



STATE OF ALABAMA,

Plaintiff,

vs.

BOBBIE JEAN TAYLOR,

Defendant.

**IN THE CIRCUIT COURT OF
 LAWRENCE COUNTY, ALABAMA**

CASE NUMBERS

42-CC-2016-000157.00; 42-CC-2016-000158.00;
 42-CC-2016-000159.00; 42-CC-2016-000160.00;
 42-CC-2016-000161.00; 42-CC-2016-000162.00;
 42-CC-2016-000163.00; 42-CC-2016-000164.00;
 42-CC-2016-000165.00; 42-CC-2016-000166.00;
 42-CC-2016-000167.00; 42-CC-2016-000168.00;
 42-CC-2016-000169.00; 42-CC-2016-000170.00;
 42-CC-2016-000171.00

**JUDGMENTS AND
 SENTENCING ORDER**

THE COURT called this matter for trial on February 12, 2018¹. The State of Alabama appeared through the Assistant District Attorney of the 36th Judicial Circuit, Mrs. Callie Waldrep, and announced ready. The Defendant and her counsel, Mr. Tony Hughes, appeared and announced ready.

These cases were before the court for trial de novo following the Defendant's appeal, pursuant Ala.Code § 12-12-70(b) (1975) and Ala.R.Crim.P. 30.1(a), from judgments entered in the District Court of this county. The cases in District Court were initiated on complaints filed by law enforcement per

¹ The court previously called the case for trial on September 18, 2017. Upon motion of both the State and the Defendant, a mistrial was declared during voir dire and qualification of the jury panel when it was established that certain statements in the presence of potential jurors likely "poisoned" the jury pool, thus impeding the process of a fair and just trial and certainly tainting the perception that any trial by a jury drawn from that pool would be impartial and unbiased by inadmissible statements.

Rule 2.3 alleging Cruelty to Dog/Cat in the Second Degree in violation of § 13A-11-241(b).

Prior to the drawing of the venire from whom a jury would be selected, the court heard arguments concerning several pretrial motions filed by the parties, announcing the decisions in open court statements.

THE TRIAL

A venire was selected and sworn pursuant to Rule 18.4(b), special qualification and extensive voir dire questioning were conducted and the parties struck a jury in accord with Rule 18.4(f). As to the charges in the complaints, a jury of twelve plus two alternates were selected, seated and reminded of their oath per Rule 18.5(a). The presentation of testimony commenced on February 14, 2018.

At the close of the State's case-in-chief, the defense moved, per Ala.R.Crim.P. 20.2, for Motion for Judgment of Acquittal as to each case. The court denied these Motions for Judgment of Acquittal.

Upon the conclusion of the Defendant's case and of all duly received evidence, the defense again moved per Ala.R.Crim.P. 20.2, for judgments of acquittal. The court denied those motions as well.

On February 21, 2018, the parties made closing arguments and the court instructed the jury on the law applicable to the case. At the conclusion of final instructions of the court, the court released the alternates. On that same day, in accord with the Rules of court and law, the jury retired to begin its deliberations on the charges and issues submitted to them.

The Verdicts

On February 23, 2018, having completed its deliberations, the jury returned to the courtroom with the Defendant and her attorney present where the following **not guilty** verdicts were rendered and read in open court and on the record:

In case number 42-CC-2016-000157.00 (“case # 157”), concerning a certain Rottweiler Akita female dog,

NOT GUILTY VERDICT

We, the Jury, find the Defendant, **BOBBIE JEAN HOLLAND TAYLOR**, **not guilty** of CRUELTY TO DOG/CAT IN THE SECOND DEGREE, as charged in the complaint.

/s/ 2-23-18 /s/
Date

/s/ Wesley [Paul] Hutto /s/
Foreperson

In case number 42-CC-2016-000160.00 (“case # 160”), concerning a certain male cat, designated in the complaint and evidence as AL-BH-34,

NOT GUILTY VERDICT

We, the Jury, find the Defendant, **BOBBIE JEAN HOLLAND TAYLOR**, **not guilty** of CRUELTY TO DOG/CAT IN THE SECOND DEGREE, as charged in the complaint.

/s/ 2-23-18 /s/
Date

/s/ Wesley [Paul] Hutto /s/
Foreperson

In case number 42-CC-2016-000161.00 (“case # 161”), concerning a certain male dog, Shepherd, designated in the complaint and evidence as AL-A-1108,

NOT GUILTY VERDICT

We, the Jury, find the Defendant, **BOBBIE JEAN HOLLAND TAYLOR**, *not guilty* of CRUELTY TO DOG/CAT IN THE SECOND DEGREE, as charged in the complaint.

/s/ 2-23-18 /s/
Date

/s/ Wesley [Paul] Hutto /s/
Foreperson

In case number 42-CC-2016-000162.00 (“case # 162”), concerning a certain male dog, Lab/boxer, designated in the complaint and evidence as AL-A-1108,

NOT GUILTY VERDICT

We, the Jury, find the Defendant, **BOBBIE JEAN HOLLAND TAYLOR**, *not guilty* of CRUELTY TO DOG/CAT IN THE SECOND DEGREE, as charged in the complaint.

/s/ 2-23-18 /s/
Date

/s/ Wesley [Paul] Hutto /s/
Foreperson

In case number 42-CC-2016-000163.00 (“case # 163”), concerning a certain male dog, Pit type, designated in the complaint and evidence as AL-B-20,

NOT GUILTY VERDICT

We, the Jury, find the Defendant, **BOBBIE JEAN HOLLAND TAYLOR**, *not guilty* of CRUELTY TO DOG/CAT IN THE SECOND DEGREE, as charged in the complaint.

/s/ 2-23-18 /s/
Date

/s/ Wesley [Paul] Hutto /s/
Foreperson

In case number 42-CC-2016-000167.00 (“case # 167”), concerning a certain male cat, kitten, designated in the complaint and evidence as AL-C-45,

NOT GUILTY VERDICT

We, the Jury, find the Defendant, **BOBBIE JEAN HOLLAND TAYLOR**, *not guilty* of CRUELTY TO DOG/CAT IN THE SECOND DEGREE, as charged in the complaint.

/s/ 2-23-18 /s/
Date

/s/ Wesley [Paul] Hutto /s/
Foreperson

At that same time, the following **guilty** verdicts of the jury were rendered and read in open court and on the record:

In case number 42-CC-2016-000158.00 (“case # 158”), concerning a certain “Terrier type pup”, designated in the complaint and evidence as AL-BH-1,

GUILTY VERDICT

We, the Jury, find the Defendant, **BOBBIE JEAN HOLLAND TAYLOR**, *guilty* of CRUELTY TO DOG/CAT IN THE SECOND DEGREE, as charged in the complaint.

/s/ 2-23-18 /s/
Date

/s/ Wesley [Paul] Hutto /s/
Foreperson

In case number 42-CC-2016-000159.00 (“case # 159”), concerning a certain male dog, Spaniel, designated in the complaint and evidence as AL-BH-6,

GUILTY VERDICT

We, the Jury, find the Defendant, **BOBBIE JEAN HOLLAND TAYLOR**, *guilty* of CRUELTY TO DOG/CAT IN THE SECOND DEGREE, as charged in the complaint.

/s/ 2-23-18 /s/
Date

/s/ Wesley [Paul] Hutto /s/
Foreperson

In case number 42-CC-2016-000168.00 (“case # 168”), concerning a certain female dog, Lab, designated in the complaint and evidence as AL-A-1096,

GUILTY VERDICT

We, the Jury, find the Defendant, **BOBBIE JEAN HOLLAND TAYLOR**, *guilty* of CRUELTY TO DOG/CAT IN THE SECOND DEGREE, as charged in the complaint.

/s/ 2-23-18 /s/
Date

/s/ Wesley [Paul] Hutto /s/
Foreperson

In case number 42-CC-2016-000169.00 (“case # 169”), concerning a certain female dog, pit, designated in the complaint and evidence as AL-B-52,

GUILTY VERDICT

We, the Jury, find the Defendant, **BOBBIE JEAN HOLLAND TAYLOR**, *guilty* of CRUELTY TO DOG/CAT IN THE SECOND DEGREE, as charged in the complaint.

/s/ 2-23-18 /s/
Date

/s/ Wesley [Paul] Hutto /s/
Foreperson

In case number 42-CC-2016-000170.00 (“case # 170”), concerning a certain female dog, Pit, designated in the complaint and evidence as AL-A-1019,

GUILTY VERDICT

We, the Jury, find the Defendant, **BOBBIE JEAN HOLLAND TAYLOR**, *guilty* of CRUELTY TO DOG/CAT IN THE SECOND DEGREE, as charged in the complaint.

/s/ 2-23-18 /s/
Date

/s/ Wesley [Paul] Hutto /s/
Foreperson

In case number 42-CC-2016-000171.00 (“case # 171”), concerning a certain male dog, Lab, designated in the complaint and evidence as AL-B-47,

GUILTY VERDICT

We, the Jury, find the Defendant, **BOBBIE JEAN HOLLAND TAYLOR**, *guilty* of CRUELTY TO DOG/CAT IN THE SECOND DEGREE, as charged in the complaint.

/s/ 2-23-18 /s/
Date

/s/ Wesley [Paul] Hutto /s/
Foreperson

The Judgments

CONSISTENT WITH THESE VERDICTS, the Defendant and counsel are brought before the bench for the purpose of the entry of judgment in accord with the jury’s verdicts. Accordingly,

As to the charge in each of the following cases, to-wit, case # 157, case # 160, case # 161, case # 162, case # 163, case # 164, case # 165, case # 166, and case # 167, the court ADJUDGES the Defendant NOT GUILTY of the offense as charged in the complaint. In accord therewith, each of the cases enumerated

in this paragraph is DISMISSED WITH PREJUDICE, circuit and district court costs waived, and the DEFENDANT IS FULLY DISCHARGED as to such cases.

As to the charge in case # 158 of CRUELTY TO DOG/CAT IN THE SECOND DEGREE in violation of § 13A-11-241(b), the Defendant, BOBBIE JEAN HOLLAND TAYLOR, is adjudged GUILTY.

As to the charge in case # 159 of CRUELTY TO DOG/CAT IN THE SECOND DEGREE in violation of § 13A-11-241(b), the Defendant, BOBBIE JEAN HOLLAND TAYLOR, is adjudged GUILTY.

As to the charge in case # 168 of CRUELTY TO DOG/CAT IN THE SECOND DEGREE in violation of § 13A-11-241(b), the Defendant, BOBBIE JEAN HOLLAND TAYLOR, is adjudged GUILTY.

As to the charge in case # 169 of CRUELTY TO DOG/CAT IN THE SECOND DEGREE in violation of § 13A-11-241(b), the Defendant, BOBBIE JEAN HOLLAND TAYLOR, is adjudged GUILTY.

As to the charge in case # 170 of CRUELTY TO DOG/CAT IN THE SECOND DEGREE in violation of § 13A-11-241(b), the Defendant, BOBBIE JEAN HOLLAND TAYLOR, is adjudged GUILTY.

As to the charge in case # 171 of CRUELTY TO DOG/CAT IN THE SECOND DEGREE in violation of § 13A-11-241(b), the Defendant, BOBBIE JEAN HOLLAND TAYLOR, is adjudged GUILTY.

Following the pronouncement of guilty as to the six charges, the court ORDERED in open court as follows:

1. A Sentence Hearing in compliance with Ala.R.Crim.P. 26.6(b) was to be conducted on TUESDAY, MAY 22, 2018, AT 01:30 P.M.

2. The Defendant was ordered to cooperate with officers of the State of Alabama, Board of Pardon and Paroles, Probation and Parole Department (“the Probation Department”) in the preparation of a presentence report as contemplated by Rule 26.3.

3. The Probation Department was ordered to prepare a presentence report in accord with Rule 26.3, submit the same to the court and to make the same available to all as required in a timely fashion in compliance with Rule 26.3(c).

4. All written submissions concerning or touching upon the Defendant’s sentence should be filed of record prior to the Sentence Hearing.

5. The Defendant shall remain on release, subject to all conditions earlier set forth in the record.

6. The Defendant was apprised that her appellate and post-trial deadlines are triggered by the entry of sentence and that if she is indigent, she will be entitled to appointed counsel on appeal and post-trial matters and to a free transcript, the court noting that her current counsel is retained.

THE SENTENCE HEARING

In accord with Ala.R.Crim.P. 26.6, the Defendant and his counsel and the District Attorney for the State of Alabama appeared in Open Court on May 22, 2018, for the Defendant to be sentenced.

The Court has considered the Ala.R.Crim.P. 26.3 presentence report, which the Defendant acknowledged she had seen, and the Defendant and the District Attorney were heard regarding the report. The court received prior to the hearing and during the hearing such written submissions as the parties

chose to introduce. These include numerous letters of support for the Defendant, including those from Karen Bordonaro, Fay Goodwin, Marshay Hansbery, Carol Hurst, Peggy King, Ed Kirby, Mary Lou Lanier, Carlene Longworth, Reverend Vero Lauren and Walt Niestemski, Julie Nichols, Candace Parseno, Debbie Rappuhn, Elisabeth Stewart, Tony L. Stewart, and Delene White. Further, the court reviewed submissions in support of the State from Aubrie E. Kavanaugh, Mindy Gilbert and Jamie K. Olin. During the hearing, the court received testimony from Dr. Larry Jacobs, Mr. Bradley Cross and Ms. Debbie Rappuhn.

The court asked the Defendant if she had anything to say. She spoke at length to the court and spoke again after the State's argument and her defense counsel's argument.

UPON CONSIDERATION OF THE FOREGOING and all proper matters of record, it is ORDERED that the Defendant be sentenced as follows:

1. As to case # 158:

- a. The Defendant is SENTENCED to the custody of the Lawrence County Sheriff for a total term of SIX (6) MONTHS;
- b. The sentence of incarceration is SUSPENDED, subject to the Defendant's successful compliance with the terms of probation, set forth below, the Defendant's total probation term on this case being TWENTY-FOUR (24) MONTHS;
- c. The Defendant is ORDERED to pay:
 - i. A \$3,000.00 fine;
 - ii. A Bail Bond Fee of \$100.00;
 - iii. A \$25.00 Crime Victims Compensation Fund Assessment; and
 - iv. Circuit and District court costs;

2. As to case # 159:

- a. The Defendant is SENTENCED to the custody of the Lawrence County Sheriff for a total term of THREE (3) MONTHS;
- b. The sentence of incarceration is SUSPENDED, subject to the Defendant's successful compliance with the terms of probation, set forth below, the Defendant's total probation term on this case being TWENTY-FOUR (24) MONTHS;
- c. The Defendant is ORDERED to pay:
 - i. A \$2,100.00 fine;
 - ii. A Bail Bond Fee of \$100.00;
 - iii. A \$25.00 Crime Victims Compensation Fund Assessment; and
 - iv. Circuit and District court costs;

3. As to case # 168:

- a. The Defendant is SENTENCED to the custody of the Lawrence County Sheriff for a total term of THIRTY (30) DAYS;
- b. The sentence of incarceration is SUSPENDED, subject to the Defendant's successful compliance with the terms of probation, set forth below, the Defendant's total probation term on this case being TWENTY-FOUR (24) MONTHS;
- c. The Defendant is ORDERED to pay:
 - i. A \$1,500.00 fine;
 - ii. A Bail Bond Fee of \$100.00;
 - iii. A \$25.00 Crime Victims Compensation Fund Assessment; and
 - iv. Circuit and District court costs;

4. As to case # 169:

- a. The Defendant is SENTENCED to the custody of the Lawrence County Sheriff for a total term of THIRTY (30) DAYS;

- b. The sentence of incarceration is **SUSPENDED**, subject to the Defendant's successful compliance with the terms of probation, set forth below, the Defendant's total probation term on this case being **TWENTY-FOUR (24) MONTHS**;
- c. The Defendant is **ORDERED** to pay:
 - i. A \$1,500.00 fine;
 - ii. A Bail Bond Fee of \$100.00;
 - iii. A \$25.00 Crime Victims Compensation Fund Assessment; and
 - iv. Circuit and District court costs;

5. As to case # 170:

- a. The Defendant is **SENTENCED** to the custody of the Lawrence County Sheriff for a total term of **FOUR (4) MONTHS**;
- b. The sentence of incarceration is **SUSPENDED**, subject to the Defendant's successful compliance with the terms of probation, set forth below, the Defendant's total probation term on this case being **TWENTY-FOUR (24) MONTHS**;
- c. The Defendant is **ORDERED** to pay:
 - i. A \$2,400.00 fine;
 - ii. A Bail Bond Fee of \$100.00;
 - iii. A \$25.00 Crime Victims Compensation Fund Assessment; and
 - iv. Circuit and District court costs;

6. As to case # 171:

- a. The Defendant is **SENTENCED** to the custody of the Lawrence County Sheriff for a total term of **FIFTEEN (15) DAYS**;
- b. The sentence of incarceration is **SUSPENDED**, subject to the Defendant's successful compliance with the terms of probation, set forth below, the Defendant's total probation term on this case being **TWENTY-FOUR (24) MONTHS**;
- c. The Defendant is **ORDERED** to pay:

- i. A \$600.00 fine;
 - ii. A Bail Bond Fee of \$100.00;
 - iii. A \$25.00 Crime Victims Compensation Fund Assessment; and
 - iv. Circuit and District court costs;
7. The six (6) month incarceration sentence imposed in case # 158 and the three (3) month incarceration sentence imposed in case # 159 shall run CONSECUTIVE one to the other for a total term of NINE (9) MONTHS;
8. The incarceration sentences imposed in case # 168, case # 169, case # 170, and case # 171, shall run CONCURRENT with one another and CONCURRENT with the sentences imposed in case # 158 and case # 159;
9. The terms of probation imposed all cases shall run CONCURRENT with one another, for a total term of TWENTY-FOUR (24) MONTHS of probation;
10. As conditions of probation, the Defendant shall:
 - a. Not violate any Federal, State, or local law;
 - b. Avoid injurious or vicious habits;
 - c. Report to the Probation Officer as directed, for a period of at least three (3) consecutive months;
 - d. Permit the Probation Officer to visit the Defendant at home or elsewhere;
 - e. Submit to searches by the Probation Officer of his person, residence, vehicle, or any property under his/her control;
 - f. Pay to the Probation Officer \$40.00 per month during the supervised probation period, pursuant to law.
 - g. Pay fines, court costs, restitution, assessments, and other court-ordered monies on at least a monthly basis and at a rate determined in consult with the Probation Officer;
 - h. Report to and cooperate fully with a mental health provider, designated by the Probation Officer, for assessment and

treatment of all mental health conditions and diseases, timely paying all costs and expenses associated therewith;

- i. Not own, possess, or have in her custody or control any animals other than the ten she was permitted to keep pursuant to the July 2015 animal surrender agreement, referenced in the record herein, whether in her personal capacity or as an operator of or an employee or volunteer at an animal shelter, animal rescue, or similar facility; and
 - j. Submit to periodic unannounced inspections by law enforcement to ensure compliance with all terms of probation; and
11. Concerning the probation condition regarding mental health treatment, the mental health provider shall provide a written report of the assessment and proposed treatment plan to the Probation Officer, a copy of which shall be delivered under seal to this court's chambers for in camera inspection; and
 12. The Defendant is hereby advised that the court may at any time revoke or modify any conditions of this probation or change the period of probation and may discharge the Defendant from probation or extend the period of probation. The probationer shall be subject to arrest for violation of any condition of the probation herein granted. The court may, at any time, for cause, order the original sentence executed.

IN SUMMARY, the Defendant is sentenced to a total of NINE (9) MONTHS of incarceration at the Lawrence County Jail and that sentence is suspended and subject to TWENTY-FOUR (24) MONTHS of probation, at least the first three (3) of which shall be supervised. She is fined a total of \$11,100.00 and ordered to pay \$600.00 in bail bond fees and \$150.00 in crime victim's compensation assessments. She is also ordered to pay court costs.

The Defendant is apprised that her appellate and post-trial deadlines are triggered by the entry of this sentence and that, if she is indigent, she will be entitled to appointed counsel on appeal and post-trial matters and to a free

transcript, the court noting that her trial counsel is retained. The Defendant is further specifically apprised that:

1. If no post-trial motions are timely filed, she has until July 3, 2018 to file an appeal to the Alabama Court of Criminal Appeals;
2. She has until June 21, 2018, to file post-trial motions;
3. If she timely files a post-trial motion, her appeal deadline will be 42 days from the earliest of (a) the court's entry of a denial of the timely filed post-trial motion or (b) July 21, 2018.

IT IS FURTHER ORDERED copies of this Order shall be circulated to the Probation Department, the Defendant and her attorney, to the District Attorney and to the Sheriff of Lawrence County, Alabama, all through the United States Mail, postage prepaid or such other service means recognized by law.

DONE AND ORDERED, this 22nd day of May, 2018.

/s/ Mark B. Craig

MARK B. CRAIG, Circuit Judge

A handwritten signature in black ink, appearing to read "Mark B. Craig", written over a horizontal line. The signature is stylized and cursive.

/s/