

IN THE SUPERIOR COURT OF HALL COUNTY
NORTHEASTERN JUDICIAL CIRCUIT
STATE OF GEORGIA

INDICTMENT

WITNESSES

CASE NO. 08 CR 837 A
JULY Term, 2008

THE STATE OF GEORGIA

vs.

DONNIE POLAND

OFFENSE(S): MALICE MURDER, FELONY MURDER,
BURGLARY, FINANCIAL TRANSACTION CARD FRAUD (9
COUNTS), FORGERY, 1ST DEGREE, FINANCIAL
TRANSACTION CARD THEFT (9 COUNTS), THEFT BY
TAKING (MISDEMEANOR)

True Bill

James P. Wraffin
Foreperson

The Defendant herein waives formal arraignment/
indictment by grand jury and pleads:
GUILTY NOT GUILTY NOLO CONTENDERE
This ___ day of _____, 200__.

Defendant

Attorney for Defendant

By: _____
Assistant District Attorney

LEE DARRAGH, District Attorney

Dan Franklin, HCSO

Gerald Couch, HCSO

Scott Wiley, HCSO

FILED
HALL COUNTY
2008 JUL 14 PM 4:15
DORRIS & ASSOCIATES
SUPERIOR STATE COURT

The Defendant herein waives formal
arraignment/indictment by grand jury and pleads:
GUILTY NOT GUILTY NOLO CONTENDERE
This ___ day of _____, 200__.

Defendant

Attorney for Defendant

By: _____
Assistant District Attorney

BILL OF INDICTMENT

STATE OF GEORGIA, COUNTY OF HALL

IN THE SUPERIOR COURT OF SAID COUNTY

THE GRAND JURORS SELECTED, CHOSEN AND SWORN FOR THE COUNTY OF HALL, TO-WIT:

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HALL CO., GA.
2008 JUL 14 PM 4:16
DWAYNE S. HARRISON
SUPERIOR COURT CLERK

Edward Gaddis, Jr.
Geneva A. Hughes
Connie Louise Higgins
Rose Riddle
Donald House
George W. Margavich
James P. Draffin
Sonja R. Gibson

Alicia S. Harrison
Caroline B. Newbern
Frederick Joseph Robers
Betty M. McConnell
Margaret McKinney
G. T. Standridge, Jr.
Louise H. Forrester
Amy J. Neece

Larry J. Brown
Jerrell S. Pless
Randy L. Tarr
Amy Nichols Roark
Aaron D. Sullens
Stephen Bates Gram
Allison Shea Wilson

In the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **MALICE MURDER**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did with malice aforethought cause the death of Max Eugene Baggett, a human being, by shooting him in the head in violation of O.C.G.A. § 16-5-1, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT TWO

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FELONY MURDER**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did while in the commission of a felony, to-wit: burglary, as alleged in count three, cause the death of Max Eugene Baggett, a human being, by shooting him in the head in violation of O.C.G.A. § 16-5-1, contrary to the laws of said State, the good order, peace and dignity thereof.

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CLERK OF SUPERIOR COURT
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COUNT THREE

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **BURGLARY**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did without authority and with the intent to commit a theft therein enter the dwelling house of another, to-wit: Max Eugene Baggett, located at 3539 Monroe Circle, Gainesville, Georgia in violation of O.C.G.A. § 16-7-1, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT FOUR

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD FRAUD**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did use a financial transaction card, to-wit: a Chase Mastercard, number [REDACTED] for the purpose of obtaining goods, to-wit: diesel fuel, from Quik Trip with intent to defraud the card issuer, said accused having knowledge that the financial transaction card was obtained without the consent of the cardholder in violation of O.C.G.A. § 16-9-33, contrary to the laws of said State, the good order, peace and dignity thereof.

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CRIMINAL JUSTICE
SUPERVISOR OF COURT
M

COUNT FIVE

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD FRAUD**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did use a financial transaction card, to-wit: a Chase Mastercard, number [REDACTED] for the purpose of obtaining goods, to-wit: a Dewalt pressure washer from Home Depot, with intent to defraud the card issuer, said accused having knowledge that the financial transaction card was obtained without the consent of the cardholder in violation of O.C.G.A. § 16-9-33, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT SIX

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD FRAUD**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did use a financial transaction card, to-wit: a Chase Mastercard, number [REDACTED], for the purpose of obtaining goods from Blue Ridge Bottle Shop with intent to defraud the card issuer, said accused having knowledge that the financial transaction card was obtained without the consent of the cardholder in violation of O.C.G.A. § 16-9-33, contrary to the laws of said State, the good order, peace and dignity thereof.

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DEPT. OF STATE
SUPERIOR COURT
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COUNT SEVEN

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD FRAUD**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did use a financial transaction card, to-wit: a Chase Mastercard, number [REDACTED], for the purpose of obtaining goods, to-wit: food, from Church's Chicken with intent to defraud the card issuer, said accused having knowledge that the financial transaction card was obtained without the consent of the cardholder in violation of O.C.G.A. § 16-9-33, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT EIGHT

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD FRAUD**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did use a financial transaction card, to-wit: a Chase Mastercard, number [REDACTED], for the purpose of obtaining goods, to-wit: food, from Express Food Store with intent to defraud the card issuer, said accused having knowledge that the financial transaction card was obtained without the consent of the cardholder in violation of O.C.G.A. § 16-9-33, contrary to the laws of said State, the good order, peace and dignity thereof.

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CLERK OF SUPERIOR COURT
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COUNT NINE

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD FRAUD**, for that the said accused in the County of Hall and the State of Georgia on the **2ND DAY OF MAY, 2008**, did use a financial transaction card, to-wit: a Columbus Bank and Trust Visa, number [REDACTED], for the purpose of obtaining goods, to-wit: boots and clothes, from Viejo Oeste Western Wear with intent to defraud the card issuer, said accused having knowledge that the financial transaction card was obtained without the consent of the cardholder in violation of O.C.G.A. § 16-9-33, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT TEN

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD FRAUD**, for that the said accused in the County of Hall and the State of Georgia on the **2ND DAY OF MAY, 2008**, did use a financial transaction card, to-wit: a Columbus Bank and Trust Visa, number [REDACTED], for the purpose of obtaining goods, to-wit: tires, from 129 Tire Shop with intent to defraud the card issuer, said accused having knowledge that the financial transaction card was obtained without the consent of the cardholder in violation of O.C.G.A. § 16-9-33, contrary to the laws of said State, the good order, peace and dignity thereof.

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HALL COUNTY
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DEPUTY SHERIFF
SUPERIOR STATE COURT
BY [Signature]

COUNT ELEVEN

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD FRAUD**, for that the said accused in the County of Hall and the State of Georgia on the **2ND DAY OF MAY, 2008**, did use a financial transaction card, to-wit: a Columbus Bank and Trust Visa, number [REDACTED], for the purpose of obtaining goods, to-wit: a sofa, from Gallery Furniture with intent to defraud the card issuer, said accused having knowledge that the financial transaction card was obtained without the consent of the cardholder in violation of O.C.G.A. § 16-9-33, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT TWELVE

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD FRAUD**, for that the said accused in the County of Hall and the State of Georgia on the **2ND DAY OF MAY, 2008**, did use a financial transaction card, to-wit: a Columbus Bank and Trust Visa, number [REDACTED] for the purpose of obtaining goods, to-wit: two televisions and other merchandise, from Target with intent to defraud the card issuer, said accused having knowledge that the financial transaction card was obtained without the consent of the cardholder in violation of O.C.G.A. § 16-9-33, contrary to the laws of said State, the good order, peace and dignity thereof.

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DIVISION 5
SUPERIOR STATE COURT
HALL COUNTY, GA
M

COUNT THIRTEEN

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FORGERY, 1ST DEGREE**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did with intent to defraud knowingly make a writing, to-wit: a signature on a receipt, in a name which was fictitious as to the accused, to-wit: Max Baggett, and did utter and deliver said writing in violation of O.C.G.A. § 16-9-1, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT FOURTEEN

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD THEFT**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did obtain a financial transaction card, to-wit: a Belk's credit card number [REDACTED], said financial transaction card having been issued to Max E. Baggett and from whose possession the card was taken without his consent in violation of O.C.G.A. § 16-9-31, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT FIFTEEN

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SUPERIOR STATE COURT
UNIVERSITY MICROFILMS
M

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD THEFT**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did obtain a financial transaction card, to-wit: a Lowe's credit card number [REDACTED], said financial transaction card having been issued to Max Baggett and from whose possession the card was taken without his consent in violation of O.C.G.A. § 16-9-31, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT SIXTEEN

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD THEFT**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did obtain a financial transaction card, to-wit: a Macy's credit card number [REDACTED], said financial transaction card having been issued to Max E. Baggett and from whose possession the card was taken without his consent in violation of O.C.G.A. § 16-9-31, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT SEVENTEEN

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JUNIOR & SENIOR
SUPERIOR STATE COURT
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AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD THEFT**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did obtain a financial transaction card, to-wit: a Macy's credit card number [REDACTED], said financial transaction card having been issued to Max E. Baggett and from whose possession the card was taken without his consent in violation of O.C.G.A. § 16-9-31, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT EIGHTEEN

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD THEFT**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did obtain a financial transaction card, to-wit: a Chase Mastercard number [REDACTED], said financial transaction card having been issued to Max E. Baggett and from whose possession the card was taken without his consent in violation of O.C.G.A. § 16-9-31, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT NINETEEN

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD THEFT**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did obtain a financial transaction card, to-wit: a Dillard's credit card number [REDACTED], said financial transaction card having been issued to Max E. Baggett and from whose possession the card was taken without his consent in violation of O.C.G.A. § 16-9-31, contrary to the laws of said State, the good order, peace and dignity thereof.

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HALL CO., GA.
2008 JUL 14 PM 4:16
DEPUTY CLERK
SUPERIOR STATE COURT
M

COUNT TWENTY

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD THEFT**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did obtain a financial transaction card, to-wit: a Columbus Bank and Trust Visa number [REDACTED], said financial transaction card having been issued to Max Eugene Baggett and from whose possession the card was taken without his consent in violation of O.C.G.A. § 16-9-31, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT TWENTY ONE

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HALL CO., GA.
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DIRECTOR OF CLERK
SUPERIOR STATE COURT
M

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD THEFT**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did obtain a financial transaction card, to-wit: a Chevron credit card number [REDACTED], said financial transaction card having been issued to Max E. Baggett and from whose possession the card was taken without his consent in violation of O.C.G.A. § 16-9-31, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT TWENTY TWO

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **FINANCIAL TRANSACTION CARD THEFT**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did obtain a financial transaction card, to-wit: a JCPenney credit card number [REDACTED], said financial transaction card having been issued to Max E. Baggett and from whose possession the card was taken without his consent in violation of O.C.G.A. § 16-9-31, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT TWENTY THREE

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HALL CO., GA
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DISTRICT ATTORNEY
SUPERIOR STATE COURT
BY M

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **DONNIE POLAND** with the offense of **THEFT BY TAKING (MISDEMEANOR)**, for that the said accused in the County of Hall and the State of Georgia on the **1ST DAY OF MAY, 2008**, did take a Citizen wrist watch, an Olympus FE210 digital camera, a wallet and the contents therein, and a cell phone charger, the property of Max Eugene Baggett, with a value of \$500.00 or less, with the intent to deprive said owner of said property in violation of O.C.G.A. § 16-8-2, contrary to the laws of said State, the good order, peace and dignity thereof.