

JUDGE BODIFORD

RE: Warrant(s)
03-W-13192 03-W-13191 03-W-12071 03-W-12072

GENERAL BILL OF INDICTMENT

WITNESSES

Det. Schweizer
CCPD

NO. 062974
COBB SUPERIOR COURT

MAY/JUNE TERM 2006

THE STATE OF GEORGIA
V.
SONYA SMITH
JOSEPH SMITH

TRUE BILL
JUNE 15, 2006

[Signature]
Grand Jury Foreperson

Delivered in open Court by:

[Signature]
Grand Jury Bailiff

JAY C. STEPHENSON, Clerk, S. C.

PATRICK H. HEAD, District Attorney

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

Defendant

Attorney for Defendant

Assistant District Attorney

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

Defendant

Attorney for Defendant

Assistant District Attorney

Jay C. Stephenson
Clerk of Superior Court Cobb County

[Signature]

[Signature]

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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:

Mary Elizabeth Anderson	George Hunter Lindsay-Foreperson
Tanya Lucretia Burns	Anne Michele McCoy
Farzana S. Chaudhry	Jerry R. Niemeyer-Clerk
Judith Evans Cotter	Tamara Wilson Palmer
Joseph A. Pearson	Justin Cramer-Fruitt
Ruth A. Flott	Gloria Ballard Stowers
John David Fouts	Tammie V. Taylor
Ethel S. Frazier	DeAnne Jones Terrell
Joan T. Green	Christopher Todd Wagner
Robert M. Guidice	Jimmy L. Walker
Samantha Nicole Jones	Veronica Woodiest-Asst. Foreperson
	Michael Lee Burton-Alt 1
	Teddy Abi Sarkis-Alt 2

in the name and behalf of the citizens of Georgia charge and accuse **SONYA SMITH** and **JOSEPH SMITH** with the offense of **MURDER**, for that the said accused, in the County of Cobb and State of Georgia, on, or about the 8th day of, October, 2003, did unlawfully and with malice aforethought cause the death of Josef Smith, a human being, by striking him about his head and body with object(s) unknown to the Grand Jurors, and by confining him in a wooden box; contrary to the laws of said state, the good order, peace and dignity thereof.

COUNT TWO

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **SONYA SMITH and JOSEPH SMITH** with the offense of **FELONY MURDER**, for that the said accused, in the County of Cobb and State of Georgia, on, or about the 8th day of October, 2003, did while in commission of a felony, to wit: **Cruelty to Children in the First Degree**, did unlawfully cause the death of **Josef Smith**, a human being, by striking him about his head and body with object(s) unknown to the Grand Jurors, and by confining him in a wooden box; contrary to the laws of said state, the good order, peace and dignity thereof.

COUNT THREE

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **SONYA SMITH and JOSEPH SMITH** with the offense of **FELONY MURDER**, for that the said accused, in the County of Cobb and State of Georgia, on, or about the 8th day of October, 2003, did while in commission of a felony, to wit: **Aggravated Assault**, did unlawfully cause the death of **Josef Smith**, a human being, by striking him about his head and body with object(s) unknown to the Grand Jurors; contrary to the laws of said state, the good order, peace and dignity thereof.

COUNT FOUR

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **SONYA SMITH** and **JOSEPH SMITH** with the offense of **FELONY MURDER**, for that the said accused, in the County of Cobb and State of Georgia, on, or about the 8th day of **October, 2003**, did while in commission of a felony, to wit: **False Imprisonment**, did unlawfully cause the death of **Josef Smith**, a human being, by confining him in a wooden box; contrary to the laws of said state, the good order, peace and dignity thereof.

COUNT FIVE

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **SONYA SMITH** and **JOSEPH SMITH** with the offense of **CRUELTY TO CHILDREN IN THE FIRST DEGREE**, for that the said accused, in the County of Cobb and State of Georgia, on, or about the 8th day of **October, 2003**, did unlawfully, maliciously cause **Josef Smith**, a child under eighteen (18) years of age, cruel and excessive physical and mental pain by striking him about his head and body with object(s) unknown to the Grand jurors, and by confining him in a wooden box; contrary to the laws of said state, the good order, peace and dignity thereof.

COUNT SIX

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **SONYA SMITH** and **JOSEPH SMITH** with the offense of **AGGRAVATED ASSAULT**, for that the said accused, in the County of Cobb and State of Georgia, on, or about the 8th day of October, 2003, did unlawfully, make an assault upon the person of Josef Smith, with object(s) unknown to the Grand Jurors, which, when used offensively against a person is likely to and actually did result in serious bodily injury, by striking him about his head and body with said object(s); contrary to the laws of said state, the good order, peace and dignity thereof.

COUNT SEVEN

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **SONYA SMITH** and **JOSEPH SMITH** with the offense of **FALSE IMPRISONMENT**, for that the said accused, in the County of Cobb and State of Georgia, on, or about the 8th day of October, 2003, in violation of the personal liberty of Josef Smith, did unlawfully confine and detain said person in a wooden box without legal authority; contrary to the laws of said state, the good order, peace and dignity thereof.

COUNT EIGHT

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **SONYA SMITH** and **JOSEPH SMITH** with the offense of **CRUELTY TO CHILDREN IN THE FIRST DEGREE**, for that the said accused, in the County of Cobb and State of Georgia, on, about and between the 1st day of May, 2003, and the 1st day of October, 2003, the exact date being unknown to the Grand Jurors, did unlawfully, maliciously cause Josef Smith, a child under eighteen (18) years of age, cruel and excessive physical and mental pain by striking him about his body with a glue stick, resulting in separate and distinct injuries from those alleged in Counts One through Seven of this indictment; contrary to the laws of said state, the good order, peace and dignity thereof.

COUNT NINE

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **SONYA SMITH** and **JOSEPH SMITH** with the offense of **AGGRAVATED ASSAULT**, for that the said accused, in the County of Cobb and State of Georgia, on, about and between the 1st day of May, 2003, and the 1st day of October, 2003, the exact date being unknown to the Grand Jurors, did unlawfully, make an assault upon the person of Josef Smith, with an object, to wit: a glue stick, which, when used offensively against a person is likely to and actually did result in serious bodily injury, by striking him about his body with a glue stick, resulting in separate and distinct injuries from those alleged in Counts One through Seven of this indictment; contrary to the laws of said state, the good order, peace and dignity thereof.

COUNT TEN

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **SONYA SMITH** and **JOSEPH SMITH** with the offense of **CRUELTY TO CHILDREN IN THE FIRST DEGREE**, for that the said accused, in the County of Cobb and State of Georgia, on, about and between the 1st day of May, 2003, and the 1st day of October, 2003, the exact date being unknown to the Grand Jurors, did unlawfully, maliciously cause Josef Smith, a child under eighteen (18) years of age, cruel and excessive physical and mental pain by striking him about his body with object(s) unknown to the Grand Jurors, resulting in separate and distinct injuries from those alleged in Counts One through Seven of this indictment; contrary to the laws of said state, the good order, peace and dignity thereof.

COUNT ELEVEN

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **SONYA SMITH** and **JOSEPH SMITH** with the offense of **AGGRAVATED ASSAULT**, for that the said accused, in the County of Cobb and State of Georgia, on, about and between the 1st day of May, 2003, and the 1st day of October, 2003, the exact date being unknown to the Grand Jurors, did unlawfully, make an assault upon the person of Josef Smith, with an object(s) unknown to the Grand Jurors, which, when used offensively against a person is likely to and actually did result in serious bodily injury, by striking him about his body with said object(s), resulting in separate and distinct injuries from those alleged in Counts One through Seven of this indictment; contrary to the laws of said state, the good order, peace and dignity thereof.

COUNT TWELVE

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **SONYA SMITH and JOSEPH SMITH** with the offense of **CRUELTY TO CHILDREN IN THE FIRST DEGREE**, for that the said accused, in the County of Cobb and State of Georgia, on, about and between the 1st day of May, 2003, and the 1st day of October, 2003, the exact date being unknown to the Grand Jurors, did unlawfully, maliciously cause Josef Smith, a child under eighteen (18) years of age, cruel and excessive physical and mental pain by confining him in a small room; contrary to the laws of said state, the good order, peace and dignity thereof.

COUNT THIRTEEN

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **SONYA SMITH and JOSEPH SMITH** with the offense of **FALSE IMPRISONMENT**, for that the said accused, in the County of Cobb and State of Georgia, on, about and between the 1st day of May, 2003, and the 1st day of October, 2003, the exact date being unknown to the Grand Jurors, in violation of the personal liberty of Josef Smith, did unlawfully confine and detain said person in a small room without legal authority; contrary to the laws of said state, the good order, peace and dignity thereof.

COUNT FOURTEEN

and the Grand Jurors, aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse **SONYA SMITH** and **JOSEPH SMITH** with the offense of **CRUELTY TO CHILDREN IN THE FIRST DEGREE**, for that the said accused, in the County of Cobb and State of Georgia, on, about and between the 1st day of May, 2003, and the 8th day of October, 2003, the exact date being unknown to the Grand Jurors, did unlawfully, maliciously cause Josef Smith, a child under eighteen (18) years of age, cruel and excessive physical and mental pain by delaying medical treatment for said child; contrary to the laws of said state, the good order, peace and dignity thereof.

PATRICK H. HEAD, District Attorney