

STATE OF GEORGIA

SENTENCE NO. 13CR3179

VS  
ALAGEBE,OYETUNDE  
DEFENDANT

SUPERIOR COURT OF DEKALB COUNTY  
STONE MOUNTAIN JUDICIAL CIRCUIT

**ORDER TO CLOSE PROBATION CASE**

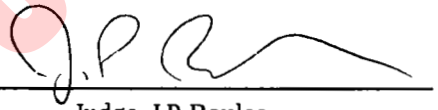
**IT APPEARING TO THE COURT**, that the above-stated defendant was sentenced by the Honorable Cynthia J. Becker of the DeKalb County Superior Court on the 15th day of December, 2014, for the offense(s) Sexual Assault Against Patient. The defendant was sentenced to Ten (10) years to serve two (2) years in custody.

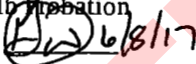
**IT FURTHER APPEARING TO THE COURT**, that the defendant was ordered to be deported by Immigration Court. The defendant was deported to Nigena on December 15, 2015.

**WHEREAS**, it has not been reported that the defendant has returned to the United States.

**IT IS HEREBY ORDERED**, that probation case 13CR3179 be closed.

SO ORDERED, this 17 day of June, 2017

  
\_\_\_\_\_  
Judge, J.P. Boulee  
DeKalb County Superior Court

Submitted by: Lakisha West  
Community Supervision Officer III  
Central DeKalb Probation  
Approved by:  6/8/17  
CC. Adult Probation

IN THE SUPERIOR COURT OF DEKALB COUNTY, STATE OF GEORGIA

STATE OF GEORGIA versus

OYETUNDE ALAGEBE

CRIMINAL ACTION #

13CR3179 - 6NovemberTerm of 20 14Clerk to complete if  
incomplete

OTN(s): \_\_\_\_\_

DOB: 03-05-1962Ga. ID#: 2735026XFinal Disposition  
**FELONY with PROBATION**First Offender/Conditional Discharge  
entered under

PLEA

VERDICT

☐ O.C.G.A. § 42-8-60 ☐ O.C.G.A. § 16-13-2☒ Negotiated ☐ Non-negotiated☐ Jury ☐ Non-jury☐ Repeat Offender as imposed below☐ Repeat Offender waived

The Court enters the following judgment.

| Count | Charge<br>(as indicted or accused) | Disposition<br>(Guilty, Not Guilty,<br>Guilty-Alford, Guilty-<br>Lesser Incl, Nolo, Nol<br>Pros, Dead Docket) | Sentence                     | Fine | Concurrent/<br>Consecutive,<br>Merged, Suspended |
|-------|------------------------------------|---------------------------------------------------------------------------------------------------------------|------------------------------|------|--------------------------------------------------|
| 1     | SEXUAL ASSAULT AGAINST<br>PATIENT  | GUILTY                                                                                                        | 10 YEARS TO<br>SERVE 2 YEARS |      |                                                  |
| 2     |                                    |                                                                                                               |                              |      |                                                  |
| 3     |                                    |                                                                                                               |                              |      |                                                  |
| 4     |                                    |                                                                                                               |                              |      |                                                  |

The Defendant is adjudged guilty or sentenced under First Offender/Conditional Discharge for the above-stated offense(s); the Court sentences the Defendant to confinement in such institution as the Commissioner of the State Department of Corrections may direct, with the period of confinement to be computed as provided by law

**Sentence Summary** The Defendant is sentenced for a total of 10 YEARS,

☒ with the first 2 YEARS to be served in confinement and the remainder to be served on probation, or ☐ to be served on probation

The Defendant is to receive credit for time served in custody: ☒ from 03-19-13 - PRESENT, or

☐ as determined by the custodian

☐ 1 The above sentence may be served on probation provided the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence

☒ 2. Upon service of 2 YEARS, the remainder of the sentence may be served on probation; PROVIDED, that the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence.

☐ 3 The Court sentences the Defendant as a recidivist under O C G.A..

☐ § 17-10-7(a), ☐ § 17-10-7(c), ☐ § 16-7-1(b), ☐ § 16-8-14(b), or ☐ § \_\_\_\_\_.

### GENERAL CONDITIONS OF PROBATION

The Defendant is subject to arrest for any violation of probation. If probation is revoked, the Court may order incarceration. The Defendant shall comply with the following General Conditions of Probation 1) Do not violate the criminal laws of any governmental unit and be of general good behavior 2) Avoid injurious and vicious habits 3) Avoid persons or places of **disreputable** or harmful character. 4) Report to the Probation Officer as directed and permit the Probation Officer to visit you at home or elsewhere. 5) Work faithfully at suitable employment insofar as may be possible. 6) Do not change your place of abode, move outside the jurisdiction of the Court, or leave Georgia without permission of the Probation Officer. If permitted to move or travel to another state, you agree to waive extradition from any jurisdiction where you may be found and not contest any effort by any jurisdiction to return you to this State 7) Support your legal dependents to the best of your ability. 8) When directed, in the discretion of the Probation Officer. (a) submit to evaluations and testing relating to rehabilitation and participate in and successfully complete rehabilitative programming, (b) wear a device capable of tracking location by means including **electronic surveillance** or global positioning satellite systems; (c) complete a residential or nonresidential program for substance abuse or mental health treatment, and/or (d) agree to the imposition of graduated sanctions as defined by law 9) Make restitution as ordered by the Court

**FINE SURCHARGES or ADD-ONS** The Court assesses all fine surcharges or add-ons as required by the laws of the State of Georgia and as are applicable to offense(s) for which the Defendant has been convicted

- 1) The Court orders that. ☒ the Defendant shall pay the probation supervision fee as required by law, or ☐ the probation supervision fee is waived
- 2) If counsel was provided under the Georgia Indigent Defense Act ☐ the Defendant shall pay the \$50 Public Defender Application Fee, or ☐ the Public Defender Application Fee is waived.
- 3) If counsel was provided at public expense ☐ the Defendant shall pay attorney's fees of \$\_\_\_\_\_ to **DEKALB** County, or ☐ attorney's fees are waived
- 4) The Defendant shall pay the Crime Lab Fee as required by law

### SPECIAL CONDITIONS OF PROBATION

The Defendant is advised that violation of any Special Condition of Probation may subject the Defendant to a **revocation** of probation and the Court may require the Defendant to serve up to the balance of the sentence in confinement. The Defendant shall comply with all Special Conditions of Probation ☐ as designated on the attached Inventory of Special Conditions of Probation, or ☒ as follows (*import conditions to be imposed from Inventory of Special Conditions of Probation*)

### FIRST OFFENDER OR CONDITIONAL DISCHARGE

(If designated by the Court)

The Defendant consenting hereto, it is the judgment of the Court that no judgment of guilt be imposed at this time but that further proceedings are deferred and the Defendant is hereby sentenced

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SC-6.2 Final Disposition Felony Sentence With Probation

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to confinement at such institution as the Commissioner of the State Department of Corrections or the Court may direct, with the period of confinement to be computed as provided by law

Upon violation of the terms of probation, upon conviction for another crime during the period of probation, or upon the Court's determination that the Defendant is or was not eligible for sentencing under the First Offender Act or for Conditional Discharge, the Court may enter an adjudication of guilt and proceed to sentence the Defendant to the maximum sentence as provided by law

Upon fulfillment of the terms of this sentence, or upon release of the Defendant by the Court prior to the termination of this sentence, the Defendant shall stand discharged of said offense without court adjudication of guilt and shall be completely exonerated of guilt of said offense charged

*For Court's Use:* THE DEFENDANT IS NOT TO HAVE ANY CONTACT WITH CHINA CALVERT.

The Hon EMMANUEL WEST, Attorney at Law, represented the Defendant  
by: ☒ employment, or ☐ appointment

**SO ORDERED** this 15 day of December, 2014

|                                                    |              |
|----------------------------------------------------|--------------|
| Filed in Open Court                                |              |
| This <u>15</u> day of <u>December</u> 20 <u>14</u> |              |
| <u>11:26 AM</u>                                    | Deputy Clerk |

STONE MOUNTAIN Judicial Circuit

CYNTHIA J. BECKER  
(print or stamp Judge's name)

**FIREARMS** – If you are convicted of a crime punishable by imprisonment for a term exceeding one year, or of a misdemeanor crime of domestic violence where you are or were a spouse, intimate partner, parent, or guardian of the victim, or are or were involved in another similar relationship with the victim, it is unlawful for you to possess or purchase a firearm including a rifle, pistol, or revolver, or ammunition, pursuant to federal law under 18 U.S.C. § 922(g)(9) and/or applicable state law.

**Acknowledgment** I have read the terms of this sentence or had them read and explained to me. If all or any part of this sentence is probated I certify that I understand the meaning of the order of probation and the conditions of probation. I understand that violation of a special condition of probation could result in revocation of all time remaining on the period of probation

Defendant

# **ADDENDUM TO SENTENCE SHEET REFLECTING SURCHARGES, ADD-ONS, AND FEES REQUIRED BY LAW**

|                                         |         |        |        |        |        |
|-----------------------------------------|---------|--------|--------|--------|--------|
| COURT COST .....                        |         |        |        |        |        |
| FINE .....                              |         |        |        |        |        |
| POPIDF-A FUND (10% TO MAX).....         | \$0.00  | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| POPIDF-B FUND (10%) .....               | \$0.00  | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| JAIL FEE (10%) .....                    | \$0.00  | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| DUI SURCHARGE (10%/\$26 MAX) .....      |         |        |        |        |        |
| DATE SURCHARGE (50%) .....              |         |        |        |        |        |
| CRIME VICTIM ASSISTANCE (5%) ....       | \$0.00  | \$0.00 | \$0.00 |        | \$0.00 |
| LAW LIBRARY (\$2.00) .....              | \$2.00  |        |        |        |        |
| BSIT FUND (10%) <b>DUI'S ONLY</b> ..... |         |        |        |        |        |
| DETF (5%) .....                         |         |        |        |        |        |
| ONE TIME FELONY FEE .....               | \$50.00 |        |        |        |        |
| TOTAL: COURT COSTS AND FINES .....      | \$2.00  | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| PLUS CRIME LAB FEE .....                |         |        |        |        |        |
| TOTAL TO CLERK OF COURT .....           | \$2.00  |        |        |        |        |

and a **PROBATION FEE** of \$23.00 and \$9.00 **G C V E F** per month.