STATE WARRANT

THE STATE

V.

James Edward Hardee

CHARGED WITH:

SIMPLE BATTERY

O.C.G.A. § 16-5-23 (a) (1)

Misdemeanor

PROSECUTOR:

Sgt. Christopher Lash, #846 Morgan County Sheriff's Office 1380 Monticello Road Madison, GA 30650

Morgan County

The above-named Defendant arrested this

23 Day of 1(1) bes , 2022.

At 2152 am/pm (circle one).

Jeff Arresting Officer

WITNESSES Derrick A Williamson



2022 OCT 18 11:09:46 RCVID COURT SERVICE GEORGIA, MORGAN COUNTY

AFFIDAVIT

Officer Case No. 202210110059

Personally came, Sgt. Christopher Lash, #846, on oath says that, to best of affiant's knowledge and belief that James Edward Hardee did, in the County aforesaid, commit the offense of, 16-5-23 (a) (1) SIMPLE BATTERY from 8:06 PM on 10/11/2022 to 10:45 PM on 10/11/2022, in Morgan County, Georgia; the Place of occurrence of said offense being 1280 Broughton Trail Newborn, Georgia 30056; and against the laws of the State of Georgia.

Said offense being described as O.C.G.A. 16-5-23 (a) (1) SIMPLE BATTERY.

The affiant has probable cause to believe that the accused did commit the offense of SIMPLE BATTERY when he or she either intentionally makes physical contact of an insulting or provoking nature with the person of another. TO WIT: In response to a subject refusing to leave call, the victim returned to his residence after a six month good behavior bond which removed him from the property. Upon returning to the property which is shared with the defendant's ex-wife, she contacted the defendant to come to the residence. When the defendant arrived, he told the victim to leave the residence and was wielding a fishing rod in a manner to intimidate the victim. When the victim didn't leave, the defendant struck the victim in the chest as observed by watching a cell phone video taken by the victim. The victim also had a bruise on his chest from this incident upon my arrival.

Ch. 1 816
Affiant
WARRANT
w enforcement officer of Georgia- Greetings:
om other oral testimony given under oath, you are hereby he foregoing affidavit charged by the prosecutor therein with the bring him/her before me or some other Judicial Officer of this Sta
Magistrate Magistrate
ORDER
defendant be bound in a bond of Dollars Cash or ay at the next term or session next after this day of the
county to answer the charge of SIMPLE BATTERY. id County, there to be safely kept until thence delivered by due

AP	PEAKANCE D	OND CONTRACT	•	Superior Court
MORGAN COUNTY, State of G	eorgia			Probate Court
SPECIAL	roperty	[] Cash	X XX	Magistrate Court
rditions: STAP Lyfrom Dervick Williamson Warrant # 2022 - AW-0484	icensed Bondsman	[] Recognizance Bo	nd .	
W.From Lerrick Williamson	and Addres	< 1280 Broughton	Tr. Malison	(C) 300 (D)
Warrant # 2 023 - AW - 0484		2 10.00 10, 0.9	Poir Ti	Idae B
			rer (i	o ag - Noark
James Harre	tł	e Accused/PRINCIPLE, an	ıd ·	
All American Bo	ndsman a	Bondsman/SECURITY, bi	ind themselves u	nto the Governor
of the State of Georgia, and his success	ors in the office, for	the payment of the sum of	<u>\$1500.00</u>)
Dollars, in cash or other equivalent sec			,	- N
The OBLIGATION and conditions				
a hearing or trial to determine probable				
Ocmulgee Judicial Circuit from day to	day and from term to	term of said Courts in ord	er to answer the	offense(s) of
Simple Battery				
1 / / / / / / / / / / / / / / / / / / /		-blication and band is sull	land world. Dut a	tho-vias this
and does not depart without the Court's bond contract will continue to remain in				
to the State of Georgia from any jurisdi				
or she will not contest any effort by any				ind and agrees no
of sile will not concest any effort by uni-		RRAIGNMENT	Pra.	
You are hereby notified that the date			en fixed for you	r first appearance
on the above case in the above indic				
the accused at the address provided				
rant will be issued for the re-arrest of				·
informed as to any upcoming court	dates and to keep the	court advised of any chang	ges in their addr	esses.
Personally appears the above named				
fies that he/she owns in his/her own na	me and right, unencu	mbered by mortgage, lien,	or judgment, rea	ıl estate as
described as		in		County, with a
Net Equity of \$ w	hich represents the a	mount of this property bond	d Said Security	• • •
property not obligated on any other crit				
not disclosed herein. Said Security wai				
the United States and the Constitution	_		•	•
Accused's Home Addr				
Home Phone	<u> </u>	Dunimana Dhama		
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) 11 11.			
Security Home Address 13/ L	Jest-Ma			
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Home Phone (2) & 425 Security Home Address Home Phone Sworn to and subscribed before me thi	s 24th day	Business Phone Business Phone Add Bone	Coc. 3	(SEAL)

Preset Bond \$1,500 w/ Special Conditions of Bond

MAGISTRATE COURT OF MORGAN COUNTY

2022-AW-0484

STATE OF GEORGIA
SPECIAL CONDITIONS OF BOND
STATE OF GEORGIA VS. James Hardee
CHARGE(s): Simple Battery
IT IS HEREBY ORDERED, the above named Defendant SHALL BE GRANTED BOND in the dollar amount set forth and under the following special conditions of said bond:
1) The Defendant SHALL STAY AWAY FROM, DIRECTLY, INDIRECTLY, THIRD PARTY, TELEPHONE, EMAIL, TEXT MESSAGE, FACEBOOK, MYSPACE OR ANY OTHER CORRESPONDENCE from the person, home, family, school or place of employment of: Dervick Williams of Well address of
1280 Broughton Tr., Madison, God 30650.
2) The Defendant SHALL NOT VIOLATE ANY LOCAL, STATE OR FEDERAL LAWS.
The Defendant SHALL NOT INTIMIDATE ANY POTENTIAL WITNESS (s) nor shall attempt to deter any potential witness from testifying freely, fully and truthfully in the present case.
$\cancel{0}$ 4) The Defendant SHALL NOT CONSUME, POSSESS, PURCHASE OR BE IN THE PRESENCE OF ALCOHOLIC BEVERAGES
5) The Defendant SHALL HAVE NO VIOLENT CONTACT with the victim:
□ 6) Other Report to court on scheduled hearing dates
is acknowledge the above named special conditions of bond as it relates to the charge(s) pending against me and understand that upon probative evidence presented to the Magistrate Court of any violation(s) of the special conditions of bond contained herein, MY BOND MAY BE REVOKED, and that I do not have a legal right to a second and subsequent bond after such revocation.

OCT 27'22 AM8:16

Tracy B. Abbott

From:

Brad Evans

brad@bje-law.com>

Sent:

Tuesday, January 10, 2023 9:46 AM

To: Cc: Tracy B. Abbott; Julie Ruark Jeff Burks; Kelly Calandra

Subject:

JAMES HARDEE - Waiver of Preliminary Hearing

Attachments:

Waiver of Preliminary Hearing.pdf

Julie-

Per our discussion this morning, see the attached Waiver for Hardee.

I hope that your day in court today is pretty short.

Brad

Brad J. Evans Law Office of Brad J. Evans, LLC 271 West Washington Street, Suite 120 Madison, Georgia 30650 (706) 438-1091

Georgia Open Records Act: Under Georgia law, all information, including e-mail, written letters, documents and phone messages, sent to the County Board of Commissioners and County offices and employees is subject to Public Records law. This includes the sender's e-mail address, home address or phone number if shown in the message, the content of the message and any associated attachments to the mail.

IN THE MORGAN COUNTY MAGISTRATE COURT STATE OF GEORGIA

STATE OF GEORGIA, :

:

CASE NO: 2022-AW-0484

JAMES EDWARD HARDEE,

Defendant.

1

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01021(01 2022 11; 0101

WAIVER OF PRELIMINARY HEARING

BRAD J. EVANS hereby waives Defendant James Edward Hardee's right to a preliminary hearing so that this matter can be bound over to the Superior Court.

This 10th day of January, 2023

LAW OFFICE OF BRAD J. EVANS LLC

By: /s/ Brad J. Evans Brad J. Evans State Bar of Georgia No. 251610

271 West Washington Street, Suite 120 Madison, Georgia 30650 (706) 438-1091

Filed in office @9:40 am this 10th day of Jan. 2023

Magistrate Court of Morgan County Connie Holt, Judge

IN THE MORGAN COUNTY MAGISTRATE COURT STATE OF GEORGIA

STATE OF GEORGIA, :

v.

: CASE NO: 2022-AW-0484

:

JAMES EDWARD HARDEE,

Defendant.

CERTIFICATE OF SERVICE

This is to certify that I have on this date served a copy of the foregoing WAIVER OF PRELIMINARY HEARING. Said documents were sent to opposing counsel by email to the following person:

Mr. Jeff P. Burks District Attorney's Office 149 East Jefferson Street Madison, Georgia 30650

This 10th day January, 2022.

LAW OFFICE OF BRAD J. EVANS LLC

By: /s/ Brad J. Evans Brad J. Evans State Bar of Georgia No. 251610

271 West Washington Street Suite 120 Madison, Georgia 30650 (706) 438-1091

ĞA	MORGAN COUNTY SHERIFFS OFFICE INCIDENT REPORT	Case # 202210110059
	Internal Copy	
	NCIDENT TYPE COUNTS INCIDENT CO	DDE PREMISE TYPE 6 RESIDENCE
i L	To 1. Co Diock District	0 RESIDENCE
	16-5-23 - SIMPLE BATTERY 1313	—— WEAPON TYPE
片	INCIDENT LOCATION LOCATION NAME LOC CODE 1280 BROUGHTON TRAIL, NEWBORN, GA 2	
EVENT	30056	
回	INCIDENT DATE INCIDENT TIME DATE TIME STRANGER TO STRANGER	
l	10/11/2022 20:06 TO 10/12/2022 22:45 YES NO X UNK	
	COMPLAINANT ADDRESS	PHONE NUMBER
	HARDEE, JANET 1280 BROUGHTON TRAIL, NEWBORN, GA 30056	770-241-1155
	VICTIMS NAME RACE SEX AGE DOB	RESIDENCE PHONE BUSINESS PHONE
Σ	WILLIAMSON, DERRICK A. B M 27 05/09/1995	.
VICTIM	ADDRESS CENSUS TRACT EMPLOY	YER OR OCCUPATION
Ž	2 1280 BROUGHTON TRAIL, NEWBORN, GA 30056	
1	STUDENT? YES X NO IF YES, NAME VICTIM'S SCHOOL	·
	NAMERACE	eev
	HARDEE, JAMES EDWARD	
	WANTED CENSUS TRACT 1 601	185 BRN BRO
	COUNTS OFFENSE CO	
	WARRANT 16-5-23 - SIMPLE BATTERY 1 1313	CI = CITY
1	10-0-20 - 5/1/12 - 10-10-10-10-10-10-10-10-10-10-10-10-10-1	CO = COUNTY ST = STATE
~	ARREST	OU = OUT OF STATE
点		UN = UNKNOWN
불	NAME RATE	
OFFENDER	HARDEE, JORDAN VICTORIA	
16	WANTED 1280 BROUGHTON TRL, NEWBORN, GA 30056 CENSUS TRACT HEIGH.	150 BRN GRN
1	CHARGES COUNTS OFFENSEC	
1	WARRANT 16-11-39 - DISORDERLY CONDUCT 1 5311	CI = CITY
		ST = STATE
	ARREST	OU = OUT OF STATE
1		UN = UNKNOWN
1	TOTAL NUMBER ARRESTED ARREST AT OR NEAR OFFENSE SCENE DATE OF O	FFENSE
		PLATE ONLY VIN PLATE ONLY
CLE		
		COLOR
VEHI	SUSPECTS 2007 GMC SIERRA K2500 H TK PICKUP MOTOR SIZE (CID) AUTO MAN. SPD INSURED BY	BLA
>	TRANS.	
က္ခ	2 NAMES ADDRESS	PHONE NUMBER
<u>溫</u>	HARDEE, CLAIRE 1280 BROUGHTON TRAIL, NEWBORN, GA 30056	
WITNES		
	VEHICLES CURRENCY, NOTES, ETC. JEWELRY, PREC. METALS FURS	PROPERTY RECOVERY JURIS. CODES INFO ONLY 1 = CITY
>		THEFT/RECOVERY 2 = COUNTY
PROPERTY	CLOTHING OFFICE EQUIP. TV, RADIO, ETC. HOUSEHOLD GOODS	— 3 = STATE 3 = STATE 4 = OUT OF
믭	II STOLEN	DATE OF THEFT 4=001 OF STATE 5= UNKNOWN
l&	RECOVERED	TOTAL
ြ	STOLEN CONSUMABLE GOODS LIVES TOOK	
	RECOVERED	
ADM	GCIC ENTRY WARRANT MISSING PERSONS VEHICLE ARTICLE BOAT	, – –
		GID NOTIFIED? FORWARDED TO CID REPORT DATE
\A	REQUIRED DATA FIELDS FOR CLEARANCE REPORT CLEARED BY ARREST EXCEPTIONALLY CLEARED UN	FOUNDED 10/11/2022
CLEAR	DATE OF CLEARANCE X ADULT JUVENILE	CASE X ACTIVE INACTIVE
۲	DID INVESTIGATION INDICATE THAT THIS INCIDENT WAS DRUG RELATED? IF YES, INDICATE THE TYPE OF DRUG(S) USED BY OFFENDER YES	X NO
9	IF YES, INDICATE THE TYPE OF DRUG(S) USED BY OFFENDER	
DRUG	1-AMPHETAMINE 2-BARBITURATE 3-COCAINE 4-HALLUCINOGEN	5-HEROIN
	6-MARIJUANA 7-METHAMPHETAMINE 8-OPIUM 9-SYNTHETIC NARC	OTIC U-UNKNOWN

On Tuesday, October 11, 2022 at approximately 8:24 p.m., I, Sergeant Lash, responded to 1280 Broughton Trail, Newborn, Georgia in reference to a subject refusing to leave call.

NUMBER

842

ASSIGNED INVESTIGATOR

Entry Date / Time: 10/12/2022

NUMBER

03:48

APPROVING OFFICER

SMITH, KENNETH

SIGNATURE

After getting the initial information, I proceeded into the residence to speak with Derrick.

NUMBER

846

Officer Name / Badge: LASH, CHRISTOPHER WENDALL / 846

REPORTING OFFICER

SIGNATURE:

LASH, CHRISTOPHER

Officer Supplementals Case No. 202210110059				

Upon my arrival, I was met by Ms. Janet Hardee, Ms. Jordan Hardee, and Ms. Claire Hardee. Jordan was in tears stating she was in fear and that a man, later identified to be Mr. Derrick Williamson, had been screaming, verbally abusive and threatening to hit her. I asked what had led up to this encounter and was informed that Derrick had lived in the house until a good behavior bond was signed on April 7, 2022 forcing Derrick to vacate the premises for six months while a court case was in process. Janet provided a copy of the good behavior bond which expired approximately four days prior to my arrival. On this date, Derrick returned to the residence and walked right into the house while the Hardee's were there. Janet is a resident in the house and prior business partner with Derrick when the property was purchased to be used as an animal rescue. According to Janet, she supplied nearly one million dollars to start the animal rescue and Derrick had convinced her the assets should be purchased by his company, The Way Dynamic Animal Therapy Encounters. The business fell apart along with the relationship between Janet and Derrick, even though both parties remained residents at this address. Janet stated that due to the good behavior bond, Derrick had no longer been a resident for the past six months and should have to leave the property.

Derrick stated that he is the owner of the property as it was deeded to his company. Derrick stated he was wrongfully forced to vacate the residence as a result of a good behavior bond issued in the Morgan County Magistrate Court, but that it had expired allowing him to return to the residence. Derrick stated when he returned to the residence, he began filming as he walked through the property to assess any damages or missing items when the Hardee's contacted Janet's ex-husband, Mr. James Hardee. Derrick stated that once James arrived on scene, he was attacked multiple times. Derrick stated James shoved him to the ground near a back door into a white board, threatened him with a fishing pole, and even punched him in the chest. Derrick showed me bruises on his chest and left arm. Derrick stated he had videos I could observe, and I asked him to play the videos. In one video I observed Derrick was on the floor with his legs in front of him with James standing over him screaming at him. In another video taken while Derrick was sitting on the couch in the living room, James was observed entering through the front door with a white fishing pole taunting Derrick. James could be seen striking the couch very close to where Derrick was sitting while yelling at Derrick to leave the residence. As James instructed Derrick to leave the residence, he made a comment that Derrick would "need an Uber", causing Derrick to believe James may have damaged his 2007 GMC Sierra, (Georgia registration XGH001) as he would have the knowledge to do so. In another video, James could be seen performing a punching/pushing maneuver towards the camera, striking Derrick.

At this time Derrick showed me a video he had taken of Jordan. This video was very lengthy and showed that Jordan had been the aggressor in the incident between the two of them. Jordan was observed following Derrick through the house attempting to provoke him into physical confrontation multiple times. I observed through the video that Derrick had reclaimed his bedroom and Jordan had forced her way in, taking a seat on his bed while still attempting to provoke Derrick. Derrick stated that he had recently lost someone very close to him in a motorcycle accident and that in an attempt to provoke him, Jordan began using the name of that subject to goad Derrick. This is when Derrick began to yell at Jordan stating not to use that name, but never moved towards Jordan in any visible manner. Derrick instead appeared to be trying to get away from Jordan, but she followed him constantly provoking him while telling him to leave. At one point Jordan was observed shoving Derrick in a hallway screaming at him to hit her. Derrick was observed trying to rush back into the bedroom and shut the door, but Jordan crashed through the door where her face was visible in the doorway still screaming at him. These actions were inconsistent with her

Officer Supplementals -- Case No. 202210110059

earlier statements and appeared to be the aggressor throughout the video that was approximately ten minutes long or more. Derrick advised he wanted to press charges against James and Jordan.

I returned to the living room and asked Jordan to step outside with me. I asked Jordan about observations I made watching the video, and she did not provide me any information to indicate she was actually provoked into such behavior. I informed Jordan of my observations throughout the video and that I felt I had enough to charge her with disorderly conduct. At this point I needed to speak with Janet again, but before I did I called Judge Holt to see if I could get some clarification as to the civil side of this on-going incident to see if I had any legal authority to remove one party or the other. After speaking with Judge Holt, it was confirmed that there were civil cases still unresolved in regards to ownership and residency. I was also told I would not be able to charge Jordan with disorderly conduct at this time, but could proceed with simple assault charges against James due to observing him strike Derrick in the video. (The more applicable charge would be simple battery.) I spoke with Janet outside of the residence who stated she had spent over one million dollars to get the animal rescue business going, and that it was all done through Derrick's company. I informed Janet I would not be able to force either party to leave the residence as Derrick is still the legal owner and resident, and she is also a legal resident of the property. Janet was advised to contact her lawyer in reference to her pending civil case.

I asked Derrick if he would be willing to leave for the night, and he stated he would not. I also advised Derrick I could not remove either party due to the ownership and residency issues. I advised Derrick to contact his lawyer as well in reference to the outstanding civil cases. Both parties were advised to remain separated for the evening. Jordan became very vocal towards me stating she would continue to call 911 if Derrick was not removed so I advised her I had no legal authority to do so at this time and would seek abuse of 911 if she followed through. Jordan then decided to take her baby and leave the residence. Janet decided she would take Claire and her mother-in-law somewhere else for the night and began to make arrangements to stay somewhere else. Derrick and I went outside to check to make sure his truck was not damaged. Derrick was able to start and move the vehicle elsewhere on the property, out of the way of the other vehicles parked there. There was a very small oil leak Derrick and I were not able to find the source of, but the dipstick in the engine bay still showed the oil was full. Derrick also advised he recently had the oil changed approximately two weeks ago. I observed a small swipe of motor oil on the outside of the front driver side tire. Unfortunately at this time, I am unable to determine the source of the oil leak or swipe on the tire. Derrick requested this be documented in the event something happens with his vehicle later.

Both parties were handed contact cards with this case number written on them. I will pursue charges through the Magistrate Court next date for one count of disorderly conduct against Jordan, and one count of simple battery against James. Both parties were once again advised to stay separated and not to damage one another's property. Janet, Claire and Janet's mother-in-law did eventually leave the residence for the night after a second call to our dispatch center was received, prior to my return to the residence.

•			CLERY			
Case#: 202210110059	1	ncident Type:				Report Date: 10/11/2022
Incident Location:						
Campus Location:						
			Arrests	Referrals		
□Dating Violence	☐Liquor L	aw Violation			☐Is Hate Crime	е
Domestic Violence	☐Drug Vio	olation			□Unfounded	
☐ Stalking	□Weapor	IS				
☐Fire?	Injuries:	Deaths:		Value of Da	amaged Property:	
Nature of Fire:						
					<u> </u>	
Reporting C	Reporting Officer:		eviewing	Officer		Approving Officer
LASH, CHRIS	TOPHER					

	NO IMAGES	FOUND FOR THIS CA	SE
Case # 202210110059 File Path:	Img Class:	Description:	

NO IMAGES FOUND FOR THIS CASE

Case # 202210110059

Img Class:

Description:

File Path:

NO DOCUMENT INFORMATION FOUND FOR CASE NUMBER 202210110059

CONSUMABLE GOODS REPORT TOTAL

LIVESTOCK REPORT TOTAL OTHER REPORT TOTAL INCIDENT DATE: 10/11/2022

STOLEN TOTAL:

CASE NO: 202210110059

STOLEN GRAND TOTAL

\$ 0.00

\$ 0.00

\$ 0.00

\$ 0.00

\$ 0.00

RECOVERED GRAND TOTAL

\$ 0.00

\$ 0.00

VICTIM: WILLIAMSON, DERRICK A.

		RECOVERED TOTAL: \$ 0.00
REPORT TOTALS	STOLEN TOTAL	RECOVERED TOTAL
VEHICLES REPORT TOTAL	\$ 0.00	\$ 0.00
CURRENCY, NOTES, ETC. REPORT TOTAL	\$ 0.00	\$ 0.00
JEWELRY, PREC. METALS REPORT TOTAL	\$ 0.00	\$ 0.00
FURS REPORT TOTAL	\$ 0.00	\$ 0.00
CLOTHING REPORT TOTAL	\$ 0.00	\$ 0.00
OFFICE EQUIP. REPORT TOTAL	\$ 0.00	\$ 0.00
TV, RADIO, ETC. REPORT TOTAL	\$ 0.00	\$ 0.00
HOUSEHOLD GOODS REPORT TOTAL	\$ 0.00	\$ 0.00
FIREARMS REPORT TOTAL	\$ 0.00	\$ 0.00

\$ 0.00

\$ 0.00

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