

09:30 AM DI

FLOYD

In Date: 09/27/2016 4:07:19PM DocketList.Rpt

Court Judge HON. ERIC D. HALL

Prep Invt @00000038217 09/27/2016 4:07:17PM 2

09/28/2016 Court Docket Page 4 of 61

4 DI 16-M-01200  
Bail Set: 09/15/2016OR S 0.00

COMMONWEALTH VS. BENNETT, EDWARD L.  
POSTED 09/15/2016

ARRAIGNMENT

CERTIFICATION OF COURT RECORDS  
BJ  
01/11/19

( ) Costs Waived due to indigence ( ) Installment / Deferred Payment

1 06/13/2016 6CF809152-1 0011100 514060 THEFT OF SERVICES (M) (A)

BW1 \$500 C/B

5 DI 16-T-02976 COMMONWEALTH VS. BILITER, MEGAN C

BILITER, MEGAN C

1996 F W

\*\*901958



PRATER, K  
 BILITER, MEGAN C

COMPLAINING WITNESS  
DEFENDANT / RESPONDENT

PPD539KP

Bail Credit Denied  Danger to self or others  Flight Risk

ARRAIGNMENT

FILED ENTERED  
THIS 28<sup>th</sup> DAY OF Sept, 2016 RECEIVED  
DOUGLAS R. HALL, CLERK  
BY [Signature] D.C.

( ) Costs Waived due to indigence ( ) Installment / Deferred Payment

1 08/22/2016 6CE913001-1 0000140 189390 SPEEDING 14MPH OVER LIMIT (V) (X) \*FTA Eligible\*

6 DI 16-M-01191 COMMONWEALTH VS. BLACKBURN, JOSH

09/28/2016

09:30 AM

Page 4 of 61

Judge Signature:

Eric D. Hall

Time of R se: 15:40 Date 9-15-2016

Case No. 16-M-1200

**B** Edward Bennett  
Defendant's Name

District Court

286 Price Tiple Rd, Hi HAT, Ky  
Defendant's Address

Floyd County

Defendant's Drivers License # 303-06-1227

9-1-88  
Defendant's Date of Birth

Citation No. \_\_\_\_\_

Defendant's Occupation \_\_\_\_\_

606-477-9183  
Defendant's Telephone Number

Charge

Theft of Services

**YOU ARE HEREBY RELEASED FROM CUSTODY ON THE CONDITIONS INDICATED BELOW:**

PERSONAL PROMISE	<input checked="" type="checkbox"/>	PERSONAL RECOGNIZANCE. Your personal recognizance, provided that you promise to appear at all scheduled hearings, trials, or otherwise as required by the court; render yourself amenable to orders and processes of the court; and comply with all conditions of your release.
TOTAL BOND OF \$ <u>0</u>	<input type="checkbox"/>	UNSECURED BAIL BOND OR SURETY BOND. An unsecured appearance bond from you or your surety.
<input type="checkbox"/> Bail Credit in the amount of _____ applied to bond.	<input type="checkbox"/>	GUARANTEED ARREST BOND CERTIFICATE.
Total cash received \$ <u>25.00</u>	<input type="checkbox"/>	PARTIALLY SECURED BOND. Cash bail secured by cash deposit of \$ _____. If the amount deposited is equal to 10% of the total bond, 10% of the deposit (but not less than \$5) will be retained if you are found guilty and the court determines you have performed the conditions of your release. Paid by <input type="checkbox"/> Currency <input type="checkbox"/> Credit Card (Jailers Only).
<input type="checkbox"/> Not eligible for bail credit.	<input type="checkbox"/>	CASH BAIL BOND. Full amount of bail paid into the court. Paid by <input type="checkbox"/> Currency <input type="checkbox"/> Credit Card (Jailers Only).
Amount in accordance with uniform schedule of bail	<input type="checkbox"/>	STOCKS AND BONDS, PROPERTY BOND. Property is offered to secure the bail bond. If bond is forfeited, the state will foreclose on the property used as security.
<input type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/>	RELEASED PURSUANT TO KRS 222.204
	<input checked="" type="checkbox"/>	CONDITIONS: Is the charge alcohol-related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, the condition of no consumption of any alcohol shall be applied. <input type="checkbox"/> REPORT TO YOUR LOCAL PRETRIAL SERVICES OFFICE LOCATED AT _____ TELEPHONE _____
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> No further violations of law <input type="checkbox"/> No contact with alleged victim <input type="checkbox"/> No illegal use of alcohol or controlled substances
	<input checked="" type="checkbox"/>	<input type="checkbox"/> No consumption of any alcohol or illegal use of controlled substances <input type="checkbox"/> Other _____

make all scheduled court appearances

**Violation of Conditions and/or Failure to Appear:**

If you willfully fail to appear, fail to comply with the conditions of your release, or otherwise fail to render yourself amenable to the orders and processes of the courts, the court may issue a warrant for your arrest and may order forfeiture of the bond, and you shall be subject to prosecution for bail jumping per KRS 520.070 and KRS 520.080. You may also be subject to contempt of court per KRS 432.280.

**BAIL BOND** Edward Bennett being admitted to bail in the sum of \$ ROR, I undertake that he/she will appear and be amenable to the orders and process of this and any other court in which this proceeding may be pending for any and all purposes and at all stages (including, in the event of indictment, proceedings thereafter) in accordance with RCr 4.54. By entering into this bond obligation, I submit to the jurisdiction of the courts of Kentucky in which any forfeiture proceeding arising out of my bail obligation may be pending, and do further irrevocably appoint the clerk of such court as my agent upon whom any process affecting my liability on such bond may be served, such clerk to forthwith mail copies to me at the address below. **AFFIDAVIT OF SURETY:** (unless posts full cash bond) I affirm I am a resident or owner of real estate in Kentucky, and intend to secure this bond with the following stocks, bonds or real property:

Edward Bennett  
Signature of Defendant

\_\_\_\_\_  
Printed Name of Surety(ies)

\_\_\_\_\_  
Signature of Surety(ies)

BAIL BOND TAKEN BY R. Phua FROM \_\_\_\_\_

Defendant  SURETY(IES)

\_\_\_\_\_  
Address of Surety(ies)

\*Only required on bonds where more than \$10,000 Cash is collected.

Subscribed and sworn to before me by \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Clerk/Authorized Public Officer

NEXT COURT DATE: in courtroom Dist. at 9:30 a.m. p.m. on 9-28-2016 or when notified and you shall appear at all subsequent continued dates. You shall also appear \_\_\_\_\_

I understand and agree to the penalties which may be imposed upon me for willful failure to appear or violation of any condition of release and I agree to comply with the conditions of my release and to appear as required. I have received a copy of this order and any bail bond.

DEFENDANT'S SIGNATURE Edward Bennett

WITNESSED BY \_\_\_\_\_ FILED \_\_\_\_\_ ENTERED \_\_\_\_\_ TENDERED \_\_\_\_\_ RECEIVED \_\_\_\_\_

NAME OF JUDGE: Adm. Release NAME AND LOCATION OF COURT: CLAS R. HALL, CLERK THIS 16 DAY OF Sept, 2016

BOND FEE  PAID  NOT PAID



### Conditions of Release and Judicial Decision

County : FLOYD

Judge : \_Administrative Release by Pretrial Services,

Defendant's Name : BENNETT, EDWARD LEE MARK

Interpreter Language : NONE

Next Court Date : 09/28/2016 09:30 AM

ASL Needed : NO

Court Type : DISTRICT COURT

Courtroom : B

Jail ID# :

Charge County: FLOYD

Holding County: FLOYD

#### Aliases

MARK

#### Ball Credit

Ball Credit Amount: \$0.00

Ball Credit:

Reason Ineligible: N/A

#### Release Decision

Bond Amount \$0.00 - RELEASE ON RECOGNIZANCE on 09/15/2016 02:33 PM - Pilot Release

#### Conditions

- NOT TO VIOLATE ANY LOCAL, STATE, OR FEDERAL LAWS
- OTHER
- NO CONTACT WITH LOCATION OF ALLEGED OFFENSE
- MAKE ALL SCHEDULED COURT APPEARANCES

#### Other Details

STAY OFF SOUTHERN WATER PROPERTY.

#### Case(s)

Booking Date: 09/15/16 11:16 AM

FLOYD Arrested on a new offense while case is pending

	Citation #	Class	Level	Counts
0011100 THEFT OF SERVICES	6CF809152	A	M	4

FILED  
 TENDERED  
 THIS 16 DAY OF Sept, 2016  
 DOUGLAS R. HALL, CLERK  
 BY: *D. R. H.* D.C.

Date

Judge's / Pretrial Officer's Signature

AOC-E-035 WarCode: WA  
Rev. 01-08  
Commonwealth of Kentucky  
Court of Justice  
RCr 2.05; RCr2.06



Case Number: 16-M-1200  
County: FLOYD  
Court: DISTRICT COURT  
Warrant Number: E03610002573933  
Generated: 8/16/2016 9:46:59AM

**Warrant of Arrest  
Complaint Warrant**

Page 1 of 1

Plaintiff: COMMONWEALTH VS. Mark Bennett Defendant

TO ALL PEACE OFFICERS IN THE COMMONWEALTH OF KENTUCKY: You are commanded to arrest the person named below and bring him/her forthwith before the FLOYD COUNTY - DISTRICT COURT. If Court is not in session, you shall deliver him/her to the Jailer of FLOYD County.

Mark Bennett  
286 Price Tipple RD  
HI HAT, KY 41636

Gender	Race	Date of Birth	Height	Weight	Operator License#	State
M	WHITE					

to answer charges that he/she committed the offense(s) of:

Chgt	UCR Code	KRS	Type	Description	ASCF	Counts	Disp Dt	Disp
1	01110	514.080	M	THEFT OF SERVICES	N/A	4		

The defendant may post bail in the amount of \$ , secured by

The defendant may not give bail.

**Complaint**

The Affiant, Dean Hall o/b/o Southern Water, states that during 8/13/2016 thru 8/12/2016 in FLOYD County, Kentucky, the above named defendant unlawfully: hooked up on Southern Water and Sewer District's waster system without permission on at least four occasions and stole water from the District on each occasion by so doing.

EXECUTION

FILED  
TENDERED  
THIS 16 DAY OF Sept, 2016  
DOUGLAS R. HALL, CLERK

*P. W. Haisbrook*  
Signature of Peace Officer

Executed  
 Not executed because

Date: 09-15-2016

CF80915

532 PPD

Electronically signed by Judge E.Ertod.hall on 8/16/2016 at 8:38:51AM.

Date printed: Tuesday, August 16, 2016

Agency Local Code:

T Green-RWOA

COMMONWEALTH OF KENTUCKY  
UNIFORM CITATION

CASE		COURT		CHARGES AND POST-ARREST COMPLAINT		DATE/TIME		VEHICLE		OFFENDER/VIOLATOR		COURT			
<input type="checkbox"/> CHARGED FOR USE BY OTHER AGENCY <input type="checkbox"/> COURT SPECIALIST BROOKHOLM, W.		SPECIFY: _____ _____ _____		ARRESTED: _____ PAYABLE: <input type="checkbox"/> COURT		COURT DATE: _____ COURT TIME: _____ COURT CASE NUMBER: _____		VIOLATION DATE: 09 15 2016 VIOLATION TIME: 10:28AM		MAKE: _____ MODEL: _____ YEAR: _____ VIN: _____		NAME: _____ ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____		0380100	
COURT LOCATION: _____ FLOOR: _____ TOTAL FEE/PAYABLE: _____ HOURS: _____ NOT PREPAYABLE				CHARGE 1: INDOT OF SERVICES Served Arrest Warrant				EXACT LOCATION OF VIOLATION: _____ EXACT LOCATION OF ARREST: _____ COUNTY: _____ CITY: _____ STATE: _____ ZIP: _____				LICENSE: _____ CLASSIFICATION: _____ EXPIRES: _____ ALCOHOL: <input type="checkbox"/> ALCOHOL DRUGS: <input type="checkbox"/> DRUGS UNKNOWN: <input checked="" type="checkbox"/> UNKNOWN			
COURT CONTROL NUMBER: CF80916		YEAR: 16		TYPE: 2		VIOLATION CODE: _____ ARREST CODE: _____ STATUTE CODE: _____ STARTING CASE: _____ ENDING CASE: _____		MAKE: _____ MODEL: _____ YEAR: _____ VIN: _____		LICENSE: _____ CLASSIFICATION: _____ EXPIRES: _____ ALCOHOL: <input type="checkbox"/> ALCOHOL DRUGS: <input type="checkbox"/> DRUGS UNKNOWN: <input checked="" type="checkbox"/> UNKNOWN		COURT CONTROL NUMBER: _____ YEAR: _____ TYPE: _____			



## Disposition Report:

BENNETT, EDWARD		09/01/1988	M	B
<b>16-T-01438</b>		<b>FLOYD</b>	CASE: 1 of 5	
001	4/21/2016 5/25/2016	ONE HEADLIGHT **** DISMISSED	CHARGE 1 ORIGINAL	
002	4/21/2016 5/25/2016	REAR LICENSE NOT ILLUMINATED **** DISMISSED	CHARGE 2 ORIGINAL	
003	4/21/2016 5/25/2016	FAILURE TO PRODUCE INSURANCE CARD **** DISMISSED	CHARGE 3 ORIGINAL	
004	4/21/2016 5/25/2016	NO/EXPIRED KENTUCKY REGISTRATION RECEIPT **** DISMISSED	CHARGE 4 ORIGINAL	
005	4/21/2016	OPERATING ON SUSPENDED/REVOKED OPERATORS LICENSE **** Pending	CHARGE 5 ORIGINAL	
ARRAIGNMENT scheduled for 09/28/2016 09:30 AM				

BENNETT, EDWARD		09/01/1988	M	W
<b>14-T-02921</b>		<b>FLOYD</b>	CASE: 2 of 5	
006	10/5/2014 11/12/2014	NO/EXPIRED REGISTRATION PLATES **** DISMISSED	CHARGE 1 ORIGINAL	
007	10/5/2014 11/12/2014	NO/EXPIRED KENTUCKY REGISTRATION RECEIPT **** DISMISSED	CHARGE 2 ORIGINAL	
008	10/5/2014 11/12/2014	FAILURE OF OWNER TO MAINTAIN REQUIRED INSURANCE/SECURITY 1ST **** GUILTY FINE: \$500.00 COST: \$143.00	CHARGE 3 ORIGINAL	
009	10/5/2014 11/12/2014	FAILURE TO PRODUCE INSURANCE CARD **** DISMISSED	CHARGE 4 ORIGINAL	
010	10/5/2014 11/12/2014	LICENSE TO BE IN POSSESSION **** DISMISSED	CHARGE 5 ORIGINAL	
011	10/5/2014 12/22/2014	FAILURE TO WEAR SEAT BELTS **** DISMISSED	CHARGE 6 ORIGINAL	

BENNETT, EDWARD L		09/01/1988	M	B
<b>13-T-00877</b>		<b>FAYETTE</b>	CASE: 3 of 5	
012	1/7/2013 2/25/2013	SPEED 15 MPH OVER (LIMITED ACCESS) **** PRE-PAYABLE CITATION - PAID FINE: \$30.00 COST: \$143.00	CHARGE 1 ORIGINAL	

BENNETT, EDWARD		09/01/1988	303066227	M	B
<b>12-T-03901</b>		<b>FLOYD</b>	CASE: 4 of 5		
013	11/4/2012 12/14/2012	FAILURE TO WEAR SEAT BELTS **** DISMISSED	CHARGE 1 ORIGINAL		
014	11/4/2012 12/14/2012	LICENSE TO BE IN POSSESSION **** DISMISSED	CHARGE 2 ORIGINAL		

BENNETT, EDWARD		09/01/1988	303066227	M	B
<b>10-M-00184</b>		<b>PIKE</b>	CASE: 5 of 5		
015	12/22/2009 10/24/2011	*OBS* POSS CONT SUB, 3RD DEGREE, 1ST OFF - DRUG UNSPECIFIED **** DISMISSED COST: \$183.00	CHARGE 1 ORIGINAL		
016	12/22/2009 10/24/2011	*OBS* USE/POSSESS DRUG PARAPHERNALIA, 1ST OFFENSE **** DISMISSED	CHARGE 2 ORIGINAL		
017	12/22/2009 10/24/2011	*OBS* POSSESSION OF MARIJUANA **** DISMISSED	CHARGE 3 ORIGINAL		

FILED \_\_\_\_\_ ENTERED \_\_\_\_\_  
 TENDERED \_\_\_\_\_ RECEIVED \_\_\_\_\_  
 THIS 16 DAY OF Sept, 2016  
 DOUGLAS R. HALL, CLERK  
 BY D. R. Hall D.C.



Commonwealth of Kentucky  
Court of Justice www.courts.ky.gov  
KRS Chapter 31

**FINANCIAL STATEMENT; AFFIDAVIT OF  
INDIGENCY IN CRIMINAL CASES;  
REQUEST FOR COUNSEL; AND ORDER**

Case No. 16-M-1200

Court District \_\_\_\_\_

County Floyd

Name: Mark Bennett

Age: 28

Address: \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_

Charges: \_\_\_\_\_

FILED  
TENDERED  
ENTERED RECEIVED  
THIS 16 DAY OF Sept, 2016  
DOUGLAS R. HALL, CLERK  
[Signature] D.C.

**FINANCIAL STATEMENT:**

1. Income:

Employed?  Yes  No

If Yes:  Full-time  Part-time  Temporary/Seasonal

Length of Employment: 1 week

Income from Employment:

monthly  biweekly  hourly \$ 1750

If No, date last employed: \_\_\_\_\_

Married?  Yes  No

If Yes, Spouse Employed?  Yes  No

If Yes, Spouse's Income from Employment:

monthly  biweekly  hourly \$ \_\_\_\_\_

Total Income from ALL other source(s) and amount received per month:

- Welfare: \$ \_\_\_\_\_  Food Stamps: \$ \_\_\_\_\_  Social Security/Disability: \$ \_\_\_\_\_
- Worker's Comp: \$ \_\_\_\_\_  Unemployment: \$ \_\_\_\_\_  Retirement: \$ \_\_\_\_\_
- Child Support/Maintenance: \$ \_\_\_\_\_  Stocks, Trusts, Bonds: \$ \_\_\_\_\_
- Child Care Assistance: \$ \_\_\_\_\_  Other: \_\_\_\_\_

Total Income from ALL other source(s): \$ 0.00

**TOTAL MONTHLY INCOME: \$ 1,750.00**

2. Property:

Own Real Estate?  Yes  No

If Yes, Value of Real Estate: \$ \_\_\_\_\_ Amount owed: \$ \_\_\_\_\_

Own Mobile Home?  Yes  No

If Yes, Value of Mobile Home: \$ \_\_\_\_\_ Amount owed: \$ \_\_\_\_\_

Own Personal Property:

Motor Vehicles in Operable Condition (including motor cycles, riding lawn mowers, ATVs, etc.):

Make/Model Year: \_\_\_\_\_ Value: \$ \_\_\_\_\_ Amount Owed: \$ \_\_\_\_\_

Make/Model Year: \_\_\_\_\_ Value: \$ \_\_\_\_\_ Amount Owed: \$ \_\_\_\_\_

Make/Model Year: \_\_\_\_\_ Value: \$ \_\_\_\_\_ Amount Owed: \$ \_\_\_\_\_

Bank Accounts:  Yes  No

If Yes, total balance of all accounts: \$ \_\_\_\_\_

Other Asset(s) (i.e., boat, jewelry, cash)

Asset type: \_\_\_\_\_ Value: \$ \_\_\_\_\_ Amount owed: \$ \_\_\_\_\_

Asset type: \_\_\_\_\_ Value: \$ \_\_\_\_\_ Amount owed: \$ \_\_\_\_\_

3. Dependents:  Yes  No

If Yes, Number of Dependent(s) (including children, elderly, or disabled): 1  
Relationship of dependent(s): Child Age(s) of Dependent(s) 7

4. Monthly Expenditures:

Mortgage payment/ Rent:  Yes  No  
If Yes, amount of payment: \$ \_\_\_\_\_  
Child support obligation:  Yes  No  
If Yes, amount of payment: \$ \_\_\_\_\_

Other out-of-pocket monthly bills (FOR HOUSEHOLD):

utilities: \$ \_\_\_\_\_  water: \$ \_\_\_\_\_  telephone service (land or cell): \$ \_\_\_\_\_  
 internet service: \$ \_\_\_\_\_  cable/satellite: \$ \_\_\_\_\_  car payment: \$ \_\_\_\_\_  
 credit card payments: \$ \_\_\_\_\_  car / health/home owners/ renters insurance payments: \$ \_\_\_\_\_  
 unreimbursed childcare: \$ \_\_\_\_\_  tuition: \$ \_\_\_\_\_  medical debts: \$ \_\_\_\_\_  
 student loan payments: \$ \_\_\_\_\_  Other Financial Obligations: \$ \_\_\_\_\_

Total of other out-of-pocket monthly bills: \$ 0.00

**TOTAL MONTHLY EXPENDITURES:** \$ 0.00

5. Cash bond posted:  Yes  No

If Yes, amount of bond: \$ \_\_\_\_\_  
Posted by: \_\_\_\_\_

**Request for Appointment of Counsel:** I state to the Court that:

- (1) I am not now represented by an attorney and
- (2) I am without sufficient financial means or assets to afford a private attorney; or
- (3) I have retained or intend to retain private counsel. \_\_\_\_\_

Name of Counsel

**PERJURY WARNING:** I understand that **knowingly making any false statement** in this Financial Statement Affidavit of Indigency in Criminal case; Request for Appointment of Counsel will subject me to the penalties for perjury as contained in KRS Chapter 532, **exposing me to a maximum sentence of five (5) years imprisonment.** I declare under the penalty of perjury that I have read or have had read to me the above Request for the Appointment of Counsel and Financial Statement and that the information contained within is true, complete, and accurate to the best of my knowledge.

Edward Burnett  
Affiant's Signature

9/15/1976  
Date

Being sworn to tell the truth, I certify that the facts and information stated in the above Request for Appointment of Counsel are true, complete, and accurate to the best of my knowledge. I also further swear to timely inform the Court of any significant changes in any of the information in the above Affidavit of Indigency.

Edward Burnett  
Affiant's Signature

9/15/1976  
Date

[Signature] PTC  
Signature/Title of Officer Gathering Information

9/15/1976  
Date



**FINANCIAL STATEMENT; AFFIDAVIT OF  
INDIGENCY IN CRIMINAL CASES;  
REQUEST FOR COUNSEL; AND ORDER**

Case No. \_\_\_\_\_  
Court District  
County Floyd

**ORDER FOR AFFIDAVIT OF INDIGENCY IN CRIMINAL CASES**

Based upon the above attested statements, IT IS HEREBY ORDERED:

1. The above named Affiant, Mark Bennett,

is NOT indigent pursuant to KRS Chapter 31 and the Request for Appointment of Counsel is DENIED.

is indigent pursuant to KRS Chapter 31 and the Request for Appointment of Counsel is GRANTED. The Court appoints the Department of Public Advocacy to represent the Defendant in the above-styled case.

2. A partial fee for representation

is NOT assessed.

is assessed in the amount of \$ \_\_\_\_\_ to be paid in full no later than the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

may be reserved for a later date.

DATE: \_\_\_\_\_, 2\_\_\_\_

\_\_\_\_\_  
JUDGE

\_\_\_\_\_  
District/ Circuit (*Circle one*) Division