

IN THE SUPERIOR COURT OF CLAYTON COUNTY, CLAYTON CO., GA

STATE OF GEORGIA

2008 AUG 20 PM 1:30

THE STATE OF GEORGIA

INDICTMENT NO.

DEBRA J. MILLER
CLERK SUPERIOR COURT

VERSUS

2008 CL 01996-9

KAWANA MELVIN

AUGUST TERM, 2008

THURBERT E. BAKER
ATTORNEY GENERAL

Count One - Unlawful Transaction of Mortgage Business, O.C.G.A. § 7-1-1019
Count Two - Forgery in the First Degree, O.C.G.A. § 16-9-1
Count Three - False Statement, O.C.G.A. § 16-10-20

WITNESS: Phillip Valenzuela, Department of Banking and Finance

True BILL

Walter M. Christian
Grand Jury Foreperson

This 20 day of August, 2008.

The Defendant, Kawana Melvin, waives copy of indictment, list of witnesses, formal arraignment, and pleads:

Defendant

Defendant's Attorney

Prosecuting Attorney

This _____ day of _____, 20__.

IN THE SUPERIOR COURT OF CLAYTON COUNTY
STATE OF GEORGIA

THE GRAND JURORS selected, chosen and sworn for the County of

Clayton, to wit:

- | | |
|---|-------------------------------------|
| 1. DIANE McBROOM CHRISTIAN - Foreperson | 14. WILLIAM CHARLES MACK |
| 2. JIMMIE L. MANN | 15. WILLIAM DAVE MURPHYJR. |
| 3. KOREN H. CRAWFORD | 16. BARBARA ANN MEEKS-WALTON |
| 4. BARBARA ANN HARDEN | 17. REGINALD LEON THOMAS |
| 5. JERRY H. ATKINS | 18. DEE D. PHILLIPS |
| 6. SHEILA J. CARDOZA | 19. MARTIN JONES |
| 7. DAVID M. MCKEE AYCOCK | 20. DORIS A. HUNT |
| 8. CYNTHIA LACAROL DICKERSON | 21. VICTORIA J. ADAMS |
| 9. CHRISTOPHER LANG PETERSEN | 22. SHERRY K. HANCOCK |
| 10. LANE S. WIKE | 23. MARSHA LYNN WALKER |
| 11. DEANNE Y. JONES | 24. LARRY DURMIRE - ALT. |
| 12. TERESA MAE BERNANDEZ | 25. LISA D. JENNINGS-LOVETT, ALT. |
| 13. BRENDA USHER | 26. |

in the name and behalf of the citizens of Georgia, charge and accuse KAWANA MELVIN with the offense of UNLAWFUL TRANSACTION OF MORTGAGE BUSINESS, in violation of O.C.G.A. § 7-1-1019, for that the said accused, in the County of Clayton and the State of Georgia, on and between August 21, 2006, and October 1, 2007, did willfully engage in the transaction of mortgage business without being licensed or registered as a mortgage broker by the Georgia Department of Banking and Finance, and without being exempted from the requirement of being so licensed or registered, contrary to the laws of said State, the good order, peace, and dignity thereof.

THURBERT E. BAKER, ATTORNEY GENERAL

2008 CL 01490-9

Count 2

The Grand Jurors aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **KAWANA MELVIN** with the offense of **FORGERY IN THE FIRST DEGREE**, in violation of O.C.G.A. § 16-9-1, for that the said accused, in the County of Clayton and the State of Georgia, on or about November 8, 2007, with intent to defraud, did knowingly possess a certain writing, to wit: a letter, a copy of which is attached hereto as exhibit one and incorporated by reference as if fully set forth herein, said letter having been dated May 8, 2006, and addressed to the said Kawana Melvin, and the said letter being made in such a manner that it purports to have been made by and by the authority of Robert Braswell, who did not make such letter and did not give such authority, and the accused did utter and deliver said letter to Southlake Mortgage Company, contrary to the laws of said State, the good order, peace, and dignity thereof.

**THURBERT E. BAKER
ATTORNEY GENERAL**

2008 CR 01490-9

Count 3

The Grand Jurors aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **KAWANA MELVIN** with the offense of **FALSE STATEMENT**, in violation of **O.C.G.A. § 16-10-20**, for that the said accused, in the County of Clayton and the State of Georgia, on or about November 8, 2007, did use a false writing and document, to wit, a letter purportedly written by Robert Braswell, a copy of which is attached hereto as exhibit one and incorporated by reference as if fully set forth herein, knowing the same to contain a false, fictitious, and fraudulent statement, to wit: that the said accused, Kawana Melvin, was not prohibited from engaging in residential mortgage activities in Georgia pursuant to **O.C.G.A. § 7-1-1018**, in a matter within the jurisdiction of the Department of Banking and Finance, a department of state government, contrary to the laws of said State, the good order, peace, and dignity thereof.

THURBERT E. BAKER
ATTORNEY GENERAL



Department of Banking and Finance

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www.gabfi.org

Sonny Perdue
Governor

David G. Sorrell
Commissioner

May 8, 2006

VIA CERTIFIED MAIL - 7002 2410 0001 2664 1389

Kawana Melvin
606 Parkway Dr #8
Atlanta, GA 30308

Dear Ms. Melvin:

The Georgia Department of Banking and Finance ("Department") apologizes for including your name on our exclusionary list. The Department received a copy of the dismissal, and this clerical error is being corrected. You are not prohibited from engaging in residential mortgage activities in Georgia. This letter may be used as verification of your ability to engage in residential mortgage activities in Georgia pursuant to O.C.G.A. § 7-1-1018. Once again, the Department apologizes for any inconvenience that this may have caused you.

Robert M. Braswell, CEM
Deputy Commissioner
Mortgage Division

EXHIBIT
ONE

In the Superior Court of Clayton County First Offender Sentence

August Term, 2009

Criminal Action No. 2008CR01490-09

STATE OF GEORGIA vs. KAWANA LATRELL MELVIN

COUNT I	UNLAWFUL TRANSACTION OF MORTGAGE BUSINESS	FIRST OFFENDER PLEA
COUNT III	FALSE STATEMENTS	FIRST OFFENDER PLEA
THE FOLLOWING COUNTS ARE HEREBY NOLLE PROSSED:		
COUNT II	FORGERY-1ST DEGREE	

FIRST OFFENDER TREATMENT

WHEREAS, no adjudication of guilt has been made subsequent to the entry of the plea or verdict shown above, and
 WHEREAS, the Court has reviewed the defendant's criminal record on file at the Georgia Crime Information Center, and
 WHEREAS, the defendant has not previously been convicted of a felony or used the provisions of the First Offender Act
 (Ga. Laws 1968, p. 324)

NOW, THEREFORE, the defendant consenting hereto, it is the judgement of the Court that no judgement of guilt be imposed at this
 time, but that further proceedings are deferred and the defendant is hereby sentenced to confinement for the period of:

COUNT I Three (3) Years
 HOWEVER it is further ordered by the court:
 THAT COUNT I may be served on probation.
 Concurrent with ALL counts

COUNT III Three (3) Years
 HOWEVER it is further ordered by the court:
 THAT COUNT III may be served on probation.
 Concurrent with ALL counts

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 CLAYTON COUNTY
 SUPERIOR COURT

PROVIDED that the defendant complies with the following general, other and special conditions herein imposed by the Court as a part of this sentence.

PROVIDED, further, that upon violation of the terms of probation, upon conviction for another crime during the period of probation, or 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 guilt and proceed to sentence the defendant to the maximum sentence as provided by law.

IT IS THE FURTHER ORDER of the Court, and the defendant is hereby advised, that the Court may, at any time, revoke any conditions of this probation and/or discharge the defendant from probation. The probationer shall be subject to arrest for violation of any condition of probation herein granted. If such probation is revoked, the Court may enter an adjudication of guilt and proceed to sentence the defendant up to the maximum sentence authorized by law. The defendant shall receive credit for time served on probation to be applied toward the maximum sentence.

Upon fulfillment 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.

sp 10-19-09

STATE OF GEORGIA vs. KAWANA LATRELL MELVIN
Criminal Action No. 2008CR01490-09

SPECIAL CONDITIONS OF PROBATION

In accordance with OCGA §42-8-34.1, the Court hereby imposes the following Special Conditions of Probation. The violation of any of these conditions could result in the Court revoking the probation and requiring the Defendant to serve the balance of the sentence in confinement.

THE DEFENDANT IS PROHIBITED FROM OBTAINING EMPLOYMENT IN ANY REAL ESTATE OR MORTGAGE BUSINESS AND CAN NOT APPLY FOR OR OBTAIN ANY PROFESSIONAL LICENSE IN REAL ESTATE OR MORTGAGE DURING PROBATION PERIOD.

The defendant was represented by the Honorable WILLIE DAVIS, Attorney at Law.

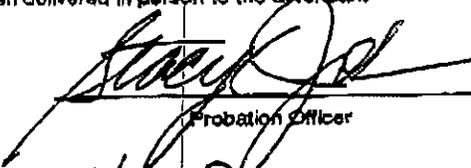
SO ORDERED, this 19th day of October, 2009.


GERONDA V CARTER
Judge, Superior Court
Clayton Judicial Circuit

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this Sentence of Probation has been delivered in person to the defendant and that he/she has been instructed regarding the conditions as set forth above.

This 19th day of October, 2009.


Probation Officer

Probationer

Copy received and instructions regarding conditions acknowledged.
This 19th day of October, 2009.

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CLAYTON JUDICIAL CIRCUIT
SUPERIOR COURT