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November 11, 2015

Via Email: abakari@KelleyDrye.com

Mr. Adisa P. Bakari, Esq.
Kelley Drye & Warren, LLP

RE: Prince Shembo

Dear Adisa:

You asked me to provide you with certain documents concerning the civil and criminal cases in which I represent Prince Shembo here in Georgia. The criminal case, which was initially charged as a felony, was not a felony case under Georgia law. Further, Prince had a legal defense of self defense under Georgia law once the dog bit him, but that defense could only be raised at trial. I believe that I could have won the criminal case at trial. However, we would not have been able to get a trial, due to crowded docket in Gwinnett County, until November or December of this year or maybe January 2016. Prince did not want to wait that long and so we resolved the case with a misdemeanor, \$1000 fine and one year probation.

As to the civil case against Prince it was filed June 1, 2015. Nothing has been done since that time. It appears the Plaintiff has abandoned the case.

I have enclosed my memorandum to the prosecutor concerning the felony charge against Prince which clearly shows that this was, at best, a misdemeanor. I have previously provided you the transcript of Prince's plea in Gwinnett County. It shows that the prosecutor admitted that the dog bite Prince before he kicked it. I have enclosed the police report in the case concerning Ms. Williams calling the police reporting the death of her dog and blaming Prince. I have also enclosed a copy of the records of the Duluth Animal Hospital where the dog in question, Dior, was taken by its owner, Denica Williams, after Prince had kicked it. The records shows that the veterinarian believed that "aggressive treatment" would save the dog but Ms. Williams did not want to pay for such treatment. I have enclosed a copy of Ms. Williams Complaint and Prince's Answer in the civil case, which I believe has been abandoned by Ms. Williams.

If you need any additional information please let me know.

Jerry



Duluth Animal Hospital

Michael W. Miller, D.V.M.
Beth Niagro, D.V.M.
Corby Holson, D.V.M.
Kathleen Diehl, D.V.M.
Jessica Robertson, D.V.M.

2965 Buford Highway
Duluth, Georgia 30096
(770) 476-3317
FAX (770) 476-7759
www.duluthanimalhospital.com
e-mail: info@duluthanimalhospital.com

June 19, 2015

McKenney & Froelich
Attorneys at Law
1360 Peachtree Street
One Midtown Plaza, Suite 910
Atlanta, GA 30309

RE: Denicia Williams
& "Dior" a female Yorkshire Terrier

To Whom It May Concern:

Enclosed please find the medical record for the above-referenced patient visit on April 15, 2015.
Please let us know if we may be of further assistance.

Thank you.

Sincerely,

Michael W. Miller, DVM
Owner, Duluth Animal Hospital

PROGRESS RECORD

ID # 22533 A

ITEM #
TOTAL PMT

DATE PET: Dior

4-15-15 P ~~was~~ obtunded
walkin was playing w/ larger dog, D did not see anything occur, but P stopped responding to calls, froze, defecated on self

T-94.6°
wt 5#
- Euthanized - oral oxid by D.
- Katie was there to witness. KeA S. J. A.

Pt. presented in shock, hypothermic, obtunded, pale mm

minimal corneal reflex
no palpebral/ menace
pupils small/non reactive
crackles in thoracic auscult
no HM
no obvious signs of trauma
ie bruises/punctures
abd NSF

R/o head trauma

P: Rec. to D would need aggressive tx including 24 hr care but very guarded to poor px, if no otp then rec euth
D declined tx due to #
D asked to take pt home w/ no tx then pt became agonal & D agreed to euthanasia & took body home

6-17-15 Rec'd Suppended to KD
Capt.

MC

IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

vs.

PRINCE SHEMBO

)
)
) CASE NO.: 15-FT-0348-5
)
)
)

GUILTY PLEA

Transcript of proceedings given before The Honorable
Karen E. Beyers, August 6, 2015, at Lawrenceville, Georgia.

APPEARANCES OF COUNSEL:

For the State: Bruce Edward Roberts
Assistant District Attorney

For the Defendant: Jerome J. Froelich, Jr.
Attorney at Law

DANA L. PULLIAM, CCR
75 LANGLEY DRIVE
LAWRENCEVILLE, GEORGIA 30046
(770) 262-1661

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P R O C E E D I N G S

MR. ROBERTS: Your Honor, you have before you for purposes of entering a plea a fast track case styled the State of Georgia versus Prince Shembo. That's for one count of cruelty to animals. He's represented before the Court by Mr. Jerry Froelich.

This is a negotiated plea, Your Honor, and the terms of the recommendation are as follows: In exchange for Mr. Shembo's plea to one count of cruelty to animals that we recommend he receive a 12-month sentence to be served on probation. He is to be assessed a \$1,000 fine with the attendant costs and fees. He is to pay a \$44 per month probation supervision fee. He is to successfully complete 200 hours of community service. He is to pay in lieu of restitution to the victim in the case, Denicia Williams, he is to make a \$2,000 donation to a charity of his choosing to be approved by his probation supervisor.

Are those the terms of the negotiated sentence?

MR. FROELICH: Yes. We volunteered on the 2,000, Your Honor.

MR. ROBERTS: They did, Your Honor.

THE COURT: 12 months' probation, \$1,000 fine, what else? \$2,000 charity. What else?

MR. ROBERTS: \$44 per month probation supervision fee and 200 hours community service. I didn't put the records

1 release but that's standard.

2 THE COURT: Okay. Proceed.

3 MR. ROBERTS: As far as criminal history, the
4 Defendant has no criminal history, Your Honor.

5 The facts of the case on the State's behalf would
6 show that on April 15th of 2015 between the hours of 3:00
7 p.m. and 5:30 p.m. the Defendant, Mr. Shembo, kicked a
8 Yorkshire Terrier by the name of Dior owned by the
9 Defendant's girlfriend, Ms. Denicia Williams. Your Honor,
10 I failed to state at the beginning that Ms. Williams is
11 present in court today. And subsequently caused the life-
12 ending trauma to Dior. Dior was subsequently taken to the
13 Duluth Animal Hospital and evaluated. Dior was later
14 euthanized the same day due to the severities of the
15 injuries sustained.

16 Gwinnett County Police Detective Hollub, spelled
17 H-o-l-l-u-b, investigated the case and determined
18 essentially the following: That on April 16th, 2015 the
19 victim spoke with the Defendant and allegedly told the
20 victim that he had kicked Dior. Text messages
21 subsequently obtained from the victim's phone and an audio
22 recording between the victim and the Defendant indicated
23 that Defendant kicked Dior because Dior had bit his hand
24 and it was a reaction to the bite on the hand as the
25 Defendant I believe was trying to remove Dior from a dog

1 kennel at his residence.

2 The Gwinnett County Animal Control officers were
3 notified of the injuries to Dior and Dior's death and the
4 animal cruelty investigation was initiated. The Gwinnett
5 County Animal Control investigation resulted in an
6 necropsy being performed on Dior. The necropsy
7 examination and subsequent report made by Dr. Solveig
8 Adams (sic), Solveig is spelled S-o-l-v-e-i-g, Evans,
9 E-v-a-n-s, and the Gwinnett County forensic examiner
10 determined that Dior's cause of death was the result of
11 blunt force trauma which resulted in internal bleeding of
12 multiple organs thus rendering Dior unviable to save and
13 leaving euthanization the only option of humane treatment.

14 May I inquire of the Defendant, Your Honor?

15 THE COURT: Yes.

16 MR. ROBERTS: Mr. Shembo, I need to place you under
17 oath so that we can complete the plea. If you'll raise
18 your right hand, please.

19 (Whereupon, the Defendant was sworn.)

20 MR. ROBERTS: Lower your hand. Mr. Shembo, I think
21 you saw the other plea that we attempted to complete
22 earlier. I was just going to ask when you answer, just
23 answer up out loud so the court reporter --

24 THE COURT: Actually, don't use that as an example.
25 That's an example of what not to do.

EXAMINATION

1
2 BY MR. ROBERTS:

3 Q If you will state your full name for the record.

4 A Prince Shembo.

5 THE COURT: You don't have to lean into the mic. I
6 can hear you fine.

7 BY MR. ROBERTS: (Resuming)

8 Q If you'll state your age and your date of birth.

9 A I am 23 years old and I was born December 24th, 1991.

10 Q Are you now under the influence of any drugs,
11 medicine or alcohol?

12 A No, sir.

13 Q How far have you gone in school?

14 A I graduated from the University of Notre Dame.

15 Q Can you read and write the English language?

16 A Yes, sir.

17 Q Have you had the opportunity to read and examine the
18 accusation charging you in this case?

19 A Yes, sir.

20 Q Do you fully understand the charge pending against
21 you today?

22 A Yes, sir.

23 Q Had you gone to trial in this case you would have
24 certain trial rights, and those rights are as follows:

25 The right to a trial by jury, the right to be

1 presumed innocent, the right to confront the witnesses against
2 you, the right to subpoena any witnesses for your defense, the
3 right to testify yourself and to offer other evidence, the
4 right to have an attorney to assist you throughout the trial,
5 and the right not to incriminate yourself. Do you understand
6 those trial rights?

7 A Yes, sir.

8 Q Do you further understand that by entering this plea
9 today you are giving up those rights only as they pertain to
10 the charge you're pleading guilty to?

11 A Yes, sir.

12 Q Do you understand that if you pled not guilty or if
13 you remained silent and you entered no plea at all, the State
14 would be required to try you on this charge before a jury?

15 A Yes, sir.

16 Q Now, do you understand that for this one offense
17 you're pleading guilty to, the cruelty to animals which is a
18 misdemeanor, you could receive a maximum of 12 months in
19 confinement?

20 A Yes, sir.

21 Q Are you now serving any other sentence on probation,
22 parole or otherwise?

23 A No, sir.

24 Q You've heard me make the recommendation that I've
25 worked out with your attorney to the Court, have you not?

1 A Sir, yes.

2 Q And do you understand the Court does not have to
3 accept that recommendation, however, if she chooses not to and
4 tells us she is not going to accept the recommendation, at that
5 time you would then have the right to withdraw your plea of
6 guilty?

7 A Yes, sir.

8 Q Now, while you're on probation there are some general
9 terms and conditions you'll have to agree to abide by. Those
10 are as follows:

11 You are not to violate the criminal laws of any
12 governmental unit. You are to avoid injurious and vicious
13 habits, especially alcohol intoxication, narcotics and other
14 dangerous drugs unless they're lawfully prescribed to you. You
15 are to avoid persons or places of disreputable or harmful
16 character. You are to report to your probation or parole
17 supervisor as directed and permit that supervisor to visit you
18 at home or elsewhere. You are to work faithfully at suitable
19 employment insofar as may be possible. You are not to change
20 where you live or work, move outside the jurisdiction of the
21 court or leave the state for any period of time without the
22 prior permission of your probation or parole supervisor. If
23 you are permitted to leave the state of Georgia, you agree to
24 waive extradition from wherever you are found and not contest
25 any effort by that state to return you here. You are to

1 support your legal dependents to the best of your ability. And
2 you are to submit to evaluations and testing relating to
3 rehabilitation, and participate in and successfully complete
4 rehabilitative programming as directed by probation or parole.

5 Do you understand those general terms and conditions?

6 A Yes, sir.

7 Q And do you intend to abide by them?

8 A Yes, sir.

9 Q Now, there's some special terms and conditions, and
10 those are that you pay a \$1,000 fine with the attendant costs
11 and fees, that you pay a \$44 per month probation supervision
12 fee, that you successfully complete 200 hours of community
13 service, that you in place of restitution pay a \$2,000 donation
14 to a charity of your choosing that's approved by your probation
15 officer, and you execute a records release. That records
16 release allows your probation officer to make sure you are
17 complying with the terms and conditions of your probation.

18 Do you understand those special terms and conditions?

19 A Yes, sir.

20 Q And do you intend to abide by those?

21 A Yes, sir.

22 Q Has anyone used any force, threats or promises which
23 have caused you to plead guilty against your will today?

24 A No, sir.

25 Q Are you satisfied with what your attorney, Mr.

1 Froelich, has done for you in this case?

2 A Yes, sir.

3 Q Do you need any additional time to speak with Mr.
4 Froelich before we continue with this plea?

5 A No, sir.

6 Q Have you understood all the questions you've answered
7 so far today?

8 A Yes, sir.

9 Q Understanding all of your rights, do you wish to
10 enter a plea of guilty to this one count of cruelty to animals?

11 A Yes, sir.

12 THE COURT: Was that a yes?

13 THE DEFENDANT: Yes, ma'am.

14 BY MR. ROBERTS: (Resuming)

15 Q Now, is your decision to enter this plea made freely
16 and voluntarily?

17 A Yes, sir.

18 Q And did you in fact commit this offense to which
19 you're pleading guilty?

20 A Yes, sir.

21 Q You've heard me outline the facts to the Court and I
22 understand that you would have a version of the facts yourself
23 in this case, but are those essentially true and correct?

24 A Yes, sir.

25 Q Now, are you a citizen of the United States?

1 A Yes, sir.

2 Q The last thing I need to advise you of is what's
3 called a habeas corpus petition. That's a civil proceeding
4 that's used to challenge this criminal plea. That's something
5 Mr. Froelich can explain to you better how it works and exactly
6 what it is. What I do need for you to understand and
7 acknowledge on the record today is that you have a very strict
8 time period to file this habeas corpus petition. Because
9 you're pleading guilty to a misdemeanor, you have only 12
10 months from today's date to file a habeas corpus petition. Do
11 you understand that very strict time period?

12 A Yes, sir.

13 MR. ROBERTS: Your Honor, he's with the Court.

14 THE COURT: Would counsel approach just to see the
15 accusation so you know what I'm about to ask you?

16 (Whereupon, there was an off-the-record discussion.)

17 THE COURT: There's a date that's blank. The date's
18 under the place where juries could put a verdict. Any
19 objection to me inserting the date above the signatures
20 for the plea of guilty?

21 MR. ROBERTS: Not on behalf of the State, Your Honor.

22 MR. FROELICH: No, Your Honor.

23 THE COURT: I will date it. All right. Counsel,
24 anything on behalf of your client?

25 MR. FROELICH: Yes, Your Honor. You've heard

1 basically what the State said. My client has had no prior
2 criminal record. He's 23 years old. He's an honor
3 graduate at Notre Dame. In three-and-a-half years he got
4 out of college while playing football. He was a
5 professional football player and as a result of the
6 charges against him the Falcons cut him and he lost about
7 \$650,000. So he's suffered a substantial penalty in this.

8 I would request that he be allowed to report by
9 phone, Your Honor. He's in Miami now. He had a temporary
10 apartment which he kept here for purposes of getting this
11 out of the way and he's going to -- he's working out at
12 Miami and hopefully with this out of the way he'll be able
13 to sign with another football team.

14 THE COURT: Anything you'd like to add, Mr. Shembo,
15 before I impose sentence in your case?

16 THE DEFENDANT: No, ma'am.

17 MR. ROBERTS: Your Honor, the only thing -- I don't
18 mean to interrupt you but the victim is here. I don't
19 know if she wants to say anything.

20 THE COURT: Where is the victim? Do you wish to
21 address the Court?

22 MS. WILLIAMS: Yes. I'd just like to say thank you
23 for the justice system for doing everything to bring
24 justice for Dior.

25 THE COURT: Thank you. On his behalf then. Well,

1 are you okay with the resolution?

2 MS. WILLIAMS: Yes.

3 THE COURT: What kind of dog was it?

4 MR. ROBERTS: A Yorkie, Your Honor.

5 THE COURT: All right. I will accept the plea as
6 negotiated. The sentence of the Court is 12 months of
7 probation. Special conditions of probation include the
8 \$1,000 fine, that you make a \$2,000 donation to charity,
9 to a charity of your choosing as approved by probation.
10 You're to pay a \$44 per month probation supervision fee,
11 complete 200 hours of community service, and I will allow
12 you to report by phone or other electronic means. That's
13 the sentence of the Court. You're excused as soon as you
14 sign up with probation. Probation is here and the number
15 is?

16 THE CLERK: 15-FT-0348-5.

17 MR. FROELICH: Thank you, Your Honor.

18 THE COURT: As soon as you sign up with probation
19 you're on your way, sir.

20 (Whereupon, the hearing was concluded.)
21
22
23
24
25

C E R T I F I C A T E

STATE OF GEORGIA)
COUNTY OF GWINNETT)

I do hereby certify that the foregoing pages 1 through 12 are a true, complete and correct transcript of the proceedings taken down by me in the case aforesaid.

This certification is expressly withdrawn and denied upon the disassembly or photocopying of the foregoing transcript, or any part thereof, including exhibits, unless said disassembly or photocopying is done by the undersigned Official Court Reporter and original signature and seal is attached thereto.

This, the 18th day of September 2015.



Dana L. Pulliam
Certified Court Reporter
Certificate No. B-2449

SALES AGREEMENT AND CONTRACT OF SALE

Definitions used herein include:

"Buyer" shall herein be defined as:

"Breeder" shall herein be defined as:

"Puppy" shall herein be defined as:

Robert Johnson

A pet puppy, registered with The Continental Kennel Club (CKC), Continental Kennel Club (CKC) registration number: # 1885948-1.

Sire: "Bailey", CKC# YK-04356277

Dam: "Paris", CKC# YK-04357966

The Yorkshire Terrier puppy described above is sold for the sum of

\$ 800.00

Payment to be made in full at the time of the transaction on 4-20-15

The pet puppy is defined here to be a Yorkshire Terrier (Yorkie) puppy, which is in good health at the time of sale and embodies the characteristics of the Yorkshire Terrier breed. This puppy is purebred and is registerable (registered) with the Continental Kennel Club (CKC).

The BREEDER guarantees the above described dog to be healthy at the time of the sale.

The BREEDER does not assume any liability for any injury to said puppy after delivery.

The BUYER agrees to have this puppy examined by a veterinarian within 72 hours of delivery.

If the puppy is found to be other than healthy by the BUYER'S veterinarian, it shall be returned to the BREEDER immediately, and the purchased price will be refunded. Deadline for this refund is three days from purchased date.

All appropriate shots for the puppy's age have been given, and a record of this vaccination history is supplied.

The BUYER agrees to maintain the puppy's health in good condition, and to provide yearly examinations, vaccinations, heartworm test, and any other usual procedures necessary to assure good health.

The BREEDER has done everything possible to produce healthy, sound puppies and by raising the puppies in the best way possible in regards to diet, exercise, socialization and veterinary care. There are many factors that can influence growth and development, such as diet, exercise,

weight gain, etc. The BUYER assumes the responsibility to carry on with the appropriate vaccinations, exercise and feeding schedule, as supplied by the BREEDER. Most particularly, the BUYER agrees to keep the puppy slim throughout it's normal growth period. The BREEDER can offer no further guarantees once the care of the puppy is no longer under their control.

The BUYER agrees to keep the BREEDER updated with the progress and growth of the puppy (by photos, e-mail @ fredede@bellsouth.net).

The BUYER agrees to provide a suitable area for this puppy.

The BREEDER neither makes or implies any warranties or guarantees, express or implied, other than those written in the agreement including, without limitation, the warranty of merchantability and fitness. This document constitutes the entire agreement between the BREEDER and BUYER with respect to this sale. The BUYER'S signature below indicates that he/she has read, agrees and does understand all the conditions of the Sales Agreement and Contract of Sale.

BUYER: _____

DATE: _____

ADDRESS: _____

PHONE: _____

E-MAIL: _____

SIGNATURE: _____

BREEDER: _____

DATE: _____

Prince Shamba

4-20-15

Prince Shamba

[Signature]

4-20-15

phom
4.3



Size Yorkie 4 lbs

