

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

December 28, 2015

To: Mr. Dante G. Fredrick, GDC0001141121, Georgia State Prison, 300 First Avenue,
South, Reidsville, Georgia 30453

Case Number: _____ Lower Court: _____ County Superior Court _____

Court of Appeals Case Number and Style: _____

Your document(s) is (are) being returned for the following reason(s).

- There is no case pending in the Court of Appeals of Georgia under the name of Dante G. Fredrick. Therefore, we are returning your documents to you.**
- A Notice of Appeal is filed with the clerk of the trial court and not with the Court of Appeals of Georgia. See OCGA §5-6-37.** Once the trial court clerk has received and filed the Notice of Appeal, the trial court clerk will prepare a copy of the record and transcripts as designated by the Notice of Appeal and transmit them to this Court. Once the Notice of Appeal is docketed in the Court of Appeals of Georgia, a Docketing Notice with the Briefing Schedule and other important information is mailed to counsel for the parties or directly to the parties, if the parties are representing themselves. You do not need to provide this Court with a copy of the Notice of Appeal you filed with the superior court. We do not have a file to append your copy.
- The Notice of Appeal must include a proper Certificate of Service.** A Certificate of Service must show service to the opposing counsel and contain the counsel's full name and complete mailing address. The opposing counsel must actually be served with a copy of your filing.
- An Application for Writ of Habeas Corpus should be filed in the superior court of the county in which you claim you are illegally detained.** An appeal from a denial of an Application for Writ of Habeas Corpus is to the Supreme Court and not the Court of Appeals.
- An Application for Writ of Mandamus should be filed in the superior court of the county official whose conduct you intend to mandate.** An appeal from a denial of an Application for Writ of Mandamus is to the Supreme Court and not the Court of Appeals. The mailing address for the Supreme Court of Georgia is: 244 Washington Street, S.W., Suite 572, Atlanta, Georgia 30334.
- Your appeal was disposed by opinion (order) on _____.** The Court of Appeals _____
_____ The remittitur issued on _____
divesting this Court of jurisdiction. The case decision is therefore final.
- Your mailing/documents indicate that you intended to file your papers in another court rather than the Court of Appeals of Georgia.** The address of the Clerk of the _____ is: _____
- If an attorney has been appointed for you and you are concerned with the representation provided by that attorney, you should address that issue to the trial court.** As long as you are represented by an attorney, you cannot file pleadings on your own behalf. Your attorney must file a Motion to Withdraw as Counsel and it must be granted, before you can file your own pleadings in this Court.
- A request for an out-of-time appeal should be made to the trial court from which you are appealing.** If your motion is denied by the trial court, you can file an appeal of that decision by filing a Notice of Appeal with the clerk of the superior court.

Count of appeals of Georgia

Case No: _____

Dante G. Fredrick vs. State of Georgia

Appellant's BRIEF

Comes Now, Dante G. Fredrick, United States Citizen, pro-se litigant, and Appellant with this "Appellant's Brief" in support of "Direct Appeal" of "Guilty Plea" Judgment entered on December 19, 2012 by Glyn County Superior Courts.

* Certificate of Service *

I certify that a true and correct copy has been mailed to the following:

① Court of Appeals
of Georgia
47 Trinity Ave
Atlanta GA 30334

②

No case docketed for this case number.
Too Brunswick

has been RECEIVED IN OFFICE
20 DEC 22 PM 3:05
CLERK OF APPELLATIONS
COURT OF APPEALS OF GEORGIA

* Appellant *

Dante G. Fredrick was born a American Citizen on American Soil. As a Citizen Fredrick holds all rights of the State and United States Constitution. Fredrick is also a pro se litigant and requests that this court shows mercy on Appellants litigation to regain his life and liberties.

* Proceedings *

Appellant was Indicted on June 21, 2012 by a Glyn County Grand Jury on a Fourteen Count Indictment. On December 19, 2012 Appellant was convicted and sentenced on Five separate counts of Indictment number CR1200353-063, Case Number CR1200353-063.

* Convictions and Sentences * OFFENSES,

- ① Count Six (6) - Theft by Deception - Ten years probation
 - ② Count Eight (8) - Theft by Deception - Ten Years Probation
 - ③ Count eleven (11) - Possession of firearm by convicted felon - Five years to serve
 - ④ Count twelve (12) - Possession of firearm by convicted felon - Five years to serve
 - ⑤ Count thirteenth (13) - Possession of firearm by convicted felon - Five years to serve
- See Exhibit "A" for Factual Verification

* Timely or Untimely "Direct Appeal" *

Appellant is appealing the December 19, 2012 convictions and judgement of the Calhoun County Superior Courts. This appeal is considered to be an "Untimely Direct Appeal" of a Guilty Plea. All legal issues of CR1200353-063 appear in the record. See Smith v. State, 287 Ga. 391, 402 (697 S.E. 2d 177) (2010) < "Direct appeal - "timely or untimely" -> From a "Guilty Plea" is "Available" 'only if the issue on appeal can be resolved by facts appearing in the record'. Also cited in Nazario v. State, 746 S.E. 2d 109 (2013) Georgia Supreme Court Ruling.

* Appellant's Claims, legal issues, waiver rules *

Appellant contends that all claims and legal issues appears in the record. Appellants claims and legal issues contends of non-Chargable offenses, and convictions that merges by fact and law. All claims are in compliance with "Guilty Plea Waiver Rules". A Guilty plea waives all defenses known and unknown except and indictment that charges no crime, and offenses that merges as a matter of law or fact. See Nazario v. State, 746 S.E. 2d 109 (2013) (2) Smith v. Hardrick, 266 Ga. 54, 56-57 (464 S.E. 2d 198) (1995).

* Elements of Crime *

Elements of Crime - The constituent parts of a crime - usu.

Consisting of the actus reus, mens rea, and causation - that the prosecution "must" "prove" to "sustain" a "conviction".

See Jones v. State, 537 S.E. 2d 80 (2000) (like every other material allegation in the indictment, venue must be proved by the prosecutions beyond a reasonable doubt).

* Elements of "Theft" by Deception * $\frac{1}{3}$ Definition *

- ① Theft by deception - The use of deception to obtain another's property, esp. by (1) creating or reinforcing a false impression (as about value), (2) preventing one from obtaining information that would affect one's judgement about a transaction, or (3) failing to disclose, in a property transfer, a known lien or other legal impediment. Model Penal Code § 223.3. O.C.G.A. 16-8-3 Larceny.
- ② Definition of Theft by extortion - Larceny in which perpetrator obtains property by threatening to (1) inflict bodily harm. Model Penal Code § 223.4.

* Elements of Possession of Fire Arm by Convicted Felon *

Lets look at the main element of O.C.G.A.

16-11-131 A person who is a convicted felon and who

receives, transport, or possesses a firearm.

It would be impossible to sustain a conviction legally

if the accused never possessed a weapon and it was no evidence beyond a reasonable doubt a possession of a fire ever took place.

* Guilty Plea - elements of Crime *

In connection with the requirement that the defendant know and understand the nature of the charges to which he is pleading guilty, the case of Breland v. Smith, 279 S.E. 2d 204 (1981). In Henderson v. Morgan, 426 U.S. 637, 646, 96 S.Ct. 2253, 49 L. Ed. 2d 108 (1976) U.S. Supreme Court stated a person has to be informed of the "intent" on the record.

* Enumeration of errors *

Legal Issues → On the record factual basis the States Story was clearly modified and inconsistent with the victim of Count Six's statement to police. Jake Woods victim of Count Six, eleven, twelve, and thirteen stated in Glynn County Case G01203086, Jake Woods tells police he and some friend was arrested at the Island ball park and drugs was seized from Jake Woods by police. Jake Woods states he received a phone call from someone stating he owed 2,000 dollars for seized drugs. Jake alleged that he told the person he did not have 2,000.00 but Jake "offered" collateral to pay debt of seized drugs. Jake stated the person was "threatening" the lives of him and his family.

Jake Woods also ~~states~~ tells police he does know of a Danny who lives in Florida.

Factual basis ~~to~~ Guilty plea transcript
< page 4 > (20-22) The, that property was gotten by Dante Fredrick through deceitful means by making Jake Woods believe that he had a bounty on his head.

At no time in no statement did Jake Woods tell police, or his family that he had a bounty on his head or was ever told by anyone that he had a bounty on his head. See G01203086 for all statements of Jake Woods.

This is clearly a false, Deceiving, manipulating allegation made by the State on record to create a probable cause factual basis required to sustain a conviction. Because Appellant never admitted to receiving any property from Jake woods and at no time was any of the property found on or about or within arms reach of Appellant and the only evidence the State can present is the statement of Jake woods which is not enough to sustain a conviction beyond a reasonable doubt. Because the description of conduct by Statement of Victim shows the conduct of "theft by extortion". See GO1203086 and also attached Exhibits "C" for Verification. "Theft by Extortion" was Count Seven (7) of the Indictment. It is clear that the State convicted Appellant of the wrong count of the indictment. Because of this fatal mistake this "legally" and "actually" makes the Appellant innocent of the convicted offense of "Theft by Deception" the fourteenth Amendment leaves no alternative but Reverse the conviction. See Short v. State 507 S.E. 2d 514, 516 (1998)

Count eight (8) of factual basis (Guilty Plea transcript page 5) (16-19) They met at Circle K here in Glyn County on Altama Avenue at which point Mario Woods gave Mr. Fredrick Twenty-Five hundred (2,500) Dollars and Mr. Fredrick gave Mr. Mario Woods two of the firearms.

It appears that the State made another false allegation as to the alleged meeting place. In two statements provided by Mario woods he tells police

that he met Appellant (accused) at the City Station
On Cypress Mill Rd and Cypress Square at the dumpster.
See G01203086, Suppl. IO:494705 and 496149 for
two separate statements by Mario Woods to two different
officers as to the meeting place. Because of this false
allegation as to the factual basis for count eight (8) the
Appellant is considered to be "legally and actually" innocent
of the crime of "theft by deception" because the Appellant
was never accused of meeting Mario Woods at Circle K
on Altama Avenue in Glynn County. Therefore the factual
basis for count eight is clearly insufficient to sustain
a conviction of theft by deception. Additionally according to
the statements of Mario Woods and the factual basis expl-
ained it is apparent no crime was committed. Mario Woods
states he met with accused on a pre-arranged meeting and
deal to purchase weapons for (2,500.00) Mr. Woods alleges he
gave (2,500.00) cash and received weapons. No crime of theft
by deception was committed nor does it give the description
of Theft by deception. Because no crime was committed the
Appellant is "legally and actually" innocent of count eig-
ht conviction of theft by deception and the fourteenth
Amendment leaves no alternative but reversal of conviction.
Possession of fire arm by convicted felon counts eleven,
twelve, and thirteen of factual basis (Guilty Plea
transcripts page 6) (4-8) merges by law and fact
into (count six) and (count eight). At no time was
any firearms found on or about the person of Appell-
ant or within arms reach in compliance with O.C.G.A.
16-11-106 B4. Proof of actual "possession" beyond
a reasonable doubt would have to be presented to

• Sustain a legal conviction by law. See McIntosh v. State, 185 Ga. App. 612, 365 S.E. 2d 454 (1988). Also see Carswell v. State, 251 Ga. App. 733, 555 S.E. 2d 124 (2001) See G01203086 Suppl. 70:495945, 495105 < I + WM Show at no time was any weapons found on the person or about the person of Appellant. The appellant never admitted to possession of any firearms prior to Guilty plea hearing. Because of violations of O.C.G.A. 16-1-6, 16-1-7, and 16-1-8, and 16-11-106 (B) the appellant is "Legally and Actually" innocent of all possession charges. The State never established possession in the required factual basis.

* INDICTMENT ISSUES *

Count eight of States indictment is to be considered fatally defected and void. This indictment count alleges two separate victims in one count. There is a imputed allegation from count six projected in count eight. Allegations set forth in one count of an indictment cannot be imputed to a separate count, absent specific reference to the allegation sought to be imputed. Durden, 152 Ga. at 443, 110 S.E. 283 (2) Braxley v. State, 143 Ga. 658, 660, 85 S.E. 888 (1915) (3) Perry, 62 Ga. App. at 117-118, 8 S.E. 2d 425.

Each count set forth in indictment must be wholly complete within itself, and must plainly, fully, and distinctly set out crime charged in that count.

Smith v. Hardnick, 266 Ga. 54, 464 S.E. 2d 198 (1995)

* Required elements to be proven to Sustain Conviction of *
" Theft by Deception "

Essential requisites in offense of "Theft by deception"

O.C.G.A. 16-8-3 Former Code 1933 (A) that the representations were made; (B) that they were knowingly and designedly false; (C) that they were made with intent to deceive and defraud (D) that they did deceive and defraud; (E) that they related to an existing fact or past event; (F) that the party to whom the false statements were made, relying on their truth, was thereby induced to part with the party's property. It is incumbent upon the state to prove all of these elements of the offense; and if any one is lacking in the in the proof, the offense is not made out.

Diamond v. State, 52 Ga. App. 184, 182 S.E. 813

(1935) (2) Chandler v. State, 80 Ga. App. 550, 56

S.E. 2d 794 (1949) (Decided under former code.

** Key Factor → Count Six and eight - (The described conduct by victims in the statements to police ~~doesn't~~ doesn't fit the criteria of the language of the Code. The described conduct of "Theft by Extortion" was stated to police by Jake woods and the conduct of no crime was stated to police by mario woods. So this makes Appellant "Legally and actually" innocent of all "Theft by ~~the~~ Deception" convictions cause there are no required elements ^{to be} proven beyond a reasonable doubt.

* Arresting Officer Violated Policy *

Appellant requests that the Court "Intensively Scrutinizes" all submitted "Statements" and "Incident Supplements" submitted by "L. T. David I. Hassler" Glynn County police case "G01203086"

** The was No "Follow-up Investigation" by a "Second Officer" or "approval" by a "Supervisor" for none of the submitted Statements or Incident reports submitted to District Attorney. Because of this violation of policy and due process of law. All warrants, statements, and incident reports are considered null and void presented by L. T. David I. Hassler. In Garris v. Rowland, 678 F.2d 1264 (5th Circuit, 1982), a warrant was issued a Mr. Garris was arrested even though a follow-up investigation prior to (741 F.2d 340) Mr. Garris arrest had revealed that the charges against him were without substance. Leading up to Garris' • Unlawful arrest numerous mistakes occurred, Garris, 678 F.2d at 1275.

It is apparent that L. T. David I. Hassler never had probable cause to arrest appellant for any of • the charges of case CR1200353-063 CF. G01203086. Appellant never • admitted to none of the offenses or was the appellante ever identified by any of the victims. The follow-up investigation police is to ensure that innocent people are • not unlawfully arrested and prosecuted. L. T. David I. Hassler clearly violated this policy and violated clearly the due process of the law.

* Criminal Arrest Warrant *

Appellant requests that this Court "Intensively Scrutinizes" attached criminal arrest warrant #12042107 Exhibit "A".

It appears that the arresting officer David J. Hassler forged the dates on the warrant, and used a pre-imprinted signature on the warrant. The dates appear to be the same handwriting of arresting officers. It is a question as to how the arresting officer obtained warrants to a case of no probable cause to arrest. Appellant is also submitting another attached Exhibit "A-1" to show the court the difference in the dates presented in this warrant by signing Judge and the dates presented by the same judge on another legal document in the same month of April.

* * No photo line ever given to "Jake Woods" * *

At No time was Appellant ever identified by Victim Jake Woods. The State never gave Jake Woods a photo line up so he could pick the accused or alleged perpetrator who he alleges he gave property to. Appellant never admitted to receiving any property from Jake Woods. So where is the probable cause? Why was appellant even charged with any charge stimulating from Jake Woods? How can you be charged with a crime and the victim is never given the opportunity to identify the accused?

* State's awareness of no probable cause *

Appellant filed a subpoena for production of evidence of all warrants presented by L.T. David J. Hassler. The State filed a motion to quash subpoena for evidence. Why wouldn't the State want to know if a case has probable cause or if warrants are legitimate warrants of law. See exhibits E, F for verification.

* Illegal Search and Seizure *

Officers Hassler and Melendez Illegally Seized Appellant and Appellant's property (3,194.00 U.S. currency) while holding the Appellant at Gun point while the other officer forcefully threw Appellant to the ground and searched his pockets / persons. If the Court scrutinizes the record Case G01203086 the Courts will see that it was no probable cause at all for "Arrest" or seizure of property. Appellant was in the front yard of his residence smoking a cigarette when the appellant noticed a green toyota 4 runner SUV dark tinted windows approaching with a person hanging off the side of the SUV and another person pointing a firearm out and cross the driver side window of SUV. The appellant was afraid and in shock not knowing if he was being robbed or kidnapped the person on the passenger side of SUV jumps off and forcefully searches and throws appellant to ground and seizes all property from Appellant (3,194,00) Cash is the only thing seized besides a pack of Newports, phone, and lighter at the first time of arrest on 4/19/2012. See Case G01203086 Supp ID: 495945 to verify also attached Exhibit "G".

* MALICIOUS / UNLAWFUL ARREST *

Because of the statements provided to police by victims were not crimes, and Jake woods or Kim woods or Mario woods never absolutely identified Appellant. So what was the probable cause for arrest of Appellant?

Appellant requested officers to present warrants for him and to present search warrants. Officers did not display or have no warrant of law in compliance of fourth Amendment. Croker v. State, 114 Ga. App. 492, 494 (1), 151 S.E. 2d 846 (1966). See Adams v. State, 121 GA. 163 (3), 48 S.E. 910 (1904). See also GA C. J. S. §§ 46, 47. Once officers pointed weapons at appellant the arrest was made. United States v. Adams, 621 F.2d 41 (1st Cir. 1980), U.S. v. Johnson, 626 F.2d 753, 755, 757 (9th Cir. 1980), 28 Cr. L. 2065

** THE INTERVIEW OF Appellant **

It appears that no interview was conducted by the arresting officer for Case GO1203086 / CR1200353-063. L. T. David I. Hassler, Investigator Herdon interviewed appellant for two cases he was working on which was case numbers GO120-2250 and GO1202356 See GO1203086 Suppl. ID! 495945. However it appears the same interview was used for three different cases, GO1202356, GO1202250, and GO1203086, and GO1201924, including current case. *** This Interview was not approved by a second officer and it appears Investigator Herdon violated the "follow-up Investigation policy" This interview was used by the State but wasn't reviewed by or approved by a follow-up investigation. This violates the due process of law, See Exhibit "H" for factual verification.

• This is a violation of an official policy and
• An ~~Unconstitutional~~ Unconstitutional violation of
this policy. See Garris v. Rowland, 678 F.2d 1264
(5th Cir 1982), Gilmere v. City of Atlanta, 737 F.2d
894, Gilmere at 901 (quoting Monell v. Dept. of
Social Services, 436 U.S. 658, 690-91, 98 S. Ct. 2018 at
2035-36, 56 L. Ed. 2d 611, rev'g in part Monroe v. Pape,
365 U.S. 167, 81 S. Ct. 473, 5 L. Ed. 2d 492 (1961)).

* Conflict In Interest *

The Sentencing Judge Stephen D. Kelly was
the district attorney against Appellant in
CR 0300327-063 and CR 0300302-063 also
in case CR 0300327-063 David I. Hassler was
the arresting officer in that case along with
~~and~~ Stephen D. Kelly as prosecutor. This clearly
creates a huge conflict in interest and violates due pro-
cess of law.

* PLEA NOT INTELLIGENTLY OR VOLUNTARILY ENTERED *

Appellant contends that the attorney told him he would
be serving 20% of a 5 year sentence and that all
charges would be ran concurrent. See Transcripts (pg. 13)
(14-17) The Appellant ask the court was all the charges
being ran concurrent because that's what he was told by attorn-
ey John Wetzler. See Transcripts (pg 257) (21-25)
(pg. 26) (1-12) The Appellant basically is telling the
Judge that's not what the attorney told him and

- See (Pg 26) (13-14) the Attorney clearly cuts Appellant off from explaining to judge that he did not understand the plea and that to serve 10 years was not what he was told by District Attorney or Defense Attorney before entering the courtroom.

* Forced by Attorney to take Plea *

Appellant retained John Wetzler and paid the attorney thousands of dollars for representation. The attorney kept insisting on more and more money to be ~~paid~~ given for services, when appellant advised Attorney he would be going to trial. The attorney told appellant he would need more money if Appellant goes to trial appellant advised to attorney he would not ~~give~~ give him any more money until he see results from the thousands he already paid the attorney. The attorney became ~~very~~ furious and told appellant if he went to trial he would receive life and that he would not represent him at trial. The attorney then tried to force Appellant to sign a "Consent withdrawal of Counsel" form but Appellant refused to sign. Attorney convinced Appellant that if he didn't take a plea he would be going to trial with no attorney. In fear of spending like in prison or going to trial with no attorney Appellant pled guilty. See ~~Form~~ Consent form Exhibit "I"

* Ineffective Assistance of Counsel *

~~Counsel~~ Counsel gave bad legal advice and Counsel failed to investigate case 602 F.3d 714 (2010)
1) Strickland v. Washington.

* Restitution *

The State violated the 8th Amendment by attaching restitution for people not a part of Case. Also the State gave an excessive fine and cost.

Demurrer to Indictment

A demurrer to indictment was filed by Appellant but never answered or decided by Judge. This is clearly a violation of due process of rights and law.

* Insufficient Evidence *

Appellant's convictions was contrary to the weight of the evidence presented, contrary to law, and was based on insufficient evidence and no rational trier of fact could have found Appellant guilty of conviction beyond a reasonable doubt.

* JURISDICTIONAL STATEMENT *

The Court of Appeals of the State of Georgia has Jurisdiction of this Case pursuant to article VI, Section 5, Paragraph 3 of the 1983 Constitution of the State of Georgia.

* Legal Argument and Cititations of Authority *

In Compliance with O.C.G.A 16-11-106 (B) ,
16-1-7, 16-1-8, 16-1-6, the 8, 11, and 5, 4th
and 14th Constitutional amendments of State and
U.S. And all the insufficient evidence see Short v.
State, 234 G.A. App. 633, 634, 507 S.E. 2d 514, 516
(1998) (Citing Jackson v. Virginia, 443 U.S. 307, 99 S.Ct.
2781 (1979)). None of the convictions can stand
Supported beyond a reasonable doubt.

* Conclusion *

Appellant prays that this Court Vacates
all convictions and sentences in the interest
of Justice.

Dante G. Fredrick
#1141121
Georgia State Prison
300 1st Ave
Reidsville GA 30453

 12/19/2015

Magistrate Court of Glynn County
CRIMINAL ARREST WARRANT
THE STATE
Versus
Dante Germaine Fredrick
(Accused)

Home Address: 138 Winterchesswick, GA 31525
Work Address: _____
Race: _____ DOB: 05/11/1988 Sex: Male Height: 5'09" Weight: 250 lbs
Charge: F
Theft by extortion
Bond: \$
Complainant: GBNET/LL Hassler
Telephone #: 912-554-7552

12042107

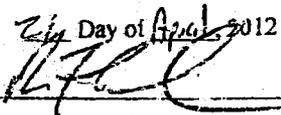
PIE AFFIDAVIT

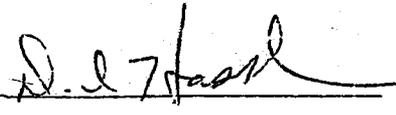
GEORGIA, GLYNN COUNTY

Lt. D. Hassler, personally makes oath that Dante Germaine Fredrick (Hereinafter called the Accused) did, at approximately 8:00 pm on the 17th day of April in the year 2012, in the county aforesaid, at 131 Altama Connector (Mango's Restaurant), commit the offense of THEFT BY EXTORTION (16-8-16) against Jake Woods in that said Accused did extort property belonging to Mr. Woods to wit: The accused did unlawfully obtain a Stag Arms Ar-15 .223 caliber semi-automatic rifle, serial number 85912, to include 120 rounds of ammunition contained in four magazines belonging to Mr. Woods' father, Mario Woods, by threatening to cause death or injury to Mr. Woods and his family, without being authorized under any provision of Georgia law to do so. ALL ACTS CONTRARY TO THE LAWS OF THE STATE OF GEORGIA and this deponent makes this affidavit that a warrant may issue for his (her) arrest.

Sworn to and subscribed before me,

This 21 Day of April, 2012





Magistrate/Clerk
Magistrate Court of Glynn County

Affiant

CRIMINAL ARREST WARRANT

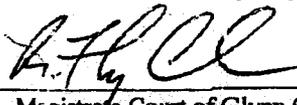
To any Sheriff, Deputy Sheriff, Coroner, Constable, Marshal, or law enforcement officer of this State authorized to execute warrants:

Lt. D. Hassler, personally makes oath that Dante Germaine Fredrick (Hereinafter called the Accused) did, at approximately 8:00 pm on the 17th day of April in the year 2012, in the county aforesaid, at 131 Altama Connector (Mango's Restaurant), commit the offense of THEFT BY EXTORTION (16-8-16) against Jake Woods in that said Accused did extort property belonging to Mr. Woods to wit: The accused did unlawfully obtain a Stag Arms Ar-15 .223 caliber semi-automatic rifle, serial number 85912, to include 120 rounds of ammunition contained in four magazines belonging to Mr. Woods' father, Mario Woods, by threatening to cause death or injury to Mr. Woods and his family, without being authorized under any provision of Georgia law to do so. ALL ACTS CONTRARY TO THE LAWS OF THE STATE OF GEORGIA and this deponent makes this affidavit that a warrant may issue for his (her) arrest.

The Court finds from the attached affidavit and other sworn testimony that probable cause exists for the arrest of the Accused.

YOU ARE THEREFORE COMMANDED to arrest the Accused, and bring him (her) before me or some other judicial officer of this State, to be dealt with as the law directs. Herein fail not.

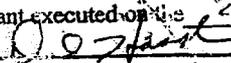
This 21 Day of April, 2012


Magistrate
Magistrate Court of Glynn County

Affidavit/Warrant Request # _____ Special Instructions
Included herein by reference for additional probable cause

WITNESSES FOR THE STATE

Name: _____
Address: _____

Warrant executed on the 21 Day of April, 2012 at 4:30 o'clock P. M.
By: 
Arresting Officer

IN AND FOR THE MAGISTRATE COURT OF GLYNN COUNTY

STATE OF GEORGIA

WARRANT(S) #: 11-001180, 11-01179, 11-01182

Versus

OFFENSE(S): Theft By Taking, Terroristic Threats and Acts, Battery FVA

Dante Fredrick

PETITION FOR BOND REVOCATION

Now comes Sentinel Offender Services, LLC in the name and on behalf of the State of Georgia and brings this action against Dante Fredrick, hereinafter called the Defendant and shows:

I.

That the Defendant was granted bond for the offenses of Theft By Taking, Terroristic Threats and Acts, Battery FVA on the 20th day of October, 2011.

II.

That this Court on the 20th day of October 2011, did grant the Defendant bond pursuant to the bond stipulations which are fully set forth in the copy of said order which is attached hereto, marked Exhibit "A" and specifically incorporated herein.

III.

That the Defendant has violated the terms and conditions of his bond in the following particulars: Condition #2, 3, 8 by Condition 2 In that the defendant was arrested for Two Counts of Receipt, Possession or Transfer of Firearm by Convicted Felon or Felony First Offender, 6 Counts of Theft by Extortion-Felony, Theft by Conversion-Felony, and Theft by Deception-Felony in Glynn County on April 20, 2012. Condition 3 In that the defendant has failed to provide proof of enrolling or completing Pre-Trial Domestic Violence/Anger Counseling. Condition 8 In that the defendant has failed to pay supervision fees and is in arrears \$30.

IV.

WHEREFORE, Sentinel Offender Services prays that the citation for modification/revocation of his bond be served on the Defendant and that the Defendant be directed to appear before this Court on a day to be fixed by the Court and at that time to show cause why his bond should not be modified/revoked.

Michelle Mahas 4-23-12
Probation Officer Michelle Mahas Date

[Signature] 04/25/2012
Management Approval Date

ORDER

Having read and considered the foregoing petition, it is hereby ordered that the Defendant be served with a copy of same and that the Defendant show cause before me on the 17 day of MAY, 2012, at 9:30 in Brunswick, Georgia at the Magistrate Court Courtroom why said bond should not be modified/revoked.

THIS 27 day of April, 2012.

[Signature]
Presiding Judge, Magistrate Court Glynn County

IN THE SUPERIOR COURT OF GLYNN COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,

*

CHARGES: 14 COUNTS

*

*

VS.

*

Warrant NOS. CR1200353-063

DANTE GERMAINE FREDERICK,
Defendant.

*

**CONSENT RELEASE OF ATTORNEY JOHN WETZLER AND WAIVER OF TEN(10)
DAY'S TO OBJECT TO RELEASE**

COMES NOW, the defendant in the above styled action and shows the court as follows:

- 1) It is my desire, and by this instrument, do hereby release John Wetzler as my attorney of record in the above styled action.
- 2) Furthermore, I am aware that by releasing my attorney of record, this court retains jurisdiction over the subject matter of the case pending before this Court. I am aware that it is now my burden to receive and respond to any and all Court correspondence and any required action by the court concerning this case is now my responsibility to act upon in accordance with the Court's direction. I also realize that it is my responsibility alone to inform the Court of where I can receive information from the Court.
- 3) Furthermore, I am aware that it is my obligation to prepare for trial or hire other counsel in order to be prepared for trial or any other proceedings or apply for indigent counsel if I apply.
- 4) Furthermore, I realize that if I fail or refuse to respond in accordance with this Court's rules I will suffer adverse consequences as a result, including but not limited to bond

SUBPOENA FOR THE PRODUCTION OF EVIDENCE

**STATE OF GEORGIA
GLYNN COUNTY**

**TO: Lt. David Hassler
Glynn-Brunswick Narcotics Enforcement Team (GBNET)
157 Public Safety Boulevard
Brunswick, GA**

You are hereby required to be and appear in the Magistrate Court of Glynn County before the Honorable Tim Barton, Chief Judge of Magistrate Court, at 9:30 A.M. on the 3rd day of May, 2012, and to bring with you into said Court certain items to be used as evidence by the Defendant in a preliminary hearing in said Court between the State of Georgia and Dante Fredrick in which Dante Fredrick has been charged with Theft by Extortion (7 counts), Theft by Deception, Terroristic Threats, Escape, Possession of a Firearm by a Convicted Felon (4 counts), Kidnapping, and Armed Robbery, Glynn County criminal arrest warrant numbers: 12042101, 12042102, 12042103, 12042104, 12042105, 12042106, 12042107, 12042108, 12042320, 12042321, 12042322, 12042325, 12042501, 12042502, 12042503, 12042504, 12042505.

The following are hereby subpoenaed:

1. Any and all reports, summaries, documents, or other writings that pertain to the allegation that Dante Fredrick committed any of the offenses alleged in the above-referenced warrants.
2. Any audio recording, video recording, digital recording, handwritten statement, report or other document that contain or summarize any statement given by Dante Fredrick, Kim Woods, Mario Woods, Jake Woods or anyone else who has knowledge of any information regarding the offenses alleged in the above-referenced warrants.
3. A copy of any report, document, writing, audio recording, video recording, or digital recording that contain any information that is either exculpatory or arguably exculpatory with regard to whether Dante Fredrick committed any of the offenses

IN THE MAGISTRATE COURT OF GLYNN COUNTY
STATE OF GEORGIA

2012 MAY -3 A 9:20

STATE OF GEORGIA

V.

DANTE FREDRICK,
Defendant

)
)
)
)
)
)

Warrant Nos.: 12042001; 12042002

[Signature]
CLERK OF SUPERIOR COURT

MOTION TO QUASH SUBPOENA FOR PRODUCTION

COMES NOW, the State of Georgia, by and through the District Attorney's Office, and respectfully moves this Court to Quash the Subpoena for Production of Evidence in reference to the above-numbered warrants. In support of this motion, the following is provided:

Investigator Gerry Herndon, the investigator who procured the above numbered warrants, received a subpoena dated May 30 [sic], 2012 from the Defendant requiring him to produce the following information at a preliminary hearing in this Court on May 3, 2012:

"1. Any and all reports, summaries, documents, or other writings that pertain to the allegation that Dante Fredrick committed any of the offenses alleged in the above-referenced warrants.

2. Any audio recording, video recording, digital recording, handwritten statement, report or other document that contain or summarize any statement given by Dante Fredrick, Sierra Rosanne West, Stacie Dianne Hayes or anyone else who has knowledge of any information regarding the offenses alleged in the above-referenced warrants.

3. A copy of any report, document, writing, audio recording, video recording, or digital recording that contain any information that is either exculpatory or arguably

exculpatory with regard to whether Dante Fredrick committed any of the offenses alleged in the above-referenced warrants.

4. Any and all reports or other documents that concern any charge of Theft by Deception for which Dante Fredrick was either arrested or for which a hold was placed on Dante Fredrick with the Glynn County Sheriff's Office during April 2012.

5. Any and all reports or other documents that concern the dismissal or withdrawal of any charge of Theft by Deception for which Dante Fredrick was either arrested or for which a hold was placed on Dante Fredrick with the Glynn County Sheriff's Office during April 2012."

The state contends:

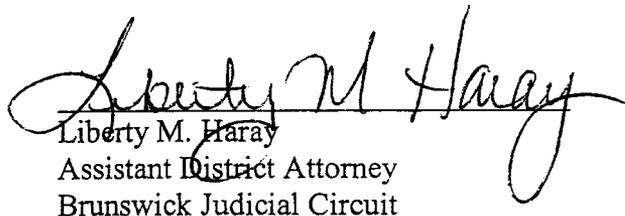
1. Criminal cases are guided by O.C.G.A. §17-16-1 *et seq.*
2. A Preliminary Hearing has a statutory function for the court of inquiry to determine whether there is probable cause for the charges against the accused to require the accused to appear and answer before the appropriate court. O.C.G.A. § 17-7-23. The information and material requested by Defendant are not relevant in determining whether probable cause exists against the Defendant for the alleged charges. The Defendant should not be allowed to go on what amounts to a "fishing expedition" during a Preliminary Hearing. This is merely an attempt to circumvent the reciprocal rule of Discovery. *See Farmer v. State*, 222 Ga. App. 506, 508, 474 S.E.2d 711 (1996) (holding "a notice to produce cannot be used as a discovery tool to circumvent discovery reciprocity under the discovery act.")
3. The requested documentation is too extensive, broad, indefinite, inclusive, and irrelevant.

If the Defendant wishes to review the material requested he is free to do so after the case has been indicted or accused and he elects in writing to have the reciprocal rules of discovery apply to that case. O.C.G.A. § 17-16-1 *et seq.* However, to require Inv. Herndon to produce the requested evidence at this point in time would render the reciprocal discovery rules meaningless.

The State recognizes the Defendant's right to subpoena a witness and does not seek to quash the subpoena in whole. The State only asks that the portion of the subpoena requiring Inv. Herndon to bring the requested evidence with him be quashed.

WHEREFORE, the State respectfully prays that an order issue quashing the Defendant's subpoena which requires Inv. Herndon to bring the requested documents to him.

This the 3rd day of May, 2012.


Liberty M. Haray
Assistant District Attorney
Brunswick Judicial Circuit

Incident Supplement

Print Date: 05/02/2012 15:15:52

Glynn County Police

Case ID G01203086	Supplement ID 497729	Occur Date 04/17/2012 15:00	Event Type THEFT BY TAKING
Location 111 Winton Dr			
Subject Interview with Dante Fredrick/ CID			

NARRATIVE

Supplemental Done By:
 Inv. G. Herndon #203
 Case# G01201924; G01202250; G01202356; G01203086
 Re: Interview with Dante Fredrick

On April 19th, 2012 at approximately 19:20 hours, I (Investigator G. Herndon) of the Glynn County Police Department conducted an interview with a black male that identified himself as Dante G. Fredrick. The interview with Fredrick was conducted in Interview Room #4, where it was audio and video recorded. Fredrick was advised of his rights under the Miranda Decision. Fredrick stated that he understood his rights and signed the Waiver Certificate acknowledging that he understood his rights and would speak to me without an attorney present.

The following is a summary of the interview with Fredrick. It is not verbatim and does not purport the entire interview.

Here is that summary:

I advised Fredrick that he was being questioned about some thefts in taking other peoples money. Fredrick advised that he doesn't take "shit" from people. People make deals and people do slimy ass shit and when shit don't go their way, they want to run to yall.

I asked Fredrick what kind of deals he was referring to? Fredrick then stated that he needed to know what situation I was talking about. I advised him that this had to do with people entrusting him with stuff based on an agreement. Fredrick advised that anything he gets from anyone is given to him. Fredrick then advised that he had video and audio recording of the people giving him stuff. He reiterated that he did not take anything from anyone and that they gave it to him.

I then explained to Fredrick that when he takes someone's money based on a previous agreement and then converts that money into his own funds it is theft by conversion. Fredrick advised that he has a bank account and has plenty of money and that he has a trust fund. He advised that he could show where his money comes from and that I could go to Bank of America and pull up his account and he has money.

I advised Fredrick that if he has money like he says he does, then why was he setting up deals with

Officer Id: 203	Officer Name: Herndon, Gerald PO I	Agency: GCPD	Date: 04/25/2012
Reviewed Status: PENDING REVW	Reviewed by: -		Date: 04/25/2012

Incident Supplement

Print Date: 05/02/2012 15:15:52

Glynn County Police

Case ID G01203086	Supplement ID 495945	Occur Date 04/17/2012 15:00	Event Type THEFT BY TAKING
Location 111 Winton Dr			
Subject CID Call Out reference interviewing Dante Fredrick			

NARRATIVE

Supplemental Done By:

Inv. G. Herndon #203

Case# G01203086

Re: CID Call Out reference interviewing Dante Fredrick

No Fire Arms
Found in home of Dante
Fredrick after search of home

On April 20th, 2012 at approximately 18:00 hours, Lt. Hassler called me via phone in reference to GBNET arresting Dante Fredrick. I was advised to meet the patrol unit at the Glynn County Police Department to take custody of Fredrick and interview him on my case incidents that I was working (G01202250 and G01202356). Lt. Hassler advised that he would be at the station to interview Fredrick on case incident G01203086 when they finished up at 138 Winter Chase.

I made contact with Dante Fredrick at the Glynn County Police Department and placed him into Interview Room #4. Myself and Lt. Jump both interviewed Fredrick on the afore-mentioned case incidents that I had on Dante Fredrick (AKA- Ki, Key, Keon Baker). The interview with Fredrick was video and audio recorded. Fredrick was advised of his rights under the Miranda Decision. Fredrick stated that he understood his rights and signed the Waiver Certificate acknowledging that he understood his rights. See case incident G01201924 for the interview of case incidents G01202250 and G01202356.

After completing the interview with Dante Fredrick, I placed Fredrick into a Holding Cell until GBNET and Lt. Hassler arrived to interview Fredrick on case incident G01203086. A Holding Cell Medical Assessment and Property Receipt was completed on Fredrick and placed on the clip board next to the cell. Lt. Hassler arrived with GBNET and I gave him my ABIS and SOVI for two counts of Theft by Conversion on case incidents G01202250 and G01202386. I also advised Lt. Hassler along with Mike Davis to finish the Holding Cell Sheet once Fredrick was ready to be transported to the Glynn County Detention Center. Nothing further.

Inv. G. Herndon #203
Criminal Investigations Division
Glynn County Police Department

The only thing found on
Dante Fredrick was 3,194.00
Item # 005 TAG G01203086 G01202250 US currency

Officer Id: 203	Officer Name: Herndon, Gerald PO I	Agency: GCPD	Date: 04/23/2012
Reviewed Status: APPROVED	Reviewed by: 163 - Jump, Thomas Lieutenant	Date: 04/24/2012	

Incident Supplement

Print Date: 05/02/2012 15:15:52

Glynn County Police

Case ID G01203086	Supplement ID 494705	Occur Date 04/17/2012 15:00	Event Type THEFT BY TAKING
Location 111 Winton Dr			
Subject			

NARRATIVE

Date 04-19-2012
 Time: 1247hrs - 1420hrs
 Comp: Mario Anthony Woods

Mario Woods called police on 4/17/2012 to report guns stolen; on 4/18/2012 claims he met with a light skin black male and gave him \$500 for 2 guns back, why did he not call police on 4/18/2012 before meeting? why wait until 4/19/2012

On the time and date above I responded to Glynn Plaza (Power House Gym) in reference to a welfare check on a white female driving a Beige 4 door Lexis ES300, Ga. tag # BYQ2880 and named Ms. Andrea Kim Woods. Dispatch stated her husband identified as Mario A. Woods stated she was meeting with a black male to pay him for some stolen guns.

On arrival to the area I met with GBNET Officer 464 (Mike Thomas). Officer 464(Mike Thomas) helped to search the area and locate the complainant Mr. Woods.

The complainant stated Ms. Woods was suppose to meet with drug dealers who had his stolen guns from the above county case number. Mr. Woods said he was worried after about an hour and tried to call her but did not get a response.

While speaking to Mr. Woods about the above case his wife, Ms. Andrea Kim Woods contacted him on his phone. Mr. Woods said Ms. Woods was made to withdraw approximately 11,500 in cash and give to the black male. Mr. Woods also said the black male was with her in her vehicle when she was made to withdraw the money.

It was determined that Ms. Woods was at her home at the time of this call and the county and other GBNET officers would go to her home at 111 Winton Dr. to interview her.

Mr. Woods also stated, he met with a light skin black male yesterday (4-18-2012) at the Citgo at Cypress Mill Rd and Cypress Square at the dumpster. He stated the male said his name was Dan and was driving a white BMW SUV. Mr Woods said he gave Dan 2,500 cash and received two of his guns back. (22 LR unknown serial number and 243 bolt action serial number 736737)

GBNET and other city investigators went to 111 Winton Dr. and talked to Ms. Woods about today's incident.

Nothing Further at this time.

F. West #438

MARIO Woods states he met with a light skin black male Dante Frederick is Dark skin and does not go by Dan. 11th 14th

All convictions violates O.C.G.A. 16-1-7 (A) and the 5th 5th Constitutional

Officer Id: 438	Officer Name: West, Franklin Officer	Agency: BPD	Date: 04/19/2012
Reviewed Status: APPROVED	Reviewed by: 454 - Dheel, Christine Lieutenant		Date: 04/20/2012

All Included offenses Violating 16-1-7 (A) Illegal Conviction
 Count 11 - 243 bolt action Rifle Serial # 736737 - Convicted - sentenced - 5 years
 Count 12 - 22 LR model # 62 Serial # 0209328 - Convicted - sentenced - 5 years
 Count 8 - 2000 cash to receive 2 guns - convicted

Count 6 - Theft by description for Count 11, 12, 13 all the weapons included convicted - sentenced - 10 years
 Count 15 - 1 shot to receive 2 guns - convicted - sentenced - 10 years

Incident Supplement

Print Date: 05/02/2012 15:15:52

Glynn County Police

Case ID G01203086	Supplement ID 496149	Occur Date 04/17/2012 15:00	Event Type THEFT BY TAKING
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Location
111 Winton Dr

Subject

Initial response

NARRATIVE

4400 Altama Avenue.
G01203086

Friday, April 20, 2012 at approximately 1300 hours I responded to Cypress Mill Square in reference to a possible kidnapping. Dispatch had previously advised that the complainant, Mario Woods was calling in reference to his wife Kim Woods being missing. Officer F. West and Investigator M. Thomas made several attempts to locate Mrs. Woods between the parking lots of Big Lots and Powerhouse gym. Negative contact was made with Mrs. Woods. I made contact with Mr. Woods via telephone who advised that he was leaving his place of employment at the time.

I asked Mr. Woods if he could tell me why he thought his wife was kidnapped. Mr. Woods stated that the initial incident dated back several weeks ago when his son Jake became involved with some bad people. Mr. Woods said that Jake's life had been threatened by some really bad people and now whole family was in fear for their life. Mr. Woods went on to say that Jake lured his mother out of the house on 4/17/2012 so he could removed the firearms from the home and give to the people that were threatening his life. Mr. Woods stated that he received a call on 4/19/12 from a subject by the name of "Dan" (LNU). Dan told Mr. Woods that he could get his property back for \$2500 and everything would be taken care of. Mr. Woods stated that he met Dan near a dumpster at the Citgo station on Community Road and gave him \$2500. In return Dan gave him two of his firearms back which were a .22 LR with an unknown serial number and 243 bolt action with a serial number of 736737. Dan was traveling in a white, BMW X5 SUV. Mr. Woods stated that a police report had been taken by Lt. Hassler with Glynn County Police in reference to the incident. Mr. Woods said that he spoke with his wife on this date and she told him that she was enroute to meet someone in reference to getting the guns back. Mr. Woods did not know who his wife was going to meet. Mr. Woods stated that he lost contact with his wife and was not able to reach her. I sent Officer West up to the Harold Pate building to retrieve Mrs. Woods' license plate number. Officer West responded back to me and a BOLO was given for Mrs. Woods and her 1996 Lexus. Mr. Woods told me that his wife's

Officer Id: 412	Officer Name: Smith, Angela Pfc	Agency: BPD	Date: 04/23/2012
Reviewed Status: APPROVED	Reviewed by: 413 - Berger, Russell Sergeant		Date: 04/25/2012

Count 6, 8, 11, 12, 13 All separate conviction
 Count 6 - Theft by ~~deception~~ deception for fire arms = convicted = 10 years
 Count 13 - possession of same fire arm - convicted = 5 years
 Count 8 = theft by deception = \$2500 = convicted 10 years
 Count 11, 12 = 2 fire arms = convicted 5 years a piece

NOTES: 0000

Case ID: G01203086

Suppl. ID: 496149

Page 1 of
 Mario Woods
 All included offense 5
 All violate 5th Amend



IN THE SUPERIOR COURT OF GLYNN COUNTY
STATE OF GEORGIA

STATE OF GEORGIA, *
* CR 1200 353 063
versus *
*
DANTE FREDRICK, *
*
Defendant. *
*

PLEA

Before The Honorable Stephen D. Kelley
Brunswick, Georgia, Glynn County
19th day of December 2012

APPEARANCES:

FOR THE STATE OF GEORGIA: LIBERTY HURAY
Glynn County
Assistant District Attorney
701 "H" Street, Box 301
Brunswick, Georgia 31520

FOR THE DEFENDANT: JOHN WETZLER
Attorney at Law
506 Monk Street
Brunswick, Georgia 31520

Teresa S. Baxter
Official Court Reporter
Post Office Box 24537
St. Simons Island, Georgia 31522
(912) 638-3323

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THE COURT: Do you have a petition?

MR. WETZLER: Yes, sir.

MS. HURAY: Your Honor, may we approach?

(Bench Conference)

THE COURT: All right. Let's go forward with the case.

MS. HURAY: Your Honor, with the Defendant present in the courtroom represented by Mr. John Wetzler this is State of Georgia versus Dante Fredrick.

Mr. Fredrick is case number CR 12 00-3, excuse me, 12 00353-063.

He's charged in a fourteen count indictment.

Two counts of armed robbery, two counts of robbery by intimidation, one count of kidnaping, two counts of theft by deception, one count of theft by extortion, one count of terroristic threats, one count of escape and four counts of possession of a firearm by a convicted felon.

It is as I understand his wish to plead guilty to count six and eight which are the theft by deceptions and count eleven through thirteen possession of a firearm by a convicted felon, Your Honor.

THE COURT: And those are three different counts? There's three counts of possession of a firearm?

MS. HURAY: He'd be pleading to three out of the

1 four, yes, Your Honor.

2 THE COURT: So it's alleged that he possessed a
3 firearm on three different occasions?

4 MS. HURAY: Correct. Well, or three different guns.
5 Yes, Your Honor.

6 THE COURT: Three different guns. Okay. What's the
7 factual basis?

8 MS. HURAY: Yes, Your Honor. The factual basis as
9 each count and then I'll explain further as to the factual
10 basis of the whole thing.

11 As to count six all of this incident started about
12 the 17th day of April of this year. Dante Fredrick had
13 contacted a Mr. Jake Woods who is the son of Mario Woods.
14 He stated that an individual by the name of Danny, he told
15 Jake that he owed Danny money for Jake taking a amount of
16 marijuana.

17 Jake Woods knew of an individual by the name of Danny
18 out of Jacksonville, but knew that he did not owe this
19 Danny person any money for any weed. Or for marijuana,
20 Your Honor.

21 Mr. Fredrick made comments to Jake Woods that he
22 would do anything that Danny told him to. If Danny told
23 him to kill Jake and his family, well, that's just what
24 he'd have to do.

25 On that day he did say, however, I think I can keep

1 Danny off your back but I'm going to need some collateral.
2 So Jake agreed to, and gave Mr. Fredrick the items
3 consisting of an Apple Ipod, a white gold necklace, a Play
4 Station Three video console including an unknown amount of
5 games, one controller, a Tikka T-3 .243 caliber action,
6 excuse me, .243 caliber block action rifle with a serial
7 number of 736737, a Savage Arms .22 caliber semi-automatic
8 rifle which is a model number 62 with a serial number of
9 0200329, a Stag Arms AR15 .223 caliber semi-automatic
10 rifle with a serial number of 85312. That .223 included a
11 hundred and twenty rounds of ammunition contained in four
12 magazines. Also a Smith & Wesson M & P .40 caliber semi-
13 automatic handgun with a serial number of MRH 9315 which
14 included one magazine loaded with fourteen rounds of
15 ammunition. All this property belonging to Jake Woods and
16 his father Mario Woods with a value exceeding Five Hundred
17 (\$500.00) Dollars. The actual value, Your Honor, was Four
18 Thousand, Four Thousand Two Hundred Dollars and Twenty-Six
19 Cents (\$4,200.26).

20 The, that property was gotten by Dante Fredrick
21 through deceitful means by making Jake Woods believe that
22 he had a bounty on his head from this individual by the
23 name of Danny which after police officers arrested Mr.
24 Fredrick he had two phone, phones on his person. Both of
25 those numbers were the numbers that had been called to the

1 Woods family by Key (sounds like) who Dante Fredrick had
2 been going by, the name Dante Fredrick had been going by,
3 as well as, the number that this individual named Danny
4 had been going, going by.

5 It's also noted that the Woods stated that both, when
6 both individuals Key (sounds like) and Danny would call
7 they sounded like the same person, they had the same
8 voice. And they were pretty sure it was the same person;
9 it wasn't two different individuals.

10 As to count eight, Your Honor, on the 18th day of
11 April Dante Fredrick phoned Mario Woods and told Mr. Woods
12 that he had his guns, that he would be willing to give him
13 all of his guns back if Mr. Woods would give him Twenty-
14 Five Hundred (\$2,500.00) Dollars. Mr. Woods basically
15 stated, okay.

16 They met at the Circle K here in Glynn County on
17 Altama Avenue at which point Mario Woods gave Mr. Fredrick
18 Twenty-Five Hundred (\$2,500.00) Dollars and Mr. Fredrick
19 gave Mr. Mario Woods two of the firearms.

20 In the videotape from the gas station it can be seen
21 that Mr. Fredrick shows up to the gas station in his
22 wife's white SUV and gets out of the car and hands Mr.
23 Woods a, some items wrapped in a brown towel that are the
24 length of a rifle or two. And that transaction was made,
25 Mr. Woods never received the other two weapons back and

1 that transaction was made under the understanding that all
2 of the stuff with Mr. Jake Woods would be taken care of
3 with this transaction. However, it was not.

4 The remaining ... I believe that also covers counts
5 eleven through thirteen as well, Your Honor. Eleven being
6 the .243 Tikka, .243 caliber Tikka rifle, the .22 caliber
7 semi-automatic rifle and the M & P .40 caliber handgun
8 which was stated in count six.

9 The remainder of the factual basis, Your Honor, that
10 stems around the other charges is that on the 19th day of
11 April Mr. Dante Fredrick called Kim Woods at her place of
12 business here in Glynn County and told her that all of
13 this stuff wasn't over, that Danny still wanted more money
14 or he would basically take out her son and her family.

15 It's specific to note that Mr. Fredrick had pictures
16 of the inside of the Woods' home, told Jake Woods that he
17 had known where his, what side of the bed his father slept
18 on. He had pictures of Jake Woods' girlfriend, knew where
19 she lived.

20 On the 19th day of April he had called Ms. Kim Woods
21 at work and told her that everything wasn't over, he still
22 needed more money, she needed to meet him at the Bailey's
23 Gym off Altama Avenue and Cypress Mill here in Glynn
24 County.

25 She did go meet him. She had left her cell phone at

1 work and had taken a coworkers phone. At the point in
2 time where Mr. Fredrick got in the car with her she agrees
3 that she never looked at Mr. Fredrick or at Key (sounds
4 like) as she knew him by and noticed a gun; however, she
5 did say that Mr. Fredrick stated that I trust you and all
6 but just to let you know I do have a gun pointed at your
7 side.

8 The two of them went to the Ameris Bank right there
9 located closest to Bailey's. Mr. Fredrick directed Ms.
10 Woods to go into the bank and make a withdrawal of Four
11 Thousand (\$4,000.00) Dollars while Mr. Fredrick stood in
12 the foyer of the bank and waited on Ms. Kim Woods to
13 return with the money.

14 After that she attempted to take Mr. Fredrick back by
15 saying basically that, okay, this is done, let me go home,
16 you're done with my family and he said, no, we're not done
17 yet, you need to go to the other Ameris Bank.

18 So they went to the Ameris Bank out on 341 located
19 there at Crispen Boulevard here in Glynn County and he
20 would not let her out of the car at this point in time.
21 He told her to go through the drive-through at which time
22 she made a deposit or a, a withdrawal of Five Thousand
23 (\$5,000.00) Dollars. Gave that money to Mr. Fredrick.

24 The, there is a question because the time stamps on
25 the time of the video at the Ameris Bank in the center of

1 town is two hours prior from the time stamp that's on the
2 video at the Ameris Bank in, on 341 at Crispen Boulevard.
3 That time cannot be accounted for by Ms. Woods.

4 Additionally, on, that evening is when Mr. Fredrick
5 was taken into custody by police officers. Lieutenant
6 David Hassler with the Glynn Brunswick Narcotics
7 Enforcement Team became involved due to some, due to the
8 fact that this all stemmed around some alleged guy that
9 seems to exist but nobody really knows and drugs.
10 Lieutenant Hassler became involved.

11 There were text messages on Mr. Fredrick's phone
12 dealing with the distribution of narcotics. Lieutenant
13 Hassler stated that he could charge him with the
14 distribution of narcotics based on the cell phone text
15 however he wouldn't charge him with that if he could help
16 him get the guns back. So Mr. Fredrick agreed.

17 Mr. Hassler, or Lieutenant Hassler made it very clear
18 that Mr. Fredrick would be going to jail for these other
19 remaining charges on him due to, from the Woods; however,
20 if he helped him get the guns back that he wouldn't charge
21 him with distribution of narcotics.

22 The investigators with the Glynn Brunswick Narcotics
23 Team allowed Mr. Fredrick to speak through his phone. He
24 gave officers the phone number to call. Mr. Fredrick is
25 heard on the audio and video recording of the interview

1 basically telling an individual, you know the package you
2 got, I need you to meet me at this location. And that's
3 pretty much it.

4 Officers with the Dante Fredrick met at the alleyway
5 just behind the courthouse adjacent to the yellow house
6 off of I Street. It's just a dirt alleyway. They were
7 suppose to make the, Mr. Fredrick made officers believe
8 they were suppose to make the transaction of the guns
9 there at one of the houses there. They told Mr. Fredrick
10 that he was to go to that house, get the guns and come
11 directly back. Officers were placed at strategic
12 locations around that house; however, Mr. Fredrick escaped
13 until some point the following day which was April 20th.

14 On April 20th he did call Ms. Kim Woods back on her
15 cell phone and told her that, I quote, you are a dead
16 bitch. Mr. Woods was standing next to his wife while that
17 call was placed.

18 And I believe that covers it, Your Honor.

19 THE COURT: Okay. What's the State's offer?

20 MS. HURAY: The State's offer, Your Honor, is for
21 Mr. Fredrick to be in the custody and control of the
22 Department of Corrections for a period of twenty years.
23 To serve ten of those incarcerated.

24 And be allowed to serve ten of those on probation.

25 For him to have a Five Thousand (\$5,000.00) Dollar

1 fine.

2 To have all the standard terms and conditions of
3 probation including the Thirty-Two (\$32.00) Dollar
4 supervisory fee.

5 For him to have one year of intensive probation.

6 For him to have ninety-six hours of community
7 service.

8 For him to have no alcohol or illegal drug use.

9 For him to have no contact with any of the victims of
10 this case or any of the other cases that would be wrapped
11 up with this plea.

12 He has several other theft by deceptions stemming
13 from several other incidences in 2012. Those victims
14 would include all of the Woods family. It would include
15 Stacy Hayes, Sierra West, Kiwana (sounds like) Wilcox and
16 Peter Robaudo.

17 Also for there to be an amount of restitution paid by
18 Mr. Dante Fredrick in the amount of Eleven Thousand Five
19 Hundred (\$11,500.00) Dollars to the Woods family.

20 Three Thousand Four Hundred and Eighty-Three Dollars
21 and Twenty-Four Cents (\$3,483.24) to Nationwide and that's
22 for all the items in count number six minus the two guns
23 that Mr. --

24 THE COURT: Three Thousand Four Hundred and what?

25 MS. HURAY: Three Thousand Four Hundred Eighty-Three

1 Dollars and Twenty-Four Cents (\$3,483.24) to Nationwide
2 and that's the amount from the items in count four minus
3 the two guns that Mr. Woods did receive back.

4 Then an amount of restitution to Stacy Hayes in the
5 amount of One Thousand Three Hundred Thirty-Six
6 (\$1,336.00) Dollars.

7 THE COURT: Okay.

8 MS. HURAY: An amount to Ms. Sierra West for Two
9 Thousand (\$2,000.00) Dollars.

10 An amount to Ms. Kiwana (sounds like) Wilcox for
11 Three Hundred and Ninety (\$390.00) Dollars.

12 An amount to Peter Robaudo, and for the record that
13 R-o-b-a-u-d-o, in the amount of Six Hundred (\$600.00)
14 Dollars.

15 And to have a special condition to have all of his
16 search and seizure rights waived under the, under the
17 Fourth Amendment of the U.S. Constitution and Article One
18 of the Georgia Constitution, Your Honor.

19 THE COURT: Mr. Woods.

20 MR. WOODS: Yes, sir.

21 THE COURT: Madam Court Reporter, can you hear him
22 from where he's standing?

23 MS. HURAY: If you want him to he can come to this
24 desk.

25 (OFF RECORD DISCUSSION)

1 THE COURT: Mr. Woods, you heard this offer made by
2 the State are you asking the Court to accept this and move
3 forward?

4 MR. WOODS: I am.

5 THE COURT: Okay. All right. If you will raise
6 your right hand, please, sir.

7 WHEREUPON

8 DANTE G. FREDRICK

9 after first being duly sworn, was examined and testified as
10 follows:

11 EXAMINATION

12 THE COURT: All right. State your full name,
13 please, sir.

14 DEFENDANT DANTE G. FREDRICK: Dante Germaine
15 Fredrick.

16 THE COURT: All right. And I'm going to have to ask
17 you a few questions, sir, to determine whether or not
18 you're entering this plea of guilty as to two counts of
19 theft by deception, three counts of possession of a
20 firearm.

21 DEFENDANT DANTE G. FREDRICK: Yes, sir.

22 THE COURT: Okay. How old are you?

23 DEFENDANT DANTE G. FREDRICK: Twenty-five.

24 THE COURT: How much education do you have?

25 DEFENDANT DANTE G. FREDRICK: Twelfth grade level.

1 THE COURT: Okay. Do you read and write the English
2 language?

3 DEFENDANT DANTE G. FREDRICK: Yes, sir.

4 THE COURT: Okay. This plea petition did you, did
5 you read it, sir?

6 DEFENDANT DANTE G. FREDRICK: Yes, sir.

7 THE COURT: There's some initials by it; did you
8 sign it?

9 DEFENDANT DANTE G. FREDRICK: Yes, sir.

10 THE COURT: Initial it. Okay. Did you have any, do
11 you have any questions about it?

12 DEFENDANT DANTE G. FREDRICK: No, sir.

13 THE COURT: Okay.

14 DEFENDANT DANTE G. FREDRICK: Well, I do actually.

15 THE COURT: Okay.

16 DEFENDANT DANTE G. FREDRICK: All of these charges
17 will be ran in concurrent; right?

18 THE COURT: Well, the --

19 MS. HURAY: How, how --

20 THE COURT: The Court will have, the two, the two
21 theft by deceptions will be run concurrent with each other
22 because they're, well, let me think ... Now, what's the
23 maximum sentence as far as --

24 MS. HURAY: Those charges which he's pleading to or

25 --

1 THE COURT: They're both --
2 MS. HURAY: -- altogether?
3 THE COURT: -- just ten years aren't they?
4 MS. HURAY: They're both just ten years so we --
5 THE COURT: One --
6 MS. HURAY: -- were accepting --
7 THE COURT: One ought to be consecutive; right?
8 MS. HURAY: Wait. He would do the --
9 THE COURT: Count six and count eight so --
10 MS. HURAY: Count six and count eight would --
11 THE COURT: So it could --
12 MS. HURAY: -- be five --
13 THE COURT: -- eight, --
14 MS. HURAY: -- years --
15 THE COURT: -- eight consecutive to count six.
16 Count six would be --
17 MS. HURAY: Concurrent.
18 THE COURT: Huh?
19 MS. HURAY: Those would be concurrent with each
20 other.
21 THE COURT: And then do consecutive to --
22 MS. HURAY: And then you would have to do
23 consecutive to the possession of a firearm by a convicted
24 felon because that would be fifteen years because those
25 have to be run consecutive.

1 THE COURT: The problem is the probation, probation
2 ... So basically you're asking me to put him on probation
3 for possession of a firearm by a convicted felon but then,
4 but those, but really the restitution and all go to the
5 theft charges.

6 MS. HURAY: What I would prefer was the possession
7 of a firearm for him to serve --

8 THE COURT: You would make those to serve --

9 MS. HURAY: To serve. And then the, it would still
10 be run consecutive all of them. Have the thefts on the
11 end, Your Honor.

12 THE COURT: Okay.

13 DEFENDANT DANTE G. FREDRICK: So what --

14 THE COURT: I'm going, basically I'm going to
15 sentence you as to counts, what are they, counts 11, 11,
16 11 will be five years and 12 will be consecutive to count
17 11. 13 could be consecutive to, it could be count 11
18 also. And then count six and eight consecutive to those
19 counts. So it ends up being twenty, serve ten.

20 DEFENDANT DANTE G. FREDRICK: That's what I'm
21 saying, I'll be twenty serve ten on which charges? That's
22 what I'm asking. What am I serving the ten on?

23 THE COURT: You're serving the ten on the firearm
24 charges.

25 DEFENDANT DANTE G. FREDRICK: So just the firearm.

1 And the consecutive is --

2 THE COURT: Will be the, will be the theft charges
3 so that you can start making restitution.

4 DEFENDANT DANTE G. FREDRICK: So basically I'm
5 entering the system because I done been to prison before,
6 I'm entering the system on just the firearms charges?

7 THE COURT: Yes.

8 DEFENDANT DANTE G. FREDRICK: Okay.

9 THE COURT: Although they'll know about everything.

10 DEFENDANT DANTE G. FREDRICK: I mean, I understand
11 that. I just wanted to, okay.

12 THE COURT: Have you ever been treated for mental
13 illness?

14 DEFENDANT DANTE G. FREDRICK: No, sir. No, sir.

15 THE COURT: Are you now under the influence of
16 alcohol, drugs, narcotics or other medications?

17 DEFENDANT DANTE G. FREDRICK: No, sir.

18 THE COURT: Okay. I don't have to accept this plea.
19 If I tell you, if I decide not to I'll tell you and let
20 you withdraw your plea; do you understand?

21 DEFENDANT DANTE G. FREDRICK: Yes, sir. I do.

22 THE COURT: Has anybody promised you anything to get
23 you to enter these pleas of guilty?

24 DEFENDANT DANTE G. FREDRICK: No, sir.

25 THE COURT: Has anybody used any force or threats to

1 get you to plead guilty?

2 DEFENDANT DANTE G. FREDRICK: No, sir.

3 THE COURT: Okay. Do you understand that the
4 maximum sentence of theft by deception is ten years?

5 DEFENDANT DANTE G. FREDRICK: Yes, sir.

6 THE COURT: Okay. And that would be in count six
7 and count eight and that the maximum sentence of
8 possession of a firearm by a convicted felon is five
9 years?

10 DEFENDANT DANTE G. FREDRICK: Yes, sir.

11 THE COURT: Actually if all the ones that you're
12 pleading to were to run consecutive then that would be a
13 total of thirty-five years in prison; do you understand?

14 DEFENDANT DANTE G. FREDRICK: I understand, sir.

15 THE COURT: Okay. I advise you that if you're not a
16 citizen of the United States that a plea of guilty could
17 have an impact on your immigration status; do you
18 understand that?

19 DEFENDANT DANTE G. FREDRICK: Yes, sir.

20 THE COURT: Do you understand that you have a right
21 to require a jury trial as to every count in that
22 indictment and the State would have to prove each and
23 every element of each offense beyond a reasonable doubt;
24 do you understand that?

25 DEFENDANT DANTE G. FREDRICK: Yes, sir.

1 THE COURT: If you plead not guilty then you waive
2 these rights, the right to a speedy and public trial by a
3 jury, the presumption of innocence, the right to confront
4 and question witnesses against you, the right to subpoena
5 any witnesses and evidence in your favor, the right to the
6 assistance of a lawyer during trial, the right to testify
7 and to offer other evidence, the right not to incriminate
8 yourself and you could testify or not testify. By
9 entering this plea today though these rights are all gone;
10 do you understand?

11 DEFENDANT DANTE G. FREDRICK: I understand.

12 THE COURT: Okay. I further inform you that while
13 on probation that you have a Fourth Amendment waiver and
14 that you agree as a special condition that you submit to a
15 search of your person or property anytime day or night
16 with or without your consent or a search warrant whenever
17 requested to do so by a probation officer or a law
18 enforcement officer. If anything is taken it can be used
19 as evidence against you in any court proceeding.

20 Do you understand?

21 DEFENDANT DANTE G. FREDRICK: I understand, sir.

22 THE COURT: You heard the evidence as outlined by
23 the Assistant District Attorney, do you admit without
24 limitation that that's the, those are the, that that is a
25 description of your conduct that is the basis of these

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deception I hereby adjudicate you guilty.

As to count eight of this indictment theft by deception I adjudicate you guilty.

As to counts eleven, twelve and thirteen possession of a firearm by a convicted felon I hereby adjudicate you guilty.

And I hereby sentence you as follows:

As to count eleven of this indictment possession of a firearm by a convicted felon I sentence you to five years in the custody of the Department of Corrections.

As to count twelve of this indictment I sentence you to five years in the custody of the Department of Corrections.

Count twelve runs consecutive to count eleven. Okay.

As to count thirteen, five years in the custody of the Department of Corrections.

It'll run, it'll run consecutive to count eleven also.

As to count six I sentence you to ten years in the, ten years in the custody of the Department of Corrections.

It'll run consecutive to the counts eleven, twelve and thirteen. Or actually it'll be counts twelve and thirteen.

And as to count eight ten years in the custody of the Department of Corrections. You'll be allowed to serve it

1 on probation.

2 It'll run consecutive to counts twelve and thirteen.

3 As to, as to count six that you receive a Five
4 Thousand (\$5,000.00) Dollar fine.

5 That you comply with the Fourth Amendment waiver.

6 That I, and all the fees and necessary charges,
7 surcharges.

8 That you comply with the Fourth Amendment waiver.

9 That you have the first year of that probation be
10 intensive. It's not going to be at the discretion, he
11 will have intensive --

12 MS. HURK: Correct.

13 THE COURT: -- probation.

14 Ninety-six hours of community service.

15 No alcohol or drug use while on probation.

16 That you have no contact with the victims that were
17 listed by the Assistant District Attorney which includes
18 the Woods family; there were numerous others. Do you
19 understand?

20 DEFENDANT G. FREDRICK: Yes, sir.

21 THE COURT: Okay. Also that you make restitution in
22 the amount of ⁱⁿ Thousand Five Hundred (\$11,500.00)
23 Dollars to the family;

24 Three Thousand Four Hundred and Eighty-Three Dollars
25 and Twenty (\$3,483.20) to, you're going to have to