

Walton County Department Agenda Request

Department Name: **Walton County Sheriff's Office**

Department Head/Representative: **Tammy Kirk**

Meeting Date Request: **12/05/23**

Has this topic been discussed at past meetings?

If so, When?

TOPIC: **Accept Forfieted Vehicle**

Wording For Agenda: **Acceptance of Forieted Vehicle**

This Request: Informational Purposes Only Needs Action by Commissioners* **yes**

*What action are you seeking from the Commissioners? **Acceptance**

Department Comments/Recommendation:

Additional Documentation Attached? **Copy of Court order**

Is review of this request or accompanying documentation by the County Attorney required? **no**

If so, has a copy of the documentation been forwarded to County Attorney?

Date forwarded to County Attorney:

Has the County Attorney review been completed?

If this request involves the expenditure of county funds, please answer the following:

Approved in current budget?

Budget information attached?

Comments:

Purchasing Department Comments:

County Attorney Comments:

Chairman's Comments:

IN THE SUPERIOR COURT OF WALTON COUNTY
STATE OF GEORGIA

Karen P. David
Karen P. David, Clerk
Walton County, Georgia

STATE OF GEORGIA, *ex rel*,
Randy McGinley, District Attorney
Plaintiff,

-vs-

ONE (1) 2013 BMW X5,
VIN:5UXZV4C54DL994078,
Defendant(s) in rem, and

OWNER & INTEREST HOLDER:
RANDALL LEWIS SCHOFIELD,
Claimant.

CIVIL ACTION No.

23-1314-3

CERTIFIED COPY

This 21st day of October 2023

Heather Park
DEPUTY CLERK WALTON SUPERIOR COURT

ORDER OF DISTRIBUTION

Under the application of the Randy McGinley, District Attorney for the Alcovy Judicial Circuit, or his lawfully appointed assistant, for an Order of Distribution of the forfeited property pursuant to the provisions of O.C.G.A. § 9-16-19, the Court orders as follows:

1.

That the defendant property seized in Walton County, Georgia, on July 5, 2023, having been forfeited by operation of law pursuant to O.C.G.A. § 9-16-11(c)(4) to the State of Georgia. The ONE (1) 2013 BMW X5, VIN:5UXZV4C54DL994078, shall either be sold by any commercially feasible means or kept by the Walton County Sheriff's Office (hereinafter 'WCSO') as an in-kind distribution and used for official law enforcement purposes. The WCSO previously assessed the fair market value of the aforementioned property as \$5,110.00 and in accordance with O.C.G.A. § 9-16-19(f)(2), the fair market value of \$5,110.00 shall hereinafter be referred to as "the pool" for distribution.

2.

That the pool shall be distributed in the following manner in accordance with O.C.G.A. § 9-16-19(f):

- 11-23 Debit "WCSO for F. State"
- Eighty Dollars (\$80.00) for court costs due to the Clerk of Superior Court of Walton County shall be paid by the WCSO pursuant to O.C.G.A. § 9-16-19(f)(3)(A);
 - From the balance remaining in the pool, ten percent (10%) thereof shall be paid to the Walton County District Attorney ('WCDA') by the WCSO to be used for official

\$ 511.00

ck#

\$ 511.00

10% on value

ck#


\$ 80.00

court cost

prosecutorial purposes pursuant to O.C.G.A. § 9-16-19(f)(3)(B);

- c. The balance of the pool shall be distributed to the WCSO be used for official law enforcement purposes pursuant to the provisions of O.C.G.A. § 9-16-19(f)(3)(C).

SO ORDERED this 20 day of October, 2023.



Judge, Superior Courts
Alcovy Judicial Circuit

Order Prepared by:

/s/ Jacqueline P. Fletcher
Jacqueline P. Fletcher
Georgia Bar No. 336680
Senior Assistant District Attorney
Alcovy Judicial Circuit