

IN RE: APPOINTMENT OF OFFICIAL COURT REPORTER

ADMINISTRATIVE ORDER 17-09

FORSYTH COUNTY GEORGIA  
FILED IN THIS OFFICE  
JUL 12 2017  
*[Signature]*  
CLERK SUPERIOR COURT

Due to the undersigned's recent change in Official Court Reporter ("OCR"), and to ensure the continued safe storage of physical evidence stored by the OCR, the Court finds and ORDERS as follows:

1.

The undersigned's OCR, Tosha Seaney, voluntarily resigned from her position on or about May 23, 2017.

2.

The undersigned hereby appoints Staley Robertson as the undersigned's OCR effective July 31, 2017.

3.

Ms. Robertson is authorized to have transcribed, where reasonably necessary, proceedings reported by Ms. Seaney prior to Ms. Seaney's resignation.

4.

Ms. Robertson shall complete certain evidence log sheets as required pursuant to O.C.G.A. § 17-5-55(a).

SCANNED

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Order  
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5.

To ensure the accuracy of these evidentiary logs, the Court ORDERS that Ms. Robertson, as the undersigned's OCR, take charge of Ms. Seane's evidence lockers located in the Forsyth County courthouse. Ms. Robertson shall conduct an audit of the contents of the evidence lockers.

6.

The audit shall be observed, if elected, by a member from the Office of the District Attorney and a member from the Office of the Forsyth County Sheriff.

7.

The audit shall occur on a date to be coordinated by Ms. Robertson but in no event more than sixty (60) calendar days from July 31, 2017.

8.

Ms. Robertson shall prepare a comprehensive list of the contents of Ms. Seane's evidence lockers and shall, from that date forward, maintain all necessary O.C.G.A. § 17-5-55 Evidence Log Sheets. See, e.g., Ex. "A" (sample form).

9.

Should any law enforcement officer or agency take possession of any item located within Ms. Robertson's evidence lockers, the officer or agency representative shall complete a Receipt of Evidence form. See, e.g., Ex. "B"


10.

Ms. Robertson shall have sole and exclusive access to the evidence lockers from July 31, 2017, forward.

11.

Pursuant to Administrative Order No. 12-07, Ms. Seaney shall provide copies of all evidence logs maintained by her during her tenure as the undersigned's OCR within thirty (30) calendar days from July 31, 2017.

It is so ORDERED, this 12<sup>th</sup> day of July, 2017.



Jeffrey S. Bagley, Chief Judge  
Forsyth County Superior Court  
Bell-Forsyth Judicial Circuit

Distribution List

Original: Clerk of the Forsyth County Superior Court

cc: Penny A. Penn, District Attorney  
Ron Freeman, Sheriff  
Staley Robertson, OCR  
Ms. Tosha Seaney

# EXHIBITS

IN THE SUPERIOR COURT OF FORSYTH COUNTY  
STATE OF GEORGIA

IN RE: STORAGE OF PHYSICAL  
EVIDENCE CLASSIFIED AS DANGEROUS  
OR CONTRABAND BY STATE OR  
FEDERAL LAW

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FORSYTH COUNTY GEORGIA  
FILED IN THIS OFFICE  
AUG 28 2012  
H. P. Oll  
CLERK SUPERIOR COURT

ADMINISTRATIVE ORDER NO. 12-07

The undersigned Judges hereby designate their Official Court Reporters (OCR)<sup>1</sup> as the custodian of all physical evidence and property introduced into evidence during the pendency of all criminal cases on their respective criminal dockets. See O.C.G.A. § 17-5-55(a). Such evidence shall be inventoried by the OCR and the OCR shall maintain an evidence log. Id. Thereafter, the OCR is to transfer, with proper annotations in the evidence log, all physical evidence classified as dangerous or contraband, as such evidence is defined pursuant to O.C.G.A. § 17-5-55(b), to the Forsyth County Sheriff's Office (FCSO) for storage. Id. The FCSO shall store and safely secure such dangerous and contraband evidence in a manner authorized, and as may be required, by state and federal law.

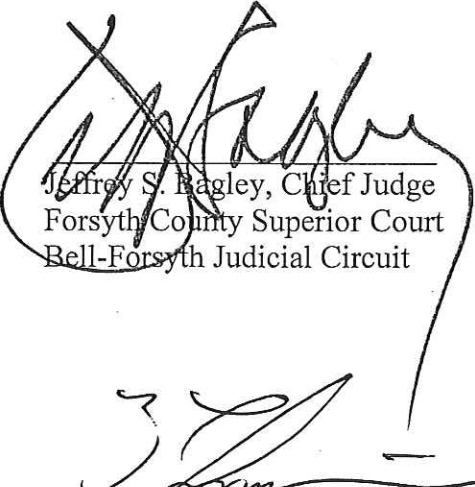
The OCR, as the evidence custodian, shall retain authoritative control over the evidence in FCSO storage and shall be allowed liberal access to such evidence as the OCR reasonably requires and as permitted by law. In no event shall the FCSO, or any other FCSO designee, destroy, remove, release for inspection, or otherwise tamper with any evidence stored by the FCSO pursuant to this Order without prior Court approval.

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<sup>1</sup> Though not officially appointed and designated as such, for purposes of this Order only, unless and until amended, Appalachian Court Reporting (P.O. BOX 943, Blairsville, Georgia 30514) shall be deemed the OCR as to both the Honorable Phillip C. Smith and the Honorable T. Russell McClelland.

Upon a change in OCR, the outgoing OCR shall ensure that all physical evidence appearing on said OCR's evidence log is appropriately stored with the FCSO. The outgoing OCR shall provide copies of all evidence logs to the incoming OCR within 30 calendar days of the incoming OCR being named the respective Courts' OCR.

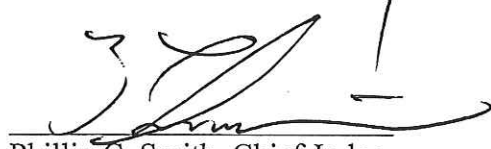
It is so ORDERED this 23rd day of August, 2012.




Jeffrey S. Bagley, Chief Judge  
Forsyth County Superior Court  
Bell-Forsyth Judicial Circuit



David L. Dickinson, Judge  
Forsyth County Superior Court  
Bell-Forsyth Judicial Circuit



Phillip C. Smith, Chief Judge  
Forsyth County State Court  
Bell-Forsyth Judicial Circuit



T. Russell McClelland, Judge  
Forsyth County Superior Court  
Bell-Forsyth Judicial Circuit

Distribution List

Original: Clerk of the Forsyth County Superior Court

cc: Trish Johnson, OCR  
Kim Coursey, OCR  
Appalachian Court Reporting  
Forsyth County Sheriff's Office  
Office of the District Attorney  
Office of the Solicitor General  
Circuit Court Administration



EVIDENCE LOG SHEET

STYLE: \_\_\_\_\_

COUNTY: \_\_\_\_\_

JUDGE: \_\_\_\_\_

vs. \_\_\_\_\_

CASE NO.: \_\_\_\_\_

CT. RPTR: \_\_\_\_\_

Initial

Log-in date: \_\_\_\_\_

By: \_\_\_\_\_

Evidence Location: \_\_\_\_\_

\_\_\_\_\_ Exhibit Description Attached

-or-

\_\_\_\_\_ Exhibit Description Below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Subsequent Transfer of Evidence:

Date: \_\_\_\_\_

By: \_\_\_\_\_

Exhibits: \_\_\_\_\_

Location: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Exhibits: \_\_\_\_\_

Location: \_\_\_\_\_

Ex. "A"



IN THE SUPERIOR COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA

VS.

)  
)  
) CASE NO.: \_\_\_\_\_  
)  
)  
)

\_\_\_\_\_  
Defendant.

RECEIPT OF EVIDENCE

Receipt is hereby acknowledged of the following exhibit(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

in the above-styled case.

This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_

Ex. "B"