.

This 1st day of February, 2022.



BEVERLY LOGAN

Clerk of the SUPERIOR Court

CLARKE COUNTY, GEORGIA

CC: BOND JAMES BOND INC, Surety

BENJAMIN A PEARLMAN, Attorney for Defendant

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA
STATUS

1. Each defendant and Attorney on the attached list herein shall personally appear in Athens-Clarke County Superior Court at Athens-Clarke County Courthouse, Athens, Georgia, for a criminal status conference. Any defendant who wishes to plead guilty may do so at that time. Where the case is not resolved by a guilty plea, the status conference will be utilized to take care of any matters requiring a pre-trial hearing or to set a time for consideration thereof.
2. All Attorneys and Defendants who have not entered into a plea agreement must be prepared for trial at a designated time to be announced at the status conference, unless otherwise directed by the Court. The Court shall determine the order in which the cases will be called for trial.
3. No Attorney shall be excused from appearing in Athens-Clarke County Superior Court because of conflicts in other courts without express permission from the assigned Judge based upon an approved request for leave of Court.
4. Any Defendant desiring legal representation by an Attorney should make proper arrangements at the Defendant's expense for an Attorney to attend this status conference. If the Defendant cannot afford to hire an Attorney, the Defendant should contact the Public Defender Office at 440 College Avenue, Suite 220, Athens, Georgia, telephone (706) 369-6440, to determine eligibility. If the Defendant is eligible for legal representation by the Public Defender, he or she will be represented at no cost. All Defendants are encouraged to obtain the services of an Attorney to avoid the risks associated with self-representation.
5. Failure to attend the status conference shall result in appropriate action being taken by the Court to secure compliance.
6. All calendars are available for download at www.athensclarkecounty.com and www.athensclarkeclerkofcourt.com or is available for reproduction in the Office of the Clerk of Superior Court.
7. If interpreter is needed, you must contact the Judge's Office immediately upon receipt of notice.

Let a copy of the Status Conference Calendar be signed, published, and issued by the Clerk under authority of the Court.

Beverly Logan, Clerk

Superior Court of Athens-Clarke County

CLARKE COUNTY - ERIC W. NORRIS

STATUS NOTICE

Criminal Action Number SU21CR0701

Defendant ANNA ESTELLE PETREE

ERIC W. NORRIS

YOU ARE REQUIRED BY LAW TO BE PRESENT. HEREIN FAIL NOT.

To:

ANNA ESTELLE PETREE

122 CROWS NEST CT

ATHENS, GA 30605

You are hereby notified that the case against the above-named defendant will be called on May 31st, 2022 at 09:00AM in CLARKE County SUPERIOR Court in courtroom 570. The defendant is required to be present for the call of this case. SEE OTHER SIDE OF NOTICE FOR IMPORTANT INFORMATION.

You have the right to be represented by an attorney. You may be eligible for the appointment of an attorney to represent you, if you are indigent. If you do not have an attorney and believe you are indigent, you may apply at Indigent Defense to determine if you are eligible for an appointed attorney.

Count 1) MALICE MURDER

Count 2) FELONY MURDER

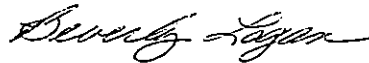
Count 3) AGGRAVATED ASSAULT

Count 4) FIREARM/KNIFE POSSESSION DURING CRIME/ATTEMPT CRIM

Count 5) FIREARM/KNIFE POSSESSION DURING CRIME/ATTEMPT CRIM

I, the undersigned Clerk of the court named herein, certify that I have on this date mailed to the above-named defendant, defendant's attorney, and bondsperson of record at the address shown above and of record in the above styled case a true and correct copy of the above and foregoing notice by depositing the same in the United States Post Office in an envelope properly addressed and stamped. You are required to be present or the Bond will be forfeited. This is the only notice you will receive.

This 4th day of May, 2022.



BEVERLY LOGAN

Clerk of the SUPERIOR Court

CLARKE COUNTY, GEORGIA

CC: BOND JAMES BOND INC, Surety

BENJAMIN A PEARLMAN, Attorney for Defendant

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATUS

1. Each defendant and Attorney on the attached list herein shall personally appear in Athens-Clarke County Superior Court at Athens-Clarke County Courthouse, Athens, Georgia, for a criminal status conference. Any defendant who wishes to plead guilty may do so at that time. Where the case is not resolved by a guilty plea, the status conference will be utilized to take care of any matters requiring a pre-trial hearing or to set a time for consideration thereof.
2. All Attorneys and Defendants who have not entered into a plea agreement must be prepared for trial at a designated time to be announced at the status conference, unless otherwise directed by the Court. The Court shall determine the order in which the cases will be called for trial.
3. No Attorney shall be excused from appearing in Athens-Clarke County Superior Court because of conflicts in other courts without express permission from the assigned Judge based upon an approved request for leave of Court.
4. Any Defendant desiring legal representation by an Attorney should make proper arrangements at the Defendant's expense for an Attorney to attend this status conference. If the Defendant cannot afford to hire an Attorney, the Defendant should contact the Public Defender Office at 440 College Avenue, Suite 220, Athens, Georgia, telephone (706) 369-6440, to determine eligibility. If the Defendant is eligible for legal representation by the Public Defender, he or she will be represented at no cost. All Defendants are encouraged to obtain the services of an Attorney to avoid the risks associated with self-representation.
5. Failure to attend the status conference shall result in appropriate action being taken by the Court to secure compliance.
6. All calendars are available for download at www.athensclarkecounty.com and www.athensclarkeclerkofcourt.com or is available for reproduction in the Office of the Clerk of Superior Court.
7. If interpreter is needed, you must contact the Judge's Office immediately upon receipt of notice.

Let a copy of the Status Conference Calendar be signed, published, and issued by the Clerk under authority of the Court.

Beverly Logan, Clerk

Superior Court of Athens-Clarke County

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA

IN RE:

.....

BENJAMIN PEARLMAN

VB
05/12/22
BOCKET INITIALS

BEVERLY LOGAN, CLERK
CLARKE COUNTY, GEORGIA

2022 JUN -6 PM 4: 15

FILED IN OFFICE
CLERK SUPERIOR COURT
CLARKE COUNTY, GEORGIA

NOTICE OF LEAVE OF COURT

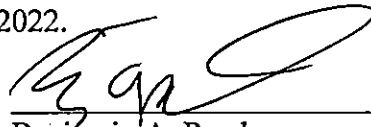
COMES NOW, BENJAMIN PEARLMAN, Assistant Public Defender at the Western
Judicial Circuit Public Defender's Office and pursuant to Rule 16 of the Uniform Superior
Court Rules, hereby serves notice of leave of court for the following dates:

- August 15 through August 29, 2022, inclusive, for the purpose of personal vacation;
- September 16 through September 19, 2022, inclusive, for the purpose of personal vacation;
- September 26, 2022 and October 5, 2022, for the purpose of religious observance.

The undersigned counsel is lead attorney for the cases listed in Exhibit "A", attached hereto.

I hereby certify by my signature below that the Office of the District Attorney for the Western
Judicial Circuit has been served with a copy of this notice by hand at their office in the Clarke
County Courthouse, and that a copy has been served on each presiding judge for each case as
reflected in Exhibit "A".

Respectfully submitted this 6th day of June, 2022.



Benjamin A. Pearlman
State Bar of Georgia No. 569217

WESTERN JUDICIAL CIRCUIT
440 College Ave. North, Ste 220
Athens, Georgia 30601
(706) 369-6440

Exhibit "A"

State v.	Case No.	Assigned Judge
Frankie Dean	SU-17-CR-0909	Hon. Eric Norris
Steven Eberhart	SU-08-CR-0399	Hon. Lawton Stephens
Kenbrijian Martin	SU-19-CR-0502	Hon. Lisa Lott
Eric Mitchell	SU-21-CR-0359	Hon. Lisa Lott
Latoya Parker	SU-21-CR-0439	Hon. Eric Norris
Anna Petree	SU-21-CR-0701	Hon. Eric Norris
Virkerria Steward	SU-21-CR-0716	Hon. Eric Norris

CLARKE COUNTY - ERIC W. NORRIS

ATTORNEY STATUS

Criminal Action Number SU21CR0701

Defendant ANNA ESTELLE PETREE

ERIC W. NORRIS

YOU ARE REQUIRED BY LAW TO BE PRESENT. HEREIN FAIL NOT.

To:

ANNA ESTELLE PETREE

122 CROWS NEST CT

ATHENS, GA 30605

You are hereby notified that the case against the above-named defendant will be called on July 15th, 2022 at 09:00AM in CLARKE County SUPERIOR Court in courtroom 570. The defendant is required to be present for the call of this case. SEE OTHER SIDE OF NOTICE FOR IMPORTANT INFORMATION.

You have the right to be represented by an attorney. You may be eligible for the appointment of an attorney to represent you, if you are indigent. If you do not have an attorney and believe you are indigent, you may apply at Indigent Defense to determine if you are eligible for an appointed attorney.

Count 1) MALICE MURDER

Count 2) FELONY MURDER

Count 3) AGGRAVATED ASSAULT

Count 4) FIREARM/KNIFE POSSESSION DURING CRIME/ATTEMPT CRIM

Count 5) FIREARM/KNIFE POSSESSION DURING CRIME/ATTEMPT CRIM

I, the undersigned Clerk of the court named herein, certify that I have on this date mailed to the above-named defendant, defendant's attorney, and bondsperson of record at the address shown above and of record in the above styled case a true and correct copy of the above and foregoing notice by depositing the same in the United States Post Office in an envelope properly addressed and stamped. You are required to be present or the Bond will be forfeited. This is the only notice you will receive.

This 29th day of June, 2022.



BEVERLY LOGAN

Clerk of the SUPERIOR Court

CLARKE COUNTY, GEORGIA

CC: BOND JAMES BOND INC, Surety

BENJAMIN A PEARLMAN, Attorney for Defendant

STATE OF GEORGIA

STATUS

1. Each defendant and Attorney on the attached list herein shall personally appear in Athens-Clarke County Superior Court at Athens-Clarke County Courthouse, Athens, Georgia, for a criminal status conference. Any defendant who wishes to plead guilty may do so at that time. Where the case is not resolved by a guilty plea, the status conference will be utilized to take care of any matters requiring a pre-trial hearing or to set a time for consideration thereof.
2. All Attorneys and Defendants who have not entered into a plea agreement must be prepared for trial at a designated time to be announced at the status conference, unless otherwise directed by the Court. The Court shall determine the order in which the cases will be called for trial.
3. No Attorney shall be excused from appearing in Athens-Clarke County Superior Court because of conflicts in other courts without express permission from the assigned Judge based upon an approved request for leave of Court.
4. Any Defendant desiring legal representation by an Attorney should make proper arrangements at the Defendant's expense for an Attorney to attend this status conference. If the Defendant cannot afford to hire an Attorney, the Defendant should contact the Public Defender Office at 440 College Avenue, Suite 220, Athens, Georgia, telephone (706) 369-6440, to determine eligibility. If the Defendant is eligible for legal representation by the Public Defender, he or she will be represented at no cost. All Defendants are encouraged to obtain the services of an Attorney to avoid the risks associated with self-representation.
5. Failure to attend the status conference shall result in appropriate action being taken by the Court to secure compliance.
6. All calendars are available for download at www.athensclarkecounty.com and www.athensclarkeclerkofcourt.com or is available for reproduction in the Office of the Clerk of Superior Court.
7. If interpreter is needed, you must contact the Judge's Office immediately upon receipt of notice.

Let a copy of the Status Conference Calendar be signed, published, and issued by the Clerk under authority of the Court.

Beverly Logan, Clerk

Superior Court of Athens-Clarke County

IN THE SUPERIOR/STATE COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

Case No. SU21CRO701-N

Anna Petree
Defendant

CHANGE OF ADDRESS

The Defendant respectfully requests that the records of the Clerk of Court in this case reflect that the Defendant's new mailing address is:

150 Hancock Lane

Street address

Apt. #

Athens

GA

30605

City

State

Zip Code

Telephone Number: (706) 613-6958 - Home
706-206-5991 - Cell

The Defendant requests that all correspondence be sent to this address, and the Defendant understands that if his/her address changes, it is his/her responsibility to notify the Clerk of Court of that change.

Signature of Defendant

Date

Signature of Attorney for the Defendant

Date

Change of address request was received:

In the Clerk's Office by M. Young

By phone call to Clerk's Office by _____ on ___/___/___

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

VS.

ANNA PETREE,
DEFENDANT

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CASE NO.
SU-21-CR-0701-N

FILED IN OFFICE
CLERK OF SUPERIOR COURT
ATHENS-CLARKE COUNTY, GEORGIA

SU21CR0701-EWN

7/27/2022 1:25PM


BEVERLY LOGAN, Clerk

ORDER

This cause is hereby set for jury trial on the 24th day of October, 2022 at 9:00 a.m. at the Clarke County Courthouse in Athens, Georgia.

Let a copy of this Order be sent to Gerald Henderson, Assistant District Attorney, Benjamin Pearlman, counsel for Defendant, and Anna Petree, Defendant.

SO ORDERED this 26 day of July, 2022.



CHIEF JUDGE ERIC W. NORRIS
Superior Court – Western Judicial Circuit

IN THE SUPERIOR COURT OF CLARKE COUNTY
WESTERN JUDICIAL CIRCUIT
STATE OF GEORGIA

STATE OF GEORGIA,

v.

ANNA ESTELLE PETREE,

Defendant.

CASE NO. SU-21-CR-070

CHARGES: Murder Et Al

AS
DOCKET INITIALS

BEVERLY LOGAN, CLERK
CLARKE COUNTY, GEORGIA

2022 OCT -6 PM 2:16

FILED IN OFFICE
CLERK SUPERIOR COURT
CLARKE COUNTY, GEORGIA

**NOTICE AND MOTION OF THE STATE OF GEORGIA TO PRESENT EVIDENCE
OF OTHER CRIMES, WRONGS OR ACTS**

Comes now the State of Georgia, by and through Gerald Henderson, Assistant District Attorney for the Western Judicial Circuit, and in accordance with O.C.G.A. § 24-4-404 (b), notifies Defendant of the State's intention to present evidence of other crimes, wrongs, or acts upon the trial of the case, and in support thereof, would show as follows:

1. OTHER CRIMES, WRONGS OR ACTS

The previous incident is summarized in the report of Detective Scott Black which has previously been provided to Defense Counsel. In addition an audio recording of the incident was also previously provided and is labeled 21CLK01724 – Video with the Description Jeffrey Petree.

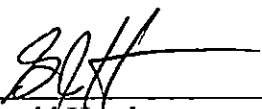
Anna Petree was in a verbal argument with Jeffrey Petree. The argument occurred at 122 Crows Nest in Clarke County in October or November of 2017. This is the same address where Anna Petree's gun was used to shoot the victim in the above referenced case. During the argument Anna Petree went into a bedroom and retrieved a gun case that Jeffrey Petree knew to contain her pistol. Jeffrey Petree recorded the incident and said recording was included in discovery provided by the State.

2. PURPOSE, LACK OF MISTAKE AND PROBATIVE VALUE

- (a) The purpose of introducing evidence of Defendant's other crimes is not to prove the Defendant's bad character in order to show that Defendant acted in conformity therewith. Rather, the State seeks to introduce such evidence because it is relevant to and tends to prove the following issues: Defendant's motive; opportunity; intent; preparation; plan; knowledge; identity; and/or absence of mistake or accident.
- (b) There is sufficient proof to establish that the Defendant committed the other acts.
- (c) Evidence of the other acts possesses probative value that is not substantially outweighed by undue prejudice.

WHEREFORE, having satisfied the requirements set forth in O.C.G.A. § 24-4-404 (b), the State requests leave of Court to present evidence of the Defendant's other crimes, wrongs, and acts in the trial of the above-styled case and that a hearing be held on this request at the call of the case for trial or at such other time as the Court deems appropriate.

Respectfully submitted, this 6th day of October, 2022.



Gerald Henderson
Assistant District Attorney
GA Bar No.: 345629

Western Judicial Circuit
District Attorney's Office
325 E. Washington St.
Ste. 370
Athens, GA 30601
(706) 613-3240

IN THE SUPERIOR COURT OF CLARKE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

*

-vs.-

* Docket No.: SU-21-CR-0701-N

ANNA ESTELLE PETREE,
Defendant(s).

*

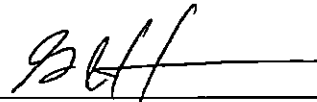
CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that, on or about the date listed below, I have served upon Benjamin Alston Pearlman a copy of this Notice of Intent to Present Evidence of other Crimes, Wrongs, or Acts:

- via email to Attorney for the Defendant Benjamin Pearlman
 by Personal Service via Hand Delivery.
 by statutory electronic delivery per an agreement between firms via LaserFiche

Benjamin Alston Pearlman
Western Circuit Public Defender's Office
440 College Avenue North, Suite 220
Athens, GA 30601

This the 6th day of October, 2022.



Gerald Lee Henderson, Assistant District Attorney
Western Judicial Circuit
Georgia State Bar# 345629
Athens-Clarke County Office
325 East Washington Street, Room 370
Athens, GA 30601
Phone: 706-613-3240; Fax: 706-613-3247
Email: Gerald.henderson@accgov.com

SU21CR0701-EWN

10/11/2022 12:05PM



BEVERLY LOGAN, Clerk

IN THE SUPERIOR COURT OF CLARKE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

ANNA ESTELLE PETREE,

Defendant.

CASE NO.: SU-21-CR-0701-N

Charge(s): Malice Murder, Felony
Murder, Aggravated Assault,
Possession of Firearm During
Commission of a Felony

RULE NISI

It is ORDERED that all parties appear for a hearing on the State's Notice to Introduce Evidence Under O.C.G.A. 24-4-404(b) before the Court at the Clarke County Courthouse, 325 East Washington Street, Athens,, Georgia at 3 o'clock P.M., on the 20 day of OCTOBER, 2022

Let a copy of this order be served upon the Defendant's attorney and the Office of the District Attorney.

SO ORDERED, this 7 day of October, 2022



HON. Eric W. Norris,
Clarke County Superior Court
Western Judicial Circuit

Prepared by/on behalf of:
Gerald Lee Henderson
Assistant District Attorney
Phone: 706-613-3240
Email: Gerald.henderson@accgov.com
Bar Number: 345629
Office of the District Attorney, Western Judicial Circuit
Athens-Clarke County Office
325 East Washington Street, Room 370
Athens, GA 30601

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

FILED IN OFFICE
CLERK OF SUPERIOR COURT
ATHENS-CLARKE COUNTY, GEORGIA

STATE OF GEORGIA

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SU-21-CR-0701 N

SU21CR0701-EWN

10/13/2022 8:40PM

vs.


BEVERLY LOGAN, Clerk

ANNA PETREE,
Defendant.

MOTION FOR CONTINUANCE

Defendant Anna Petree, through counsel, moves this Honorable Court for a continuance in the above-referenced matter. In support of this motion, Defendant shows the following:

1.

Defendant’s trial is currently scheduled for the week of October 24, 2022.

2.

During the pendency of this matter, Defendant has been receiving treatment for a chronic, debilitating medical issue. She has pursued a variety of non-surgical treatments, none of which has been successful. Her treatment providers indicate that surgical intervention is both necessary and urgent in order that she not suffer permanent, significant disability.

3.

Unfortunately, the surgery contemplated by Defendant’s treatment providers is extensive, and involves multiple procedures. These surgeries, even if successful, will leave Defendant in significant pain which would require treatment with medication which would impair her ability to participate at trial. She will also physically not be able to sit

through a trial, as the physical effects of the surgeries will result in significant physical disabilities which will require extensive physical therapy to correct.

4.

Defendant is eager to proceed to trial, but her medical condition has reached the point where no other option remains for treatment other than surgery, and her treatment providers have informed her that her condition has reached the point that surgery is required as soon as possible.

5.

This continuance is not sought to unduly delay this matter, but is occasioned solely due to her acute medical condition.

WHEREFORE, Defendant respectfully requests that this Honorable Court continue this case until her medical condition has resolved to the point where her ability to participate at trial will no longer be impaired.

This 13th day of October, 2022.

/s/ Benjamin A. Pearlman
Benjamin A. Pearlman
Attorney for Defendant
State Bar No. 569217

WESTERN JUDICIAL CIRCUIT
OFFICE OF THE PUBLIC DEFENDER
440 College Ave. Ste. 220
Athens, GA 30601
Telephone: (706) 369-6440

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

vs.

**ANNA PETREE,
Defendant.**

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SU-21-CR-0701 N

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing MOTION FOR CONTINUANCE has been served upon Gerald Henderson, Assistant District Attorney, Western Judicial Circuit by hand delivery to his office located at 325 E. Washington St., Athens, GA 30601.

This, the 13th day of October, 2022.

/s/ Benjamin A. Pearlman
Benjamin A. Pearlman
Attorney for Defendant
State Bar No. 569217

WESTERN JUDICIAL CIRCUIT
OFFICE OF THE PUBLIC DEFENDER
440 College Ave. Ste. 220
Athens, GA 30601
Telephone: (706) 369-6440

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

vs.

ANNA PETREE,
Defendant.

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SU-21-CR-0701 N

RULE NISI

Defendant having submitted for filing the above **Motion for Continuance**, let the same be filed. It is further ordered that the District Attorney or one of his duly authorized assistants show cause before the Court at the _____ County Courthouse at ____ o'clock __.m. on the _____ day of _____, 2022, why the prayers of the Defendant should not be granted.

Let a copy of this Order be served upon the District Attorney's Office.

This _____ day of _____, 2022.

Eric W. Norris, Chief Judge
Superior Courts, Western Judicial Circuit

SU21CR0701-EWN

10/28/2022 3:15PM


BEVERLY LOGAN, Clerk

IN THE SUPERIOR COURT OF CLARKE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

ANNA ESTELLE PETREE,

Defendant.

CASE NO.: SU-21-CR-0701-N

Charge(s): Malice Murder, Felony
Murder, Aggravated Assault,
Possession of Firearm During
Commission of a Felony

RULE NISI

It is ORDERED that all parties appear for a hearing on the State's Notice to Introduce Evidence Under O.C.G.A. 24-4-404(b) before the Court at the Clarke County Courthouse, 325 East Washington Street, Athens,, Georgia at 3:00 o'clock P.M., on the 19 day of _____ December, 2022

Let a copy of this order be served upon the Defendant's attorney and the Office of the District Attorney.

SO ORDERED, this 27 day of October, 2022



HON. Eric W. Norris,
Clarke County Superior Court
Western Judicial Circuit

Prepared by/on behalf of:
Gerald Lee Henderson
Assistant District Attorney
Phone: 706-613-3240
Email: Gerald.henderson@accgov.com
Bar Number: 345629
Office of the District Attorney, Western Judicial Circuit
Athens-Clarke County Office
325 East Washington Street, Room 370
Athens, GA 30601

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

FILED IN OFFICE
CLERK OF SUPERIOR COURT
ATHENS-CLARKE COUNTY, GEORGIA

SU21CR0701-EWN

10/28/2022 3:15PM



BEVERLY LOGAN, Clerk

STATE OF GEORGIA

vs.

CASE NO.
SU-21-CR-0701-N

ANNA ESTELLE PETREE,
Defendant

ORDER

This cause is hereby specially set for jury trial on the 9th day of JANUARY,
2023 at 9:00 a.m. at the Clarke County Courthouse in Athens, Georgia.

Let a copy of this Order be sent to Gerald Henderson, Assistant District Attorney,
Benjamin Pearlman, counsel for Defendant, and Anna Petree, Defendant.

So Ordered, this 27 day of October, 2022.



Hon. Eric W. Norris
Chief Judge, Superior Court
Athens-Clarke County, Georgia

CLARKE COUNTY - ERIC W. NORRIS

TRIAL NOTICE

Criminal Action Number SU21CR0701

Defendant ANNA ESTELLE PETREE

ERIC W. NORRIS

YOU ARE REQUIRED BY LAW TO BE PRESENT. HEREIN FAIL NOT.

To:

ANNA ESTELLE PETREE
150 HANCOCK LANE
ATHENS, GA 30605

You are hereby notified that the case against the above-named defendant will be called for a Plea Calendar on January 6th, 2023 at 09:00AM and a Trial Calendar on January 9th, 2023 at 09:00AM in CLARKE County SUPERIOR Court in courtroom 570. The defendant is required to be present for the call of this case. SEE OTHER SIDE OF NOTICE FOR IMPORTANT INFORMATION.

You have the right to be represented by an attorney. You may be eligible for the appointment of an attorney to represent you, if you are indigent. If you do not have an attorney and believe you are indigent, you may apply at Indigent Defense to determine if you are eligible for an appointed attorney.

Count 1) MALICE MURDER

Count 2) FELONY MURDER

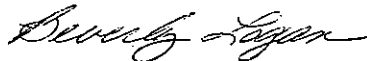
Count 3) AGGRAVATED ASSAULT

Count 4) FIREARM/KNIFE POSSESSION DURING CRIME/ATTEMPT CRIM

Count 5) FIREARM/KNIFE POSSESSION DURING CRIME/ATTEMPT CRIM

I, the undersigned Clerk of the court named herein, certify that I have on this date mailed to the above-named defendant, defendant's attorney, and bondsperson of record at the address shown above and of record in the above styled case a true and correct copy of the above and foregoing notice by depositing the same in the United States Post Office in an envelope properly addressed and stamped. You are required to be present or the Bond will be forfeited. This is the only notice you will receive.

This 19th day of December, 2022.



BEVERLY LOGAN
Clerk of the SUPERIOR Court
CLARKE COUNTY, GEORGIA

CC: BOND JAMES BOND INC, Surety

BENJAMIN A PEARLMAN, Attorney for Defendant

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA
TRIAL

1. Each defendant and Attorney on the attached list herein shall personally appear in Athens-Clarke County Superior Court at Athens-Clarke County Courthouse, Athens, Georgia, at which time the case will be called for trial.
2. All Attorneys and Defendants who have not entered into a plea agreement must be prepared for trial at a designated time to be announced at the status conference, unless otherwise directed by the Court. The Court shall determine the order in which the cases will be called for trial.
3. Attorneys and Defendants shall maintain contact with the Clerk's Office so that they may be made aware of changes or amendments to the order in which the cases will be called for trial. No Attorney shall be excused from appearing in Athens-Clarke County Superior Court because of conflicts in other courts without express permission from the assigned Judge based upon an approved request for leave of Court.
4. Any Defendant desiring legal representation by an Attorney should make proper arrangements at the Defendant's expense for an Attorney to attend this status conference. If the Defendant cannot afford to hire an Attorney, the Defendant should contact the Public Defender Office at 440 College Avenue, Suite 220, Athens, Georgia, telephone (706) 369-6440, to determine eligibility. If the Defendant is eligible for legal representation by the Public Defender, he or she will be represented at no cost. All Defendants are encouraged to obtain the services of an Attorney to avoid the risks associated with self-representation.
5. Failure to attend the trial of the case shall result in the issuance of a bench warrant for the Defendant and the initiation of bond forfeiture proceedings.
6. All calendars are available for download at www.athensclarkecounty.com and www.athensclarkeclerkofcourt.com or is available for reproduction in the Office of the Clerk of Superior Court.

7. If interpreter is needed, you must contact the Judge's Office immediately upon receipt of notice.

Let a copy of the Trial Calendar be signed, published, and issued by the Clerk under authority of the Court.

Beverly Logan, Clerk

Superior Court of Athens-Clarke County

Jury List

Judge: **Norris, Eric W**
Description: **01/09/2023/October 2022 Term**
Room: **Superior Courtroom 3**

Date: **01/09/2023**
Time: **04:35 PM**

Event: **SU21CR0701 ANNA PETRI**
Event Date: **January 9, 2023**

Seat#	Summons#	Name	Type
1	1	STARLING, SCOTT A	Juror
2	2	HOLT, BRENDA J	Juror
3	4	CAMPBELL, WILLIAM H	Juror
4	5	NASH, RIDGE JARROD	Juror
5	10	RAMOS, ISRAEL	Juror
6	16	BOZARTH, CASEY JAMES	Juror
7	28	BRONDUM, DAVID CHRISTIAN	Juror
8	33	HOAG SR, CHARLES JOSEPH	Juror
9	65	WHITAKER, JEREMIAH CODY KEYMAR	Juror
10	73	SIMS JR, JEROME	Juror
11	80	LINARES, JARED	Juror
12	81	ARNOLD JR, FRANK LEE	Juror
13	83	CORTESE, MICAH JOHN	Alternate
14	93	LEWIS, JEFFRY L	Alternate

Panel List

Anna Petree - SUZUKOJI

Judge: Eric W Norris

Date: 01/09/2023

Event: 01/09/2023/October 2022 Term

Time: 03:43

Sum#	No.	Name	Code		
1	1	STARLING, SCOTT A machinist	Juror ATHENS ①	Plaintiff/State Strike	Defendant Strike ✓
2	2	HOLT, BRENDA J Credit Analyst	Juror ATHENS ②	Plaintiff/State Strike	Defendant Strike ✓
3	3	KIM, YANG EUN Dentist	Juror ATHENS	Plaintiff/State Strike	Defendant Strike Δ 1
4	4	CAMPBELL, WILLIAM H Retired	Juror ③ WINTERVILLE	Plaintiff/State Strike	Defendant Strike ✓
5	5	NASH, RIDGE JARROD Warehouse technician	Juror ATHENS ④	Plaintiff/State Strike	Defendant Strike ✓
6	6	TURNER, CRAIG E Machine Operator	Juror ATHENS	Plaintiff/State Strike S 1	Defendant Strike ✓
10	7	RAMOS, ISRAEL College Student	Juror ⑤ ATHENS	Plaintiff/State Strike	Defendant Strike ✓
16	8	BOZARTH, CASEY JAMES Boiler Operator	Juror ATHENS ⑥	Plaintiff/State Strike	Defendant Strike ✓
24	9	JOHNSON DAVIS, SONJA ANITA PCC	Juror ATHENS	Plaintiff/State Strike S 2	Defendant Strike ✓
28	10	BRONDUM, DAVID CHRISTIAN Engineer	Juror ATHENS ⑦	Plaintiff/State Strike	Defendant Strike ✓
33	11	HOAG SR, CHARLES JOSEPH Manager	Juror ATHENS ⑧	Plaintiff/State Strike	Defendant Strike ✓
37	12	GOOCH, MICHAEL RILEY Printer/Finisher	Juror ATHENS	Plaintiff/State Strike S 3	Defendant Strike ✓
40	13	GREEN, BLAKELY ALLYN School Counselor	Juror ATHENS	Plaintiff/State Strike S 4	Defendant Strike ✓
57	14	RICH, TREVOR MANEY Manager	Juror ATHENS	Plaintiff/State Strike	Defendant Strike Δ 2

61	15	RING, SHERRI LEE Admin Assistant	Juror BOGART	Plaintiff/State Strike ✓	Defendant Strike Δ 3
62	16	HENSON, JOY JOHNS teacher	Juror ATHENS	Plaintiff/State Strike ✓	Defendant Strike Δ 4
65	17	WHITAKER, JEREMIAH CODY automotive collision technician	Juror ATHENS (9)	Plaintiff/State Strike ✓	Defendant Strike ✓
72	18	POWELL, DANIEL GILBERT Retired	Juror ATHENS	Plaintiff/State Strike ✓	Defendant Strike Δ 5
73	19	SIMS JR, JEROME Food Service Associate	Juror ATHENS (10)	Plaintiff/State Strike ✓	Defendant Strike ✓
78	20	CROCKER, JERRY O'NEAL Equipment repair tech	Juror ATHENS	Plaintiff/State Strike ✓	Defendant Strike Δ 6
79	21	SONGSTER, MARY E Secretary	Juror ATHENS	Plaintiff/State Strike ✓	Defendant Strike Δ 7
80	22	LINARES, JARED Personal Trainer	Juror ATHENS (11)	Plaintiff/State Strike ✓	Defendant Strike ✓
81	23	ARNOLD JR, FRANK LEE Sales	Juror ATHENS (12)	Plaintiff/State Strike ✓	Defendant Strike ✓
83	24	CORTESE, MICAH JOHN Retail	Juror ATHENS (A1)	Plaintiff/State Strike ✓	Defendant Strike ✓
86	25	FELCHLIN, GAYLE DENEGRÉ Housewife	Juror ATHENS	Plaintiff/State Strike SA 1	Defendant Strike ✓
89	26	EATON JR, PAUL DAVID FedEx delivery driver	Juror WINTERVILLE	Plaintiff/State Strike SA 2	Defendant Strike ✓
93	27	LEWIS, JEFFRY L Sales	Juror WINTERVILLE (A2)	Plaintiff/State Strike ✓	Defendant Strike ✓
104	28	DANIEL, KRISTEN Accountability Court Coordinator	Juror ATHENS	Plaintiff/State Strike	Defendant Strike
114	29	STANZIALE, RICHARD ALLEN Real Estate Principal	Juror ATHENS	Plaintiff/State Strike	Defendant Strike
116	30	CURRY, PATRICIA ANN Retired	Juror ATHENS	Plaintiff/State Strike	Defendant Strike

121	31	WILLIAMS, TABITHA NICOLE Patient care technician	Juror ATHENS	Plaintiff/State Strike	Defendant Strike
126	32	JEFFRIES, TYRESE J HOSPITALITY	Juror ATHENS	Plaintiff/State Strike	Defendant Strike
135	33	BUTLER, ROBERT OKELLEY Engineering Supervisor	Juror ATHENS	Plaintiff/State Strike	Defendant Strike
139	34	KELLEY, DAKOTA ELIZABETH Farm hand	Juror ATHENS	Plaintiff/State Strike	Defendant Strike
142	35	DIXON, COURTNEY PAIGE Stay at home mother	Juror WINTERVILLE	Plaintiff/State Strike	Defendant Strike
143	36	KARALI, BERNA Professor	Juror ATHENS	Plaintiff/State Strike	Defendant Strike
144	37	ROOKS, MAE FRANCES Pants presser	Juror ATHENS	Plaintiff/State Strike	Defendant Strike
150	38	BRAY, HEATHER VIRGINIA Registered Nurse	Juror ATHENS	Plaintiff/State Strike	Defendant Strike
159	39	SMITH, LINDA MARIE Retired	Juror BOGART	Plaintiff/State Strike	Defendant Strike
212	40	SCOTT, GREGORY STEPHEN restaurant management	Juror ATHENS	Plaintiff/State Strike	Defendant Strike
249	41	MORRIS, PATRICIA MANNS Secretary	Juror ATHENS	Plaintiff/State Strike	Defendant Strike
261	42	DOUCETTE, PETER J IT Assistant	Juror ATHENS	Plaintiff/State Strike	Defendant Strike
268	43	PERKINS, ALETHA L Administrative Assistant	Juror ATHENS	Plaintiff/State Strike	Defendant Strike
276	44	LESTER, DEMETRION ADONNIS Employed	Juror ATHENS	Plaintiff/State Strike	Defendant Strike
437	45	MCGOWAN, DAVID MICHAEL General Manager/Golf Professional	Juror ATHENS	Plaintiff/State Strike	Defendant Strike
472	46	CHAMBLEE, JAMAL LAMAR maintenance tech	Juror ATHENS	Plaintiff/State Strike	Defendant Strike

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

v.

ANNA PETREE,
Defendant.

SU-21-CR-0701 N

MALICE MURDER, etc. *Open Ct.*

Filed In ~~Clerk's Office~~

This 11 day of Jan, 2023

R. Ruland Deputy Clerk
Athens-Clarke County Superior/State Court

REQUESTS TO CHARGE

Defendant, by and through counsel, submits Defendant's Requests to Charge as follows, requesting these Charges be given to the jury at the close of the case,

Defendant respectfully reserves all objections to the Charge of the Court. Gaither v. State, 234 Ga. 465 (1975); Sweat v. State, 173 Ga. App. 441 (1985).

A copy of Defendant's Requests to Charge has been served upon Deborah Gonzalez, District Attorney for the Western Circuit, or one of her duly authorized agents, by hand delivery.

- 1) 1.30.20 Circumstantial Evidence (long form)
- 2) 1.31.30 Expert Witness (11th Circuit version)
- 3) 1.20.20 Grave Suspicion
- 4) 1.60.11 Lesser included (both felony and misdemeanor involuntary manslaughter as lessers of Counts 1 & 2)
- 5) 2.10.44 (Involuntary Manslaughter (Felony)) adjusted as follows:

For involuntary manslaughter the State must prove that the Defendant

1. caused the death of another person
2. without intending to

3. by committing the offense of pointing a firearm at another, which is defined as follows:

A person commits the offense of pointing or aiming a gun or pistol at another when that person intentionally and without legal justification points or aims a gun or pistol at another, whether or not the gun or pistol is loaded.

(§16-11-102)

- 6) 2.10.45 Involuntary Manslaughter (Misdemeanor)
- 7) 2.10.40 Voluntary Manslaughter as lesser of Counts 1 and 2
- 8) 2.10.41 Voluntary Manslaughter defined
- 9) 2.10.42 Provocation by words alone
- 10) 1.32.16 Statement of Defendant (modified to remove references to custody)
- 11) 1.32.17 Voluntariness Defined
- 12) 1.32.19 Voluntariness; Burden of Proof
- 13) Defendant; No Duty to Testify:

The defendant in a criminal case is under no duty to present any evidence tending to prove innocence and is not required to take the stand and testify in the case. If the defendant elects not to testify, no inference hurtful, harmful, or adverse to the defendant shall be drawn by the jury, nor shall such fact be held against the defendant in any way.

Respectfully submitted this 11th day of January, 2023 by:

/s/ Benjamin A. Pearlman
BENJAMIN PEARLMAN
Counsel for Defendant
State Bar No. 569217

WESTERN JUDICIAL CIRCUIT
OFFICE OF THE PUBLIC DEFENDER
440 College Avenue North, Suite 220
Athens, Georgia 30601
(706) 369-6440

IN THE SUPERIOR COURT OF CLARKE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

ANNA ESTELLE PETREE,
Defendant.

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*

CRIMINAL CASE NO.

SU-21-CR-0701-N

Open Ct.
Filed in Clerk's Office

This 12 day of Jan, 2023

K. R. [Signature] Deputy Clerk
Athens-Clarke County Superior/State Court

JURY CHARGE

1.10.10 Indictment

You are considering the case of the State of Georgia versus Anna Estelle Petree.

The Grand Jury has indicted the defendant with the offenses of: Malice Murder, Felony Murder, Aggravated Assault, and two counts of Possession of a Firearm During the Commission of a Felony.

The indictment reads as follows.

(The Court will cover the allegations of the indictment.)

1.10.20 Issue and Plea of Not Guilty

To this indictment the Defendant has entered a plea of not guilty. The indictment and the plea form the issue that you are to decide.

Neither the indictment nor the plea of not guilty should be considered as evidence. They are merely the means by which this case is brought to you.

1.20.10 Presumption of Innocence; burden of proof; reasonable doubt

The defendant is presumed to be innocent until proven guilty. The defendant enters upon the trial of the case with a presumption of innocence in her favor. This presumption remains with

the defendant until it is overcome by the State with evidence that is sufficient to convince you beyond a reasonable doubt that the defendant is guilty of the offenses charged.

No person shall be convicted of any crime unless and until each element of the crime is proven beyond a reasonable doubt.

The burden of proof rests upon the State to prove every material allegation of the indictment and every essential element of the crime charged beyond a reasonable doubt.

There is no burden of proof upon the defendant whatsoever, and the burden never shifts to the defendant to introduce evidence or to prove innocence.

However, the State is not required to prove the guilt of the accused beyond all doubt or to a mathematical certainty. A reasonable doubt means just what it says. A reasonable doubt is a doubt of a fair-minded, impartial juror honestly seeking the truth. A reasonable doubt is a doubt based upon common sense and reason. It does not mean a vague or arbitrary doubt but is a doubt for which a reason can be given, arising from a consideration of the evidence, a lack of evidence, or a conflict in the evidence.

After giving consideration to all of the facts and circumstances of this case, if your minds are wavering, unsettled, or unsatisfied, then that is a doubt of the law, and you must acquit the defendant. But, if that doubt does not exist in your minds as to the guilt of the accused, then you would be authorized to convict the defendant.

If the State fails to prove the defendant's guilt beyond a reasonable doubt, it would be your duty to acquit the defendant.

1.20.20 Grave Suspicion

Facts and circumstances that merely place upon the defendant a grave suspicion of the crime charged or that merely raise a speculation or conjecture of the defendant's guilt are not sufficient to authorize a conviction of the defendant.

1.20.30 Jury, Judges of Law and Facts

Members of the Jury, it is my duty and responsibility to determine the law that applies to this case and to instruct you on that law. You are bound by these instructions. It is your responsibility to determine the facts of the case from all of the evidence presented. Then you must apply the law I give you in this charge to the facts as you find them to be.

1.30.10 Evidence Generally

I charge you that your oath requires that you will decide this case based on the evidence. Evidence is the means by which any fact that is put in issue is established or disproved. Evidence includes all of the testimony of the witnesses, any exhibits admitted during the trial, and stipulations of the attorneys, that is, any facts to which the attorneys have agreed with approval by the court. Evidence does not include the indictment, the plea of not guilty, the opening or closing remarks of the attorneys, or the questions asked by the attorneys.

1.30.20 Direct and Circumstantial Evidence

Direct evidence is that which may be seen or heard or otherwise directly sensed, such as by smell or taste or touch. It may be brought into court in the form of exhibits or the testimony of direct witnesses to such matters. It is evidence that points immediately to the issue in question.

When direct evidence, by inference, points to an obvious, likely, or reasonable conclusion--even though that conclusion was not directly seen, heard, smelled, tasted, or touched--that is said to be circumstantial, or indirect, evidence. Circumstantial evidence is the proof of facts or circumstances, by direct evidence, from which you may infer other related or connected facts that are reasonable and justified in light of your experience. It is evidence that only tends to establish a conclusion in question by its consistency with such conclusion or elimination of other conclusions. Sometimes circumstantial evidence may point to more than one conclusion.

To authorize a conviction on circumstantial evidence, the proved facts must not only be consistent with the theory of guilt but also exclude every other reasonable theory other than the guilt of the accused.

The law does not require a higher or greater degree of certainty on the part of the jury to return a verdict based upon circumstantial evidence than upon direct evidence.

Whether dependent upon direct evidence or circumstantial evidence or both, the true test is whether there is sufficient evidence or whether the evidence is sufficiently convincing to satisfy you beyond a reasonable doubt. If not, you must acquit; if so, you may convict.

There is no rule that either circumstantial or direct evidence is stronger than the other if conflicting. The comparative weight of circumstantial evidence and direct evidence on any given issue is a question of fact for the jury to decide.

1.31.10 Credibility of Witnesses

The Jury must determine the credibility of the witnesses. In deciding this, you may consider all of the facts and circumstances of the case, including the witnesses' manner of testifying, their means and opportunity of knowing the facts about which they testify, the nature

of the facts about which they testify, the probability or improbability of their testimony, their interest or lack of interest in the outcome of the case, and their personal credibility as you observe it.

1.31.30 Expert Witness

Testimony has been given in this case by certain witnesses who are termed experts. Expert witnesses are those who because of their training and experience possess knowledge in a particular field that is not common knowledge or known to the average citizen. The law permits expert witnesses to give their opinions based upon that training and experience.

You are not required to accept the testimony of any witnesses, expert or otherwise. Testimony of an expert, like that of all witnesses, is to be given only such weight and credit as you think it is properly entitled to receive.

1.31.90 Single witness; corroboration

The testimony of a single witness, if believed, is sufficient to establish a fact. Generally, there is no legal requirement of corroboration of a witness, provided you find the evidence to be sufficient.

Defendant; no duty to testify

The defendant in a criminal case is under no duty to present any evidence tending to prove innocence and is not required to take the stand and testify in the case. If the defendant elects not to testify, no inference hurtful, harmful, or adverse to the defendant shall be drawn by the jury, nor shall such fact be held against the defendant in any way.

* * *

1.40.10 Definition of a Crime

This Defendant is charged with crimes against the laws of this State. A crime is a violation of a statute of this State in which there is a joint operation of an act and intention.

1.41.10 Intent

Intent is an essential element of any crime and must be proved by the State beyond a reasonable doubt.

Intent may be shown in many ways, provided you, the Jury, believe that it existed from the proven facts before you. It may be inferred from the proven circumstances or by acts and conduct, or it may be, in your discretion, inferred when it is the natural and necessary consequence of the acts. Whether or not you draw such an inference is a matter solely within your discretion.

Criminal intent does not mean an intention to violate the law or to violate a penal statute but means simply the intention to commit the act that is prohibited by a statute.

1.41.11 No Presumption of criminal intent

This Defendant will not be presumed to have acted with criminal intent, but you may find such intention or the absence of it upon a consideration of words, conduct, demeanor, motive, and other circumstances connected with the acts for which the accused is being prosecuted.

1.51.10 Venue; Generally

Members of the Jury, the law provides that criminal actions shall be tried in the county in which the crime was committed.

Venue, that is, the fact that the crime was committed in Clarke County, is a jurisdictional fact that must be proved by the State beyond a reasonable doubt as to each crime charged in the indictment just as any element of the offenses. Venue must be proved by direct or circumstantial evidence, or both.

* * *

The Court will now instruct you on the offenses alleged in this indictment, or which may be raised by the evidence, if you so find.

Count 1, Malice Murder:

2.10.10 Malice Murder

For malice murder, the State must prove that the Defendant

1. caused the death of another person
2. unlawfully and
3. with malice aforethought.

The killing must have been done with malice to be murder. Malice, as the term is used here, is not necessarily ill will or hatred. Rather, it is the unlawful intent to kill without mitigation.

You may find malice when the circumstances show that the Defendant acted with the deliberate intention to unlawfully take the life of another person. You may also find malice when there does not appear to be significant provocation, and all the circumstances of the killing show an abandoned and malignant heart.

The State does not have to prove premeditation to prove murder. If a killing is done with malice, it is murder regardless of how briefly the malicious intent existed. No specific length of

time is required for malice to arise in the Defendant's mind. Malice may be formed in a moment, and instantly a fatal wound may be inflicted. If malice was in the Defendant's mind at the time of the act or the killing, and moved the Defendant to do it, that is enough for the killing to be murder.

2.10.12 Motive

The State does not have to prove motive to prove murder. Any evidence of motive has been admitted for your use in determining the Defendant's state of mind at the time of the killing.

Count 2, Felony Murder:

2.10.20 Felony Murder

For felony murder, the State must prove that the Defendant:

1. caused the death of another person
2. by committing a felony.

The State does not have to show that the Defendant acted with malice to prove felony murder.

Aggravated Assault is a felony, which I will define for you shortly.

2.10.30 Causation in Felony Murder

You may find the Defendant guilty of felony murder if you believe that she caused the death of another person by committing the felony of Aggravated Assault, regardless of whether she intended the death to occur. There must be some causal connection between the felony and the death. Felony murder is not established simply because the death occurred at the same time as or shortly after the felony was attempted or committed. The felony must have directly caused the

death or played a substantial and necessary part in causing the death, regardless of when the death ultimately occurred.

2.10.60 Contributing to the Death of Another

When a defendant unlawfully injures another person, you may find that the injury caused the other person's death only if the State proved that the injury:

1. was itself the cause of death,
2. directly and significantly contributed to the cause of death, or
3. significantly sped up the death, even though the death would have eventually occurred anyway.

Also, as to Counts 1 & 2:

2.10.40 Lesser Offense of Murder: Voluntary Manslaughter

In considering the Malice Murder and the Felony Murder charges, you must decide whether the Defendant was sufficiently provoked and acted out of passion. If you find this, you may not return a verdict of guilty of Malice Murder or Felony Murder, but you would be authorized to return a verdict of guilty of Voluntary Manslaughter.

The State must prove beyond a reasonable doubt that the offense should not be reduced from Murder to Voluntary Manslaughter.

2.10.41 Voluntary Manslaughter

For Voluntary Manslaughter, the State must prove that the Defendant

1. caused the death of another person

2. under circumstances that would otherwise be murder

3. and acted only because of a sudden, violent, and irresistible passion that resulted from serious provocation

4. which was sufficient to excite such passion in a reasonable person.

If you decide that enough time passed between the provocation and the killing for a reasonable person to have “cooled off” and regained judgment, then the killing is not Voluntary Manslaughter.

2.10.42 Provocation by Words Alone

Words alone, no matter how provoking, will never reduce the crime from murder to Voluntary Manslaughter. However, words coupled with menacing actions, even if they do not amount to physical contact, may be enough to excite a sudden, violent, and irresistible passion in a reasonable person. If you find that the Defendant acted from such passion and not from malice or any spirit of revenge, then you would be authorized to return a verdict of guilty of Voluntary Manslaughter.

Finally, as to Counts 1 & 2:

In considering the murder charges, you must also decide whether the Defendant caused the death of the victim, without the intention to do so, but by committing the offense of Pointing a Firearm at Another or by committing a lawful act in an unlawful manner. If you find this, you may not return a verdict of guilty of Malice Murder, Felony Murder, or Voluntary Manslaughter, but you would be authorized to return a verdict of guilty of Involuntary Manslaughter – type one or type two.

2.10.44 Involuntary Manslaughter (type one)

For the first type of Involuntary Manslaughter the State must prove that the Defendant

1. caused the death of another person
2. without intending to
3. by committing the offense of Pointing a Firearm at Another which is defined as follows:

A person commits the offense of Pointing or Aiming a Gun or Pistol at Another when that person intentionally and without legal justification points or aims a gun or pistol at another, whether or not the gun or pistol is loaded.

2.10.45 Involuntary Manslaughter (type two)

For the second type of Involuntary Manslaughter, the State must prove that the Defendant

1. caused the death of another person
2. without intending to
3. by committing a lawful act in an unlawful manner that was likely to cause death or

serious bodily injury.

Count 3, Aggravated Assault:

2.20.21 Aggravated Assault

For aggravated assault, the State must prove that the Defendant:

1. assaulted another person
2. with a deadly weapon.

To prove assault, the State does not have to prove that the other person was actually injured. However, the State must prove that the Defendant attempted to cause a violent injury to the person.

2.20.22 Firearm as a deadly weapon

A firearm, when used in the way a firearm is ordinarily used, is a deadly weapon.

Also, as to Count 3:

2.40.10 Firearm; Pointing at Another

A person commits the offense of pointing or aiming a gun or pistol at another when that person intentionally and without legal justification points or aims a gun or pistol at another, whether or not the gun or pistol is loaded.

Finally, as to Count 3:

Reckless Conduct

A person commits the offense of Reckless Conduct when the person causes bodily harm to or endangers the bodily safety of another person by consciously disregarding a substantial and unjustifiable risk that her act or omission will cause harm or endanger the safety of the other person and the disregard constitutes a gross deviation from the standard of care which a reasonable person would exercise in the situation.

Counts 4 & 5, Possession of Firearm During Commission of Felony:

2.40.30 Firearm during Commission of Crime; Possession of

A person commits the offense of possession of a firearm during commission of a crime when the person has on or within arm's reach of her person a firearm during the commission of or any attempt to commit a felony, which is

a) any crime against or involving the person of another;

The offenses of Malice Murder and Felony Murder as alleged in counts 4 and 5 are felonies under the laws of this state and are defined as previously stated.

You will recall, however, that the court defined for you lesser included offenses under the offenses alleged as the predicates in Counts 4 and 5. One of the lesser included offenses is the second type of Involuntary Manslaughter. In that connection, such lesser included offense would not support a conviction for this count of possession of a firearm during commission of a felony.

* * *

Each charge, separate and distinct matter

I instruct you that each charge set forth in each count in the indictment and each lesser included offense constitutes a separate and distinct matter. You must consider separately each charge and offense, and the evidence applicable to each charge and offense, and you must state your findings as to each count uninfluenced by your verdict as to any other count.

* * *

1.60.10 Verdict Generally

The Court has prepared a form document titled "Verdict" for your use, and will now instruct you on making your verdict.

As to **Count 1, Malice Murder**, I charge you as follows:

If, after considering the testimony and evidence presented to you, together with the charge of the Court, you should find and believe beyond a reasonable doubt that the Defendant, Anna Estelle Petree, did, in Clarke County, Georgia, on or about the 18th day of September, 2019, commit the offense of Malice Murder as alleged the indictment, then you would be authorized to find the Defendant guilty. In that event, the form of your verdict would be, “We, the Jury, find the Defendant guilty.”

If you do not believe that the defendant is guilty of Malice Murder, or if you have any reasonable doubt as to the Defendant’s guilt, then it would be your duty to acquit the defendant, in which event the form of your verdict would be, “We, the jury, find the defendant not guilty.”

Whatever your finding, you would write it on the Verdict form in the blank space provided for Count 1.

As to **Count 2, Felony Murder**, I charge you as follows:

If, after considering the testimony and evidence presented to you, together with the charge of the Court, you should find and believe beyond a reasonable doubt that the Defendant, Anna Estelle Petree, did, in Clarke County, Georgia, on or about the 18th day of September, 2019, commit this offense as alleged in the indictment, then you would be authorized to find the Defendant guilty. In that event, the form of your verdict would be, “We, the Jury, find the Defendant guilty.”

If you do not believe that the defendant is guilty of Felony Murder, or if you have any reasonable doubt as to the Defendant’s guilt, then it would be your duty to acquit the defendant, in which event the form of your verdict would be, “We, the jury, find the defendant not guilty.”

Whatever your finding, you would write it on the Verdict form in the blank space provided for Count 2.

1.60.11 Lesser Offense

Further as to **Counts 1 & 2**, I charge you that you may consider any of the lesser-included offenses, which I previously defined. If you find beyond a reasonable doubt that the defendant is guilty of any of the lesser-included offenses, then you would be authorized to find the defendant guilty of one of those lesser-included offenses, and the form of your verdict in that event would be, “We, the jury, find the defendant guilty of ...and designate which lesser-included offense.”

If you do not believe that the defendant is guilty of the offenses charged in the indictment or any of the lesser-included offenses, or if you have any reasonable doubt as to the Defendant’s guilt, then it would be your duty to acquit the defendant, in which event the form of your verdict would be, “We, the jury, find the defendant not guilty.”

Whatever your finding, you would write it on the Verdict form in the blank space provided for each count or offense.

As to **Count 3, Aggravated Assault**, I charge you as follows:

If, after considering the testimony and evidence presented to you, together with the charge of the Court, you should find and believe beyond a reasonable doubt that the Defendant, Anna Estelle Petree, did, in Athens-Clarke County, Georgia, on or about the 18th day of September, 2019, commit this offense in the manner specifically alleged in the indictment, then you would be authorized to find the Defendant guilty. In that event, the form of your verdict would be, “We, the

Jury, find the Defendant guilty.” You would write your finding on the Verdict form in the blank space provided for Count 3.

If you do not believe that the Defendant is guilty of Aggravated Assault, or if you have any reasonable doubt as to the defendant’s guilt as to Count 3, then it would be your duty to acquit the defendant. In that event, the form of your verdict would be, “We, the Jury, find the Defendant not guilty.” You would write your finding on the Verdict form in the blank space provided for that count.

1.60.11 Lesser Offense

Further as to **Count 3**, I charge you that if you do not believe beyond a reasonable doubt that the defendant is guilty of Aggravated Assault, but do believe beyond a reasonable doubt that the defendant is guilty of Pointing a Firearm at Another or Reckless Conduct, then you would be authorized to find the defendant guilty of one of those lesser included offenses, and the form of your verdict in that event would be, “We, the jury, find the defendant guilty of ...and designate which lesser included offense.”

As to **Count 4, Possession of a Firearm During the Commission of a Felony**, I charge you as follows:

If, after considering the testimony and evidence presented to you, together with the charge of the Court, you should find and believe beyond a reasonable doubt that the Defendant, Anna Estelle Petree, did, in Athens-Clarke County, Georgia, on or about the 18th day of September, 2019, commit this offense as alleged in the indictment, then you would be authorized to find the

Defendant guilty. In that event, the form of your verdict would be, “We, the Jury, find the Defendant guilty.”

If you do not believe that the Defendant is guilty of Possession of a Firearm During the Commission of a Felony, or if you have any reasonable doubt as to the defendant’s guilt, then it would be your duty to acquit the defendant of these offenses. In that event, the form of your verdict would be, “We, the Jury, find the Defendant not guilty.” You would write your finding on the Verdict form in the blank space provided for that count.

As to **Count 5, Possession of a Firearm During the Commission of a Felony**, I charge you as follows:

If, after considering the testimony and evidence presented to you, together with the charge of the Court, you should find and believe beyond a reasonable doubt that the Defendant, Anna Estelle Petree, did, in Athens-Clarke County, Georgia, on or about the 18th day of September, 2019, commit this offense as alleged in the indictment, then you would be authorized to find the Defendant guilty. In that event, the form of your verdict would be, “We, the Jury, find the Defendant guilty.”

If you do not believe that the Defendant is guilty of Possession of a Firearm During the Commission of a Felony, or if you have any reasonable doubt as to the defendant’s guilt, then it would be your duty to acquit the defendant of these offenses. In that event, the form of your verdict would be, “We, the Jury, find the Defendant not guilty.” You would write your finding on the Verdict form in the blank space provided for that count.

* * *

1.70.10 Court has no interest in case

By no ruling or comment that the Court has made during the progress of the trial has the Court intended to express any opinion upon the facts of this case, upon the credibility of the witnesses, upon the evidence, or upon the guilt or innocence of the Defendant.

1.70.11 Sympathy

Your verdict should be a true verdict based upon your opinion of the evidence according to the laws given you in this charge. You are not to show favor or sympathy to one party or the other. It is your duty to consider the facts objectively without favor, affection, or sympathy to either party.

In deciding this case, you should not be influenced by sympathy or prejudice for or against either party.

1.70.20 Sentencing; Responsibility for

Members of the Jury, you are only concerned with the guilt or innocence of the Defendant. You are not to concern yourselves with punishment.

1.70.30 Deliberations

One of your first duties in the jury room will be to choose one of you to be the foreperson. The foreperson will manage your deliberations and will sign the verdict to which all twelve of you freely and voluntarily agree.

You should start your deliberations with an open mind. Talk with each other and consider each other's views. Each of you must decide this case for yourself, but you should do so only after discussing and considering the case with your fellow jurors. Don't hesitate to change an opinion if you are convinced that it is wrong. However, you should never give up an honest opinion to be congenial or to reach a verdict solely because of the opinions of the other jurors.

During your deliberations, you must not communicate with anyone other than your fellow jurors about this case. You are also not permitted to conduct any research about this case - including persons, places or legal concepts mentioned during the trial. These rules apply not only to in-person communication but also to communication or research using cellphones, text messaging, websites, blogs or social media of any kind.

1.70.40 Unanimous verdict

Whatever your verdict is, it must be unanimous, that is, agreed to by all. The verdict must be in writing and signed by one of your members as foreperson, dated, and returned to be published in open court.

1.70.50 Alternate Jurors

(The Court will give instructions to the Alternate Juror.)

1.70.60 Retire to the Jury Room

As for the Primary Jurors, in a moment I will excuse you to retire to the Jury Room, and at that time you may select your foreperson. But please do not begin your deliberations until you receive the indictment, the Verdict form, and the evidence that has been admitted in the case.

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

ANNA PETREE

)
)
)
)

CASE NO. SU-21-CR-0701

Open ct.
Filed in ~~Clerk's Office~~

This 17 day of Jan, 2023

R. R. R. R. Deputy Clerk
Athens-Clarke County Superior/State Court

STATE'S REQUESTS TO CHARGE

COMES NOW, THE STATE OF GEORGIA, by and through the District Attorney of the Western Judicial Circuit and submits the State's Request to Charge Nos. 1 through 5 requesting these Charges be given to the jury in the above-styled case:

1. 1.10.10 – Indictment
2. 1.10.20 – Issue and Plea of Not Guilty
3. 1.20.10 – Presumption of Innocence; Burden of Proof; Reasonable Doubt
4. 1.20.30 – Jury; Judges of Law and Facts
5. 1.30.10 – Evidence; Generally
6. 1.30.20 – Direct and Circumstantial Evidence
7. 1.31.10 – Credibility of Witnesses
8. 1.31.30 – Expert Witness
9. 1.31.47 – Prior Statements
10. 1.31.90 – Single Witness
11. 1.34.00 – Limiting Instructions
12. 1.34.10 Other Crimes, Wrongs, Acts
13. Other Crimes, Wrongs, Acts
Georgia Suggested Pattern Jury Instructions – Criminal 1.34.10

In order prove its case in Count(s) 1 and 2, the State must show intent, identity of the perpetrator; must negate accident, and may show motive.

To do so, the State has offered evidence of other acts allegedly committed by the accused. You are permitted to consider that evidence only insofar as it may relate to those issue(s) and not for any other purpose.

You may not infer from such evidence that the defendant is of a character that would commit such crimes.

The evidence may be considered only to the extent that it may show the issue(s) that the State is required to prove in the crime(s) charged in the case now on trial. Such evidence, if any, may not be considered by you for any other purpose.

The defendant is on trial for the offense(s) charged in this bill of indictment only and not for any other acts, even though such acts may incidentally be criminal.

Before you may consider any other alleged acts for the limited purpose(s) stated, you must first determine whether it is more likely than not that the accused committed the other alleged acts.

If so, you must then determine whether the act(s) shed(s) any light on the issue(s) for which the act was admitted in the crime(s) charged in the indictment in this trial. Remember to keep in mind the limited use and the prohibited use of this evidence about other acts of the defendant.

By giving this instruction, the Court in no way suggests to you that the defendant has or has not committed any other acts, nor whether such acts, if committed, prove anything; this is solely a matter for your determination.

O.C.G.A. § 24-4-404(b)

O.C.G.A. § 24-4-403

Lingo v. State, 329 Ga. App. 528 (2014)

U.S. v. Edouard, 485 F.3rd 1324, 1344 (11th Cir. 2007)

Williams v. State, 251 Ga. 749 (1983)

Bradshaw v. State, 296 Ga. 650 (3) (2015)

Stephens v. State, 261 Ga. 467, 468–469(6) (1991)

Sheppard v. State, 205 Ga. App. 373, 374(2) (1992)

Bradford v. State, 261 Ga. 833, 834 (1992)

Rash v. State, 207 Ga. App. 585, 586–587(3) (1993)

14. 1.40.10 – Definition of a Crime

15. 1.41.10 – Intent

16. 1.41.11 – No Presumption of Criminal Intent

17. 1.41.12 – Presumptions and Inferences

18. 1.50.10 – Statute of Limitations

19. 1.51.10 – Venue; Generally

20. 1.60.10 – Verdict; Generally

21. 1.70.10 – Court Has No Interest in Case

22. 1.70.11 – Sympathy

23. 1.70.20 – Sentencing; Responsibility for

24. 1.70.30 – Deliberations

25. 1.70.40 – Unanimous Verdict

26. 1.70.60 – Retire to Jury Room

27. 16-5-1(a) – Malice Murder

A person commits the offense of murder when he unlawfully and with malice aforethought, either express or implied, causes the death of another human being.

28. 16-5-1(c) – Felony Murder

A person commits the offense of murder when, in the commission of a felony, he or she causes the death of another human being irrespective of malice.

29. 16-5-21 – Aggravated Assault

A person commits the offense of aggravated assault when he or she assaults:

- a. With intent to murder, to rape, or to rob;
- b. With a deadly weapon or with any object, device, or instrument which, when used offensively against a person, is likely to or actually does result in serious bodily injury;
- c. With any object, device, or instrument which, when used offensively against a person, is likely to or actually does result in strangulation; or
- d. A person or persons without legal justification by discharging a firearm from within a motor vehicle toward a person or persons.

30. 16-11-106 -- Possession of firearm during commission of a Felony (Malice Murder)

Any person who shall have on or within arm's reach of his or her person a firearm or a knife having a blade of three or more inches in length during the commission of, or the attempt to commit:

1. Any crime against or involving the person of another;

31. 16-11-106 -- Possession of firearm during commission of a Felony (Felony Murder)

Any person who shall have on or within arm's reach of his or her person a firearm or a knife having a blade of three or more inches in length during the commission of, or the attempt to commit:

1. Any crime against or involving the person of another;

32. And/Or Jury Instruction .

If a crime may be committed in more than one way, it is sufficient for the State to show that it was committed in any one of the separate ways listed in the indictment, even if the indictment uses the conjunctive form, that is, the word "and," rather than disjunctive form, that is, the word "or."

Adorno v. State, 314 Ga. App. 509, 724 S.E.2d 816 (2012).

Respectfully submitted this 10th day of January, 2023

/s/ Deborah Gonzalez
Deborah Gonzalez
District Attorney
Western Judicial Circuit
Georgia State Bar # 432657

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

ANNA PETREE

)
)
)
)
)

CASE NO. SU-21-CR-0701

CERTIFICATE OF SERVICE

I certify that I have caused a copy of the foregoing REQUESTS TO CHARGE to be served upon counsel for Anna Petree via hand delivery in open court to attorney Ben Pearlman.

This 10th day of January, 2023.

/s/ Deborah Gonzalez

Deborah Gonzalez

District Attorney

Western Judicial Circuit

Georgia State Bar # 432657

Office of the District Attorney

Western Judicial Circuit

325 E. Washington Street, Suite 370

Athens, Ga. 30601

Phone: 706-613-3240

Fax: 706-613-3247

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

ANNA ESTELLE PETREE,
Defendant.

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*
*
*
*
*

CRIMINAL CASE NO.

SU-21-CR-0701-N

VERDICT

Filed in ^{Open Ct.} Clerk's Office

This 13 day of Jan, 20 23

As to Count 1, Malice Murder and Count 2, Felony Murder:

R. R. [Signature] Deputy Clerk
Athens-Clarke County Superior/State Court

We, the jury, find the Defendant Not Guilty of Voluntary Manslaughter.
Guilty/Not Guilty

**Only if you find Defendant Not Guilty of Voluntary Manslaughter, should you reach a verdict on Counts 1 and 2.*

Count 1:

We, the jury, find the Defendant Not Guilty of Malice Murder.
Guilty/Not Guilty

**If you find Defendant not guilty of Malice Murder and not guilty of Voluntary Manslaughter, you shall consider whether she is guilty or not guilty of either of the following lesser- included offenses:*

We, the jury, find the Defendant Not Guilty of Involuntary Manslaughter, type 1.
Guilty/Not Guilty

OR

We, the jury, find the Defendant Not Guilty of Involuntary Manslaughter, type 2.
Guilty/Not Guilty

Count 2:

We, the jury, find the Defendant Not Guilty of Felony Murder.
Guilty/Not Guilty

****If you find Defendant not guilty of Felony Murder and not guilty of Voluntary Manslaughter, you shall consider whether she is guilty or not guilty of either of the following lesser- included offenses:***

We, the jury, find the Defendant Not Guilty of Involuntary Manslaughter, type 1.
Guilty/Not Guilty

OR

We, the jury, find the Defendant Not Guilty of Involuntary Manslaughter, type 2.
Guilty/Not Guilty

Count 3:

We, the jury, find the Defendant Not Guilty of Aggravated Assault.
Guilty/Not Guilty

****If you find Defendant not guilty of Aggravated Assault, you shall consider whether she is guilty or not guilty of either of the following lesser- included offenses:***

We, the jury, find the Defendant Not Guilty of Pointing a Firearm at Another.
Guilty/Not Guilty

OR

We, the jury, find the Defendant Not Guilty of Reckless Conduct.
Guilty/Not Guilty

Count 4:

We, the jury, find the Defendant Not Guilty of Possession of a Firearm during the Commission of a Felony.
Guilty/Not Guilty

Count 5:

We, the jury, find the Defendant Not Guilty of Possession of a Firearm during
the Commission of a Felony. Guilty/Not Guilty

This 13 day of January, 2023.


JURY FOREPERSON

print foreperson's name:

Charles J Hoag

IN THE SUPERIOR COURT OF CLARKE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

vs.

ANNA ESTELLE PETREE,
Defendant

Case No: SU-21-CR-0701

October Term 2021

Charge(s):
Ct. 1: Malice Murder
Ct. 2: Felony Murder
Ct. 3: Aggravated Assault
Ct. 4: Possession of Firearm During Commission of a Felony
Ct. 5: Possession of Firearm During Commission of a Felony

INDICTMENT

Returned in Open Court,

This 12th of October, 2021
Paul J. Ryan, Clerk

True

Bill

Lachl Gunders

Foreperson

Scott Black, Prosecutor

DEBORAH GONZALEZ, District Attorney

ARRAIGNMENT

The Defendant, ANNA ESTELLE PETREE

hereby waives formal arraignment and pleads

not guilty

This 15th day of November

2021.

Anna Petree by BHO w/express permission
Defendant

Filed in Clerk's Office

Paul

Attorney for Defendant

DEBORAH GONZALEZ, District Attorney

This 15 day of November, 2021

R. Ryan
Deputy Clerk
Athens-Clarke County Superior/State Court

VERDICT

We, the jury, find the Defendant Ct. 1 Not Guilty / Ct. 2 Not Guilty / Ct. 3. Not Guilty

Ct. 4 Not Guilty / Ct. 5. Not Guilty

This 13 day of January

2023 ~~ct~~
2021.

Charles J. Henry
Foreperson

GEORGIA, CLARKE COUNTY

IN THE SUPERIOR COURT OF CLARKE COUNTY

The Grand Jurors selected, chosen and Sworn for the County of CLARKE, to wit:

I, Rachel Grimes, FOREPERSON

- | | |
|---------------------------------|--------------------------------------|
| 2. <u>Joshua Auckland</u> | 14. <u>Holly Ivy</u> |
| 3. <u>Brody Rowland</u> | 15. <u>Milton Johnson</u> |
| 4. <u>Adam Chandler</u> | 16. <u>Eric Hess</u> |
| 5. <u>Colin Huff</u> | 17. <u>Kazuko Broocks</u> |
| 6. <u>John St. John</u> | 18. <u>Ruby Jordan</u> |
| 7. <u>Shane Winger</u> | 19. <u>Vanessa Cervantes</u> |
| 8. <u>Clifford Heard</u> | 20. <u>Jessica Reynolds</u> |
| 9. <u>Richard Jock</u> | 21. <u>Austin Witteby</u> |
| 10. <u>Joshua Tijerina</u> | 22. <u>Anna Story</u> |
| 11. <u>Karen Dunlavy</u> | 23. <u>Richard Etheredge</u> |
| 12. <u>Judith Gex</u> | 24. <u>Stephen Nobles</u> |
| 13. <u>Leon Thomas</u> | 25. <u>Shawn Hinger</u> |

COUNT 1: In the name and on behalf of the citizens of the State of Georgia, do hereby charge and accuse ANNA ESTELLE PETREE with the offense of MALICE MURDER for that the said ANNA ESTELLE PETREE on the 18th day of September 2019, in the County aforesaid, did unlawfully, with malice aforethought, cause the death of Justin Beebe, a human being, by shooting him with a firearm; in violation of O.C.G.A. § 16-5-1(a), Contrary to the laws of said State.

COUNT 2: In the name and on behalf of the citizens of the State of Georgia, do hereby charge and accuse ANNA ESTELLE PETREE with the offense of FELONY MURDER for that the said ANNA ESTELLE PETREE on the 18th day of September 2019, in the County aforesaid, did commit the offense of murder when the accused caused the death of Justin Beebe, a human being, irrespective of malice while in the commission of a felony, Aggravated Assault with a firearm, a deadly weapon; in violation of O.C.G.A. § 16-5-1(c), Contrary to the laws of said State.

COUNT 3: In the name and on behalf of the citizens of the State of Georgia, do hereby charge and accuse ANNA ESTELLE PETREE with the offense of AGGRAVATED ASSAULT for that the said ANNA ESTELLE PETREE on the 18th day of September 2019, in the County aforesaid, did make an assault upon the person of Justin Beebe with a deadly weapon, to wit: a firearm, by shooting Justin Beebe; in violation of O.C.G.A. § 16-5-21, Contrary to the laws of said State.

COUNT 4: In the name and on behalf of the citizens of the State of Georgia, do hereby charge and accuse ANNA ESTELLE PETREE with the offense of POSSESSION OF FIREARM DURING COMMISSION OF A FELONY for that the said ANNA ESTELLE PETREE on the 18th day of September 2019, in the County aforesaid, did unlawfully have on her person a pistol, a firearm, during the commission of the crime of Malice Murder, a felony, a crime involving the person of Justin Beebe; in violation of O.C.G.A. § 16-11-106, Contrary to the laws of said State.

COUNT 5: In the name and on behalf of the citizens of the State of Georgia, do hereby charge and accuse ANNA ESTELLE PETREE with the offense of POSSESSION OF FIREARM DURING COMMISSION OF A FELONY for that the said ANNA ESTELLE PETREE on the 18th day of September, in the County aforesaid, did unlawfully have on her person a pistol, a firearm, during the commission of the crime of Felony Murder, a felony, a crime involving the person of Justin Beebe; in violation of O.C.G.A. § 16-11-106,

Contrary to the laws of said State, the good order, peace and dignity thereof.

Indictment
CLARKE COUNTY SUPERIOR COURT, October Term, 2021

Scott Black, Prosecutor
DEBORAH GONZALEZ, District Attorney