

IN THE SUPERIOR COURT OF COUNTY
STATE OF GEORGIA

The State,

Plaintiff,

No.

v.

(formerly),
Defendant.

Hon. , presiding

JOINT MOTION TO MODIFY DEFENDANT'S
CONVICTION AND SENTENCE

The parties have agreed to move this Court to modify the final judgment of conviction and sentence, which it imposed on . That judgment imposed on a life-plus-5-year term of imprisonment following a jury's verdicts for murder and related offenses. The parties propose to reform that judgment because they have determined the interests of justice mitigate both the presumed nature of 's offenses and the appropriate penalty therefor: At the time of the homicide, was under extreme emotional distress, the result of lifelong trauma. Therapy, treatment, and 's own considerable hard work while in prison have helped to ameliorate that trauma. And is no longer meaningfully the same person who committed this offense. The parties hope that the Court will honor 's transformation by imposing a judgment for voluntary manslaughter and imposing a split sentence that will allow for 's immediate release.

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- (1) The original judgment in this matter arose from the stabbing death of , which was responsible for. In short, , a woman with no criminal history, approached about an outstanding debt. did not have the money at the

time, so [REDACTED] indicated that he should have it before they saw each other next. Their interaction escalated from there. [REDACTED] called [REDACTED] a “bitch” and said “to get out of here” [REDACTED] also grabbed [REDACTED]’s arm, which held a knife, and forced [REDACTED] to the ground, at which point [REDACTED] stabbed him.

- (2) Based on [REDACTED]’s conduct, the [REDACTED] term grand jury returned an indictment for felony murder (OCGA § 16-5-1(c)), aggravated assault (OCGA § 16-5-21(a)(2)), and possession of a knife during the commission of a crime against another (OCGA § 16-11-106(b)(1)).
- (2) [REDACTED] was convicted on all three counts following a [REDACTED] jury trial, and the Court, after merging the aggravated assault into the murder count, imposed life-plus-5-year term of imprisonment.
- (3) The Supreme Court of Georgia affirmed this Court’s judgment, as well as its later decision overruling [REDACTED]’s motion for a new trial, in [REDACTED].
- (4) [REDACTED]’s other attempts at post-conviction relief, including a petition for a writ of habeas corpus under OCGA § 9-14-40 *et seq.* and an extraordinary motion for a new trial under OCGA § 5-5-41, were denied.
- (5) Subsequent to [REDACTED]’s conviction and attempts at post-conviction relief, the District Attorney [REDACTED] established a [REDACTED] unit to reexamine the circumstances of past prosecutions to determine whether it still believes the judgments in past cases to have been just and sound. [REDACTED] sought the [REDACTED] unit’s review of this case, and it is with that unit’s consent and support that [REDACTED] urges the modification of the Court’s original judgment.
- (6) The parties jointly propose that the Court set aside its original judgment and resentence [REDACTED] as follows:
 - On count one, for the lesser charge of voluntary manslaughter (OCGA § 16-5-2), a sentence of 20 years’ imprisonment;

- On count two, for aggravated assault (OCGA § 16-5-21(a)(2)), split sentence of 2 years' imprisonment, followed by 3 years' probation, split sentence, consecutive to the sentence in count one; and
 - On count three, possession of a knife during the commission of voluntary manslaughter (OCGA § 16-11-106(b)(1)), 5 years' probation, consecutive to the sentence imposed on count two.
- (7) The parties have also agreed in principle to conditions of [REDACTED]'s probation, the completion of which will trigger its early termination, which they will share with the Court at a hearing on this motion.
- (8) In support of the requested relief, the parties ask the Court to consider the differences in [REDACTED]'s life and conduct from the offense until now:
- (a) At the time of the offense, [REDACTED] was suffering from undiagnosed gender dysphoria.
 - (b) Living with that condition, particularly while black, led [REDACTED]'s experiencing severe stress, depression, and anxiety—results of both [REDACTED]'s own sense of isolation and persecution by others.
 - (c) In the two-plus decades since the original offense, however, [REDACTED]'s gender dysphoria has been diagnosed and addressed. With the help of psychological and medical treatment, [REDACTED] has transitioned to male.
 - (d) [REDACTED] has also earned an associate's degree in Christian ministry, as well as a theology certificate.
 - (e) [REDACTED] has also been a model inmate, whose accolades include service as an honor dorm committee member, a staff-offender communication representative, and entrepreneurship & innovation advocacy committee member, among many others.
- (9) The parties are delighted to share further details about [REDACTED]'s successes at a hearing on this motion, should the Court desire to hear them.

OROROR

The parties have agreed that the circumstances here justify this request: [REDACTED]'s transition, not simply from female to male, but as a person is success story among prisoners. It stands as proof that rehabilitation is possible through one's own efforts. The parties hope that the Court will honor [REDACTED]'s hard work by modifying the judgment in this matter as they have proposed.

Respectfully submitted on [REDACTED] by:

[/s/Brandon A. Bullard](#)

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CERTIFICATE OF SERVICE

[REDACTED], I served [REDACTED]
[REDACTED]
[REDACTED]

on opposing counsel:

[REDACTED]

/s/Brandon A. Bullard

BRANDON A. BULLARD

Counsel for [REDACTED]

Ga. Bar No. [REDACTED]

[X] 3rd Modified Sentence [] Re-Sentence

IN THE SUPERIOR COURT OF COUNTY
STATE OF GEORGIA

STATE OF GEORGIA
vs

CRIMINAL ACTION #:

Term of 2025

Clerk to complete if incomplete:
OTN(s):
DOB:
GA. ID#:

Final Disposition:
[] FELONY CONFINEMENT WITH PROBATION
[] FELONY PROBATION ONLY

First Offender/ Conditional Discharge entered under :
[] O.C.G.A. § 42-8-60 [] O.C.G.A. § 16-13-2
[] Repeat Offender as imposed below
[] Repeat Offender Waived
PLEA: VERDICT:
[] Negotiated [] Non-negotiated [X] Jury [] Non-Jury

The Court enters the following judgment:

Count	Charge (as indicted or accused)		Disposition Guilty; Not Guilty; Guilty-Alford Guilty-Lesser Incl; Nol Pros; Nolo Contendere; Dead Docket; 1 st Offender; 1 st Offender-Alford; Order	Sentence	Fine	Concurrent/ Consecutive, Merge Suspended, Commuted to Time Served
1	MURDER	16-5-1	JURY VERDICT NOT GUILTY		0.00	
2	FELONY MURDER	16-5-1	JURY VERDICT GUILTY LESSER VOLUNTARY MANSLAUGHTER OCGA 16-5-2	20 YEARS TO SERVE		
3	AGGRAVATED ASSAULT	16-5-21	JURY VERDICT GUILTY	5 YEARS TO SERVE 2 YEARS; BALANCE OF 3 YEARS PROBATED		CONSECUTIVE TO COUNT 2
4	POSS KNIFE DURING COMMISSION OF FELONY	16-11-106	JURY VERDICT GUILTY	5 YEARS PROBATION		CONSECUTIVE TO COUNT 3
5	TERRORISTIC THREATS	16-11-37	JURY VERDICT NOT GUILTY			

The Defendant is adjudged guilty or sentenced under First Offender for the above-stated offense(s); the Court sentences the Defendant to confinement in such institution as the Commissioner of the State Department of Corrections may direct, with the period of confinement to be computed as provided by law.

SENTENCE SUMMARY

The Defendant is sentenced for a total of [**30 YEARS**], with the first [**22 YEARS**] to be served in confinement and the remainder to be served on probation; or [] to be served on probation.

The Defendant is to receive credit for time served in custody:

[] as determined by the custodian.

[] there is more than one custodian. Custodial time was connected with a prior arrest from [].

[**X**] from [**PRESENT**].

(Department of Corrections makes final determination on prison confinement. However, for non-prison confinement sentences, the jail, probation, and other entities shall apply this pre-sentence confinement credit of time served.)

[] 1. The above sentence may be served on probation provided the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence.

[**X**] 2. Upon service of [**22 YEARS**], the remainder of the sentence may be served on probation; PROVIDED, that the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence.

[] 3. The Court sentences the Defendant as a recidivist under O.C.G.A.:

[] § 17-10-7(a); [] § 17-10-7(c); [] § 16-7-1(b); [] § 16-8-14(b); or [] § []

[] 4. The above sentence includes a behavioral incentive date of [] in accordance with O.C.G.A. §17-10-1.

GENERAL CONDITIONS OF PROBATION

The Defendant is subject to arrest for any violation of probation. If probation is revoked, the Court may order incarceration. The Defendant shall comply with the following General Conditions of Probation: (1) Do not violate the criminal laws of any governmental unit and be of general good behavior. (2) Avoid injurious and vicious habits. (3) Avoid persons or places of disreputable or harmful character. (4) Report to the Community Supervision Officer as directed and permit the Community Supervision Officer to visit you at home or elsewhere. (5) Work faithfully at suitable employment insofar as may be possible. (6) Do not change your place of abode, move outside the jurisdiction of the Court, or leave Georgia without permission of the Community Supervision Officer. If permitted to move or travel to another state, you agree to waive extradition from any jurisdiction where you may be found and not contest any effort by any jurisdiction to return you to this State. (7) Support your legal dependents to the best of your ability. (8) When directed, in the discretion of the Community Supervision Officer: (a) submit to evaluations and testing relating to rehabilitation and participate in and successfully complete rehabilitative programming; (b) wear a device capable of tracking location by means including electronic surveillance or global positioning satellite systems; (c) complete a residential or nonresidential program for substance abuse or mental health treatment; and/or (d) agree to the imposition of graduated sanctions as defined by law. 9) Make restitution as ordered by the Court.

FINE SURCHARGES or ADD-ONS: The Court assesses all fine surcharges or add-ons as required by the laws of the State of Georgia and as are applicable to offense(s) for which the Defendant has been convicted.

1. The Court orders that: [] the Defendant shall pay the probation supervision fee as required by law; or [**X**] the probation supervision fee is waived.

2. If counsel was provided under the Georgia Indigent Defense Act: [**X**] the Defendant shall pay the \$50 Public Defender Application Fee; or [] the Public Defender Application Fee is waived.

3. If counsel was provided at public expense: ☐ the Defendant shall pay attorney's fees of \$[] to [] County; or ☒ attorney's fees are waived.
4. The Defendant shall pay the Crime Lab Fee as required by law.

SPECIAL CONDITIONS OF PROBATION

The Defendant is advised that violation of any Special Condition of Probation may subject the Defendant to a revocation of probation and the Court may require the Defendant to serve up to the balance of the sentence in confinement. The Defendant shall comply with all Special Conditions of Probation: ☐ as designated on the attached Inventory of Special Conditions of Probation; or ☒ as follows: (*import conditions to be imposed from Inventory of Special Conditions of Probation*).

- UPON ENTRY AND COMPLETION OF THE [REDACTED] PROGRAM, PROBATION SHALL BE SUSPENDED

FIRST OFFENDER OR CONDITIONAL DISCHARGE

(If designated by the Court)

The Defendant consenting hereto, it is the judgment of the Court that no judgment of guilt be imposed at this time but that further proceedings are deferred and the Defendant is hereby sentenced to confinement at such institution as the Commissioner of the State Department of Corrections or the Court may direct, with the period of confinement to be computed as provided by law.

Upon the Court's determination that the Defendant is or was not eligible for sentencing under the First Offender Act, the Court may enter an adjudication of guilty and proceed to sentence the Defendant to the maximum sentence as provided by law.

Upon fulfillment of the terms of the terms of this sentence, or upon release of the Defendant by the Court prior to the termination of this sentence, the Defendant shall stand discharged of said offense without court adjudication of guilt and shall be completely exonerated of guilt of said offense charged.

☐ Defendant's school of enrollment: The Defendant: ☐ is 17 years of age or older, was convicted of the felony offense(s) of ☐, and is or will be enrolled in ☐ School or school system, O.C.G.A. §15-6-36; or ☐ is 13-17 years of age, was convicted of the felony offense(s) of ☐, and is or will be enrolled in ☐ School or school system, O.C.G.A. §15-11-560(g). The Clerk shall give notice as required by the statute.

For Court's Use:

The Clerk of Court shall mark the disposition of all FTA cases associated with this case (as of this date) as NO FURTHER ACTION ANTICIPATED.

The Hon. **BRANDONA A. BULLARD & CHANTEL CHERRY-LASSITER**, Attorney at Law, represented the Defendant by:

☐ employment; or ☒ appointment.

NUNC PRO TUNC [REDACTED],
SO ORDERED on [REDACTED] 2025.

[REDACTED]
Judge of Superior Court

Honorable [REDACTED]
(print or stamp Judge's name)

State of Georgia v. [REDACTED]
Criminal Action #: [REDACTED]

Prosecutor: _____
Court Reporter: _____

FIREARMS - If you are convicted of a crime punishable by imprisonment for a term exceeding one year, or of a misdemeanor crime of domestic violence where you are or were a spouse, intimate partner, parent, or guardian of the victim, or are or were involved in another similar relationship with the victim, it is unlawful for you to possess or purchase a firearm including a rifle, pistol or revolver, or ammunition, pursuant to federal law under 18 U.S.C §922(g)(9) and/or applicable state law.

Acknowledgment: I have read the terms of this sentence or had them read and explained to me. If all or any part of this sentence is probated, I certify that I understand the meaning of the order of probation and the conditions of probation. I understand that violation of a special condition of probation could result in revocation of all time remaining on the period of probation.

Defendant

State of Georgia v. _____
Criminal Action #: _____