

**APPALACHIAN JUDICIAL CIRCUIT
STATE OF GEORGIA**



- PICKENS COUNTY
- GILMER COUNTY
- FANNIN COUNTY

STATE OF GEORGIA

§

Case / Warrant Number(s)

-vs-

§

2016MWR498

Daniel Allen Culbreth

§

BOND MODIFICATION ORDER

Accused

ORDER FOR SPECIAL CONDITIONS OF BOND

In the above styled action, bond is hereby set in the amount of \$ 25,000 { O/R } returnable to the Magistrate Court the Probate Court the Superior Court on the 27th day of October, 2016, at 9:00 am on a date and time to be notified by the District Attorney. By his/her signature below, accused acknowledges that this bond is conditioned upon accused complying with the following conditions which are ORDERED by the court. (only those conditions endorsed by the Judge are applicable)

Accused Initials	Judges Initials	Applicable Condition(s)
		The accused shall from time to time, upon written or oral request by a probation officer, or any city, county, or state law enforcement officer, produce a breathe, spittle, urine and/or blood specimen for analysis for the possible presence of a substance prohibited by any law of the State of Georgia or the United States. (Includes Alcohol.)
		The accused shall submit to a search of his/her person, houses, papers and/or effects as these terms of the Fourth Amendment to the United States Constitution are defined by the courts, anytime of the day or night with or without a search warrant whenever requested to do so by a probation officer or any law enforcement officer and specifically consents to the use of anything seized as evidence in a proceeding to revoke this order of bond or in any other criminal or civil proceeding.
		The accused shall not take into his/her body any substance prohibited or controlled by any law of the State of Georgia or the United States except pursuant to a physician's prescription which shall be submitted to the Sheriff for inspection and copy prior to ingesting any of the prescribed substances, including alcohol.
		The accused shall not violate the laws of any governmental unit. If accused is arrested on any new charges, accused shall not be released from jail until bond violation is addressed by a Court of competent jurisdiction.
		The accused shall provide the address of the location where they will reside upon release and he or she shall not change residences without first notifying the Court.
		The accused shall report to the Appalachian Pre-Trial Probation Office at 7:30am each Monday and Friday for drug testing. There will be a \$ 5.00 charge for each test given. Failure to report or failure of the test shall be grounds for immediate arrest.
		The accused have <input checked="" type="checkbox"/> no contact <input type="checkbox"/> no violent or harassing contact directly or indirectly with the victim, victim's family, professional, personal, or close associates, by phone, mail, electronic methods, or through third party, including at victim's work place, place of worship, home or daycare/school. If accused encounters victim, defendant must leave immediately, and must not come within 200 yards of the victim or victim's family.

JUDGE SETTING BOND & DEFENDANT MUST INITIAL EACH PAGE

Initials of Judge:

Page 1 of 3

Initials of Defendant: _____

		The accused shall not possess any weapons or permits to maintain such arms. All POST certified officers shall have the authority to confiscate all Weapons and Permits and maintain said property in their possession until further order of the court. The accused failure to comply with said provision may subject accused to the federal offense punishable by up to ten years imprisonment (18U.S.C. §§ 922 (g) (8), 924 (a) (2)), in addition to the revocation of this bond. Further any party that assists Accused in violating this order may be subject to federal prosecution.
		The accused shall within ten (10) days of the date of release submit to a <input type="checkbox"/> mental health <input type="checkbox"/> substance abuse <input type="checkbox"/> anger management evaluation at a treatment provider to be recommended or approved by the Appalachian Pre-Trial Probation Office and shall submit the results of that evaluation to the Court along with an individualized service plan, if any.
		The accused shall comply with any and all recommendations of the individualized service plan to include follow-up counseling, medication and any other treatment protocols.
		The accused shall immediately upon release from custody submit to an emergency mental health evaluation at _____ Hospital Emergency Room to determine if there is a need for civil commitment pursuant to OCGA § 37-3-41 and shall follow any and all recommendations of the treating physician, if any.
		In the event medication is prescribed as a result of the treatment protocol, the medication must be taken under the supervision of the (Sheriff or his designee) (Appalachian Pre-Trial Probation) at times and in a manner as prescribed.
		The accused shall appear in Court from time to time as directed for a review and to ensure that the conditions of this bond are being adhered to.
		The accused shall enroll in a Family Violence Intervention Program (FVIP) that is certified pursuant to O.C.G.A. §19-13-1 et seq. The Pre-Trial Probation Program is directed to assist the defendant in locating an FVIP by providing the defendant with the contact information for the FVIP's serving the County.
		The Court grants this bond after a finding pursuant to OCGA § 17-10-1(a)(3)(b) in that the defendant in this case is serving a term of probation but that they do not constitute a threat to the community and is therefore entitled to bond in the aforementioned case. <input type="checkbox"/> This finding is made knowing that the defendant is wanted in another jurisdiction for a Violation of Probation and that the release of this defendant from the Pickens County Jail will require them to be turned over to another jurisdiction to await a hearing on the Violation of Probation.
		OTHER SPECIAL CONDITIONS: Defendant is to have no contact directly or indirectly with any <u>minor or any current or former students by phone, mail, third party, by any electronic methods</u> including but not limited to email, social media, text or data messaging, digital messaging applications, or in any other manner whatsoever. _____ _____ _____

Upon receipt of notice that any of the above conditions of bond have been violated, the accused shall be arrested and a hearing held as soon as practical to determine if the bond should be continued.

This order can not be modified, changed or altered in any manner other than by the Court and shall remain in effect until further order of the Court and during the pendency of this case.

SO ORDERED this 7th day of October 2016.

Presiding Judge

JUDGE SETTING BOND & DEFENDANT MUST INITIAL EACH PAGE

Initials of Judge:

Page 2 of 3

Initials of Defendant: _____

**ACKNOWLEDGEMENT OF DEFENDANT AS TO
RESPONSIBILITIES SET IN CONDITIONAL BOND ORDER**

STATE OF GEORGIA

§

Case / Warrant Number(s)

-vs-

§

2016MWR498

Daniel Allen Culbreth

§

Defendant

I understand, acknowledge and consent to all of the conditions of the bond including:

- Notice of the above conditions of my bond and realize that upon my **VIOLATIONS, MY BOND MAY BE REVOKED** upon showing of good cause to the Court.
- My next hearing is scheduled on October 27th, 2016 at 9:00 a.m. /or/ That my case has been bound over and I will be notified of my Court date by mail.
- That this **ORDER CANNOT BE Modified, Changed or Altered** in any manner other than by the Court and this Order shall remain in effect until further order of the Court and during the pendency of this case which means that neither I nor the Victim can modify this order in any manner.
- Violations of this Order may result in my immediate arrest on criminal charges and/or the revocation of my bond without release. This means I can be denied another bond.
- I will keep the Court, Sheriff's Office, District Attorney, Pre-Trial Probation, & the person responsible for posting my bond aware of any changes in my address or telephone number.

ACKNOWLEDGED BY DEFENDANT

Defendant

Date

Attorney for Defendant (if applicable)

Date


WITNESS

Print Name: _____

Date

JUDGE SETTING BOND & DEFENDANT MUST INITIAL EACH PAGE

Initials of Judge: _____



Page 3 of 3

Initials of Defendant: _____