

Walton County Department Agenda Request

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

Department Head/Representative: **Tammy Kirk**

Meeting Date Request: **10/5/21**

Has this topic been discussed at past meetings?

If so, When?

TOPIC: **Acceptance of Forfeited Vehicle**

Wording For Agenda: **Acceptance of Forfeited 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? **no**

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) 2007 LEXUS ES 350, VIN:
JTHBJ46G972053343,

Defendant in rem, and

OWNERS & INTEREST HOLDERS:
AISHA LAURENE DIXON,
Claimant.

CIVIL ACTION No. *2021-CV-1406-1*

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 December 19, 2020, 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) 2007 LEXUS ES 350, VIN: JTHBJ46G972053343 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 shall determine the fair market value of the aforementioned property. In accordance with O.C.G.A. § 9-16-19(f)(2), the fair market shall hereinafter be referred to as "the pool" for distribution

3.

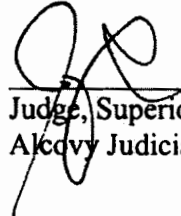
That the pool shall be distributed in the following manner in accordance with O.C.G.A. § 9-16-19(f):

- a. Eighty Dollars (\$80.00) for court costs due to the Clerk of Superior Court of Walton County shall be paid by the Walton County Sheriff's Office (hereinafter 'WCSO') pursuant to O.C.G.A. § 9-16-19(f)(3)(A);
- b. Seven Dollars (\$7.00) for certified mail costs due to the Walton County District

Attorney (hereinafter 'WCDA') shall be paid by the WCSO pursuant to O.C.G.A. § 9-16-19(f)(3)(A);

- c. From the balance remaining, ten percent (10%) thereof shall be paid to the WCDA by the WCSO to be used for official prosecutorial purposes pursuant to O.C.G.A. § 9-16-19(f)(3)(B);
- d. 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 31st day of August, 2021.



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

Jeffrey L. Foster
Judge, Superior Courts
Alcovy Judicial Circuit