

1A 2013-00038 COPY

CHEROKEE COUNTY SHERIFF'S OFFICE

DATE: 06/11/2013

ALLEGATION/INQUIRY/COMMENDATION-REPORT FORM

I. Information Source:

Name: Kuykendall, Amy H. Race: W Sex: F Age: 36 Date of Birth: [REDACTED] 1976
Address: 583 Green Ridge Rd. City: Cartersville, Ga. Zip: 30120
Home Phone: [REDACTED] Business Phone:

II. Deputy/Civilian Employee Information:

Name: Jones, Cody Rank: Deputy I.D.#:
Division: UPO (FTEP) Unit Number:
Name: Rank: I.D.#:
Division: Unit Number:

III. Location of Incident:

130 Cherokee Way, Acworth, Ga., 30102

Date: 06/03/2013 Time: 1115 hrs. Case Number: 13-61020

IV. Description of Incident: ☒ Allegation ☐ Inquiry ☐ Commendation

See Attached

V. Witness Information:

Name: Kuykendall, Blakeston Address: 4211 Northfolk Dr. City: Acworth, Ga., 30102
Home Phone: [REDACTED] Business Phone:
Name: Bankston, Trudy (Mother-in-Law) Address: Same as Above City: Acworth, Ga., 30102
Home Phone: [REDACTED] Business Phone:

VI. Person Taking Report:

Name: **M. Pruner**

Division: **ADC**

Shift: **#3**

Rank

Badge Number:

Corporal

235

SHIELDS OF SHAME

VII. Supervisor's Comments/Recommendations:

VIII. Allegation/Inquiry/Commendation Information:

How A/I/C Received: ☐ Telephone ☒ Written Form ☒ Personal Contact

A/I/C Referred to: *Lt. Donkey*

☐ A/I/C Resolved on Initial Contact ☐ Allegation/Inquiry Withdrawn

IX. Documentation Attached: ☐ Incident Report ☒ Written Statement ☐ Other

X. Division Commanders Review: _____
(Signature) (Date)

☐ No further Action Required.

☐ Refer to _____ for further investigation.

☐ Recommend Formal Commendation.

Additional Comments:

-
- ☐ Sustained: The evidence is sufficient to prove the allegations.
- ☐ Not Sustained: The evidence is insufficient to either prove or disprove the allegations.
- ☐ Exonerated: The evidence shows that the incident occurred and was lawful or proper.
- ☐ Unfounded: The evidence shows that the allegation is false or not factual.
- ☐ Policy Failure: The evidence is sufficient to show that the incident occurred, but was a result of flawed policy or procedures.
-

XI. Service of Employee

I hereby certify that the allegations have been discussed and described to me. I have received a copy of the Employee Rights Form and acknowledge that I understand these rights.

Employee Signature

Date

Witness Signature

Date

XII. Notification of Findings

I understand that the investigating officer has the duty to inform me of the outcome of this investigation (sustained, not sustained, exonerated, unfounded, or policy failure) and I hereby certify and affirm that he / she has done so. I further understand that the investigating officer is merely a finder of fact and will not determine if adverse disciplinary action will be taken.

Employee Signature

Date

Witness Signature

Date

Distribution: Division Commander
 Internal Affairs

I got to the address of 130 Cherokee Way where my husband and have been living. I left the house for about 3 days the 4th I went to the house to go to take with my husband and kid. We sit in the living room are got ready to go. I got up to go to bathroom, the bedroom door was locked I asked why he said don't matter so I tried to kick the door open he ~~then~~ took me by my hair thru me out on the porch so I ~~id~~ hit him in the face at that time he held me down with his hand around my neck. After he let go I got into my car called 911 waited on them officer Jones pulled up asked everyones side talked to my son my son told him that his dad had pulled me out by my hair and held me down with his hands around my neck. Still at this time he put cuffs on me, took pictures of my husband.

to the jail 1 to 1 1/2 later.
It feel as if he did not
fairly take care of the call

SHIELDS OF SHAME

CHEROKEE COUNTY SHERIFF' S OFFICE
MEMORANDUM

To: Capt. T. Pinyan
From: Lt. Jason Donley *JFD*
Date: 12-Jan-2014
RE: Findings for AIC: IA-2013-00038

1. On 02-Jan-2014 you contacted me about an unresolved AIC from June of 2013, which Amy Kuykendall filed against Deputy Cody Jones. I researched my files and checked with Cpl. Lavine; neither of us were able to locate any record of having received this complaint or investigating it.
2. The crux of the complaint is that Deputy Jones did not handle the call "fairly" and his lack of photographing Mrs. Kuykendall is part of the rationale for her complaint.
3. I have reviewed the reports, spoken with Deputies Jones and Bolls, as well as Cpl. Lavine about the call. I also reviewed court records and found the complainant for the AIC plead guilty in this case.
4. My investigation has determined the allegation in this matter is baseless and therefore the complaint is **UNFOUNDED**.
5. I base this conclusion on the fact that Deputy Jones states at the beginning of his report that he spoke to Mrs. Kuykendall first. He goes on to interview witnesses and compare statements to physical evidence at the scene. Mrs. Kuykendall's behavior was erratic that day and her statements did not match the physical evidence at the scene.
6. Incident report, investigative report, and plea are attached to support this conclusion.
7. If you have any further questions, please feel free to contact me.

cc: Capt. Satterfield

CHEROKEE COUNTY SHERIFF'S OFFICE

MEMORANDUM

To: Capt. T. Pinyan
From: Lt. Jason Donley *JFD*
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7. If you have any further questions, please feel free to contact me.

cc: Capt. Satterfield

Incident Report CHEROKEE COUNTY SHERIFF'S OFFICE

498 CHATTIN DRIVE

(678) 493-4200

13-61020

Supplement No
ORIG

Reported Date
06/03/2013
Nature of Call
DOM W/I
Officer
JONES, CODY

Administrative Information

Agency CHEROKEE COUNTY SHERIFF'S OFFICE				Report No 13-61020		Supplement No ORIG		Reported Date 06/03/2013		Reported Time 11:37	
CAD Call No 130091132		Status INVESTIGATE		Nature of Call DOMESTIC W/I		City ACWORTH		ZIP Code ACWORTH		Rep Dist 2101	
Location 130 CHEROKEE WAY						City ACWORTH		ZIP Code ACWORTH		Rep Dist 2101	
Beat 21		From Date 06/03/2013		From Time 11:37		Officer 000714/JONES, CODY		2nd Officer JONES, CODY			
Entered by 000714		RMS Transfer Successful		Approving Officer 000071		Approval Date 06/03/2013		Approval Time 19:06:41			
Copy to Criminal Investigations Div X											
# Offenses 1		Offense 16-5-23.1 (FVA)				Description BATTERY (FVA)		Complaint Type			
# Offenses 2		Offense 16-7-21 (FVA)				Description CRIMINAL TRESPASSING		Complaint Type			

Person Summary

Invl ARR	Invl No 1	Type I	Name KUYKENDALL, AMY HAYGOOD	MNI 432312	Race W	Sex F	Date of Birth 1976
Invl PER	Invl No 3	Type I	Name LOGAN, MARVIN	MNI 521978	Race W	Sex M	Date of Birth 1967
Invl VIC	Invl No 2	Type I	Name KUYKENDALL, JOHN	MNI 521977	Race W	Sex M	Date of Birth 1976

Summary Narrative

Domestic Dispute-Arrest Made

13-61020

Supplement No
ORIG

Incident Report

CHEROKEE COUNTY SHERIFF'S OFFICE

ARRESTEE 1: KUYKENDALL, AMY HAYGOOD

Involvement	Inv No	Type	Name	MNI	Race	
ARRESTEE	1	Individual	KUYKENDALL, AMY HAYGOOD	432312	WHITE	
Sex	Date of Birth	Age	Ethnicity	Juvenile?	Height	Weight
FEMALE	1976	36	NOT OF HISPANIC ORIGIN	No	5'02"	235#
						Hair Color
						BROWN
						Eye Color
						BLUE
Type	Address			City	State	
HOME	583 GREEN RIDGE RD			CARTERSVILLE	GEORGIA	
ZIP Code						
CARTERSVILLE						
Type	ID No					
FB	572712TB0					
Type	ID No	OLS				
STATE OPERATOR LICENSE	066226334	GEORGIA				
Type	ID No					
STATE IDENTIFICATION NUMBER	2891652J					
Type						
SS						
Phone Type	Phone No					
PRIMARY						
Involvement	Arrest Date	Arrest Time	Booking No	Book Date	Book Time	Status
ARR	06/03/2013	12:30:00	1303953	06/03/2013	13:25:00	INCS
Arrest Location				City	Place of Birth	
130 CHEROKEE WAY				CANTON	GEORGIA	
City of Birth						
MARIETTA						
Charge	Level	Charge Literal	Warrant No	Warrant ORI		
16-7-21 (FVA)	M	CRIMINAL TRESPASSING	TBT	GA0280000		
Charge	Level	Charge Literal	Warrant No	Warrant ORI		
16-5-23-1 (FVA)	M	BATTERY (FVA)	TBT	GA0280000		

PERSON 3: LOGAN, MARVIN

Involvement	Inv No	Type	Name	MNI	Race	Sex
PERSON	3	Individual	LOGAN, MARVIN	521978	WHITE	MALE
Date of Birth	Age	Juvenile?				
1967	45	No				
Type	Address			City	State	
HOME	120 CHEROKEE WAY			ACWORTH	GEORGIA	
ZIP Code						
ACWORTH						

VICTIM (Person) 2: KUYKENDALL, JOHN

Involvement	Inv No	Type	Name	MNI	
VICTIM (Person)	2	Individual	KUYKENDALL, JOHN	521977	
Race	Sex	Date of Birth	Age	Juvenile?	
WHITE	MALE	1976	36	No	
Type	Address			City	State
HOME	130 CHEROKEE WAY			ACWORTH	GEORGIA
ZIP Code					
ACWORTH					
Phone Type	Phone No				
PRIMARY					

Narrative

On June 3, 2013 at approximately 1148, I was dispatched to 130 Cherokee Way in reference to a domestic dispute.

Incident Report CHEROKEE COUNTY SHERIFF'S OFFICE

498 CHATTIN DRIVE

(678) 493-4200

13-61020

Supplement No
0001

Reported Date
06/03/2013
Nature of Call
DOM W/I
Officer
JONES, CODY

Administrative Information

Agency CHEROKEE COUNTY SHERIFF'S OFFICE		Report No 13-61020	Supplement No 0001	Reported Date 06/03/2013	Reported Time 11:37
CAD Call No 130091132	Status INVESTIGATE	Nature of Call DOMESTIC W/I			
Location 130 CHEROKEE WAY		City ACWORTH	ZIP Code ACWORTH	Rep Dist 2101	
From Date 06/03/2013	From Time 11:37	Officer 000714/JONES, CODY		2nd Officer JONES, CODY	Entered by 000714
RMS Transfer Successful	Approving Officer 000071	Approval Date 06/03/2013	Approval Time 19:07:54		
Copy to Criminal Investigations Div X					
# Offenses 1	Offense 16-5-23.1 (FVA)	Description BATTERY (FVA)	Complaint Type		
# Offenses 2	Offense 16-7-21 (FVA)	Description CRIMINAL TRESPASSING	Complaint Type		

Summary Narrative

*****Investigative Report*****

Narrative

*****Investigative Report*****

On June 3, 2013 at approximately 1148 hours, I was dispatched to 130 Cherokee Way in reference to a domestic dispute.

When I arrived on scene, I met with the caller Amy Kuykendall and two other males, Marvin Logan and John Kuykendall. I separated the parties with assistance from Cpl. Lavine and Deputy Bolls.

I went and spoke with Amy, and her statement is as follows:

She stated that she came to the above residence with her juvenile son, to bring her husband, John, some breakfast. She stated that when she arrived at the door of the residence, her husband grabbed her and pushed her down. She stated that she made it inside of the residence, where he pushed her into the television, and it fell on the floor. She stated he then picked her up and threw her out on the porch by her hair. She said that he then grabbed her hand and squeezed it until it was red and swollen. She said in her anger she did push John back and said that she may have punched him. She said she also threw a rock at the window of the residence, but it did not break.

I asked her why they were arguing, and she said that she was suspicious that John had another female inside of the residence. She said that for the past three days she and John have been arguing, and she has been staying at her cousin's residence in Cartersville. She stated that

Report Officer 000714/JONES, CODY	Printed At 01/04/2014 07:20	Page 1 of 3
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Incident Report

CHEROKEE COUNTY SHERIFF'S OFFICE

Narrative

everything was fine with John and her, and that she lived at the above residence with the exception of a brief period of time where she was incarcerated at the Cherokee County Adult Detention Center.

I then went and spoke with John, and his statement is as follows:

John said he heard a banging on the outside of the residence. He said he looked out and saw Amy hitting the house. He said that he and Amy are separated and she has not lived there for several weeks, and she showed up this morning with breakfast for them. He said he let her in the house, and she said "I know someone else is here." He said she pushed him out of her way and went down the hallway opening up every door. He said that he asked her to leave, and she kept saying "I know she is here." He stated that she then went on a rampage and went to the big screen television and knocked it off of the stand and onto the floor. He said she then turned to him and punched him in the face with a closed hand. He said she then started slapping him and he bear hugged her and walked her out the door. He said at this time his neighbor and uncle, Marvin came and pulled her off of him. He stated after she let go of him she picked up a rock and threw it at the window and broke it.

I spoke with Marvin and his statement is as follows:

He stated that he heard screaming next door at John's house. He said he walked over there and saw John holding onto Amy, while she was slapping him. He said he saw her attempt to swing at him multiple times, but never saw her make contact. He said Amy then picked up a rock and threw it at the window. He said he then went and grabbed Amy and told her she needed to leave.

I assured that all parties involved injuries were taken care of, and all refused treatment by Fire personnel. Amy had a swollen right hand and multiple rings on her hands. John had a small cut below his left eye that appeared to have been made by a ring that Amy was wearing. I did locate a broken window to the right of the front door that appeared to have been caused by a rock. I entered the residence and located the television on its face, off of its stand and lying on the floor.

I went back and spoke with Amy, and she said she lived there all the time. Both John and Melvin stated that she had not been there for more than two weeks.

I explained to Amy that her story did not match the evidence at the scene, and that she had no visible injuries except for a [REDACTED]. I placed her in handcuffs, checked them for proper fit and double locked them for her safety. I then informed her that she was under arrest for Battery (FVA) and Criminal Trespass (FVA). I escorted her to the rear seat of my patrol car and secured her.

I then went and spoke to John, and relinquished custody of the juvenile to him. Both Amy and John agreed that this arrangement would be acceptable. I explained to John of my decision to arrest Amy, and he said he understood.

I then transported Amy to the Adult Detention Center without delay. When I arrived, I released custody of Amy to jail staff and checked the rear seat of my patrol vehicle for any contraband, as

Incident Report
CHEROKEE COUNTY SHERIFF'S OFFICE

13-61020

Supplement No
0001

Narrative

I do before each tour of duty. I released her with the proper paperwork and a warrant will be secured without delay. Photographs were taken of the scene as well of the victim and Ms. Kuykendall, and will be placed into evidence (Evidence Control Record#:91330). A UCR form will be completed, VINES notifications were filled out and given to the parties involved.

When Deputy Stamboni at the jail asked Amy why she was here, she stated "I guess because I beat up my husband."

C-24

SHIELDS OF SHAME



Incident Notes

Date 06/13/2013	Time 21:19:29	Officer 000299
Narrative ON TUESDAY, JUNE 4, 2013 I WAS ASSIGNED THIS CASE FOR FOLLOW UP. AT 1540 HOURS I HAD CRIMINAL HISTORIES RUN ON ALL PARTIES. JOHN HAD SEVERAL DV RELATED ARRESTS, MOST WERE NOLLE PROSSED, ONW AS A CONVICTION. AMY HAD ONE PRIOR DV ARREST THAT HAS NOT BEEN ADJUCIATED YET. LOGAN HAS A COUPLE OF DV ARRESTS WITH NO DISPOSITION SHOWN. THE RESULTS WERE SHREDDED AFTER REVIEW. AT 1645 HOURS I CHECKED TIBURON FOR PAST RESULTS AND FOUND 12-23914 AS RELEVANT. I CHECKED THE ADC DATABASE AND SAW AMY WAS STILL IN JAIL AND HAD A VOP HOLD. I CALLED JOHN'S NUMBER AT 1950 AND LEFT A MESSAGE FOR HIM TO CALL. ON THURSDAY, JUNE 6, 2013 AT 2025 HOURS I CALLED JOHN'S NUMBER AGAIN AND LEFT ANOTHER MESSAGE. ON TUESDAY, JUNE 11, 2013 AT 2035 HOURS I CALLED JOHN FROM MY COUNTY ISSUED PHONE AS THE PHONES AT THE SOUTH ANNEX WERE DOWN. I LEFT A MESSAGE ASKING HIM TO CALL THE SOLICITOR'S OFFICE FOR FURTHER DETAILS ON HIS CASE. ON THURSDAY, JUNE 13, 2013 I RECEIVED A FAX COPY OF A DFACS REFERRAL VIA MY COUNTY EMAIL. THE DFACS REFERRAL REFLECTED THAT JOHN KUYKENDALL HAD BEEN ELUDING LAW ENFORCEMENT AND LEFT HIS 13 YEAR OLD CHILD WITH A FEMALE WHO WAS ARRESTED FOR DRUG POSSESSION. THE REFERRAL INDICATED SGT. KELLEY HAD ASKED TO HAVE THE CHILD PLACED WITH HIS GRANDPARENTS BECAUSE HIS MOTHER WAS STILL IN JAIL AND HIS FATHER WAS ON THE RUN.. THIS CASE IS CLOSED, UPD ARREST, NO CONTACT WITH THE VICTIM WHO IS EVADING LAW ENFORCEMENT FOR REASONS UNKNOWN. UPD SENT THE UCR		

End of document

ARS Narrative



ARS Narrative Report No=130061020 Supplement No=0000

Details	Agency	Report No	Supplement No	Reported Date	Nature of Call	Status
	CHER	<u>130061020</u>	0000	06/03/2013	DOM W/I	INV
Narrative						
On June 3, 2013 at approximately 1148, I was dispatched to 130 Cherokee Way in reference to a domestic dispute.						

ARS Narrative Report No=130061020 Supplement No=0001

Details	Agency	Report No	Supplement No	Reported Date	Nature of Call	Status
	CHER	<u>130061020</u>	0001	06/03/2013	DOM W/I	INV
Narrative						
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stand and onto the floor. He said she then turned to him and punched him in the face with a closed hand. He said she then started slapping him and he bear hugged her and walked her out the door. He said at this time his neighbor and uncle, Marvin came and pulled her off of him. He stated after she let go of him she picked up a rock and threw it at the window and broke it.

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I assured that all parties involved injuries were taken care of, and all refused treatment by Fire personnel. Amy had a [REDACTED] and multiple rings on her hands. John had a small [REDACTED] below his [REDACTED] that appeared to have been made by a ring that Amy was wearing. I did locate a broken window to the right of the front door that appeared to have been caused by a rock. I entered the residence and located the television on its face, off of its stand and lying on the floor.

I went back and spoke with Amy, and she said she lived there all the time. Both John and Melvin stated that she had not been there for more than two weeks.

I explained to Amy that her story did not match the evidence at the scene, and that she had no visible injuries except for a [REDACTED]. I placed her in handcuffs, checked them for proper fit and double locked them for her safety. I then informed her that she was under arrest for Battery (FVA) and Criminal Trespass (FVA). I escorted her to the rear seat of my patrol car and secured her.

I then went and spoke to John, and relinquished custody of the juvenile to him. Both Amy and John agreed that this arrangement would be acceptable. I explained to John of my decision to arrest Amy, and he said he understood.

I then transported Amy to the Adult Detention Center without delay. When I arrived, I released custody of Amy to jail staff and checked the rear seat of my patrol vehicle for any contraband, as I do before each tour of duty. I released her with the proper paperwork and a warrant will be secured without delay. Photographs were taken of the scene as well of the victim and Ms. Kuykendall, and will be placed into evidence (Evidence Control Record#:91330). A UCR form will be completed, VINES notifications were filled out and given to the parties involved.

When Deputy Stamboni at the jail asked Amy why she was here, she stated " I guess because I beat up my husband."

C-24

End of document

IN THE STATE COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

DOCKET NO.

VS.

13 DV 0149

Amey Haygood Keykardall
DEFENDANT

OFFENSE(S)
G 3. Simple Battery

☒ PLEA NP. 1+2

☐ VERDICT

MISDEMEANOR SENTENCE

WHEREAS, the above-named Defendant has been found guilty or pled guilty to the above-stated offense,

WHEREUPON, it is ordered and adjudged by the court that said Defendant is hereby sentenced to confinement for a period of 60 days ~~months~~ in the Cherokee County Jail or such other place as Cherokee County may provide for maintenance of county inmates including the Department of Corrections, at the election of the Sheriff, to be computer as provided by law.

It is further ordered that the Defendant pay a fine in the amount of \$ 0, such amount including all statutory surcharges.

☐ The Defendant is further ordered to pay a \$35.00 Interpreting Fee.

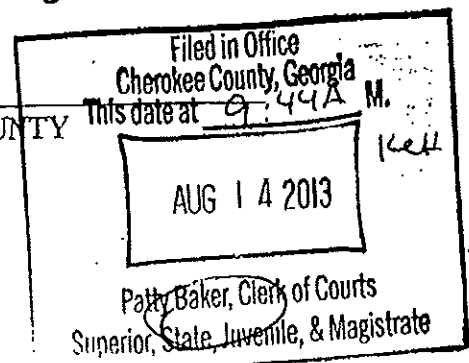
Other conditions and terms:

High and Aggravated - Credit Time Served
Def has served 72 days

The Defendant was represented by the Honorable C. Rushele, Attorney at Law, by Employment/appointment.

SO ORDERED THIS THE 14th DAY OF August, 2013.

C. Rushele
JUDGE, STATE COURT OF CHEROKEE COUNTY



ATTORNEY

IN THE STATE COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

Amy Kuykendall, DEFENDANT

CASE NO: 13DU149

PETITION TO ENTER PLEA OF GUILTY/NOLO CONTENDRE

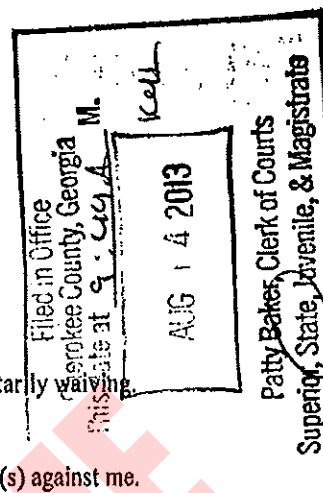
I, the above named defendant, hereby state to the Court that I wish to enter a PLEA of Guilty to the charge(s) in the above mentioned accusation(s) and request that the Court accept my PLEA.

Further, I hereby state the following:

1. My full name is Amy H. Kuykendall.
2. I am 36 years old and have completed _____ years of education.
3. I do not suffer from any emotional or mental disability.
4. I am able to read and write.
5. I am not under the influence of alcohol, any other drug, controlled substance or narcotic.
6. I fully understand the charges against me.
7. I understand that I have the right to plead NOT GUILTY to every charge against me.
8. I understand that if I plead NOT GUILTY I will have a right to a speedy and public trial by Judge or Jury.
9. I understand that if I plead NOT GUILTY, I have a right to confront, that is to see, hear, question and cross-examine the witness called to testify against me at trial and to subpoena witnesses to testify for me, and to use the subpoena power of the Court to compel their attendance.
10. I understand that if I plead NOT GUILTY I will have the right to testify or not testify, as it is my choice and if I choose not to testify, that cannot be used against me.
11. I understand that if I plead NOT GUILTY I am presumed innocent and before I can be convicted the state must prove guilt beyond a reasonable doubt as to the charges against me.
12. I understand in the event I am convicted at trial, I would have the right to appeal my conviction.
13. I understand that I have right to be represented by a lawyer and if I can not afford a lawyer, a lawyer may be appointed by the Court to represent me.
14. I understand if I plead GUILTY/NOLO CONTENDRE, I will have waived, which means given up the rights identified in statements 7-13.
15. I understand that if I feel these court proceedings resulted in a substantial denial of my rights under the Constitution of the United States or Georgia I must exercise my Habeas Corpus rights within one year of a final judgment for a misdemeanor offense or within 180 days of a misdemeanor traffic offense. See O.C.G.A. §§ 9-14-42 and 40-13-33.
16. I understand that if I do not exercise my Habeas Corpus rights within the time limits mentioned above, my rights to challenge these proceedings are waived, that is given up.
17. I understand if I plead GUILTY/NOLO CONTENDRE, I could be imprisoned for as long as 12 months or fined \$ ~~1000~~ 2500 or both on EACH charge against me.
18. I understand if I plead GUILTY/NOLO CONTENDRE there may be collateral consequences beyond the control of the Court. Such consequences include, but are not limited to:
 - a. The plea may be used against me and may affect my probation or parole status in this or other courts.
 - b. If I plead GUILTY/NOLO CONTENDRE to any misdemeanor offense involving domestic violence I will PERMANENTLY lose my right to ship, transport, possess or receive any firearm or ammunition. (18 U.S.C. § 922(g)(9)).
 - c. This plea could affect my immigration status.
19. I understand that as an alien a plea of GUILTY/NOLO CONTENDRE may result in deportation.
20. No person has used any threats, force, pressure or intimidation to make me plead GUILTY/NOLO CONTENDRE.
21. No person has made any promise(s) to cause me to plead GUILTY/NOLO CONTENDRE.

(CONTINUED ON NEXT PAGE)

22. I understand by entering a plea of GUILTY/NOLO CONTENDRE I voluntarily waive:
- my right to a speedy and public trial by a Judge or Jury;
 - the presumption of innocence;
 - my right to have the State prove my guilt beyond a reasonable doubt;
 - my right to subpoena witnesses;
 - my right to confront the witnesses against me in a trial by a Judge or Jury;
 - my right to testify and offer other evidence;
 - my right to assistance of counsel at all stages of trial; and
 - my right not to incriminate, testify or produce evidence against myself.
23. I have read and fully understand each of the above statements and the rights I am voluntarily waiving.
24. I do not have any question about my rights that appear on the statements made above.
25. I am in fact guilty of the unlawful acts set forth in the accusation(s) herein.
26. I freely and voluntarily enter my plea of GUILTY to the charges(s) against me.



I THEREFORE PETITION THE COURT TO ACCEPT MY PLEA OF GUILTY/NOLO CONTENDRE

Sworn and subscribed before me this 14 Day of AUG, 20 13

[Signature]
Notary Public

X
DEFENDANT'S SIGNATURE
DATE: 8/14/13

CERTIFICATE OF COUNSEL

C Ruskell

, as attorney for the Defendant, hereby certify that:

- I have read and fully explained all of the charges contained in the accusation of this case to the Defendant.
- I have explained and discussed with the Defendant all of the facts and elements which the prosecution must prove and defenses available to the charge(s).
- I have explained to the Defendant the maximum penalty provided by law and possible consequences of a guilty plea for the offenses which the Defendant offers a plea of guilty.
- The plea of guilty offered by the Defendant for the charge(s) is consistent with my understanding of the facts the Defendant has related to me and with my advice to the Defendant and in my opinion is voluntarily and knowingly made.
- To the best of my knowledge and belief, the statements, representations and declarations made by the Defendant in the forgoing petition are in all respects accurate and true.
- I do not know of any reason why the Court should not accept the Defendant's guilty plea.

DATE: 8/14/13

619925

STATE BAR NUMBER

[Signature]
ATTORNEY FOR THE DEFENDANT

C Ruskell
ATTORNEY'S PRINTED NAME

60 days
\$180

ORDER

The Court finds the Defendant understands the nature and the consequence of Defendant's action, the Defendant's plea is knowingly and voluntarily entered without undue influence, compulsion or duress. The Court is also satisfied that a sufficient factual basis exists for the acceptance of this plea. The Court further finds that the pro se Defendant understands his right to counsel and has knowingly and voluntarily waived that right. It is therefore ordered that the Defendant's plea of guilty/nolo contendere be entered on the minutes and that this Transcript and Certificate be filed with the accusation.

This 14 day of Aug, 20 13

[Signature]
Judge, State Court of Cherokee County

WITNESSES:

CASE NO: 13DV0149
STATE COURT OF CHEROKEE COUNTY
ACCUSATION
Warrant(s) 2013MW1964 / 3WA1221
Offense Date: on June 3, 2013

S C. Jones, Cherokee County Sheriff's Office, 498 Chattin Drive, Canton, GA 30115
Open Records Officer, Cherokee County 911, 150 Chattin Drive, Canton, GA 30114
S Patrick C Bolls, Cherokee County Sheriff's Office, 498 Chattin Drive, Canton, GA 30115
Daniel R Lavine, Cherokee County Sheriff's Office, 498 Chattin Drive, Canton, GA 30115
Amy Kuykendall, 130 Cherokee Way, Acworth, GA 30101
Paul Hobgood, Cherokee County 911, 150 Chattin Drive, Canton, GA 30114

Sol# 13ZCH01661

STATE OF GEORGIA

v.

AMY HAYGOOD
KUYKENDALL

CHARGES:

Ct 1: Criminal Trespass
Ct 2: Battery, Family Violence
Ct 3: Simple Battery, Family Violence

The Defendant pleads Guilty

3 Simple Battery (FVA)

8/14/13

Date

Amy Kuykendall
Defendant

Chubb
Defendant's Attorney

Judge Verdict

Upon trial of the case without a jury, upon consideration of the evidence and applicable law, I find the defendant

Filed in the Clerk's Office by
Jessica K Moss
Solicitor General
State Court Cherokee County, on

8/9/13

Date

Date

Barbara J. Jorgensen
Clerk

State Court Judge