

IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS

THIRD DIVISION

STATE OF ARKANSAS

v.

CR2012-1044

FILED IN COURT  
DATE 12-14-15  
Rhonda Wharton, Clerk  
By AW PLAINTIFF DC  
@ 4:20 PM

JACK W. GILLEAN

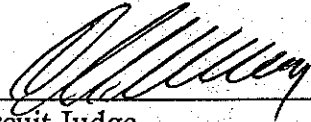
DEFENDANT

ORDER

Comes now before the Court the Verified Application to Revoke Probation and Release and the Motion to Revoke Probation and Release, and the Court DOTH FIND:

Based on the foregoing pleadings this Court finds that a bench warrant should be, and hereby is ordered, issued for the arrest of the defendant. The warrant shall provide that upon the arrest of the defendant, he shall be brought to this Court forthwith to set a hearing to determine if the defendant has violated the terms and conditions of his probation and of his release, and whether that probation and release should be revoked. If this Court is not in session at the time the defendant is arrested, he shall be delivered to the custody of the Faulkner County Sheriff, and transported to this Court when it reconvened

IT IS SO ORDERED.

  
Circuit Judge

12/14/15  
Date

Defendant Information;

Date of Birth: 11/04/1956

Race: W; Gender: M

Home Address: 415 Ramble Street, Hot Springs, AR 71901

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VERIFIED APPLICATION TO REVOKE PROBATION AND  
RELEASE

I, Joan Shipley, Deputy Prosecuting Attorney, state upon oath that the statements contained in the Application to Revoke Probation and Release filed this 14<sup>th</sup> day of December, 2015, are true and correct to the best of my knowledge:

1. The defendant was tried by a jury and found guilty of all six counts of Commercial Burglary on March 13, 2014, and was sentenced to 3 years in the Arkansas Department of Correction and a fine on Count 1, and 120 months of probation and a fine on the remaining counts.

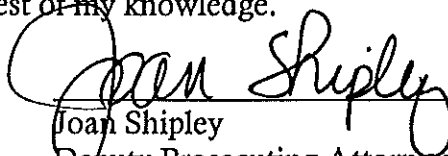
2. The Court granted the defendant's motion for an appeal bond.

3. The defendant was ordered to report to Probation/Parole for intake for the term of probation. The defendant did complete Intake paperwork on 03/25/2014 with Intake Officer Fawn Borden and requested his probation be transferred to Garland County, his county of residence.

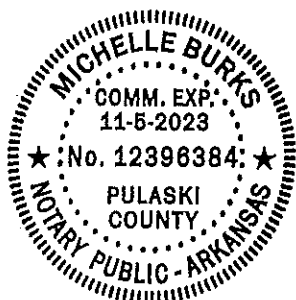
4. The Garland County Probation Office, specifically Officer Michael Hall, drug-tested the defendant on various dates. The defendant tested positive for THC/Marijuana on 08/20/2014, 09/19/2014, 11/17/2014, 04/20/2015, 05/20/2015, and on 06/09/2015. He also tested positive for Amphetamines on 05/20/2015.

5. This information would merit a revocation of the defendant's release pursuant to Arkansas Rule of Criminal Procedure 9.5, and would merit a revocation of the defendant's probation pursuant to the Conditions of Probation signed by the Defendant on March 24, 2014, authorized by A.C.A. § 5-4-303.

I, Joan Shipley, Deputy Prosecuting Attorney, state upon oath that the statements contained in the Application to Revoke Probation and Release filed this 14<sup>th</sup> day of December, 2015, are true and correct to the best of my knowledge.

  
Joan Shipley  
Deputy Prosecuting Attorney

Subscribed and Sworn to before me on this 14<sup>th</sup> of December, 2015.



  
Michelle Burks  
Notary Public

IN THE CIRCUIT COURT OF FAULKNER COUNTY  
THIRD DIVISION

STATE OF ARKANSAS

PLAINTIFF

CR 12-1044

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DEFENDANT

JACK W. GILLEAN

MOTION TO REVOKE PROBATION AND RELEASE

Comes now State of Arkansas, by and through Deputy Prosecuting Attorney Joan Shipley, and states as follows:

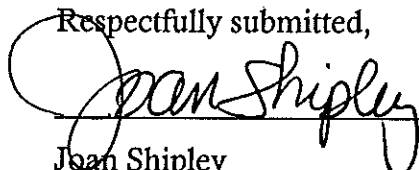
1. The defendant was charged with 6 counts of Commercial Burglary, C felonies.
2. The defendant was released on a \$17,500.00 bond.
3. The defendant was tried by a jury and found guilty of all six counts of Commercial Burglary on March 13, 2014, and was sentenced to 3 years in the Arkansas Department of Correction and a fine on Count 1, and 120 months of probation and a fine on the remaining counts.
4. The Court granted the defendant's motion for an appeal bond.
5. The defendant was ordered to report to Probation/Parole for intake for the term of probation. The defendant did complete Intake paperwork on 03/25/2014 with Intake Officer Fawn Borden and requested his probation be transferred to Garland County, his county of residence.
6. The Garland County Probation Office, specifically Officer Michael Hall, drug-tested the defendant on various dates. The defendant tested positive for THC/Marijuana on 08/20/2014, 09/19/2014, 11/17/2014, 04/20/2015, 05/20/2015, and on 06/09/2015. He also tested positive for Amphetamines on 05/20/2015.

5. The positive drug screens would merit a revocation of the defendant's release pursuant to Arkansas Rule of Criminal Procedure 9.5(a)(ii) and would merit a revocation of the defendant's probation pursuant to the Conditions of Probation signed by the Defendant on March 24, 2014, authorized by A.C.A. § 5-4-303.

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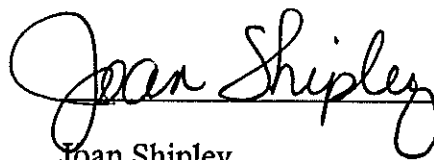
WHEREFORE, the State prays that this Court issue an arrest warrant for the defendant and that he be brought forthwith before this Court for a hearing, and that the defendant's release and probation be revoked pursuant to Rule 9.5 of the Arkansas Rules of Criminal Procedure.

Respectfully submitted,

  
Joan Shipley  
Deputy Prosecuting Attorney

#### CERTIFICATE OF SERVICE

I do hereby certify that I have this 11<sup>th</sup> day of December, 2015, served counsel for the defendant in the foregoing matter a copy of this pleading via U.S. Mail, postage prepaid.

  
Joan Shipley  
Deputy Prosecuting Attorney  
20<sup>th</sup> Judicial District  
State of Arkansas