

JUDGE ROBERT E. FLOURNOY III

GENERAL BILL OF INDICTMENT

RE: Warrant(s)
17-WD-2983, 18-WD-914

NO. **180991**
COBB SUPERIOR COURT

WITNESSES:
Inv P. David Chesney, Cobb County Sheriff's Office

MARCH/APRIL TERM 2018

THE STATE OF GEORGIA

V.

RICHARD VINSON MERRITT

TRWF BILL Date Mar 22, 20 18
[Signature] Delivered in open Court by:
[Signature]
 Grand Jury Foreperson Grand Jury Bailiff

REBECCA KEATON, Clerk, S. C.

D. VICTOR REYNOLDS, (M)
District Attorney, Cobb Judicial Circuit

The Defendant herein waives copy of indictment, list of witnesses, formal arraignment and pleads _____ Guilty.

The Defendant herein waives copy of indictment, list of witnesses, formal arraignment and pleads _____ Guilty.

Defendant

Defendant

Attorney for Defendant

Attorney for Defendant

Assistant District Attorney

Assistant District Attorney

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 Rebecca Keaton
 Clerk of Superior Court Cobb County

STATE OF GEORGIA, COUNTY OF COBB
IN THE SUPERIOR COURT OF SAID COUNTY

THE GRAND JURORS selected, chosen and sworn for the County of Cobb, to wit:

Alan Lee Albert

Linda J. Alexander

Amanda Rae Arnold

Kimberly Kay Anne Ayers

Travis Austin Beck

Kay-La Blackwell

Melanie Victoria Chastain, Clerk

Bryan Michael Cofer

Suzanne Marie Coleman

Elara Beatrice Davis, **Asst. Foreperson**

Beverly Frey DeVille

Gail S. Devine

Nancy Gorton Dooley

E. Ashley Manning Dorsey

Tyia M. Fields

Stephan C. Fountain

~~Cornelius Marcel Griffin, Alt. 1~~

Lauren Brittney Hunt

Amanda Jeanne Jenkins

Joan Elizabeth Korowitz

Marie Fleur Lavigne

Lisa Lovett Leiter

~~Brett Patrick McQuilken, Alt. 2~~

Lou F. Thomas

James Whittington Tindall, **Foreperson**

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COUNT 1

The Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, charge and accuse **RICHARD VINSON MERRITT** with the offense of **THEFT BY TAKING, O.C.G.A. 16-8-2**, for that the said accused, in the County of Cobb and State of Georgia, on and about April 3, 2014, while acting as a fiduciary for Claire and Ingrid Hanson, did unlawfully take the property of Claire and Ingrid Hanson, in an amount that was at least \$24,999.99, in breach of his fiduciary obligations and with the intention of depriving the owner of said property, to wit: while engaged as the attorney for Claire and Ingrid Hanson in a civil dispute, accused did receive a settlement check from The Hartford in the amount of \$55,000.00 intended for the benefit of Claire and Ingrid Hanson and did take the proceeds from the check for himself, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 2

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **THEFT BY TAKING, O.C.G.A. 16-8-2**, for that the said accused, in the County of Cobb and State of Georgia, on and about April 21, 2014, while acting as a fiduciary for Claire and Ingrid Hanson, did unlawfully take the property of Claire and Ingrid Hanson, in an amount that was at least \$5,000.00, in breach of his fiduciary obligations and with the intention of depriving the owner of said property, to wit: while engaged as the attorney for Claire and Ingrid Hanson in a civil dispute, accused did receive a settlement check from Northland in the amount of \$15,000.00 intended for the benefit of Claire and Ingrid Hanson and did take the proceeds from the check for himself, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 3

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **ELDER EXPLOITATION, O.C.G.A. 16-5-102**, for that the said accused, in the County of Cobb and State of Georgia, on and about April 3, 2014 and April 21, 2014, did knowingly and willfully exploit Claire Hanson, an elder person, age 65 or older, by illegally and improperly using Claire Hanson's resources through deception, false representation, and false pretense for his own profit and advantage, as further described in Counts 1 and 2, which are incorporated herein by reference, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 4

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **ELDER EXPLOITATION, O.C.G.A. 16-5-102**, for that the said accused, in the County of Cobb and State of Georgia on and about April 3, 2014 and April 21, 2014, did knowingly and willfully exploit Ingrid Hanson, an elder person, age 65 or older, by illegally and improperly using Ingrid Hanson's resources through deception, false representation, and false pretense for his own profit and advantage, as further described in Counts 1 and 2, which are incorporated herein by reference, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 5

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **FORGERY IN THE FIRST DEGREE, O.C.G.A. 16-9-1(b)**, for that the said accused, in the County of Cobb and State of Georgia, on and about October 8, 2014, with intent to defraud, did knowingly make, possess, and deliver a writing in such a manner that the writing purports to have been made with the authority of Claire and Ingrid Hanson, who did not give such authority, to wit: accused did forge the signatures of Claire and Ingrid Hanson on a document entitled "Release and Satisfaction of All Claims" pertaining to a civil litigation with Boutte Tree, Inc., contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 6

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **THEFT BY TAKING, O.C.G.A. 16-8-2**, for that the said accused, in the County of Cobb and State of Georgia, on and about September 30, 2014, while acting as a fiduciary for Caldine Brown, did unlawfully take the property of Caldine Brown, in an amount that was at least \$1,500.01, in breach of his fiduciary obligations and with the intention of depriving the owner of said property, to wit: while engaged as the attorney for Caldine Brown in a civil dispute, accused did receive a settlement check from GEICO in the amount of \$4,500.00 intended for the benefit of Caldine Brown and did take the proceeds from the check for himself, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 7

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **THEFT BY TAKING, O.C.G.A. 16-8-2**, for that the said accused, in the County of Cobb and State of Georgia, on and about January 9, 2015, while acting as a fiduciary for Janet Meeler, did unlawfully take the property of Janet Meeler, in an amount that was at least \$24,999.99, in breach of his fiduciary obligations and with the intention of depriving the owner of said property, to wit: while engaged as the attorney for Janet Meeler in a civil dispute, accused did receive a settlement check from GEICO in the amount of \$30,000.00 intended for the benefit of Janet Meeler and did take the proceeds from the check for himself, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 8

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **ELDER EXPLOITATION, O.C.G.A. 16-5-102**, for that the said accused, in the County of Cobb and State of Georgia, on and about January 9, 2015, did knowingly and willfully exploit Janet Meeler, an elder person, age 65 or older, by illegally and improperly using Janet Meeler's resources through deception, false representation, and false pretense for his own profit and advantage, as further described in Count 7, which is incorporated herein by reference, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 9

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **THEFT BY TAKING, O.C.G.A. 16-8-2**, for that the said accused, in the County of Cobb and State of Georgia, on and about May 15, 2015, while acting as a fiduciary for Christopher Morrison, did unlawfully take the property of Christopher Morrison, in an amount that was at least \$5,000.00, in breach of his fiduciary obligations and with the intention of depriving the owner of said property, to wit: while engaged as the attorney for Christopher Morrison in a civil dispute, accused did receive a settlement check from AT&T in the amount of \$17,500.00 intended for the benefit of Christopher Morrison and did take the proceeds from the check for himself, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 10

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **ELDER EXPLOITATION, O.C.G.A. 16-5-102**, for that the said accused, in the County of Cobb and State of Georgia, on and about May 14, 2015, did knowingly and willfully exploit Christopher Morrison, an elder person, age 65 or older, by illegally and improperly using Christopher Morrison's resources through deception, false representation, and false pretense for his own profit and advantage, as further described in Count 9, which is incorporated herein by reference, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 11

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **THEFT BY TAKING, O.C.G.A. 16-8-2**, for that the said accused, in the County of Cobb and State of Georgia, on and about June 18, 2015, while acting as a fiduciary for Sean and Patricia O'Rourke, did unlawfully take the property of Sean and Patricia O'Rourke, in an amount that was at least \$24,999.99, in breach of his fiduciary obligations and with the intention of depriving the owner of said property, to wit: while engaged as the attorney for Sean and Patricia O'Rourke in a civil dispute, accused did receive a settlement check from The Medical Protective Company in the amount of \$150,000.00 intended for the benefit of Sean and Patricia O'Rourke and did take the proceeds from the check for himself, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 12

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **FORGERY IN THE FIRST DEGREE, O.C.G.A. 16-9-1(b)**, for that the said accused, in the County of Cobb and State of Georgia, on and about June 2, 2015, with intent to defraud, did knowingly make, possess, and deliver a writing in such a manner that the writing purports to have been made with the authority of Sean and Patricia O'Rourke, who did not give such authority, and Jill McGarity, who did not give such authority, to wit: accused did forge the signatures of Sean and Patricia O'Rourke and the signature and notary seal of Jill McGarity on a document entitled "Settlement Agreement and Release" pertaining to a civil litigation with The Medical Protective Company, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 13

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **THEFT BY TAKING, O.C.G.A. 16-8-2**, for that the said accused, in the County of Cobb and State of Georgia, on and about October 29, 2015, while acting as a fiduciary for Stephanie Mora, did unlawfully take the property of Stephanie Mora, in breach of his fiduciary obligations and with the intention of depriving the owner of said property, to wit: while engaged as the attorney for Stephanie Mora in a civil dispute, accused did receive a settlement check from PGC Claims Service in the amount of \$1,300.00 intended for the benefit of Stephanie Mora and did take the proceeds from the check for himself, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 14

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **THEFT BY TAKING, O.C.G.A. 16-8-2**, for that the said accused, in the County of Cobb and State of Georgia, on and about February 9, 2016, while acting as a fiduciary for Labertha Taylor, did unlawfully take the property of Labertha Taylor, in an amount that was at least \$1,500.01, in breach of his fiduciary obligations and with the intention of depriving the owner of said property, to wit: while engaged as the attorney for Labertha Taylor in a civil dispute, accused did receive a settlement check from Chubb in the amount of \$4,000.00 intended for the benefit of Labertha Taylor and did take the proceeds from the check for himself, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 15

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **FORGERY IN THE FIRST DEGREE, O.C.G.A. 16-9-1(b)**, for that the said accused, in the County of Cobb and State of Georgia, on and about February 9, 2016, with intent to defraud, did knowingly make, possess, and deliver a writing in such a manner that the writing purports to have been made with the authority of Labertha Taylor, who did not give such authority, to wit: accused did forge the signature of Labertha Taylor on a document entitled "Confidential Release and Covenant Not to Sue" pertaining to a civil litigation with Omni Insurance Group, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 16

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **FORGERY IN THE THIRD DEGREE, O.C.G.A. 16-9-1(d)**, for that the said accused, in the County of Cobb and State of Georgia, on and about February 22, 2016, with intent to defraud, did knowingly alter, possess, and deliver a check written in the amount of \$1,500.00 or more in such manner that the check purports to have been altered with the authority of Esther Diamond, who did not give such authority, to wit: accused did forge the endorsement signature of Esther Diamond on an \$8,400.00 check from Allstate, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 17

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **THEFT BY TAKING, O.C.G.A. 16-8-2**, for that the said accused, in the County of Cobb and State of Georgia, on and about February 22, 2016, while acting as a fiduciary for Esther Diamond, did unlawfully take the property of Esther Diamond, in an amount that was at least \$5,000.00, in breach of his fiduciary obligations and with the intention of depriving the owner of said property, to wit: while engaged as the attorney for Esther Diamond in a civil dispute, accused did receive a settlement check from Allstate in the amount of \$8,400.00 intended for the benefit of Esther Diamond, did forge Esther Diamond's endorsement signature on said check, and did take the proceeds from the check for himself, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 18

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **ELDER EXPLOITATION, O.C.G.A. 16-5-102**, for that the said accused, in the County of Cobb and State of Georgia, on and about February 22, 2016, did knowingly and willfully exploit Esther Diamond, an elder person, age 65 or older, by illegally and improperly using Esther Diamond's resources through deception, false representation, and false pretense for his own profit and advantage, as further described in Counts 16 and 17, which are incorporated herein by reference, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 19

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **FORGERY IN THE THIRD DEGREE, O.C.G.A. 16-9-1(d)**, for that the said accused, in the County of Cobb and State of Georgia, on and about February 24, 2016, with intent to defraud, did knowingly alter, possess, and deliver a check written in the amount of \$1,500.00 or more in such manner that the check purports to have been altered with the authority of Nancy Ashton, who did not give such authority, to wit: accused did forge the endorsement signature of Nancy Ashton on a \$10,250.00 check from Progressive, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 20

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **THEFT BY TAKING, O.C.G.A. 16-8-2**, for that the said accused, in the County of Cobb and State of Georgia, on and about February 24, 2016, while acting as a fiduciary for Nancy Ashton, did unlawfully take the property of Nancy Ashton, in an amount that was at least \$5,000.00, in breach of his fiduciary obligations and with the intention of depriving the owner of said property, to wit: while engaged as the attorney for Nancy Ashton in a civil dispute, accused did receive a settlement check from Progressive in the amount of \$10,250.00 intended for the benefit of Nancy Ashton, did forge Nancy Ashton's endorsement signature on said check, and did take the proceeds from the check for himself, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 21

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **ELDER EXPLOITATION, O.C.G.A. 16-5-102**, for that the said accused, in the County of Cobb and State of Georgia, on and about February 24, 2016, did knowingly and willfully exploit Nancy Ashton, an elder person, age 65 or older, by illegally and improperly using Nancy Ashton's resources through deception, false representation, and false pretense for his own profit and advantage, as further described in Counts 19 and 20, which are incorporated herein by reference, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 22

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **FORGERY IN THE THIRD DEGREE, O.C.G.A. 16-9-1(d)**, for that the said accused, in the County of Cobb and State of Georgia, on and about March 31, 2016, with intent to defraud, did knowingly alter, possess, and deliver a check written in the amount of \$1,500.00 or more in such manner that the check purports to have been altered with the authority of Beverly Braswell, who did not give such authority, to wit: accused did forge the endorsement signature of Beverly Braswell on a \$50,000.00 check from Tristar Risk Management, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 23

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **THEFT BY TAKING, O.C.G.A. 16-8-2**, for that the said accused, in the County of Cobb and State of Georgia, on and about March 31, 2016, while acting as a fiduciary for Beverly Braswell, did unlawfully take the property of Beverly Braswell, in an amount that was at least \$24,999.99, in breach of his fiduciary obligations and with the intention of depriving the owner of said property, to wit: while engaged as the attorney for Beverly Braswell in a civil dispute, accused did receive a settlement check from Tristar Risk Management in the amount of \$50,000.00 intended for the benefit of Beverly Braswell, did forge Beverly Braswell's endorsement signature on said check, and did take the proceeds from the check for himself, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 24

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **THEFT BY TAKING, O.C.G.A. 16-8-2**, for that the said accused, in the County of Cobb and State of Georgia, on and about June 21, 2016, September 9, 2016, and October 18, 2016, while acting as a fiduciary for Lisa Moore, and being in lawful possession of funds received from Lisa Moore in trust, did unlawfully appropriate said funds, the property of Lisa Moore, in breach of his fiduciary obligations and with the intention of depriving the owner of said property, to wit: accused did receive money from Lisa Moore to be held in trust, said money being in relation to her deceased husband's estate, and accused did appropriate the funds for his own benefit, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 25

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **FORGERY IN THE THIRD DEGREE, O.C.G.A. 16-9-1(d)**, for that the said accused, in the County of Cobb and State of Georgia, on and about August 12, 2016, with intent to defraud, did knowingly alter, possess, and deliver a check written in the amount of \$1,500.00 or more in such manner that the check purports to have been altered with the authority of Myrna Evans, who did not give such authority, to wit: accused did forge the endorsement signature of Myrna Evans on a \$9,000.00 check from PGC Claims Service, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 26

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **THEFT BY TAKING, O.C.G.A. 16-8-2**, for that the said accused, in the County of Cobb and State of Georgia, on and about August 12, 2016, while acting as a fiduciary for Myrna Evans, did unlawfully take the property of Myrna Evans, in an amount that was at least \$5,000.00, in breach of his fiduciary obligations and with the intention of depriving the owner of said property, to wit: while engaged as the attorney for Myrna Evans in a civil dispute, accused did receive a settlement check from PGC Claims Service in the amount of \$9,000.00 intended for the benefit of Myrna Evans, did forge Myrna Evans' endorsement signature on said check, and did take the proceeds from the check for himself, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 27

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **ELDER EXPLOITATION, O.C.G.A. 16-5-102**, for that the said accused, in the County of Cobb and State of Georgia, on and about August 12, 2016, did knowingly and willfully exploit Myrna Evans, an elder person, age 65 or older, by illegally and improperly using Myrna Evans' resources through deception, false representation, and false pretense for his own profit and advantage, as further described in Counts 25 and 26, which are incorporated herein by reference, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 28

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **FORGERY IN THE THIRD DEGREE, O.C.G.A. 16-9-1(d)**, for that the said accused, in the County of Cobb and State of Georgia, on and about August 26, 2016, with intent to defraud, did knowingly alter, possess, and deliver a check written in the amount of \$1,500.00 or more in such manner that the check purports to have been altered with the authority of Samuel McDowell, who did not give such authority, to wit: accused did forge the endorsement signature of Samuel McDowell on a \$12,500.00 check from Tomas J. Chao, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 29

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **THEFT BY TAKING, O.C.G.A. 16-8-2**, for that the said accused, in the County of Cobb and State of Georgia, on and about August 26, 2016, while acting as a fiduciary for Samuel McDowell, did unlawfully take the property of Samuel McDowell, in an amount that was at least \$5,000.00, in breach of his fiduciary obligations and with the intention of depriving the owner of said property, to wit: while engaged as the attorney for Samuel McDowell in a civil dispute, accused did receive a settlement check from Tomas J. Chao in the amount of \$12,500.00 intended for the benefit of Samuel McDowell, did forge Samuel McDowell's endorsement signature on said check, and did take the proceeds from the check for himself, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 30

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **ELDER EXPLOITATION, O.C.G.A. 16-5-102**, for that the said accused, in the County of Cobb and State of Georgia, on and about August 26, 2016, did knowingly and willfully exploit Samuel McDowell, an elder person, age 65 or older, by illegally and improperly using Samuel McDowell's resources through deception, false representation, and false pretense for his own profit and advantage, as further described in Counts 28 and 29, which are incorporated herein by reference, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 31

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **FORGERY IN THE THIRD DEGREE, O.C.G.A. 16-9-1(d)**, for that the said accused, in the County of Cobb and State of Georgia, on and about February 6, 2017, with intent to defraud, did knowingly alter, possess, and deliver a check written in the amount of \$1,500.00 or more in such manner that the check purports to have been altered with the authority of Tina Sailer, who did not give such authority, to wit: accused did forge the endorsement signature of Tina Sailer on a \$75,000.00 check from Sedgwick Claims Management Services, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 32

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **THEFT BY TAKING, O.C.G.A. 16-8-2**, for that the said accused, in the County of Cobb and State of Georgia, on and about February 6, 2017, while acting as a fiduciary for Tina Sailer, did unlawfully take the property of Tina Sailer, in an amount that was at least \$24,999.99, in breach of his fiduciary obligations and with the intention of depriving the owner of said property, to wit: while engaged as the attorney for Tina Sailer in a civil dispute, accused did receive a settlement check from Sedgwick Claims Management Services in the amount of \$75,000.00 intended for the benefit of Tina Sailer, did forge Tina Sailer's endorsement signature on said check, and did take the proceeds from the check for himself, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 33

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **FORGERY IN THE FIRST DEGREE, O.C.G.A. 16-9-1(b)**, for that the said accused, in the County of Cobb and State of Georgia, on and about February 6, 2017, with intent to defraud, did knowingly make, possess, and deliver a writing in such a manner that the writing purports to have been made with the authority of Tina Sailer, who did not give such authority, and Lorae Warren, who did not give such authority, to wit: accused did forge the signature of Tina Sailer on a document entitled "Release of All Claims" pertaining to a civil litigation with Tevin Suttle, and accused did forge the signature and notary seal of Lorae Warren on the same document, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 34

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **RICHARD VINSON MERRITT** with the offense of **THEFT BY TAKING, O.C.G.A. 16-8-2**, for that the said accused, in the County of Cobb and State of Georgia, on and about July 20, 2017, while acting as a fiduciary for Naledi N. Tlhapane, and being in lawful possession of funds received for the benefit of Naledi N. Tlhapane, did unlawfully appropriate said funds, in an amount that was at least \$24,999.99, in breach of his fiduciary obligations and with the intention of depriving the owner of said property, to wit: while engaged as the attorney for Naledi N. Tlhapane in a civil dispute, accused did receive settlement funds from Moore & Reese, LLC and Johnny Rivers Grill and Market, said funds were intended for the benefit of Naledi N. Tlhapane, and accused did appropriate the funds for his own benefit, failing to remit to Naledi N. Tlhapane \$42,000.00 of such funds, contrary to the laws of said State, the good order, peace and dignity thereof.

D. VICTOR REYNOLDS, District Attorney