Towns County Herald

Legal Notices for October 23, 2019

NOTICE TO DEBTORS AND CREDITORS
RE: ESTATE OF J. SHELL COCHRAN
All debtors and creditors of the estate of J. Shell Cochran, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of said Estate, according to law, and all persons indebted to said estate are required to make immediate payment to the Executor.
This 1st day of October, 2019.
Sara Martin Cochran, Executor
Address: 1648 Cedar View Drive
Hiawassee, GA 30546
T(Oct19,16,23,30)

STATE OF GEORGIA
TOWNS COUNTY
Re: Estate of Linda Crowley Collins
All debtors and creditors of the estate of Linda Crowley Collins, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of the estate, according to the law, and all persons indebted to said estate are required to make immediate payments to the Executor.
This 1st day of October, 2019.
By: Laura C. Fowler
287 Crawford Road
Blairsville, GA 30512
T(Oct9,16,23,30)

NOTICE TO CREDITORS AND DEBTORS
All creditors of the Estate of PATRICIA JEAN GOODSON deceased of Manatee County, Florida, (and owing real property located in Towns County, Georgia) are hereby notified to render in their demands to the undersigned according to law; and all persons indebted to said estate are required to make immediate payment to the undersigned Executor of the Estate PATRICIA JEAN GOODSON.
This 2nd day of October 2019.
KIM GOODSON BAILEY
Executor Estate Patricia Jean Goodson
204 Buck St.
Graham, ME 04038
Submitted by:
Pamela Kendall Floyd, PC
Attorney for Estate
P.O. Box 1114
Hiawassee, GA 30546
T(Oct19,16,23,30)

NOTICE TO DEBTORS & CREDITORS
RE: Estate of Fredrica D. Segars
All creditors of the Estate of Fredrica D. Segars, deceased, late of Towns County, are hereby notified to render their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment.
This 17 day of October, 2019
Thomas E. Segars
747 Bell Creek Road
Hiawassee, GA 30546
214-316-6240
T(Oct23-Nov13)

NOTICE TO DEBTORS AND CREDITORS
STATE OF GEORGIA
COUNTY OF TOWNS
RE: ESTATE OF JO MILDRED FRENCH
All creditors of the estate of Jo Mildred French deceased, late of Towns County, Georgia, are hereby notified to render their demands to the undersigned according to law, and all persons indebted to said Estate are required to make immediate payment to the undersigned.
This 23rd day of September, 2019.
ADMINISTRATOR: Lynn Wagner
ADDRESS: c/o Eddy A. Corn, Attorney
253 Big Sky Drive
Hiawassee, GA 30546
PHONE: (706) 896-3451
T(Oct2,9,16,23)

NOTICE TO CREDITORS AND DEBTORS
All creditors of the Estate of DOROTHY L. MOODY, a.k.a. DOROTHY LINDSEY MOODY, deceased of Towns County, Hiawassee, Georgia are hereby notified to render in their demands to the undersigned according to law; and all persons indebted to said estate are required to make immediate payment to the undersigned Executor of the Estate of DOROTHY L. MOODY, a.k.a. DOROTHY LINDSEY MOODY.
This 25th day of September 2019.
George Ronald Moody, Executor
Estate DOROTHY L. MOODY, a.k.a. DOROTHY LINDSEY MOODY
1112 Happy Top Lane
Hiawassee, Georgia 30546
Submitted by:
Pamela Kendall Floyd, PC
Attorney for Estate
P.O. Box 1114
Hiawassee, GA 30546
T(Oct2,9,16,23)

NOTICE
Notice is given that articles of incorporation that will incorporate Vitality Market & Juice Bar Inc. have been delivered to the Secretary of State for filing in accordance with the Georgia Business Corporation Code. The initial registered office of the corporation is located at 1769 Lakeview Dr., Young Harris, Georgia 30582 and its initial registered agent at such address is Paul Wentzel.
T(Oct16,23)

NOTICE TO CREDITORS AND DEBTORS
All creditors of the Estate of DORMA RUTH BROWN deceased of Towns County, Hiawassee, Georgia are hereby notified to render in their demands to the undersigned according to law; and all persons indebted to said estate are required to make immediate payment to the undersigned Executor of the Estate of Dorma Ruth Brown.
This 15th day of October 2019.
Deborah Gay Collins, Executor
Estate Dorma Ruth Brown
P.O. Box 484
Hiawassee, Georgia 30546
Submitted by:
Pamela Kendall Floyd, PC
Attorney for Estate
P.O. Box 1114
Hiawassee, GA 30546
T(Oct23,30,Nov6,13)

STATE OF GEORGIA
COUNTY OF TOWNS
IN RE: ESTATE OF KENNETH R. BENNETT, DECEASED
NOTICE TO CREDITORS
All creditors of the Estate of Kenneth R. Bennett, deceased, late of Towns County, are hereby notified their demands to the undersigned according to law, and all persons indebted to said Estate are required to make immediate payment to David E. Barrett as Attorney for the Estate of Kenneth R. Bennett, 108 Blue Ridge Hwy., Suite 6, Blairsville, GA 30512
This 7th day of October, 2019
T(Oct16,23,30,Nov6)

IN THE PROBATE COURT OF TOWNS COUNTY
STATE OF GEORGIA
IN RE: ESTATE OF
DANIELYNN BRENDA MICHELLE ROGERS, MINOR
ESTATE NO. 2019-91
NOTICE
Date of second publication, if any October 30, 2019
TO: Toshia Rogers Compton & Minor's Father
You are hereby notified that Daniel Wayne Brown & Peggy Lynn Brown has filed a Petition seeking to be appointed temporary guardian(s) of the above-named Minor. All objections to the Petition to the appointment of a temporary guardian or the appointment of the Petitioner(s) as temporary guardian(s), must be in writing, setting forth the grounds of any such objections, and be filed with this Court no later than ten (10) days after the second publication of this notice if you are served by publication. All objections should be sworn to before a notary public or Georgia probate court clerk and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the required amount of filing fees.
NOTE: If a natural guardian files a timely objection to the creation of the temporary guardianship, the Petition will be dismissed. If a natural guardian files an objection to the appointment of the Petitioner(s) as guardian(s), or if a parent who is not a natural guardian files an objection to the Petition, a hearing on the matter shall be scheduled at a later date. If no objection is filed, the Petition may be granted without a hearing.
David Rogers Judge of the Probate Court
By: Kerry L. Berrong Clerk of the Probate Court
48 River St., Suite C
Hiawassee, GA 30546
Address
706-896-3467
Telephone Number
T(Oct23)

IN THE JUVENILE COURT OF TOWNS COUNTY
STATE OF GEORGIA
ITIO B.D. & A.D.
Children Under the Age of Eighteen
Case Nos. 139-18J-51A & 50A
NOTICE OF HEARING FOR TEMPORARY CUSTODY (DEPENDENCY)
TO: Amanda Delisle, mother of the above-named children
By Order for Service by Publication dated the 20th day of September, 2019, you are hereby notified that on the 9th day of November, 2018, Sue Dickerson, Petitioner, filed a petition for temporary custody (dependency) against you as to the above- named children and this Court found it to be in the children's best interest that the Petition be filed. This notice is being sent to you pursuant to the provisions of O.C.G.A. § 15-11-2. A copy of the Petition for Temporary Custody (Dependency) may be obtained by you from the Clerk at the Towns County Courthouse during business hours. The hearing on the Petition for Temporary Custody (dependency) is for the purpose of finding the children dependent and establishing an order for temporary custody with the Petitioner.
If the Court at the trial finds that the facts set out in the Petition for Temporary Custody (Dependency) are true and that temporary custody to the Petitioner will serve the best interests of your children, the Court can enter a judgment finding the children are dependent and granting temporary custody to the Petitioner.
This Court will conduct an adjudication hearing upon the Petition for Temporary Custody (Dependency) on the 23rd day of October, 2019, at 9:00 a.m. in the Union County Courthouse, Blairsville, Georgia. Such hearing shall be provisional for any party upon whom service of summons is being made by publication. The findings of fact and orders of disposition made pursuant to the provisional hearing will become final at the final hearing unless a party served by publication appears at the final hearing.
The children and other parties involved may be represented by a lawyer at all stages of these proceedings. If you want a lawyer, you may choose and hire your own lawyer. If you want to hire a lawyer, please contact your lawyer immediately. If you want a lawyer but are not able to hire a lawyer without undue financial hardship, you may ask for a lawyer to be appointed to represent you. The Court would inquire into your financial circumstances and if the Court finds you to be financially unable to hire a lawyer, then a lawyer will be appointed to represent you. If you want a lawyer appointed to represent you, you must let the Court or the officer of this Court handling this case know that you want a lawyer immediately.
WITNESS, the Honorable Jeremy Clough, Judge of said Court, this the 20th day of September, 2019.
Honorable Jeremy D. Clough
Judge, Juvenile Court
Towns County, Georgia
Enotah Judicial Circuit
T(Oct19,16,23,30)

NOTICE OF PETITION TO CHANGE NAME
STATE OF GEORGIA
TOWNS COUNTY
Notice is hereby given that MARY CECILIA CODY, the undersigned petitioner, has filed a petition to the Superior Court of TOWNS County, Georgia on September 16, 2019, praying for a change in the name of petitioner from MARY CECILIA CODY to MARY CECILIA PRUITT. Notice is hereby given pursuant to law to any interested or affected party to appear in said Court and to file objections to such name change. Objections must be filed with said Court within 30 daays of the filing of said petition.
This September 16, 2019
Mary Cecilia Cody, Petitioner
T(Oct2,9,16,23)

IN THE PROBATE COURT OF TOWNS COUNTY
STATE OF GEORGIA
IN RE: ESTATE OF
JOHN WEAVER MAYNARD, DECEASED
ESTATE NO. 2018-52
NOTICE
[For Discharge from Office and all Liability]
IN RE: Petition for Discharge of Personal Representative
TO: All Interested Parties, all and singular the heirs of said Decedent, the beneficiaries under the will, and to whom it may concern:
This is to notify you to file objection, if there is any, to the above-referenced Petition, in this Court on or before November 4, 2019.
BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a Probate Court Clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the Petition may be granted without a hearing.
David Rogers
Judge of the Probate Court
By: Kerry L. Berrong
Clerk of the Probate Court
48 River St. Suite C
Hiawassee, GA 30546
Address
706-896-3467
Telephone Number
T(Oct23)

IN THE JUVENILE COURT OF TOWNS COUNTY
STATE OF GEORGIA
IN THE INTEREST OF:
SAVANNAHANN CARTER
DOB: 06-27-2006
SEX: FEMALE
CASE NO. 139-19J-27A
BILLY WAYNE CARTER
DOB: 02-09-2005
SEX: MALE
CASE NO. 139-19J-28A
CHILDREN UNDER THE AGE OF EIGHTEEN
NOTICE OF HEARING FOR AMENDED PETITION FOR SUCCESSOR GUARDIANSHIP
TO: Audrey Freeman, Grandmother of the above named minor children
By Order of Service by Publication, dated the 5th day of September 2019, you are hereby notified that on the 3rd day of June, 2019, Ginger Carter, Petitioner, filed an Amended Petition for Successor Guardianship as to the above named children. This notice is being sent to you pursuant to the provisions of O.C.G.A. §15-11-2. A copy of the Amended Petition for Successor Guardianship may be obtained by you from the clerk at the Towns County courthouse during business hours. You are required to file with the Clerk of Juvenile Court, and to serve upon Counsel for Petitioner, Rosalind N. Henderson, an Answer in writing within 60 days of the date of the Order for Publication. The hearing on the Amended Petition for Successor Guardianship is for the purpose of establishing Permanent Guardianship with Ginger Carter as a successor to Leon Carter who is now deceased. The Hearing on Amended Petition for Successor Guardianship will be held on the 4th day of December 2019 at 9 a.m. at the Towns County Courthouse, Hiawassee, Georgia.
The children and other parties involved may be represented by a lawyer at all stages of the proceedings. If you want a lawyer, you may choose and hire your own lawyer. If you want to hire a lawyer, please contact your lawyer immediately. If you want a lawyer, but are unable to hire one without undue financial hardship, you may ask for a lawyer to represent you. The Court would inquire into your financial circumstances and if the Court finds you to be financially unable to hire a lawyer, then a lawyer will be appointed to represent you. If you want a lawyer to be appointed to represent you, you must let the Court or the officer of the Court handling this matter know immediately.
Witness, the Honorable Jeremy Clough, Judge of said Court, this the 16th day of October, 2019
Honorable Jeremy Clough,
Judge, Towns County Juvenile Court
T(Oct23,30,Nov6,13)

IN THE JUVENILE COURT OF TOWNS COUNTY
STATE OF GEORGIA
IN THE INTEREST OF:
SAVANNAHANN CARTER
DOB: 06-27-2006
SEX: FEMALE
CASE NO. 139-19J-27A
BILLY WAYNE CARTER
DOB: 02-09-2005
SEX: MALE
CASE NO. 139-19J-28A
CHILDREN UNDER THE AGE OF EIGHTEEN
NOTICE OF HEARING FOR AMENDED PETITION FOR SUCCESSOR GUARDIANSHIP
TO: Sara Ball West, mother of the above named minor children
By Order of Service by Publication, dated the 5th day of September 2019, you are hereby notified that on the 3rd day of June, 2019, Ginger Carter, Petitioner, filed an Amended Petition for Successor Guardianship as to the above named children. This notice is being sent to you pursuant to the provisions of O.C.G.A. §15-11-2. A copy of the Amended Petition for Successor Guardianship may be obtained by you from the clerk at the Towns County courthouse during business hours. You are required to file with the Clerk of Juvenile Court, and to serve upon Counsel for Petitioner, Rosalind N. Henderson, an Answer in writing within 60 days of the date of the Order for Publication. The hearing on the Amended Petition for Successor Guardianship is for the purpose of establishing Permanent Guardianship with Ginger Carter as a successor to Leon Carter who is now deceased. The Hearing on Amended Petition for Successor Guardianship will be held on the 4th day of December 2019 at 9 a.m. at the Towns County Courthouse, Hiawassee, Georgia.
The children and other parties involved may be represented by a lawyer at all stages of the proceedings. If you want a lawyer, you may choose and hire your own lawyer. If you want to hire a lawyer, please contact your lawyer immediately. If you want a lawyer, but are unable to hire one without undue financial hardship, you may ask for a lawyer to represent you. The Court would inquire into your financial circumstances and if the Court finds you to be financially unable to hire a lawyer, then a lawyer will be appointed to represent you. If you want a lawyer to be appointed to represent you, you must let the Court or the officer of the Court handling this matter know immediately.
Witness, the Honorable Jeremy Clough, Judge of said Court, this the 16th day of October, 2019
Honorable Jeremy Clough,
Judge, Towns County Juvenile Court
T(Oct23,30,Nov6,13)

IN THE JUVENILE COURT OF TOWNS COUNTY
STATE OF GEORGIA
IN THE INTEREST OF:
SAVANNAHANN CARTER
DOB: 06-27-2006
SEX: FEMALE
CASE NO. 139-19J-27A
BILLY WAYNE CARTER
DOB: 02-09-2005
SEX: MALE
CASE NO. 139-19J-28A
CHILDREN UNDER THE AGE OF EIGHTEEN
NOTICE OF HEARING FOR AMENDED PETITION FOR SUCCESSOR GUARDIANSHIP
TO: Bill Carter, father of the above named minor children
By Order of Service by Publication, dated the 5th day of September 2019, you are hereby notified that on the 3rd day of June, 2019, Ginger Carter, Petitioner, filed an Amended Petition for Successor Guardianship as to the above named children. This notice is being sent to you pursuant to the provisions of O.C.G.A. §15-11-2. A copy of the Amended Petition for Successor Guardianship may be obtained by you from the clerk at the Towns County courthouse during business hours. You are required to file with the Clerk of Juvenile Court, and to serve upon Counsel for Petitioner, Rosalind N. Henderson, an Answer in writing within 60 days of the date of the Order for Publication. The hearing on the Amended Petition for Successor Guardianship is for the purpose of establishing Permanent Guardianship with Ginger Carter as a successor to Leon Carter who is now deceased. The Hearing on Amended Petition for Successor Guardianship will be held on the 4th day of December 2019 at 9 a.m. at the Towns County Courthouse, Hiawassee, Georgia.
The children and other parties involved may be represented by a lawyer at all stages of the proceedings. If you want a lawyer, you may choose and hire your own lawyer. If you want to hire a lawyer, please contact your lawyer immediately. If you want a lawyer, but are unable to hire one without undue financial hardship, you may ask for a lawyer to represent you. The Court would inquire into your financial circumstances and if the Court finds you to be financially unable to hire a lawyer, then a lawyer will be appointed to represent you. If you want a lawyer to be appointed to represent you, you must let the Court or the officer of the Court handling this matter know immediately.
Witness, the Honorable Jeremy Clough, Judge of said Court, this the 16th day of October, 2019
Honorable Jeremy Clough,
Judge, Towns County Juvenile Court
T(Oct23,30,Nov6,13)

IN THE SUPERIOR COURT OF TOWNS COUNTY
STATE OF GEORGIA
Enotah Judicial Circuit
CIVIL ACTION NO. 2019-CV-132
STATE OF GEORGIA,
ex rel
JEFFREY LANGLEY
DISTRICT ATTORNEY,
ENOTAH JUDICIAL CIRCUIT,
Plaintiff,
vs
Item #1 - $8,488.72 in United States Currency
Item #2 - 2009 Harley Davidson FLHTCU, VIN # 1HD1FC4199Y611505
Item #3 - Ruger LCR 38 Special Revolver, Serial# 543-14380
Item #4 - $32,591.00 in United States Currency
Item #5 – J.C. Higgins Model 20, 12 gauge shotgun
Item #6 – Mossberg Model 590, 12 gauge shotgun, Serial # L772797
Item #7 – H & R Model 1871 12 gauge shotgun, Serial # NZ846328
Item # 8 – DPMS Model A-15, .223 caliber rifle, Serial # F190352
Item #9 – SKA Model 7.62x39 7.62 caliber rifle, Serial# 34723
Item # 10 – CZ Farmer Model CZ513 .22 rifle, Serial # 531723
Item # 11 – Marlin Model 336, .44 Magnum rifle, Serial # AB9862
Item # 12 – Thompson Model 1927A1 .45 caliber rifle, Serial # KA1830
Item #13 – Ruger Model Mini 14 SS, .223 caliber rifle, Serial # 195-08525
Item # 14 – Mossberg Model 505, 20 gauge shotgun, Serial # R635699
Item #15 – Marlin Model 9, 12 gauge shotgun, no Serial # available
Item 16 – Rossi Model RH92, .45 Colt pistol, Serial # SN004696X,
Item 17 – Imported, 12 gauge shotgun, Serial # 114568
Item 18 – Winchester Model 1300, 12 gauge shotgun, no Serial # available
Item 19 – Hi-Point Model 995 9mm pistol, Serial # A10134
Item 20 – Glenfield Model 60, .22 caliber rifle, Serial # 25363811
Item #21 – Charles Daly .45 caliber pistol, Serial # CD00372
Item #22 – Taurus Model Public Defender .410/.45 caliber pistol, Serial # KR253727
Item #23 – Walther Model P22, .22 caliber, Serial #WA039568
Item #24 – Colt Model 1911, .45 caliber pistol, Serial # unknown
Item #25 – North American Arms, .22 Magnum pistol, Serial # 059325
Item #26 – Rohm Model RG-14 pistol, Serial # 7121572
Item #27 – Lorcin Model L380, .380 caliber pistol, Serial # 510613
Item #28 – Excam, Model Tanfoglio .22 cal firearm, Serial #52335
Item #29 – Rohm, Model RG24 firearm, Serial # 165171
Item 30 – Walther Model P22 with laser pistol, Serial # N059309
Item #31 – Hi-Standard, Model R-101 firearm, Serial # 918980
Item #32 – Excam Model RX-38 .38 Special pistol, Serial # RX02227
Item #33 – North American Arms Mini Revolver .22 caliber, Serial #034015
Defendant in rem,
RE PROPERTY OF
LONNIE MAX MARCUS,
Purported Owner(s)/Interest Holders
COMPLAINT FOR FORFEITURE
COMES NOW THE STATE OF GEORGIA, by and through Jeffrey Langley, District Attorney for the Enotah Judicial Circuit and files this complaint for forfeiture pursuant to the Official Code of Georgia Annotated §§16-13-49(b) and 9-16-12 and shows the Court the following:
1.
The property sought to be forfeited is described in the above-styled caption and is incorporated herein by reference thereto (hereinafter "the defendant property").
2.
The defendant property is presently in the custody of the Hiawassee Police Department and the Towns County Sheriffs Department and is located within the county, and is within the venue and subject to the jurisdiction of this Court.
3.
On September 13, 2019, the defendant, Lonnie Marcus, was operating ITEM #2 (a Harley-Davidson motorcycle) when he was stopped by the Hiawassee Police Department on North Main Street in Hiawassee, Georgia. There were no passengers on said vehicle.
4.
The motorcycle was being operated with a license plate that was assigned to a different vehicle. Further investigation revealed that the motorcycle was an unregistered vehicle, having last been registered on April 4, 2017 with an expiration date of March 6, 2018.Further the defendant did not have effective insurance on ITEM #2. The stop resulted in the arrest of Lonnie Marcus for no Insurance, concealing the identity of a vehicle and operating an unregistered vehicle.
5.
A search of the defendant and Item #2 resulted in the discovery of a quantity of methamphetamine and a further quantity of Alprazolam, a/k/a Xanax in the pocket of Lonnie Marcus. Item #1 ($8,488.72 in United States Currency) was found on the person of Lonnie Marcus. Item #3 (a Ruger .38 caliber pistol) was found inside his boot. Lonnie
Marcus was then arrested on the additional charges of Possession of Methamphetamine, Possession of Alprazolam and Possession of a firearm during the commission of a crime.
6.
As a result of the discovery of the methamphetamine and alprazolam, Item #1, Item #2 and Item #3 were seized for forfeiture.
8.
ITEM #1, ITEM #2 and ITEM #3 are contraband and subject to forfeiture to the State of Georgia pursuant to the provisions of O.C.G.A. § 16-13-49(b), in that the defendant Items #1,2 and 3 were directly or indirectly used or intended for use to facilitate the Possession and/or Sale of Methamphetamine, a Schedule II controlled substance and the possession of Alprazolam, a Schedule IV controlled substance. In violation of Code Section, O.C.G.A. § 16-13-30(a) and (b) and/or is proceeds derived or realized therefrom and/or was found in close proximity to methamphetamine and Alprazolam and/or other property which is subject to forfeiture pursuant to the provisions of O.C.G.A. § 16-13-49(b).
9.
Additionally, the defendant weapon(s), Item #3 (a Ruger LCR .38 caliber revolver, Serial #543-14380) is contraband and subject to forfeiture to the State of Georgia pursuant to O.C.G.A. § 16-13-49(b) in that the weapon was available for use to facilitate and was within arm's reach of Lonnie Marcus while said Lonnie Marcus was committing the crime of Possession of a Controlled Substance to wit: methamphetamine, in violation of O.C.G.A. § 16-13-30 and in violation of O.C.G.A
16-11-106(b)(4).
10.
On September 13, 2019 Lonnie Marcus was interviewed by law enforcement officers with the Towns County Sheriffs Department and the Appalachian Regional Drug Task Force. During said interview Lonnie Marcus stated that he had additional methamphetamine at his property at 2418 Marys Way, Young Harris, Towns County, Georgia. Marcus further offered to show law enforcement where the methamphetamine was located at the address. Finally Marcus stated that he was not as "big" in selling methamphetamine as he once was and that he was trying to stop selling methamphetamine but had not stopped yet.
11.
A search warrant was obtained. At the address shown above, officers found between 7 and 8 ounces of methamphetamine, an amount sufficient to constitute Trafficking in Methamphetamine in violation of O.C.G.A 16-13-31.
12.
Item #4 ($32,591.00 in United States currency) was found as follows: two bundles of currency were found in the seat cushions of a chair in close proximity (2-3 feet) to the methamphetamine and additional bundles of currency were found in a safe along with Marcus' birth certificate, drivers license and various vehicle titles. This safe was locate within 2-4 feet of the methamphetamine.
13.
Items 5 through 33 are weapons found in close proximity to the methamphetamine.
14.
ITEM #4 is contraband and subject to forfeiture to the State of Georgia pursuant to the provisions of O.C.G.A. § 16-13-49(b), in that the defendant Items #4 was directly or indirectly used or intended for use to facilitate the Possession and/or Sale of Methamphetamine, a Schedule II controlled substance and the possession of Alprazolam, a Schedule IV controlled substance. In violation of Code Section, O.C.G.A. § 16-13-30(a) and (b) and/or is proceeds derived or realized therefrom and/or was found in close proximity to methamphetamine and/or other property which is subject to forfeiture pursuant to the provisions of O.C.G.A. § 16-13-49(b).
15.
The defendant weapon(s), Item #5 through 33 is contraband and subject to forfeiture to the State of Georgia pursuant to O.C.G.A. § 16-13-49(b) in that the weapons were available for use to facilitate and was within arm's reach of Lonnie Marcus while said Lonnie Marcus was committing the crime of Trafficking of a Controlled Substance to wit: Methamphetamine, in violation of O.C.G.A. § 16-13-31 and in violation of O.C.G.A 16-11-106(b)(4) and/or are proceeds derived or realized therefrom and/or were found in close proximity to methamphetamine and/or other property which is subject to forfeiture pursuant to the provisions of O.C.G.A. § 16-13-49(b).
16.
The names and addresses of all known persons who may be owners and/or interest holders of the defendant property, or any part thereof, are as follows:
Lonnie Marcus
Towns County Jail
Young Harris, Georgia or
2418 Marys Way
Hiawassee Georgia, 30512
WHEREFORE THE STATE OF GEORGIA PRAYS:
1)) That all purported owners and/or interest holders listed herein be personally served with a copy of the complaint and summons;
2)) That the custodians of the defendant property be personally served a copy of the complaint and summons herein;
3.) That all purported owners and interest holders who are unknown, who reside out of state, who depart the state, who cannot after due diligence be found within the state, or who conceal themselves so as to avoid service, be served by publication by publishing a notice of proceedings once per week for two consecutive weeks in the legal organ of the county in which this complaint is pending as provided by O.C.G.A. § 9-16-12(b)(3);
4.) That the Court hold a hearing within sixty (60) days of the service of this complaint as provided by O.C.G.A. § 9-16-12(f);
5.) That the Court enter judgment in favor of the State of Georgia declaring the defendant property or any part thereof forfeited to the State of Georgia pursuant to the provisions of O.C.G.A. § 16-13-49;
6.) That the Court retain jurisdiction to direct the proper disposition and distribution of the forfeited property as provided by O.C.G.A. § 9-16-19; and
7.) That the State of Georgia be afforded such other relief and remedies as are available under law and for due process to enforce the forfeiture.
RESPECTFULLY SUBMITTED,
Jeffrey Langley DISTRICT ATTORNEY
Enotah Judicial Circuit
State Bar No.436610_
_ Sidney (Buster) Landreau
Assistant District Attorney
State Bar No. 970247
slandreau@pacga.org
48 River Street, Suite A
Hiawasssee, Ga 30546
706-896-6489
706-896-5384
NOTICE OF SUMMONS
The above Petition for Forfeiture was filed in the above styled action on October 10, 2019, seeking forfeiture of the above property on account of a Violation of the Georgia Controlled Substances Act pursuant to O.C.G.A. Section 16-13-19.
Any owner or interest holder is hereby notified to file a verified answer under penalty of perjury with the undersigned within thirty (30) days from the date of last publication herein with.
Cecil Dye
Clerk Superior Court of Towns County
48 River Street Ste E
Hiawassee, Ga 30546
A copy of any answer should also be mailed or served upon the following
Buster Landreau
Assistant District Attorney
65 Courthouse Street Box 6
Blairsville, Ga 30512
T(Oct16,23)

NOTICE OF SALE UNDER POWER
STATE OF GEORGIA COUNTY OF TOWNS
Under and by virtue of the power of sale contained with that certain Security Deed dated May 18, 2005, from MARY R. RUBLE and DENNIS J. RUBLE to 3RD FINANCIAL SERVICE CORPORATION, recorded on May 24, 2005 in Deed Book 335 at Page 761 Towns County, Georgia records, having been last sold, assigned, transferred and conveyed to U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust by Assignment and said Security Deed having been given to secure a note dated May 18, 2005, in the amount of $90,000.00, and said Note being in default, the undersigned will sell at public outcry during the legal hours of sale before the door of the courthouse of Towns County, Georgia, on November 5, 2019 the following described real property (hereinafter referred to as the "Property"):
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE 18TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, BEING A PART OF LAND LOT 147 AND BEING LOT NUMBER FORTY-FOUR (44) OF PLAT OF KONAHETAH VILLAGE SUBDIVISION AS PER PLAT OF SAME BY FARLEY COLLINS and ASSOCIATES, REGISTERED ENGINEERS, A COPY OF SAME BEING RECORDED IN PLAT BOOK 1, PAGE 113, TOWNS COUNTY RECORDS AND REFERENCE IN HEREIN MADE TO SAID PLAT FOR A FULL AND COMPLETE DESCRIPTION HEREIN.
THE GRANTOR GRANTS TO GRANTEE A WATER LINE EASEMENT RUNNING ACROSS LOTS THIRTY-NINE (39) AND FORTY-SIX (46) WHICH HE OBTAINED FROM ROBERT and WANITA COLES.
The debt secured by the Security Deed and evidenced by the Note and has been, and is hereby, declared due and payable because of, among other possible events of default, failure to make the payments as required by the terms of the Note. The debt remaining is in default and this sale will be made for the purposes of paying the Security Deed, accrued interest, and all expenses of the sale, including attorneys' fees. Notice of intention to collect attorneys' fees has been given as provided by law. To the best of the undersigned's knowledge, the person(s) in possession of the property is MARY R. RUBLE, DENNIS J. RUBLE.
The property, being commonly known as 1578 Rogers Rd, Hiawassee, GA, 30546 in Towns County, will be sold as the property of MARY R. RUBLE, DENNIS J. RUBLE, subject to any outstanding ad valorem taxes (including taxes which are a lien and not yet due and payable), any matters affecting title to the property which would be disclosed by accurate survey and inspection thereof, and all assessments, liens, encumbrances, restrictions, covenants, and matters of record to the Security Deed.
Pursuant to O.C.G.A. Section 44-14-162.2, the name, address and telephone number of the individual or entity who shall have the full authority to negotiate, amend or modify all terms of the above described mortgage is as follows: CALIBER HOME LOANS, 13801 Wireless Way, Oklahoma City, OK 73134, 1-800-401-6587. The foregoing notwithstanding, nothing in O.C.G.A. Section 44-14-162.2 shall require the secured creditor to negotiate, amend or modify the terms of the mortgage instrument.
The sale will be conducted subject (1) to confirmation that the sale is not prohibited under U.S. Bankruptcy code and (2) to final confirmation and audit of the status of the loan with the holder of the Security Deed.
Albertelli Law
Attorney for U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust as Attorney in Fact for MARY R. RUBLE and DENNIS J. RUBLE
100 Galleria Parkway, Suite 960
Atlanta, GA 30339
Phone: (770) 373-4242
By: Cory Sims
For the Firm
THIS FIRM IS ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
wc - 18-024682
A-4705777 10/09/2019, 10/16/2019, 10/23/2019, 10/30/2019
T(Oct9,16,23,30)