

ACRO372 ALABAMA JUDICIAL INFORMATION SYSTEM CASE: DC 2006 004452.00  
 OPER: KEJ CASE ACTION SUMMARY  
 PAGE: 1 DISTRICT CRIMINAL RUN DATE: 11/15/2006  
 =====  
 IN THE DISTRICT COURT OF TUSCALOOSA JUDGE: DDD

STATE OF ALABAMA VS MCKLERoy JOHN PAUL

CASE: DC 2006 004452.00

BIRMINGHAM, AL 35222 0000

DOB: [REDACTED] SEX: M RACE: W HT: 5 10 WT: 195 HR: GRY EYES: GRN  
 SSN: [REDACTED] ALIAS NAMES:

CHARGE01: DOM VIO 3RD-HARASSME CODE01: DV3H LIT: DOM VIO 3RD-HA TYP: M #: 001  
 OFFENSE DATE: 11/11/2006 AGENCY/OFFICER: 0630000 WHITE J

DATE WAR/CAP ISS: DATE ARRESTED: 11/11/2006  
 DATE INDICTED: DATE FILED: 11/13/2006  
 DATE RELEASED: 11/12/2006 DATE HEARING:  
 BOND AMOUNT: \$1,000.00 S SURETIES: ALABAMA BAIL BOND LL

DATE 1: 12/14/2006 DESC: PLEA TIME: 0900 A  
 DATE 2: DESC: TIME: 0000

TRACKING NOS: WR 2006 002772 00 /

DEF/ATY:

*Joseph Pierce*

TYPE:

PROTECTED

TYPE:

00000

00000

PROSECUTOR:

OTH CSE: WR200600277200 CHK/TICKET NO: 06111839TCSO GRAND JURY:  
 COURT REPORTER: SID NO: 000000000  
 DEF STATUS: BOND DEMAND: OPER: KEJ

DATE ACTIONS, JUDGEMENTS, AND NOTES

DATE	ACTIONS, JUDGEMENTS, AND NOTES
11/13/06	<b>DEPOSITION</b>
11-21-06	<i>Notice of Appearance by Joseph Pierce</i>
11-21-06	<i>Subpoena issued to [unclear]</i>
NOV 30 2006	<b>SUBPOENA ISSUED</b> <i>[Signature]</i> 18ul
12-14-06	<i>State Rec: Re-set 1-17-07 @ 9:00 Am</i>
JAN - 4 2007	<b>SUBPOENA ISSUED</b> <i>to CW</i> 18ul
1-17-07	<i>Set For (T) 2-27-07 @ 9:00 Am</i>
	<i>- will be away to grand jury</i>
JAN 19 2007	<b>SUBPOENA ISSUED</b> <i>to [unclear], CW &amp; officer</i> 38ul
	<i>- notice to atty</i>
2-20-07	<i>Notice to Continue by Dist. atty</i>

## ACRO369 ALABAMA JUDICIAL INFORMATION CENTER

CASE ACTION SUMMARY  
CONTINUATIONCASE: DC 2006 004452.00  
JUDGE ID: DDD

STATE OF ALABAMA

VS

MCKLEROY JOHN PAUL

DATE ACTION, JUDGMENTS, CASE NOTES

2/21/07 Cont reg of Def - no  
obj of info - reset for  
trial JPA

2-22-07 Set for trial 3-22-07 @ 1:30 p.m. Notices sent to  
Parties JPA

MAR - 2 2007 SUBPOENA ISSUED to  $\Delta$ , CW & officer 38ub

3-22-07 STATE REC. 90 days, 55/2 years + continuing. The  
Clerk in which  $\Delta$  is currently incarcerated in  
Bartow County, Fla. a period lasting until  
either 9-19-07 (CO) release by the DA,  
whichever is later. DFP Recs. & provide date of  
9-19-07. X DA. Allen Shesky.

3/22/07 After full rights given by the Court, Defendant voluntarily and  
intelligently pleads guilty. Judgment Guilty and Defendant fined  
\$ 90 and Defendant is hereby sentenced to serve  
90 days at hard labor for Tuscaloosa County. It  
is hereby ordered and adjudged that the execution of the above  
and foregoing sentence be suspended for a period of  
2yr, pending behavior of the Defendant.

Def. to pay cost  
\$250.00

Def. to remain  
in custody unless  
discharged earlier

3/22/07 Cont \$1 9/26/07 JPA

3/22/07 Exp. rights relative J

9/25/07 DA OK w/ treatment - Condition Satisfied w/

9/25/07 Case final on payment of  
cost JPA

ACRO369 ALABAMA JUDICIAL INFORMATION CENTER

CASE ACTION SUMMARY  
CONTINUATIONCASE: DC 2006 004452.00  
JUDGE ID: DDD

STATE OF ALABAMA

VS

MCKLERoy JOHN PAUL

DATE

ACTION, JUDGMENTS, CASE NOTES

9/25/07

Treatment R/Ha

State of Unified Judicial System	<b>CONSOLIDATED APPEARANCE BOND</b> (District Court, Grand Jury, Circuit Court)	Case Number <b>AT-21171</b>
Form CR-10      Rev 9/98		

IN THE _____ District _____ COURT OF _____ TUSCALOOSA _____ ALABAMA (CIRCUIT OR DISTRICT) (NAME OF COUNTY)		
<b>STATE OF ALABAMA V. _____ JOHN PAUL MCKLEROY</b> Defendant		

I, JOHN PAUL MCKLEROY (Defendant) as principal,  
and I (we), THE UNDERSIGNED  
(Please Print) \_\_\_\_\_, as surety (ies), agree to  
pay the State of Alabama the sum of \$ 1,000.00 and such costs authorized by law unless the above named defendant appears before the  
district court of the county on DECEMBER 14, 2006 (date) at 09:00 AM (time) (if date and time are unknown, the words "the scheduled" may  
be placed in the date blank and a line may be placed in the space for time) and from time to time thereafter until discharged by law or at the  
next session of circuit court of the county; there to await the action by the grand jury and from session to session thereafter until discharged  
by law to answer to the charge of DV3 Harassment  
or any other charge as authorized by law.

We hereby severally certify that we have property valued over and above all debts and liabilities that has a fair market value equal to or  
greater than the amount of the above bond, and we, and each of us, waive the benefit of all laws exempting property from levy and sale  
under execution or order process for the collection of debts by the constitution and laws of the State of Alabama, and we especially waive  
our right to claim as exempt out wages or salary that we have under the laws of Alabama, and our rights to homestead exemption that we  
have under the Constitution of Alabama and the laws of the State of Alabama, as set out in a separate writing.

It is agreed and understood that this is a consolidated bond, eliminating the necessity for multiple bonds and that it shall continue in full  
force and effect, until the defendant appears before the district court or circuit court whichever has jurisdiction, to answer the above charge,  
and from time to time thereafter until the defendant is discharged by law, or, until such time as the undersigned sureties are otherwise duly  
exonerated as provided by law.

Signed and sealed this date with notice that false statements are punishable as perjury.

Signature of Defendant <u>[Signature]</u> (L.S.)	
City <u>Birmingham</u>	State <u>AL</u> Zip <u>35222</u>

Signature of Surety/Agent of Professional Surety or Bail Company <u>[Signature]</u> (L.S.)		Signature of Surety/Agent of Professional Surety or Bail Company _____ (L.S.)	
Social Security Number _____	Telephone Number _____	Social Security Number _____	Telephone Number _____
Address _____ City _____ State _____ Zip _____	Address _____ City _____ State _____ Zip _____	Address _____ City _____ State _____ Zip _____	Address _____ City _____ State _____ Zip _____

Signature of Surety/Agent of Professional Surety or Bail Company <u>[Signature]</u> (L.S.)		Signature of Surety/Agent of Professional Surety or Bail Company _____ (L.S.)	
Social Security Number _____	Telephone Number _____	Social Security Number _____	Telephone Number _____
Address _____ City _____ State _____ Zip _____	Address _____ City _____ State _____ Zip _____	Address _____ City _____ State _____ Zip _____	Address _____ City _____ State _____ Zip _____

**ALABAMA BAIL BONDS**  
**415 UNION CHAPEL RD.**  
**NORTHPORT, AL 35473**  
**205-339-7109**

Edmond M. "Ted" Sexton Sr.  
Approved By: Judge / Magistrate / Sheriff  
Charisse P. Whitaker  
By: Deputy Sheriff

Date November 12, 2006

Defendant's Information					
Date of Birth December 09, 1943	Sex Male	Height 510	Weight 195	Employer SPAIN AND GILLON	
Social Security Number 384-44-6177	Race White	Hair Gray	Eyes Green	Employer's Address 2117 2ND AVE NORTH BIRMINGHAM, AL	
Drivers License Number 3137953	State ( AL )	Telephone Number 205-595-4116	Employer's Telephone Number 205-328-4100		

POWER AMOUNT

\$200,000

POWER OF ATTORNEY

ALABAMA BAIL BONDS

HOME OFFICE: TUSCALOOSA, ALABAMA

Power No. ZZ 000831

KNOWN ALL MEN BY THESE PRESENTS: that Alabama Bail Bonds, duly organized and existing under the laws of the State of Alabama has made pursuant to a Code of its By-laws which was adopted by the Directors of the said Company on the 12th day of December, 2004 and is now in effect, does constitute and appoint, and by these presents does make, constitute and appoint below named agent its true and lawful Attorney-in-Fact for it and in its name, place and stead, to execute, seal and deliver for and on its behalf and as its act and deed, as surety, a bail bond only. Authority of such Attorney-in-Fact is limited to appearance bonds and cannot be construed to guarantee payment of fines, costs, alimony, wage claims, or any other financial obligation, nor delivery or immigration bonds on behalf of below named defendant

This power of attorney is void if altered or erased. The obligation of the company shall not exceed the sum of

TWO HUNDRED THOUSAND, (\$200,000.00) DOLLARS

and provided this Power-of-Attorney is filed with the bond and retained as a part of the Court records. The said Attorney-in-Fact is hereby authorized to insert in this Power-of-Attorney the name of the person on whose behalf this bond was given.

IN WITNESS HEREOF, ALABAMA BAIL BONDING has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this 12 day of December, 2006

Bond Amount

16000.00

Appearance Date

12-14-06

Defendant

John Paul McKelvey

Court

District

City

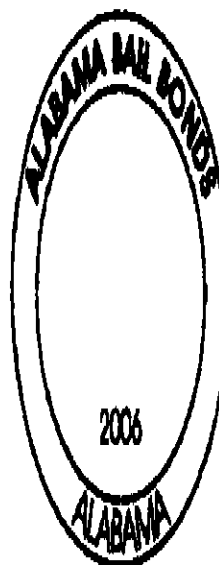
Tuscaloosa

Offense

OVB Harassment

Executing Agent

Doris Ruby Collard



ALABAMA BAIL BONDS

Doris Ruby Collard

DORIS RUBY COLLARD  
PRESIDENT - CEO

## W A R R A N T

006-4452

STATE OF ALABAMA

TUSCALOOSA COUNTY

DISTRICT COURT

AGENCY NUMBER: 06111839TCSO

WARRANT NUMBER: WR 2006 002772.00  
OTHER CASE NBR:

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

YOU ARE HEREBY COMMANDED TO ARREST JOHN PAUL MCKLERoy AND BRING HIM/HER BEFORE THE DISTRICT COURT OF TUSCALOOSA COUNTY TO ANSWER THE STATE ON A CHARGE(S) OF:

DOM VIO 3RD-HARASSME CLASS: A TYPE: M COUNTS: 001  
AND HAVE YOU THEN AND THERE THIS WRIT WITH YOUR RETURN THEREON.

YOU WILL RECEIVE UNTO YOUR CUSTODY AND DETAIN HIM/HER UNTIL THE DAY OF \_\_\_\_\_, OR UNTIL LEGALLY DISCHARGED.

DATED THIS 13 DAY OF NOVEMBER, 2006.

BOND SET AT: {1} \$1,000.00 BOND TYPE:

{2}  
{3}  
JUDGE/CLERK/MAGISTRATE OF DISTRICT COURT

CHARGES: DOM VIO 3RD-HARASSME 13A-006-132

M MISDEMEANOR

NAME: JOHN PAUL MCKLERoy

ALIAS:

ADDRESS: \_\_\_\_\_

ALIAS:

ADDRESS: \_\_\_\_\_

CITY: BIRMINGHAM

STATE: AL

ZIP: 35222 0000

PHONE: 000 000 0000 EXT: 000

EMPLOYMENT:

DOB: \_\_\_\_\_ RACE: W SEX: M HAIR: GRY  
EYE: GRN HEIGHT: 5'10" WEIGHT: 195  
SID: 000000000 SSN: \_\_\_\_\_ DL NUM: \_\_\_\_\_

## E X E C U T I O N

EXECUTED THE WITHIN WARRANT BY ARRESTING THE DEFENDANT AND

(X) PLACING DEFENDANT IN THE TUSCALOOSA COUNTY JAIL

( ) RELEASING DEFENDANT ON APPEARANCE BOND

THIS 11<sup>th</sup> DAY OF November 2006Edmund M. "Ted" Sexton, Sr.  
SHERIFFBY  6393COMPLAINANT: WHITE JUSTIN  
TCSO

TUSCALOOSA AL 35401

OPERATOR: KEJ

DATE: 11/13/2006

FILED

NOV 13 2006

ELIZABETH HAMNER, CLERK  
TUSCALOOSA DISTRICT COURT

## ALABAMA JUDICIAL INFORMATION SYSTEM

\* \* \* IN THE DISTRICT COURT OF TUSCALOOSA COUNTY \* \* \*

AGENCY NUMBER: 06111839TCSO

WARRANT NUMBER: WR 2006 002772.00  
OTHER CASE NBR:

## C O M P L A I N T

BEFORE ME THE UNDERSIGNED JUDGE/CLERK/MAGISTRATE OF THE DISTRICT COURT OF TUSCALOOSA COUNTY, ALABAMA, PERSONALLY APPEARED WHITE JUSTIN WHO BEING DULY SWORN DEPOSES AND SAYS THAT HE/SHE HAS PROBABLE CAUSE FOR BELIEVING, AND DOES BELIEVE THAT JOHN PAUL MCKLEROF DEFENDANT, WHOSE NAME IS OTHERWISE UNKNOWN TO THE COMPLAINANT, DID WITHIN THE ABOVE NAMED COUNTY AND

ON OR ABOUT 11-11-2006, COMMIT THE CRIME OF HARASSMENT (SECTION 13A-011-008(A), CODE OF ALABAMA 1975) WITH INTENT TO HARASS, ANNOY OR ALARM ANOTHER PERSON, TO-WIT: [REDACTED]

( XX ) STRIKE, SHOVE, KICK OR OTHERWISE TOUCH ANOTHER PERSON, TO-WIT: [REDACTED] OR SUBJECT THEM TO PHYSICAL CONTACT, TO -WIT: [REDACTED] PUSHED, CHOKED AND SLAP [REDACTED]

( ) DIRECT ABUSIVE OR OBSCENE LANGUAGE OR MAKE AN OBSCENE GESTURE, TO-WIT: [REDACTED]; OR,

( ) DIRECT A THREAT, VERBAL OR NONVERBAL, TO-WIT: [REDACTED]; OR,

WITH THE INTENT TO CARRY OUT THE THREAT, TOWARD ANOTHER PERSON, TO-WIT: [REDACTED] A REASONABLE PERSON AND TARGET OF THE THREAT, CAUSING HIM/HER TO FEAR FOR THEIR SAFETY,

WITH THE VICTIM BEING A CURRENT OR FORMER SPOUSE, PARENT, CHILD, A PERSON WITH WHOM HE/SHE HAS A CHILD IN COMMON, A PRESENT OR FORMER HOUSEHOLD MEMBER, OR A PERSON WHOM HE/SHE HAS OR HAD A DATING RELATIONSHIP, IN VIOLATION OF 13A-006-132 OF THE CODE OF ALABAMA, AGAINST THE PEACE AND DIGNITY OF THE STATE OF ALABAMA.

  
COMPLAINANT'S SIGNATURE 6393

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 13 DAY OF NOVEMBER, 2006.

  
JUDGE/CLERK/MAGISTRATE OF DISTRICT COURT

CHARGES: DOM VIO 3RD-HARASSME 13A-006-132

M MISDEMEANOR

WITNESS FOR THE STATE

WHITE JUSTIN/TCSO/TUSCALOOSA/25401  
[REDACTED]**FILED**

OPERATOR: KEJ

DATE: 11/13/2006

NOV 13 2006

ELIZABETH HAMNER, CLERK  
TUSCALOOSA DISTRICT COURT

## ALABAMA JUDICIAL DATA CENTER

## COURT PAYMENT SYSTEM

TUSCALOOSA COUNTY

NO: 363988

\*\*\* RECEIPT \*\*\*

DATE: 09/26/2007  
TIME: 13:09:13

CASE: DC 2006 004452.00 JID: DDD

BATCH: 2007272

RECEIVED FROM: MCKLERoy JOHN PAUL

TYPE: CHECK

AMOUNT: TWO HUNDRED SEVENTY SIX AND NO CENTS-----\$\*\*\*\*\*276.00  
-----

FOR ACCOUNTS:	CM00	COSTS	\$144.00
	SM30	SUBPOENA	\$56.00
	LCSF	SOLICITOR	\$21.00
	CM71	CVCC ASS	\$12.50
	CM72	OPS ASS	\$12.50
	SO75	HIST FEE	\$30.00

\*\*\* BALANCE OWED ON THIS CASE BY THIS PAYOR IS:

\$0.00 \*\*\*

RECEIVED BY: NAA



**SHEALY AND HOLT**  
**Cambridge Row**  
**1613 Richard Arrington, Jr. Blvd. South**  
**Birmingham, AL 35205**  
**205-933-7849**  
**Fax 205-933-7880**

**Allen E. Shealy, Ph.D.**

**Michael M. Holt, Ph.D.**

September 24, 2007

Joseph Pierce, Attorney  
P. O. Box 20086  
Tuscaloosa, AL 35402

**FILED**

SEP 25 2007

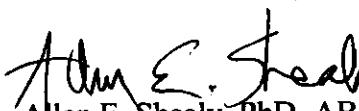
**ELIZABETH HAMNER, CLERK**  
**TUSCALOOSA DISTRICT COURT**

Dear Mr. Pierce:

Mr. John McKleroy has been seeing me regularly for psychological treatment beginning 12/18/2006. I saw him most recently last week and have another appointment with him in a month. We have addressed the psychological issues related to his episode of loss of control leading to his legal problem. He and I are pleased with the progress we have made and although he probably would not have sought treatment without legal pressure, he is glad that he did so. It is my assessment that the probability of any more similar episodes is extremely low.

Let me know if further reports are needed.

Sincerely,

  
Allen E. Shealy, PhD, ABPP  
Clinical and Forensic Psychologist  
Diplomate in Forensic Psychology  
American Board of Professional Psychology  
Email: [ashealy478@yahoo.com](mailto:ashealy478@yahoo.com)

AES:bl

## EXPLANATION OF RIGHTS (cont'd)

I know that I am charged with the offense(s) of Domestic Violence 3d Harassment  
\_\_\_\_\_, and I have read the above Rights Form and am completely knowledgeable about  
these rights guaranteed me by the Constitution of the United States and the State of Alabama.

I plead Not Guilty ☐ Guilty ☒

I wish to waive my right to be represented by an attorney ☐

I wish to be represented by an attorney ☒

**FILED**

MAR 22 2007

ELIZABETH HAMNER, CLERK  
TUSCALOOSA DISTRICT COURT

Joseph L. Burns  
Attorney for defendant

Joseph L. Burns  
Defendant  
[REDACTED]  
Address Birmingham, AL 35222  
205-595-4116  
Phone Number  
Employer \_\_\_\_\_

## PROBATION ORDER

State of Alabama

vs. John Paul McKleroy, JrCase No. DC-06-4452IN THE DISTRICT COURT OF  
TUSCALOOSA COUNTY, ALABAMA

The above named defendant having been convicted in the above referenced case is hereby granted probation.  
IT IS HEREBY ORDERED that said sentence is hereby suspended, and the defendant is placed on probation  
as of this date for period of time stated below.

Probation Period 2 years Days Suspended 90**FILED****MAR 22 2007****ELIZABETH HAMNER, CLERK  
TUSCALOOSA DISTRICT COURT**

During this period of probation the defendant is ordered to comply with the following conditions of probation:

Payment of fine, costs and any restitution.

To pay Weekly \_\_\_\_\_ Bi-Weekly \_\_\_\_\_ Monthly \_\_\_\_\_

Good Behavior

cont date 9/26/07

Completion of any programs ordered by the Court

Other Continue in family counseling with Dr. Allen Shaley, PhD. for 6 months or until such time as termination of therapy by Dr. Shaley.

To submit to drug testing as ordered. Positive results of the presence of illegal drugs is a violation of this Order.

It is further ORDERED that the defendant is hereby advised that the Court may at anytime revoke or modify any condition of this probation or change the period of probation and may discharge the defendant from probation or may extend the period of probation. The defendant shall be subject to arrest for violation of any condition of the probation here granted. The Court may at anytime, order the original sentence executed.

March 22, 2007  
Date[Signature]  
Judge

I have received a copy of this order and I have been instructed regarding the same.

I hereby accept probation in lieu of incarceration and agree to comply with the conditions imposed. I understand the purpose and scope of these conditions and what is expected of me during the probation period. I also understand that if I violate any of the conditions of probation the Court may revoke probation and I will be required to serve the sentence of imprisonment originally imposed.

March 22, 2007  
Date[Signature]  
Defendant

THE STATE OF ALABAMA

VS.

JOHN PAUL MCKLEROY, JR.,

) IN THE DISTRICT COURT FOR  
 )  
 ) TUSCALOOSA COUNTY, ALABAMA  
 )  
 )  
 ) CASE NO. DC-06-4452

**NOTICE OF TRIAL SETTING**

This case is set for trial on March 22, 2007 at 1:30 P.M. before Judge Guin.

**ALL PARTIES MUST NOTIFY THE CLERK OF ANY SUBPOENAS TO BE ISSUED FOR THIS SETTING.**

**ALL REQUESTS FOR CONTINUANCES FROM TRIAL DOCKET OTHER THAN FOR SETTLEMENT, MUST BE FILED NO LATER THAN SEVEN (7) DAYS PRIOR TO THE TRIAL DATE. REQUESTS FOR CONTINUANCES AFTER THAT TIME PERIOD WILL ONLY BE GRANTED IF THERE ARE EXTRAORDINARY CIRCUMSTANCES.**

This the 22nd day of February, 2007.

  
 James C. Guin, III  
 District Judge

Copy to:

Hon. Jessica Barnes  
 District Attorney's Office

Hon. Joseph G. Pierce  
 Attorney for Defendant

**FILED**  
**FEB 22 2007**  
 ELIZABETH HAMNER, CLERK  
 TUSCALOOSA DISTRICT COURT

STATE OF ALABAMA,

)

IN THE DISTRICT COURT OF

)

TUSCALOOSA COUNTY, ALABAMA

)

VS.

)

CASE NO. DC- 2006-4452

)

JOHN PAUL McKLEROY JR.,

)

)

DEFENDANT.

)

**FILED**


FEB 20 2007

**ELIZABETH HAWKINS, CLERK  
TUSCALOOSA DISTRICT COURT**  
from its trial setting of

**MOTION TO CONTINUE**

Comes now the Defendant and moves to continue this case from its trial setting of February 27, 2007 at 9:00 am. As grounds he shows as follows:

1. The present setting is the first setting of this case for trial.
2. The Defendant's attorney has a conflict with the present setting.
3. The State is not opposed to this motion.

  
Joseph G. Pierce (PIE001)  
PO Box 20086  
Tuscaloosa, AL 35402  
(205) 759-1234


## **CERTIFICATE OF SERVICE**

I certify that I have this day served counsel for the opposing party in the foregoing matter with a copy of this document by \_\_\_\_\_ depositing in the United States Mail a copy of this document by envelope with adequate postage prepaid thereon and properly addressed to him or \_\_\_\_\_ hand delivering a copy of the same to him.

Daniel Pruitt, Assistant District Attorney

34

This 19<sup>th</sup> day of February, 2007.

07.   
Joseph G. Pierce

STATE OF ALABAMA,

) IN THE DISTRICT COURT OF

) TUSCALOOSA COUNTY, ALABAMA

VS.

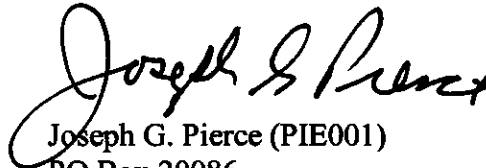
) CASE NO. <sup>DC</sup>~~SV~~-2006-4452

JOHN PAUL McKLEROY JR.,

) DEFENDANT.

**NOTICE OF APPEARANCE**

Comes now Joseph G. Pierce and gives notice of his appearance as counsel for the Defendant.

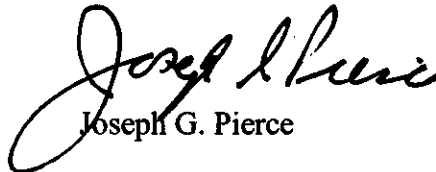


Joseph G. Pierce (PIE001)  
PO Box 20086  
Tuscaloosa, AL 35402  
(205) 759-1234

**CERTIFICATE OF SERVICE**

I certify that I have this day served counsel for the opposing party in the foregoing matter with a copy of this document by \_\_\_\_\_ depositing in the United States Mail a copy of this document by envelope with adequate postage prepaid thereon and properly addressed to him or \_\_\_\_\_ hand delivering a copy of the same to him.

This 21<sup>st</sup> day of November, 2006.



Joseph G. Pierce

**FILED**  
NOV 21 2006  
ELIZABETH HAMNER, CLERK  
TUSCALOOSA DISTRICT COURT

## IN THE DISTRICT COURT OF TUSCALOOSA COUNTY, ALABAMA

STATE OF ALABAMA,  
PLAINTIFF,

v.

JOHN PAUL McKLEROY JR.,  
DEFENDANT.§  
§  
§  
§  
§  
§  
§CASE NO. ~~27~~ <sup>DC</sup> - 2006-4452

## MOTION FOR DISCOVERY

Comes now the Defendant, by and through his undersigned attorney; hereby requests the State of Alabama:

1. To produce and permit the defendant to inspect and copy any written or recorded statements made by the defendant to any law enforcement officer, official or employee which are within the possession, custody, or control of the State of Alabama, the existence of which is known to the district attorney.

2. To disclose to the defendant the substance of any oral statement made by the defendant before or after arrest to any law enforcement officer, official, employee or person which the State intends to offer into evidence at trial.

3. Any written or oral statement made by a co-defendant or accomplice to any law enforcement officer, official or employee which are within the possession, custody or control of the State.

4. To disclose to the defendant the substance of any oral statements made by a co-defendant or accomplice before or after arrest to a law enforcement officer, official or employee, which the State intends to offer into evidence at trial.

5. To produce and to permit the defendant to analyze, inspect, and copy or photograph each of the following which are within the possession, custody or control of the State and which are material to the defendant's defense:

Papers, documents, photographs, photocopies, tangible objects, video recordings or other sound recordings.

6. To produce and permit the defendant to analyze, inspect and copy or photograph each of the following which are within the possession, custody or control of the State and which are intended for use by the State as evidence at trial:

Papers, documents, photographs, photocopies, tangible objects, video recordings or other sound recordings.

7. To produce and permit the defendant to analyze, inspect and copy or photograph each of the following which are within the possession, custody or control of the State and which were obtained from or belong to the defendant:

Papers, documents, photographs, photocopies, tangible objects, video recordings or other sound recordings.

**FILED**  
NOV 21 2006

ELIZABETH HAMNER, CLERK  
TUSCALOOSA DISTRICT COURT

Motion for Discovery  
Page 2

8. Any results or reports of physical or mental examinations or scientific tests or experiments.

9. Any and all records of electronic or electric eavesdropping, wiretapping or other surveillance of communications to which the defendant was a party or which otherwise concerns the prosecution of the defendant in this case, including any and all documents, transcripts or writings relating thereto.

10. The names and addresses of all witnesses interviewed or persons interrogated or questioned in connection with the investigation or prosecution of this case, for an in camera inspection and evaluation by the Court since the information requested contains evidence or would lead to the discovery of evidence which is exculpatory.

11. Evidence regarding the mental, intellectual, retentive or sensory capacity or ability of State witness.

12. All documents or tangible items which you intend to introduce or use in the trial of this case.

Submitted this the 21<sup>st</sup> day of November, 2006,

  
Joseph G. Pierce (PIE-001)

Attorney at Law

Post Office Box 20086

Tuscaloosa, Alabama 35402

(205) 759-1234

(205) 345-9376 facsimile

CERTIFICATE OF SERVICE

I, hereby certify that I have this day served a true copy of the above upon following counsel of record by means of hand delivery, or by means of depositing the same in the courthouse box of opposing counsel.

  
Joseph G. Pierce

**FILED**

NOV 21 2006

ELIZABETH HAMNER, CLERK  
TUSCALOOSA DISTRICT COURT



CHARGE: Domestic Violence III - Harassment WARRANT NO. WR06-2772  
CASE NO. 0611839

## DEPOSITION AND CHARGE SHEET

Personally appeared before me, Deputy White, being by me first duly sworn,  
deposes and says:

On 11/11/06 at 15742 Edwardian Dr Northport, AL 35475 the following incident occurred:

Def: John Paul McKleroy Alias \_\_\_\_\_

Address: 4116 Cliff Rd Birmingham State AL Zip 35222

DOB: 12/04/43 Race W Sex M Weight 195 Ht. 5'10 Hair Gry Eye Grn

did, while in a domestic altercation, push, choke, and slap the  
victim, [REDACTED]

[REDACTED]

SWORN to and subscribed  
before me this the 13  
day of Nov.  
2006.

[Signature]  
Magistrate

[Signature] 6393  
Complainant's Signature

WITNESS: \_\_\_\_\_

**FILED**

NOV 13 2006

ELIZABETH HAMNER, CLERK  
TUSCALOOSA DISTRICT COURT

STATE OF ALABAMA,

IN THE DISTRICT COURT OF  
TUSCALOOSA COUNTY

vs.

John Paul McKleroy, JR  
DefendantCase Number DC-06-4452EXPLANATION OF RIGHTS

You have a complaint filed against you which is a misdemeanor offense. If you plead guilty to said crime, or if the Judge finds that you are guilty of said crime, the law provides for punishment by imprisonment in the County Jail for not less than 0 fine nor more than 3 months for such offense plus a fine of \$ 500.00 with costs taxed to you.

Under the Constitution of the United States and of the State of Alabama, you have the right or privilege not to be compelled to give evidence against yourself. In the trial of your case before the Judge, you have the right to take the witness stand and to testify on your own behalf, if you so desire, but no one can require you to testify. If you testify, you can be cross-examined by the State. If you do not testify, no one can even comment to the Judge as to your failure to testify. You have the right to remain absolutely silent, but anything that you voluntarily say, with knowledge of your rights may be used against you.

You have the right to have an attorney. If you are unable to afford an attorney because of indigency and face a possible jail sentence, an attorney will be appointed for you without charge, if you so choose. You should advise the court that you would like an attorney appointed and make known to the court whether or not you claim indigency. If you claim indigency, you must complete an affidavit of substantial hardship and submit this form to the court. The court will determine whether or not you are indigent and if so, appoint an attorney to represent you. Your conversations with you attorney are confidential and cannot, and will not, be disclosed by your attorney.

You have the right to stand on your plea of not guilty, and the right to a public trial before the District Court Judge. In a trial, the Judge would determine whether you are guilty or whether you are not guilty, or whether you are innocent, based upon the evidence in the case.

In the trial of your case, you or your attorney could subpoena witnesses to testify on your behalf; make legal objections to matters that you or he felt were objectionable; cross-examine the witnesses of the State; examine your own witnesses, and argue the matter before the Judge. Your attorney would be bound to do everything that he could honorably and reasonably do to see that you obtain a fair and impartial trial.

In the trial of your case, you will come into court clothed with a presumption that you are not guilty and this presumption of innocence will follow you throughout the course of the trial until the evidence produced by the State convinces the Judge beyond a reasonable doubt of your guilt.

The burden of proof is upon the State of Alabama to convince the Judge from the evidence in the case that you are guilty beyond a reasonable doubt before the Judge would be authorized to find you guilty. If the State does not meet such burden of proof, it will be the Judge's duty to find you not guilty. You will have no burden of proof whatsoever in your trial.

To the charges set forth in the complaint, you have the right to enter a plea of guilty, not guilty, not guilty by reason of insanity or any other special plea. You should enter a plea of guilty only if you are actually guilty of said crime. If you are in doubt as to whether you are or are not guilty, this court suggests that you enter a plea of not guilty and require the prosecution to prove its case against you.

Your attorney will go over these rights with you, but if you have any questions about any of them, please ask the undersigned Judge and he will make further explanation thereof to you.

If you plead not guilty and are found guilty by the Judge, then you have 14 days to appeal the Judgment to the Circuit Court and have it tried before a jury.

This the 22 day ofMarch 2007
  
District Judge of Tuscaloosa County Alabama

06111839

STATE OF ALABAMA  
TUSCALOOSA COUNTY

ARREST TICKET  
SHERIFF'S OFFICE

YOU ARE TO APPEAR	
Court _____	
Date _____	Time _____ AM-PM

Date 11/11/06 Time 23:56 AM ☒ PM

Name John Paul McElroy

Address [REDACTED] Birmingham, AL 35222

Sex M Race W Date of Birth [REDACTED] Age 63

Employed By Spa & Gutter

Address 217 7th Ave Birmingham, AL 35203

Charge Domestic Violence III Harassment

State Statue 3a 6-132 Bond 1000 Jail ☐ Open Court ☐

Place of Offense Subject [REDACTED]

Remarks Subject stopped and charged [REDACTED] during an argument.

Arresting Officers J. White 527

J. Cook 6370

No 21171