

MISSOURI STATE BOARD OF EDUCATION AGENDA ITEM: CONSIDERATION TO DISCIPLINE THE LICENSE TO TEACH OF LISA ROSE, CASE # HR 14-028	December 2014
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STATUTORY AUTHORITY: Section 168.071, RSMo	<input type="checkbox"/> Consent Item <input checked="" type="checkbox"/> Action Item <input type="checkbox"/> Report Item
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DEPARTMENT GOAL NO. 3:

Missouri will prepare, develop, and support effective educators.

SUMMARY:

Lisa Rose, Respondent, holds a career professional student services certificate as a counselor for grades K to 8, which expires August 15, 2105.

Between January 30, 2012 and March 6, 2013, in the circuit court of Cape Girardeau County, Respondent pled guilty to three Class A misdemeanors for violating an order of protection for an adult. Following the March 6, 2013 guilty plea of violating an order of protection for an adult, the Court revoked Respondent’s probation and sentenced her to 270 days in jail.

Respondent received notice of a hearing on this matter, but was not present either personally or through counsel.

PRESENTER(S):

Mark Allan Van Zandt, General Counsel, will participate in the presentation and discussion of this agenda item.

RECOMMENDATION:

It is recommended that the State Board of Education revoke Respondent’s teaching certificate pursuant to its authority under Mo. Rev. Stat. § 168.071 (Supp. 2013).

**BEFORE THE STATE BOARD OF EDUCATION
STATE OF MISSOURI**

IN THE MATTER OF:)	
)	
Department of Elementary and Secondary Education,)	
Petitioner,)	
v.)	Case No. HR 14-028
)	
Lisa Rose,)	
Respondent.)	

Introduction

This matter was held on September 18, 2014, before Cynthia Quetsch, Hearing Officer, designated by the Commissioner of Education. Those present were:

Nichole Bock, Counsel for the Department of Elementary and Secondary Education;
 Margery Tanner, Director of Educator Certification; and
 Dana Keilholz, Legal Assistant, Department of Elementary and Secondary Education

Findings of Fact

1. Lisa Rose, Respondent, holds a career professional student services certificate as a counselor for grades K to 8 issued on August 15, 2006, which expires August 15, 2105. (Petitioner’s Exhibit 3) (Transcript page 10, lines 13-23).
2. Between January 30, 2012 and March 6, 2013, Respondent pled guilty to three Class A misdemeanors for violating an order of protection for an adult under 455.085 RSMo in the circuit court of Cape Girardeau County. (Petitioner’s Exhibit 5) (Transcript page 11 line 21 and page 13 line 8).
3. Following the March 6, 2013 plea of guilty to one misdemeanor count of violating an order of protection for an adult, the Court revoked Respondent’s probation on the prior counts and sentenced her to 270 days in jail. (Petitioner’s Exhibit 5)
4. On September 18, 2014, a hearing was held before Cynthia Quetsch, Hearing Officer. Respondent was not present and was not represented by counsel. Petitioner was represented by Assistant Attorney General Nichole Bock. (Transcript page 4, line 16 to page 5, line 4).
5. Respondent received notice of the hearing by letter dated July 2, 2014, sent to the last known address of Respondent, both by certified mail and first-class mail.

The certified mail was returned unclaimed. (Petitioner's Exhibits 1 and 2) (Transcript page 7, line 13 to page 8, line 15).

6. A career professional student services certificate as a counselor is a certificate of license to teach. (Transcript page 11, lines 15-18); 5 CSR 20-400.170.
7. Respondent has not been employed by a public school district for the last ten years. (Petitioner's Exhibit 4)(Transcript page 10, line 24 to page 11, line 12)

Conclusions of Law

1. Respondent, was convicted of three misdemeanor counts in circuit court in violation of Mo. Rev. Stat. §455.085.
2. The charges concerning Respondent's current certificate were set for hearing and notice was served on the Respondent in compliance with the requirements of Mo. Rev. Stat. § 536.067 (Supp. 2013).
3. Mo. Rev. Stat. § 168.071.1 (1) (Supp. 2013) provides the following authority to the State Board of Education:

The state board of education may refuse to issue or renew a certificate, or may, upon hearing, discipline the holder of a certificate of license to teach for the following causes: (1) A certificate holder or applicant for a certificate has pleaded to or been found guilty of a felony or crime involving moral turpitude under the laws of this state, any other state, of the United States, or any other country, whether or not sentence is imposed;

4. The Missouri Supreme Court has defined "moral turpitude" as:

An act of baseness, vileness, or depravity in the private and social duties which man owes to his fellowman or to society in general, contrary to the accepted and customary rule of right and duty between man and man; everything 'done contrary to justice, honesty, modesty and good morals'. In re Frick, 694 S.W.2d 473, 479 (Mo. banc 1985).

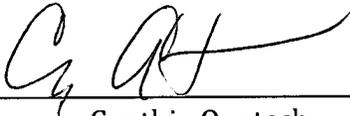
5. Violation of a protective order is a crime of moral turpitude. *Brehe v. Mo. Dept. of Elem. & Sec. Ed*, 213 S.W.3d 720, 725 (Mo. App. W.D. 2007); *Dir. of the Dept. of Insurance, Financial Institutions & Prof. Registration v. McLain*, 14-0083 DI (Mo. Administrative Hearing Commission, 2014).

6. Based upon Mo. Rev. Stat. §168.071.1(1) (Supp. 2013) the State Board of Education is authorized to suspend or revoke any certificate held by Respondent.

Recommendation

It is recommended that the State Board of Education revoke the certificate of license to teach of Lisa Rose pursuant to its authority under Mo. Rev. Stat. § 168.071 (Supp. 2013).

Submitted this 13th day of November
2014, by the designated Hearing Officer
for the Commissioner of Education.



Cynthia Quetsch
Hearing Officer

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DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
STATE OF MISSOURI

DEPARTMENT OF ELEMENTARY)
AND SECONDARY EDUCATION,)
Petitioner,)
) No. HR14-028
vs.)
LISA A. ROSE,)
Respondent.)

September 18, 2014
Department of Elementary and Secondary Education
Jefferson State Office Building
205 Jefferson Street
Jefferson City, Missouri 65101

BEFORE: Hearing Officer Cynthia Quetsch

Reported by:
Julie K. Kearns, CCR 993
Midwest Litigation Services
3432 West Truman Boulevard, Suite 207
Jefferson City, Missouri 65109
(573)636-7551

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24 (Whereupon the exhibits were attached to the

25 original and copies.)

1 A P P E A R A N C E S

2

3 For the Petitioner:

4 Nichole Bock, Esq.

 Stephen C. Doerhoff, Esq.

5 STATE OF MISSOURI ATTORNEY GENERAL'S OFFICE

 Supreme Court Building, P.O. Box 899

6 Jefferson City, Missouri 65102

7

8 The Court Reporter:

9 Ms. Julie K. Kearns

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10 3432 West Truman Boulevard, Suite 207

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1 P R O C E E D I N G S

2 (Hearing started at 10:00 A.M.)

3 HEARING OFFICER QUETSCH: The hearing is in the
4 matter of the Department of Elementary and Secondary
5 Education versus Lisa Rose and it's been designated
6 Hearing 14-028. This hearing is being held pursuant to
7 Section 168.071 of the Revised Statutes of Missouri which
8 authorizes the State Board of Education to suspend or
9 revoke a certificate of license to teach if the
10 certificate holder has pleaded to or been found guilty of
11 a felony or a crime involving moral turpitude under the
12 laws of this state or any other state or of the United
13 States or any other country, whether or not sentence is
14 imposed or there is evidence of incompetence, immorality
15 or neglect of duty by the certificate holder.

16 Administrative rules adopted by the State Board
17 of Education pursuant to this statute authorizes the
18 Commissioner of Education to designate a hearing officer
19 in these matters. My name is Cynthia Quetsch and I have
20 been designated to hear this case. Unless otherwise
21 provided under Section 168.071 this hearing is being held
22 pursuant to the procedural rules of Chapter 536, the
23 Administrative Procedures Act.

24 The certificate holder, Lisa Rose, is not
25 present at this hearing either personally or through

1 counsel. Assistant Attorney General Nichole Bock is
2 present on behalf of the State. It is now 10:01 A.M. and
3 the hearing will proceed. Did you want to make an opening
4 statement?

5 MS. BOCK: Just briefly.

6 OPENING STATEMENT BY MS. BOCK:

7 We are here today regarding Lisa Rose, who holds
8 a career student services certificate as a counselor for
9 grades kindergarten through 8. The evidence will show
10 that Miss Rose pled guilty to three class A misdemeanors
11 for violating an order of protection for an adult under
12 Section 455.085 of the Revised Statutes of Missouri. Two
13 of those guilty pleas were in January and February of
14 2012. The third one was in March of 2013.

15 The evidence will show that all three were based
16 upon conduct of Miss Rose attempting to communicate with
17 Jerry Swatzell after an order of protection had been
18 served on her by the Court prohibiting that communication.
19 Miss Rose's certificate as a counselor is subject to
20 discipline under 168.071.1 and 5 CSR 20-400.230(1)(A) and
21 (C) because she pled guilty to three offenses involving
22 moral turpitude and also because the conduct underlying
23 those offenses is evidence of her incompetence and
24 immorality and/or neglect of duty.

25 HEARING OFFICER QUETSCH: Okay.

1 MS. BOCK: I'll call Dana Keilholz as my first
2 witness, please.

3 (Witness sworn.)

4 EXAMINATION BY MS. BOCK:

5 Q. Could you please state your name for the record
6 and spell your last name?

7 A. Dana Keilholz, K-E-I-L-H-O-L-Z.

8 Q. And where are you currently employed?

9 A. Legal Assistant with the Department of
10 Elementary and Secondary Education.

11 Q. And what are your primary job duties as Legal
12 Assistant?

13 A. I arrange disciplinary hearings and notify the
14 parties of the time and place.

15 Q. And so part of your job duties include sending
16 out notices for the hearing?

17 A. Yes, it does.

18 Q. And did you send a notice to Lisa Rose for
19 today's hearing?

20 A. Yes, I did.

21 Q. You have in front of you what's been marked as
22 Exhibit 1. Do you recognize that document?

23 A. Yes, I do. It's a copy of the letter that I
24 sent out along with the complaint that was enclosed.

25 Q. Okay. And does the Department create and

1 maintain these notices in the ordinary course of its
2 business?

3 A. Yes.

4 Q. And was it made by someone with knowledge of the
5 information it contains?

6 A. Yes.

7 Q. And would it have been made at or near the date
8 on that letter?

9 A. Yes.

10 MS. BOCK: I'd ask that Exhibit 1 be admitted
11 into evidence.

12 HEARING OFFICER QUETSCH: Received.

13 Q. (By Ms. Bock) And what information is contained
14 in that notice?

15 A. It lets her know that there has been a complaint
16 filed and a hearing has been scheduled and it gives the
17 date, the time and the location of the hearing.

18 Q. And does it also include a copy of the
19 complaint?

20 A. Yes, it does.

21 Q. And how was that notice sent to Miss Rose?

22 A. We mail it two ways. We send one Certified
23 Mail. We also send it First-Class Mail.

24 Q. Okay. And did either of those mails come back
25 to you as being undeliverable?

1 A. The Certified Mail came back to us as unclaimed.

2 **Q. Was the First-Class Mail returned?**

3 A. No, it was not returned to us.

4 **Q. You have in front of you Exhibit 2. What is**
5 **that?**

6 A. This is a copy of the envelope of the Certified
7 Mail that was returned to us marked as unclaimed.

8 MS. BOCK: I'd offer Exhibit 2 into evidence.

9 HEARING OFFICER QUETSCH: It is received.

10 **Q. (By Ms. Bock) Okay. Since the First-Class Mail**
11 **was not returned, what does that indicate, in your**
12 **experience?**

13 A. It indicates to me that she received the
14 First-Class Mail and chose not to pick up the Certified
15 Mail.

16 MS. BOCK: I don't have any other questions for
17 Miss Keilholz.

18 HEARING OFFICER QUETSCH: All right. Call your
19 next witness.

20 MS. BOCK: I'll call Margery Tanner at this
21 time.

22 (Witness sworn.)

23 EXAMINATION BY MS. BOCK:

24 **Q. Could you please state your name for the record**
25 **and spell it?**

1 A. Margery Tanner, M-A-R-G-E-R-Y T-A-N-N-E-R.

2 **Q. Okay. And where are you employed, Miss Tanner?**

3 A. For the Department of Elementary and Secondary
4 Education.

5 **Q. And what is your position?**

6 A. I am a director.

7 **Q. Of?**

8 A. Oh, I'm sorry, for educator certification.

9 **Q. Okay. And what are your primary job duties as**
10 **Director of Educator Certification?**

11 A. I license educators for the State of Missouri.

12 **Q. And do part of your job duties also include**
13 **maintaining teacher certification records?**

14 A. Yes.

15 **Q. You have in front of you what's been -- there's**
16 **two exhibits, Exhibit 3 and 4. Do you recognize those**
17 **documents?**

18 A. Yes, I do.

19 **Q. What is Exhibit 3?**

20 A. Exhibit 3 is a certification record for Lisa
21 Rose.

22 **Q. Okay. And what is Exhibit 4?**

23 A. Exhibit 4 is a core data report which is used
24 for districts to report who is employed by their district.

25 **Q. And are both of those records that are created**

1 and maintained by the Department in the ordinary course of
2 its business?

3 A. Yes.

4 Q. And are those -- would those be made by someone
5 with knowledge about the information they contain?

6 A. Yes.

7 Q. Would they be made at or near the time of the
8 events that they record?

9 A. Yes.

10 MS. BOCK: I'd offer Exhibits 3 and 4 into
11 evidence.

12 HEARING OFFICER QUETSCH: They are received.

13 Q. (By Ms. Bock) According to Exhibit 3, what type
14 of certificate does Miss Rose hold, if any?

15 A. She holds a career student services certificate
16 for the area of Counselor grades K through 8.

17 Q. And is that certificate current and active at
18 this time?

19 A. Yes.

20 Q. And when will it expire?

21 A. On August 15, 2105.

22 Q. I'm sorry. When was it issued originally?

23 A. August 15, 2006.

24 Q. And then if I could refer you to Exhibit 4, does
25 that record indicate whether Miss Rose is currently

1 **teaching in Missouri or serving as a counselor?**

2 A. It does not reflect that she's been working as a
3 counselor in Missouri public school.

4 **Q. And so that record is blank, correct?**

5 A. That is correct.

6 **Q. And what does it indicate since it is blank?**

7 A. Typically it would show over the past -- it goes
8 back ten years to show anyone and their position with any
9 public school district.

10 **Q. So does that mean that she has not been employed**
11 **with the public school district for ten years?**

12 A. Correct.

13 MS. BOCK: I don't have any other questions for
14 Miss Tanner.

15 HEARING OFFICER QUETSCH: Miss Tanner, is a
16 career student services contract a certificate of a
17 license to teach?

18 THE WITNESS: Yes, it is.

19 MS. BOCK: I don't have any other questions.

20 HEARING OFFICER QUETSCH: Okay.

21 MS. BOCK: At this time, I'd like to offer into
22 evidence Petitioner's Exhibit 5, which is certified court
23 records from Cape Girardeau County, Missouri relating to
24 Miss Rose's guilty pleas. Exhibit 5 shows that on
25 January 30 of 2012, Miss Rose pled guilty to a class A

1 misdemeanor of violating an order of protection for an
2 adult under Section 455.085 of the Revised Statutes of
3 Missouri.

4 That was based on charges that she had initiated
5 communication with a gentleman by the name of Jerry
6 Swatzell after an order of protection was entered saying
7 that she could not communicate with him. And she pled
8 guilty to that and was sentenced to 45 days incarceration
9 and a fine of a thousand dollars. The Court suspended
10 execution of that sentence and placed her on probation for
11 two years with a condition that she was not to have any
12 communication with Mr. Swatzell.

13 Then on February 28 of 2012, she pled guilty to
14 a second class A misdemeanor for violating an order of
15 protection again on the basis that she had communicated
16 with Mr. Swatzell in violation of the order of protection.
17 Again, the Court sentenced her -- that was a class A
18 misdemeanor. The Court sentenced her to six months of
19 incarceration and a fine of a thousand dollars, but again,
20 suspended execution of the sentence and placed her on
21 probation.

22 And then on March 6, 2013, she pled guilty to a
23 third class A misdemeanor, according to the court records,
24 again, for violating an order of protection for an adult.
25 Again, those were based on charges that she had initiated

1 communication with Mr. Swatzell on the phone and/or at his
2 residence in violation of the order of protection entered
3 by the Court.

4 As a result of the third guilty plea, the Court
5 ordered her to serve 270 days of incarceration and revoked
6 her probation on the first two offenses and ordered those
7 to run concurrently with the sentence for the third
8 offense. I'd just ask, again, that Exhibit 5 be admitted.

9 HEARING OFFICER QUETSCH: And the exhibit is
10 received. Did you say it was a certified copy?

11 MS. BOCK: It should be. It was. Is it not?

12 HEARING OFFICER QUETSCH: There's no
13 certification on the front page.

14 MS. BOCK: I think if you look at the back of
15 the pages, each document has a --

16 HEARING OFFICER QUETSCH: You're going to have
17 to -- nope. There's nothing on the back of these. It
18 wasn't double-sided copies.

19 MS. BOCK: Did I not give you my original?

20 HEARING OFFICER QUETSCH: It looks like the
21 original because of the markers -- let's go off the
22 record.

23 (Off the record.)

24 HEARING OFFICER QUETSCH: We can go back on the
25 record. Exhibit 5 is received. Is there anything else

1 you'd like to offer?

2 MS. BOCK: No. I would just point out that
3 Exhibit 5 has some markings where some of the information
4 is blacked out. That was what was sent to me by the
5 Court. I'm not sure why they blacked that information
6 out. The only thing I did was to redact the Social
7 Security numbers.

8 HEARING OFFICER QUETSCH: Okay. Thank you. Did
9 you want to make a closing statement?

10 MS. BOCK: Yes.

11 CLOSING STATEMENT BY MS. BOCK:

12 The State Board of Education has the authority
13 to discipline a holder of a certificate of license to
14 teach for pleading guilty to a felony or a crime of moral
15 turpitude. As the evidence shows, Miss Rose's offenses
16 were not prosecuted as felonies, they were all
17 misdemeanors, however, they should be considered offenses
18 of moral turpitude. Her offenses of violating an order of
19 protection shows a lack of good morals and is contrary to
20 the customary rules and duties of society and, therefore,
21 should be considered a crime of moral turpitude.

22 While the Administrative Hearing Commission
23 decisions are not precedential and are not on topic with
24 this body, I would direct your attention to several AHC
25 decisions finding that violating an order of protection is

1 a crime of moral turpitude and is a Category 1 offense
2 under the Brakey versus Missouri Department of Elementary
3 and Secondary Education test. And those AHC decisions are
4 Director of Department of Public Safety versus Donald Gray
5 and Director of the Department of Insurance, Financial
6 Institutions and Professional Registration versus Michael
7 McLain. I have copies of those for the hearing officer.

8 In the McLain decision, the AHC determined that
9 violating an order of protection is a Category 1 crime and
10 does not require an inquiry into the circumstances
11 surrounding the offense. Cause also exists to discipline
12 Miss Rose's certificate because her conduct underlying
13 those offenses shows her incompetence, immorality or
14 neglect of duty. She was sentenced for these offenses,
15 therefore, she should be estopped if she was here -- she
16 is estopped from denying that she committed the offenses
17 and, therefore, the Board should take the conduct that she
18 pled guilty to as evidence of her incompetence or
19 immorality or neglect of duty.

20 I would ask that the Board consider the evidence
21 before it and impose whatever discipline it feels is
22 correct in this situation. Thank you.

23 HEARING OFFICER QUETSCH: This will close the
24 record and be presented to the Board. Thank you.

25 (Proceedings concluded at 10:14 A.M.)

1 CERTIFICATE OF REPORTER

2 I, Julie K. Kearns, Certified Court Reporter
3 (MO), Certified Shorthand Reporter (IL), Registered
4 Professional Reporter and Certified Realtime Reporter
5 within and for the State of Missouri, do hereby certify
6 that I was personally present at the proceedings had in
7 the above-entitled cause at the time and place set forth
8 in the caption sheet thereof; that I then and there took
9 down in Stenotype the proceedings had; and that the
10 foregoing is a true and correct transcript of such
11 Stenotype notes so made at such time and place.

12

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15 Julie K. Kearns, CCR #993, CSR, RPR, CRR

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Mark Allan Van Zandt • General Counsel

205 Jefferson Street, P.O. Box 480 • Jefferson City, MO 65102-0480 • dese.mo.gov

July 2, 2014

Ms. Lisa A. Rose
1677 Highway 4 W4
Poplar Bluff, MO 63901

RETURN RECEIPT REQUESTED
CERTIFIED MAIL # 7006 0100 0005 2165 0816
And VIA FIRST-CLASS MAIL

RE: *Department of Elementary and Secondary Education v. Lisa A. Rose*
Case No. HR 14-028

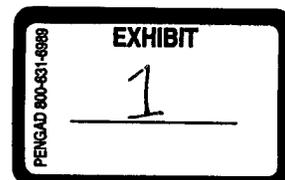
Dear Ms. Rose:

Pursuant to §168.071, RSMo Supp. 2013, the Missouri State Board of Education is initiating disciplinary proceedings against your certificate of license to teach. A copy of the complaint is enclosed.

In accordance with the procedures found in §168.071, RSMo Supp. 2013, and 5 CSR 20-400.230, you are notified that a hearing will be held September 18, 2014, by a hearing officer designated by the Commissioner of Education. Enclosed is a copy of the cited statute and regulation for your reference.

The hearing will commence at 10:00 a.m. Please report to the State Board of Education Room on the first floor of the Jefferson State Office Building, located at 205 Jefferson Street, Jefferson City, Missouri. You are strongly encouraged to be present at the hearing, either personally and/or through legal counsel, together with witnesses of your choice to give information relative to these allegations and to show cause as to why disciplinary action should not be taken against your certificate of license to teach.

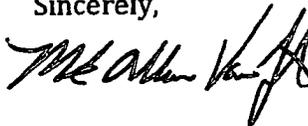
If you wish to offer documents into evidence at the hearing, please bring three copies of each document. The information gathered at the hearing and the findings of the hearing officer will be provided to the State Board of Education for a decision in this case.



Ms. Lisa Rose
Page 2
July 2, 2014

If you will be represented by legal counsel please have them enter their appearance in this matter with this office as soon as possible. Should you have any questions in this matter, please feel free to contact my office at (573) 751-3527.

Sincerely,



Mark Allan Van Zandt

Enclosures

c: Nichole Bock, Assistant Attorney General
Paul Katnik, Assistant Commissioner, Educator Quality
Margery Tanner, Director, Educator Certification

**BEFORE THE
MISSOURI STATE BOARD OF EDUCATION**

**MISSOURI DEPARTMENT OF ELEMENTARY)
AND SECONDARY EDUCATION)
P.O. Box 480)
Jefferson City, MO 65102)**

Petitioner,

v.

Case No.

**LISA A. ROSE)
1677 Highway 4 W4)
Poplar Bluff, MO 63901)**

Respondent.

COMPLAINT

Petitioner, the Missouri Department of Elementary and Secondary Education, by and through counsel, the Attorney General of the State of Missouri, states the following for its cause of action:

1. The Department of Elementary and Secondary Education (“DESE”) is an agency of the State of Missouri, created and established pursuant to § 161.020, RSMo,¹ for the purpose of administering and enforcing the provisions of Chapters 161 and 168, RSMo, governing public school personnel, including teachers and others.

2. Respondent, Lisa A. Rose (“Rose”) currently holds a career

¹ All statutory citations are to the 2000 Missouri Revised Statutes as amended unless otherwise indicated.

student services certificate as a counselor for grades K-8 (“certificate”). Rose’s certificate was current and valid at all times relevant to this Complaint.

3. Jurisdiction and venue are proper before the Missouri State Board of Education (the “Board”) pursuant to § 168.071, RSMo (Cum. Supp. 2013) and 5 CSR 20-400.230.

4. Section 168.071, RSMo (Cum. Supp. 2013), states in pertinent part:

1. The state board of education may refuse to issue or renew a certificate, or may, upon hearing, discipline the holder of a certificate of license to teach for the following causes:

(1) A certificate holder or applicant for a certificate has pleaded to or been found guilty of a felony or crime involving moral turpitude under the laws of this state, any other state, of the United States, or any other country, whether or not sentence is imposed;

...

(3) There is evidence of incompetence, immorality, or neglect of duty by the certificate holder[.]

5. State Regulation 5 CSR 20-400.230 states in pertinent part:

(1) The State Board of Education (the board) may discipline, refuse to issue, or renew a certificate of license to teach for any one (1) or combination of the following:

(A) An individual has pled guilty or been found guilty of a felony or crime involving moral turpitude whether or not sentence is imposed;

...

(C) Evidence of the certificate holder's incompetence, immorality, or neglect of duty;

...

(8) The board may suspend or revoke for a specified time, or indefinitely, a certificate of license to teach pursuant to the rules promulgated by the board.

6. On or about January 30, 2012, Rose pled guilty in the Circuit Court of Cape Girardeau County, Missouri, case number 12CG-CR00144, to a class A misdemeanor of violating an order of protection for an adult, under § 455.085, RSMo.

7. As a result of Rose's guilty plea in case number 12CG-CR00144, the court sentenced Rose to forty-five days of incarceration and a fine of \$1,000.00. However, the court suspended execution of the sentence and placed Rose on supervised probation for two years. There were several conditions placed on Rose's probation, including a condition that Rose was not to have any contact with the victim, Jerry Swatzell.

8. On or about February 28, 2012, Rose pled guilty in the Circuit Court of Cape Girardeau County, Missouri, case number 12CG-CR0186, to a second class A misdemeanor of violating an order of protection for an adult, under § 455.085, RSMo.

9. As a result of Rose's guilty plea in case number 12CG-CR0186,

the court sentenced Rose to six months of incarceration and a fine of \$1,000.00. However, the court suspended execution of the sentence and placed Rose on supervised probation for two years. There were several conditions placed on Rose's probation, including a condition that Rose was not to have any contact with the victim, Jerry Swatzell.

10. On or about March 6, 2013, Rose pled guilty in the Circuit Court of Cape Girardeau County, Missouri, case number 12CG-CR00445-01, to a third class A misdemeanor of violating an order of protection for an adult, under § 455.085, RSMo.

11. As a result of Rose's guilty plea in case number 12CG-CR00445-01, the court sentenced Rose to two hundred and seventy days of incarceration.

12. The court also revoked Rose's probation in case numbers 12CG-CR00144 and 12CG-CR00186, and ordered those sentences to run concurrently with the sentence in case number 12CG-CR00445-01.

13. All three of Rose's guilty pleas were the result of Rose initiating communication with Jerry Swatzell on the telephone and/or at his residence after being served with a copy of the order of protection entered by the Circuit Court of Cape Girardeau County, Missouri, which prohibited Rose from initiating communication with Jerry Swatzell.

14. Section 455.085, RSMo (Supp. 2012) regarding the offense of

violating an order of protection, states in pertinent part:

1. When a law enforcement officer has probable cause to believe a party has committed a violation of law amounting to abuse or assault, as defined in section 455.010, against a family or household member, the officer may arrest the offending party whether or not the violation occurred in the presence of the arresting officer. When the officer declines to make arrest pursuant to this subsection, the officer shall make a written report of the incident completely describing the offending party, giving the victim's name, time, address, reason why no arrest was made and any other pertinent information. Any law enforcement officer subsequently called to the same address within a twelve-hour period, who shall find probable cause to believe the same offender has again committed a violation as stated in this subsection against the same or any other family or household member, shall arrest the offending party for this subsequent offense. The primary report of nonarrest in the preceding twelve-hour period may be considered as evidence of the defendant's intent in the violation for which arrest occurred. The refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

2. When a law enforcement officer has probable cause to believe that a party, against whom a protective order has been entered and who has notice of such order entered, has committed an act of abuse in violation of such order, the officer shall arrest the offending party-respondent whether or not the violation occurred in the presence of the arresting officer. Refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

...

7. A violation of the terms and conditions, with regard to abuse, stalking, child custody, communication initiated by the respondent or entrance upon the premises of the petitioner's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of an ex parte order of protection of which the respondent has notice, shall be a class A misdemeanor unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of such prior pleas of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict.

8. A violation of the terms and conditions, with regard to abuse, stalking, child custody, communication initiated by the respondent or entrance upon the premises of the petitioner's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of a full order of protection shall be a class A misdemeanor, unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to

submission of the case to the jury. If the court finds the existence of such prior plea of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of the sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict. For the purposes of this subsection, in addition to the notice provided by actual service of the order, a party is deemed to have notice of an order of protection if the law enforcement officer responding to a call of a reported incident of abuse or violation of an order of protection presented a copy of the order of protection to the respondent.

15. Cause exists to discipline Rose's certificate pursuant to § 168.071.1(1), RSMo (Cum. Supp. 2013) and 5 CSR 20-400.230(1)(A) because she pled guilty to three criminal offenses involving moral turpitude.

16. Cause also exists to discipline Rose's certificate pursuant to § 168.071.1(3), RSMo (Cum. Supp. 2013) and 5 CSR 20-400.230(1)(C) because Rose's conduct underlying the offenses of violating an order of protection is evidence of her incompetence, immorality, and/or neglect of duty.

Based upon the foregoing, Petitioner prays the Missouri State Board of Education to conduct a hearing pursuant to Chapter 168, RSMo, and thereafter issue its findings of fact and conclusions of law determining that Rose's certificate as a counselor should be disciplined and for such other and further relief as is deemed just and proper.

Respectfully submitted,

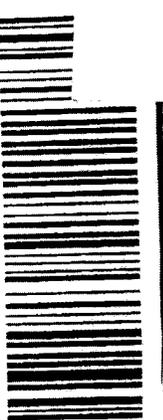
CHRIS KOSTER
Attorney General

Nichole Bock

NICHOLE M. BOCK
Assistant Attorney General
Missouri Bar No. 64222
P.O. Box 899
Jefferson City, MO 65102
Telephone: 573-751-4087
Facsimile: 573-751-5660
Email: nichole.bock@ago.mo.gov

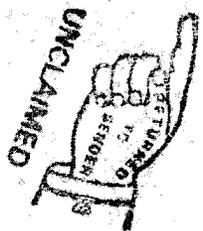
Attorneys for Petitioner

STATE OF MISSOURI
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
PO BOX 480
JEFFERSON CITY MO 65102-0480
MO 500-2041 (9-95)



7006 0100 0005 2165 0816

CLASS



ATTN: [unclear]
7-5-14
7-22-14
Let 8-2-14

Ms. Lisa A. Rose
1677 Highway 4 W4
Poplar Bluff, MO 63901

NIXIE

639013013-1N

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
RETURN TO SENDER

08/06/14



EXHIBIT
2
PENGAD-153-08 (AVENUE)

RECEIVED
AUG 07 2014
Missouri Department of
Elementary & Secondary Education



DESE - Certificate Status

▶ Selection Criteria

Educator ID: 364873 Social Security Number: [REDACTED]
 Name: LISA A ROSE
 Address: PO BOX 2114
 City: CAPE GIRARDEAU State: MO Zip: 63702-0000
 Personal Phone: () -
 Work Phone: () -
 Email Address: XXX@HOTMAIL.COM

[Edit Contact Information](#)

1 record(s)

Certification						
Subject Area/Grade Level	Classification	Effective Date	Expiration Date	Analysis Indicator	Status	Evaluation
COUNSELOR K-8	CAREER SS	08/15/2006	08/15/2105	EXCHANGE NO TEST	ISSUED	

▼ Evaluations

0 record(s)

Evaluation			
Subject Area/Grade Level	Evaluation Date	Status	Evaluation

Email: certification@dese.mo.gov

Current User: ALEE Last Modified User: CONVERSION_05312011 Last Modified Date: 5/28/2011 7:04:03 PM

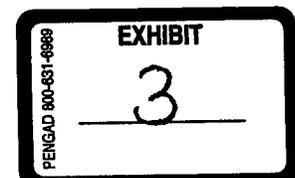
"Missouri public schools: the best choice...the best results!"

[Online](#)

[Privacy/Security](#)

[Policy](#)

Ver. 2.7.0514

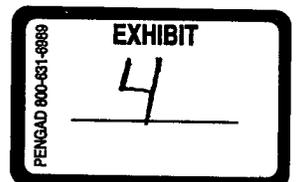


REPORT NO: HQ01
RUN DATE: 3/5/2013
RUN TIME: 2:20:40 PM

MISSOURI DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
STAFF ASSIGNMENTS REPORT

Page 1 of 1
3/4/2013

No course assignments found for the Educator Selected



Report: CZR0026

32ND JUDICIAL CIRCUIT
 CAPE GIRARDEAU (JACKSON)
 CIRCUIT COURT DOCKET SHEET

Date: 19-Mar-2013
 Time: 4:04:48PM
 Page: 3

Case continued from previous page.

12CG-CR00144**ST V LISA ROSE****Security Level: 1 Public**

06-Mar-2013

Hearing/Trial Cancelled**Scheduled For:** 06-Mar-2013; 2:00 PM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau (Jackson)**Hearing/Trial Cancelled****Scheduled For:** 25-Oct-2013; 5:00 PM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau (Jackson)**Filing:**

Comes now the Defendant in person, in custody of sheriff and with her attorney, David Newell. The State appears by Ass't Prosecuting Attorney, Julia Koester. The Court inquires as to whether both parties have received a copy of the

advise that they are ready to proceed on this matter with the defendant pleading guilty to the charges as filed on new case and admitting violation of probation on other cases.

Order to Revoke Probation

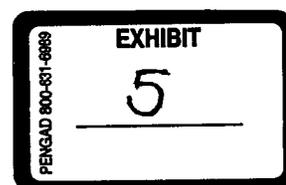
COURT ORDERS PROBATION REVOKED. SENTENCE OF 45 DAYS JAIL, (CONCURRENT 12CG-CR00186 & 12CG-CR00445) ORDERED EXECUTED. DEFENDANT REMANDED TO CUSTODY OF SHERIFF. DEFENDANT GIVEN CREDIT FOR ALL TIME SERVED. CASE CLOSED.

Costs Tranf to Debt Collect

COURT ORDERS DEFENDANT TO PAY BALANCE COURT COSTS \$466.50 THROUGH DEBT COLLECTION CENTER. PAYMENT PLAN # 16271

X 

REC'D FEB 24 2014



Case continued from previous page.

12CG-CR00144 ST V LISA ROSE

Security Level: 1 Public

12-Sep-2012

[REDACTED]

Filed By: GARY A KAMP

Filing:

[REDACTED]

Filed By: GARY A KAMP

[REDACTED]

Filed By: GARY A KAMP

Order for Prob Suspension

*****COURT SUSPENDS RUNNING OF PROBATION*****

Filed By: GARY A KAMP

26-Sep-2012

Filing:

[REDACTED]

28-Nov-2012

Filing:

LETTER RECEIVED FROM DEFENDANT. COPY OF LETTER SENT TO DAVID NEWELL AND PA

Filed By: LISA A ROSE

25-Feb-2013

[REDACTED]

26-Feb-2013

[REDACTED]

Case Review Scheduled

Scheduled For: 06-Mar-2013; 2:00 PM; GARY ALBERT KAMP; Setting: 0; Cape Girardeau (Jackson)

27-Feb-2013

Criminal Summons Issued

Document ID: 13-CRSU-103, for ROSE, LISA ANNE.

SUMMONS MAILED TO DAVID NEWELL, ATTORNEY FOR DEFENDANT.

Filing:

LETTER RECEIVED FROM JULIA KOESTER, ASSISTANT PROSECUTING ATTORNEY STATING SHE IS NOT

CONTESTING THE FINDINGS [REDACTED]

Filed By: JULIA M KOESTER

28-Feb-2013

Filing:

LETTER RECEIVED FROM DAVID NEWELL, ATTORNEY FOR DEFENDANT STATING HE IS NOT CONTESTING THE FINDING [REDACTED]

Filed By: DAVID W NEWELL

REC'D FEB 24 2014

Report: CZR0026

32ND JUDICIAL CIRCUIT
 CAPE GIRARDEAU (JACKSON)
 CIRCUIT COURT DOCKET SHEET

Date: 19-Mar-2013

Time: 4:04:48PM

Page: 1

12CG-CR00144 ST V LISA ROSE

Security Level: 1 Public

<u>Filing Date</u>	<u>Description</u>
06-Jun-2012	Judge/Clerk - Note [REDACTED]
11-Jun-2012	Hearing Continued/Rescheduled STATE BY FRANK MILLER, ASS'T PROSECUTING ATTORNEY. DEFENDANT IN PERSON, IN CUSTODY OF SHERIFF AND BY DAVID NEWELL, ATTORNEY. CAUSE TAKEN UNDER ADVISEMENT. DEFT REMANDED Hearing Continued From: 11-Jun-2012; 10:59 AM
12-Jun-2012	[REDACTED] Case Review Scheduled GIVE FILE TO JUDGE Scheduled For: 09-Jul-2012; 8:59 AM; GARY ALBERT KAMP; Setting: 0; Cape Girardeau (Jackson)
18-Jul-2012	Hearing Continued/Rescheduled SET FILE FOR REVIEW FOR 8/20/12 AT 11AM Hearing Continued From: 09-Jul-2012; 8:59 AM Case Review Scheduled Scheduled For: 20-Aug-2012; 11:00 AM; GARY ALBERT KAMP; Setting: 0; Cape Girardeau (Jackson)
31-Jul-2012	Hearing/Trial Cancelled Scheduled For: 20-Aug-2012; 11:00 AM Case Review Scheduled Scheduled For: 13-Aug-2012; 10:59 AM; GARY ALBERT KAMP; Setting: 0; Cape Girardeau (Jackson) Evaluation Filed
13-Aug-2012	Case Review Held STATE BY JULIA KOESTER, ASS'T PROSECUTING ATTY. DEFT IN PERSON IN CUSTODY OF SHERIFF AND BY DAVID NEWELL, ATTY. CAUSE SET FOR HEARING ON 09/12/12 9:00 AM. DEFT REMANDED TO CUSTODY OF SHERIFF. [REDACTED]
12-Sep-2012	Hearing/Trial Cancelled STATE BY JULIE HUNTER, ASSISTANT PROSECUTING ATTORNEY. DEFENDANT IN PERSON/IN CUSTODY AND BY DAVID NEWELL, ATTORNEY. COURT PROCEEDS ON THE RECORD. PARTIES AGREE TO COMMITMENT. END OF HEARING. DEFENDANT REMANDED. Scheduled For: 12-Sep-2012; 9:00 AM; GARY ALBERT KAMP; Setting: 0; Cape Girardeau (Jackson)

REC'D FEB 24 2014

Report: CZR0026

32ND JUDICIAL CIRCUIT
CAPE GIRARDEAU (JACKSON)
CIRCUIT COURT DOCKET SHEET

Date: 29-May-2012

Time: 3:24:12PM

Page: 6

Case continued from previous page.

12CG-CR00144 ST V LISA ROSE**Security Level: 1 Public**

24-May-2012 **Motion Granted/Sustained****Entry of Appearance Filed****Filed By: DAVID W NEWELL****Motion for Continuance****Filed By: DAVID W NEWELL**29-May-2012 **Motion Granted/Sustained**29-May-2012 **Motion Granted/Sustained****Hearing Continued/Rescheduled**REVOCATION HEARING CANCELLED.... CONTINUED 6/11/12 AT 11:00 AM (VIDEO
ARRAIGNMENT) REQUEST DAVID NEWELL, ATTORNEY.**Hearing Continued From: 29-May-2012; 2:00 PM****Probation Viol Hrng Scheduled****Scheduled For: 11-Jun-2012; 10:59 AM; GARY ALBERT KAMP; Setting: 0; Cape Girardeau
(Jackson)**

REC'D FEB 24 2014

Report: CZR0026

32ND JUDICIAL CIRCUIT
CAPE GIRARDEAU (JACKSON)
CIRCUIT COURT DOCKET SHEET

Date: 29-May-2012

Time: 3:24:12PM

Page: 5

Case continued from previous page.

12CG-CR00144**ST V LISA ROSE****Security Level: 1 Public**

- 28-Feb-2012 **Order to Continue Probation**
STATE BY JULIA KOESTER, ASS'T PROSECUTING ATTORNEY. DEFENDANT IN PERSON, IN CUSTODY OF SHERIFF ON NEW CASE AND BY MICHAEL SATO, ATTORNEY. DEFENDANT ADMITS TO THE ESSENTIAL ELEMENTS TO ESTABLISH A PROBATION VIOLATION BY RECEIVING NEW CHARGE VIOL ORDER PROTECTION. COURT ORDERS DEFENDANT CONTINUED ON SUPERVISED PROBATION WITH PCS WITH SAME TERMS AND CONDITIONS PLUS ADDED CONDITION:
1) PAY COURT COSTS \$466.50 BY MAKING \$50.00 MONTHLY PYMTS BEG 4/1/12.
CC: PCS
- 16-Mar-2012 **Probation Violation Filed**
DEFENDANT CHARGED WITH VIOLATION OF EX PARTE (12CG-CR00445)
- 20-Mar-2012 **Probation Violation Filed**
BY PCS FOR NEW CHARGE-VIOLATION EX PARTE
- 28-Mar-2012 **Entry of Appearance Filed**
Filed By: JENNIFER L SLONE
- 05-Apr-2012 **Probation Viol Hrng Scheduled**
Scheduled For: 09-Apr-2012; 10:59 AM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau (Jackson)
- 09-Apr-2012 **Hearing Continued/Rescheduled**
STATE BY FRANK MILLER, ASSISTANT PROSECUTING ATTORNEY. DEFENDANT IN PERSON (IN CUSTODY (ON 12CG-CR00445M) AND BY JENNIFER SLONE, ASSISTANT PUBLIC DEFENDER. PROBATION VIOLATION HEARING SET 5/2/12 AT 10 AM.
Hearing Continued From: 09-Apr-2012; 10:59 AM
- Probation Viol Hrng Scheduled**
Scheduled For: 02-May-2012; 10:00 AM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau (Jackson)
- Hearing Continued/Rescheduled**
STATE BY FRANK MILLER, ASSISTANT PROSECUTING ATTORNEY. DEFENDANT IN PERSON (IN CUSTODY (ON 12CG-CR00445M) AND BY JENNIFER SLONE, ASSISTANT PUBLIC DEFENDER. PROBATION VIOLATION HEARING SET 5/2/12 AT 10 AM.
Hearing Continued From: 02-May-2012; 10:00 AM
- Probation Viol Hrng Scheduled**
Scheduled For: 02-May-2012; 10:00 AM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau (Jackson)
- 02-May-2012 **Hearing Continued/Rescheduled**
STATE BY JULIA KOESTER, ASS'T PROSECUTING ATTORNEY. DEFENDANT IN PERSON, IN CUSTODY OF SHERIFF ON NEW CASE AND BY JENNIFER SLONE, ATTORNEY. REVOCATION HEARING SET 5/29/12 AT 2:00 PM. DEFT REMANDED.
Hearing Continued From: 02-May-2012; 10:00 AM
- Probation Viol Hrng Scheduled**
Scheduled For: 29-May-2012; 2:00 PM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau (Jackson)
- 24-May-2012 **Motion to Withdraw**
Filed By: JENNIFER L SLONE
24-May-2012 **Motion Granted/Sustained**

REC'D FEB 24 2014

Report: CZR0026

32ND JUDICIAL CIRCUIT
CAPE GIRARDEAU (JACKSON)
CIRCUIT COURT DOCKET SHEET

Date: 29-May-2012

Time: 3:24:12PM

Page: 4

Case continued from previous page.

12CG-CR00144 ST V LISA ROSE**Security Level: 1 Public**

- 30-Jan-2012 **Probation Cond Revw Hrng Sched**
CASE SCHEDULED FOR REVIEW OF PROBATION CONDITIONS TO SEE IF ANY VIOLATIONS HAVE OCCURED AND NOT REPORTED TO THE PROBATION OFFICER OR THE COURT. ** (THIS IS FOR COURT PURPOSES ONLY, NO COURT APPEARANCE REQUIRED)**
Scheduled For: 25-Oct-2013; 5:00 PM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau (Jackson)
Costs Ordered to Def
\$116.50 COURT COSTS, \$100.00 CAPE COUNTY LAW ENFORCEMENT RESTITUTION FUND, 10 DAYS JAILBOARD \$225.00, \$25.00 TIME PAYMENT FEE TOTALLING \$466.50 DUE BY MAKING \$30.00 MONTHLY PAYMENTS BEGINNING 03/01/12.
- 01-Feb-2012 **Amended Information Filed**
AMENDED INFORMATION SIGNED AND FILED BY JULIA KOESTER, ASST PROSECUTING ATTORNEY, AMENDING DEFENDANT'S LAST NAME FROM ROSE TO SWATZELL
Filed By: JULIA M KOESTER
Mot for Probation Revocation
MOTION AND NOTICE TO REVOKE PROBATION ISSUED FOR DEFENDANT RECEIVING NEW CHARGE 12CG-CR00186
- 03-Feb-2012 **Probation Viol Hrng Scheduled**
Scheduled For: 06-Feb-2012; 11:00 AM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau (Jackson)
- 06-Feb-2012 **Hearing Continued/Rescheduled**
STATE BY FRANK MILLER, ASST PROSECUTING ATTORNEY. DEFENDANT IN PERSON AND IN CUSTODY OF JAILER. DEFENDANT COMPLETES APPLICATION FOR APPOINTMENT OF COUNSEL. TERRY WHITE, ASST PUBLIC DEFENDER, FINDS "is indigent" AND ENTERS THE APPEARANCE OF THE PUBLIC DEFENDERS OFFICE. COURT AUTHORIZES RELEASE OF PROBATION VIOLATION REPORTS TO THE PUBLIC DEFENDERS OFFICE. CAUSE SET FOR REVOCATION HEARING 2-28-12 9 AM.
Hearing Continued From: 06-Feb-2012; 11:00 AM
Probation Viol Hrng Scheduled
Scheduled For: 28-Feb-2012; 9:00 AM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau (Jackson)
Filing:
LETTER DATED 2-3-12 FROM JERRY SWATZELL REGARDING DEFENDANT LAST NAME
- 09-Feb-2012 **Probation Violation Filed**
PROBATION VIOLATION REPORT FILED BY PCS (FAXED) FOR DEFENDANT BEING ARRESTED ON 1-31-12
- 16-Feb-2012 **Entry of Appearance Filed**
Filed By: MICHAEL A SATO
- 28-Feb-2012 **Hearing/Trial Cancelled**
Scheduled For: 28-Feb-2012; 9:00 AM

REC'D FEB 24 2014

Report: CZR0026

32ND JUDICIAL CIRCUIT
 CAPE GIRARDEAU (JACKSON)
 CIRCUIT COURT DOCKET SHEET

Date: 29-May-2012

Time: 3:24:12PM

Page: 3

Case continued from previous page.

12CG-CR00144 ST V LISA ROSE

Security Level: 1 Public

30-Jan-2012

Defendant Sentenced

45 DAYS JAIL/\$1000.00 FINE: THE COURT SUSPENDS THE EXECUTION OF BOTH THE JAIL AND THE FINE AND PLACES THE DEFENDANT ON TWO YEARS SUPERVISED PROBATION WITH PRIVATE CORRECTIONAL SERVICES UNDER THE FOLLOWING TERMS AND CONDITIONS:

-- The defendant is ordered to obey all laws, including all municipal and local Ordinance violations, all state and federal laws.

-- The defendant is ordered to pay all court costs, including a judgement in favor of the Crime Victims compensations fund in the amount of \$10.00, together with all other fees and any fines totaling \$466.50 by making \$30.00 monthly payments beginning 03/01/12. (AN ADDITIONAL \$25.00 LATE PAYMENT FEE MAY BE ASSESSED IF NOT PAID WITHIN 30 DAYS OF SENTENCING.)

-- Pay Cape County Law Enforcement Restitution Fund fees \$100.00

-- At request of either the Court, any probation officer or any law enforcement official, the defendant is ordered to submit to any blood, breath or urine tests so requested.

-- The defendant is ordered not to use or possess any drugs excepts those drugs presribed to the defendant by a licensed physiçian or surgeon and then only in the recommended dosages.

-- The defendant is ordered not to remain in the presence of any persons possessing or consuming illegal drugs.

-- The defendant is ordered to serve 10 days SHOCK probation. CREDIT

-- The defendant is ordered to not have any contact, direct or indirect, with victim and is ordered to stay more than 500 feet away from the residence and place of employment of the victim.

-- The defendant is ordered to enroll in and thereafter successfully complete the Aggressive Offender Program and/or Anger Management Program(enroll within 30 days).

-- The defendant is ordered to complete all counseling and programming requested by the defendant's probation officer. The defendant is further ordered to abide by all other directives or requests made by the defendant's probation officer or this court timely.

-- Obey all directives of your probation officer and all general condiitons of probation as listed on form.

Sentence Date: 30-Jan-2012; **Sentence:** Incarceration Jail

Sentence Date: 30-Jan-2012; **Sentence:** Fine

Misd Costs Assc Tax-Reg-w/cost

Associated To: LISA A ROSE

Judgment CVC \$10 - Other

Associated To: LISA A ROSE

Judgment Pub Defender Entered

\$125.00 PUBLIC DEFENDER LIEN SIGNED AND FILED BY ASSISTANT PUBLIC DEFENDER
 MICHAEL SATO

REC'D FEB 24 2014

Report: CZR0026

32ND JUDICIAL CIRCUIT
 CAPE GIRARDEAU (JACKSON)
 CIRCUIT COURT DOCKET SHEET

Date: 29-May-2012

Time: 3:24:12PM

Page: 2

Case continued from previous page.

12CG-CR00144**ST V LISA ROSE****Security Level: 1 Public**

21-Jan-2012

Warrant Issued

Document ID: 12-CJARW-85, for ROSE, LISA ANNE. , Bond Amount: 2,500.00, Bond Text: CASH ONLY PLUS NO DIRECT/INDIRECT CONTACT WITH VICTIM. STAY MORE THAN 1000 FEET AWAY FROM RESIDENCE/WORK OF VICTIM.

Service/Attempt Date: 25-Jan-2012

Bond Amount: 2,500.00; **Bond Text:** CASH ONLY PLUS NO DIRECT/INDIRECT CONTACT WITH VICTIM. STAY MORE THAN 1000 FEET AWAY FROM RESIDENCE/WORK OF VICTIM.

23-Jan-2012

Warrant Served

Document ID - 12-CJARW-85; Served To - ROSE, LISA ANNE; Server - ; Served Date - 25-JAN-12; Served Time - 00:00:00; Service Type - Sheriff Department; Reason Description - Served

Arraignment Scheduled

Scheduled For: 23-Jan-2012; 11:00 AM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau (Jackson)

Arraignment Held

STATE BY JULIA KOESTER, ASST PROSECUTING ATTORNEY. DEFENDANT IN PERSON AND IN CUSTODY OF JAILER. DEFENDANT COMPLETES APPLICATION FOR APPOINTMENT OF COUNSEL. JENNIFER SLONE, ASST PUBLIC DEFENDER, FINDS "is indigent" AND ENTERS THE APPEARANCE OF THE PUBLIC DEFENDERS OFFICE. CAUSE CONTINUED TO 1-30-12 11:00 AM FOR DISCOVERY; 1 PM IF BONDED.

Plea of Not Guilty Entered

DEFENDANT WAIVES READING OF CHARGE

Filed By: LISA A ROSE**Criminal Setting Scheduled**

moved from 11 am to 2:30 pm for plea

Scheduled For: 30-Jan-2012; 11:00 AM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau (Jackson)

26-Jan-2012

Entry of Appearance Filed**Filed By:** MICHAEL A SATO**Motion for Discovery****Filed By:** MICHAEL A SATO

30-Jan-2012

Hearing Held

Scheduled For: 30-Jan-2012; 11:00 AM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau (Jackson)

Guilty Plea

STATE BY JULIA KOESTER, ASSISTANT PROSECUTING ATTORNEY. DEFENDANT IN PERSON/CUSTODY AND BY ASSISTANT PUBLIC DEFENDER MICHAEL SATO. COURT INQUIRES OF DEFENDANT AND FINDS THERE IS A FACTUAL BASIS FOR THE PLEA. COURT FINDS DEFENDANT FREELY, VOLUNTARILY AND KNOWINGLY WAIVED RIGHT TO TRIAL AND ENTERED PLEA OF GUILTY TO CHARGE AS FILED. COURT ACCEPTS PLEA OF GUILTY AND FINDS DEFENDANT GUILTY OF A MISDEMEANOR VIOLATION OF ORDER OF PROTECTION.

REC'D FEB 24 2014

Report: CZR0026

32ND JUDICIAL CIRCUIT
CAPE GIRARDEAU (JACKSON)
CIRCUIT COURT DOCKET SHEET

Date: 29-May-2012
Time: 3:24:12PM
Page: 1

12CG-CR00144

ST V LISA ROSE

Security Level: 1 Public

Case Type: AC Misdemeanor **Case Filing Date:** 21-Jan-2012
Status: Judgment Pub Defender Entered
Disposition: Guilty Plea **Disposition Date:** 30-Jan-2012
OCN#: L7013328
Arresting Agency: MO0160100

		<u>Release/Status</u>	<u>Reason</u>
		<u>Change Date</u>	
Judge	GARY ALBERT KAMP (27280)		
Defendant	LISA ANNE ROSE (ROSLA1149)		
Attorney for Defendant	DAVID W. NEWELL(46542)		
Assistant Prosecuting Attorney	JULIA MEINERS KOESTER (59985)		
Assistant Public Defender	JENNIFER LYNN SLONE (60318)	24-May-2012	Attorney Withdrawn
Assistant Public Defender	MICHAEL AKIRA SATO (61650)	27-Mar-2012	Attorney Withdrawn

Officer Badge No.: CAPE PD

	<u>Charge #</u>	<u>Charge Date</u>	<u>Charge Code</u>	<u>Charge Description</u>
Original Charge:	1	20-Jan-2012	2917500	Violation Of Order Of Protection For Adult (Misdemeanor A RSMo : 455.085)
Disposition:	30-Jan-2012	Guilty Plea		
Order Date:	30-Jan-2012			Sentence or SIS: Incarceration Jail
Length: 45 Days				Start Date: 30-Jan-2012
Text: 2 YEARS SUPERVISED PROBATION PCS EXECUTION OF SENTENCE SUSPENDED				
Order Date:	30-Jan-2012			Sentence or SIS: Fine
				Start Date: 30-Jan-2012
Text: \$1000.00 FINE SUSPENDED: 2 YEARS SUPERVISED PROBATION PCS EXECUTION OF SENTENCE SUSPENDED				Fine Stayed: \$ 1,000.00
Program: PROBATION				Agency: PRIVATE CORRECTIONAL SERVICES
Associated To: Charge 1, Charge 1				
Classification: SUPERVISED				
Start Date: 30-Jan-2012			Due to End 30-Jan-2014	

<u>Filing Date</u>	<u>Description</u>
21-Jan-2012	Judge Assigned Information Filed Filed By: JULIA M KOESTER Probable Cause Statement Filed OCN Filed L7013328

REC'D FEB 24 2014

Judge: Gary A. Kamp

CASE # 12CG-CR00144

TOTAL AMOUNT DUE :\$ _____

Date: 3-6-13

Prosecuting Atty: Julia Koester

Defendant: Lisa Rose (Jail)

Attorney: David Newell

PROBATION: (PCS / MO BDP&P / UN / SUP) ORIGINAL CHARGE Viol order Prot
ORIGINAL SENT - 45 days / 1000+

SIS REVOKED _____ ADMITS VIOLATION X

PROBATION REVOKED X CONTINUED ON PROBATION _____ (SAME TERMS & CONDITIONS)

SENTENCE: JAIL 45 days concurrent ✓ CREDIT FOR TIME SERVED

FINE \$ _____ 12CG-CR00144 ✓ REMANDED TO CUSTODY OF BAILIFF

PROBATION EXTENDED _____ \$ _____ COSTS TO DEBT COLLECTION
PAYMENT PLAN # 14271

cc: PCS
ADDED PROBATION CONDITIONS:

- ___ Pay previous owed costs/fine \$ 466.50 by _____ or \$ _____ monthly payments beginning _____ and each month thereafter.
- ___ Pay Cape County Law Enforcement Restitution Fund fees of \$ _____ by _____.
- ___ Pay jailboard fees at \$22.50 per day for _____ days for a total of \$ _____.
- ___ The defendant is ordered to serve _____ days shock probation. The defendant is ordered to report to the Cape Girardeau County Jail by _____ am / _____ pm.
- ___ Complete _____ additional hours of community service by _____.
- ___ The defendant is ordered to seek an alcohol dependency evaluation / chemical dependency evaluation / psychological evaluation / substance abuse evaluation within 30 days. The defendant is ordered to abide by all recommendations that may come out of that evaluation.
- ___ Defendant advised that any further violation will result in JAIL.
- ___ Defendant ordered to report to probation appointments regularly and timely.
- ___ Defendant ordered to keep probation fees and court costs current.
- ___ LAST CHANCE / NO MORE EXCUSES _____ NO GOOD TIME CREDIT _____ NO TRUSTEE STATUS _____

___ Do not remain in the presence of any persons possessing or consuming alcoholic beverages and / or illegal drugs.

In addition to all of the above added conditions of probation listed above I understand that I have the same terms and conditions of probation previously imposed as a result of my being placed on probation. The added conditions of probation are listed below. I have received a copy of the added conditions of my probation and I have read and understood them and agree that there are none of these conditions that I cannot comply with and hereby agree to be bound by all general and special conditions of probation. I understand that failure to abide by and follow all conditions of probation as set forth here may and probably will result in my incarceration.

REC'D FEB 24 2014
Defendant

ADDRESS: _____ DATE OF BIRTH: _____
TELEPHONE: _____

IN THE CIRCUIT COURT OF CAPE GIRARDEAU COUNTY, MISSOURI

STATE OF MISSOURI)	
)	
Plaintiff,)	
)	Case No.
v.)	
)	
LISA ROSE SWATZELL)	
)	
LKA: 1437 Howell)	
Cape Girardeau, MO 63701)	
White Female DOB: 09/19/1964)	
SSN: [REDACTED])	
SID:)	
FBI:)	
OCN: L7013728)	PA File No. 031053024
)	
Defendant.)	

AMENDED INFORMATION IN A MISDEMEANOR CASE

The Prosecuting Attorney of County Cape Girardeau, State of Missouri, charges that the defendant either acting alone or knowingly in concert with another, in violation of Sections 455.010 and 455.085, RSMo, committed the class A misdemeanor of violation of order of protection, punishable upon conviction under Sections 558.011 and 560.016, RSMo, in that on or about January 20, 2012, the defendant, having been served with a copy of an order of the Circuit Court of Cape Girardeau County that prohibited the defendant from initiating communication with Jerry Swatzell, knowingly violated the terms and conditions of the order by calling Jerry Swatzell multiple times on the telephone and showing up at his residence at 1437 Howell Street and trying to get inside.

CHARGE CODE: 2917516.0

WITNESSES:

Ryan J Droege 40 S. Sprigg, Cape Girardeau, MO 63703
Robert W. Ross Cape Girardeau Police Department, Cape Girardeau, MO 63703
Jerry Wayne Swatzell 1437 N Howell, Cape Girardeau, MO 63701

PUNISHMENT:

One day to one year in the county jail, or a fine not exceeding one thousand dollars, or by both such imprisonment and fine.

FILED
FEB - 1 2012

PATTI WIRBENMEYER
REC'D FEB 24 2014

Julia M Koester
Assistant Prosecuting Attorney

Julia Meiners Koester, Assistant Prosecuting Attorney of the County of Cape Girardeau, State of Missouri, being duly sworn upon oath, state the facts stated in the above information are true according to his/her best information, knowledge, and belief.

Julia M Koester
Assistant Prosecuting Attorney

Sworn and subscribed to before me this 1st day of February, 2012.

CLERK OF THE COURT

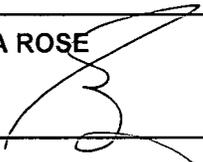
BY: Debbi Beussink

FILED
REC'D FEB 24 2014
FEB - 1 2012
PATTI WIBBENMEYER
CIRCUIT CLERK

So Ordered on: 12CG-CR00144 ST V LISA ROSE

1-30-12

Date



Judge

I certify that the above is a true copy of the original Judgment and Sentence of the court in the above cause, as it appears on record in my office.

(Seal of Circuit Court)

Issued on:

Date

Clerk

REC'D FEB 24 2014

The Court orders:

That Judgment entered in favor of the State of Missouri and against the defendant for the sum of **\$10.00** for the Crime Victims Compensation fund. Judgment is **Not Satisfied**.

Judgment for the State of Missouri and against the defendant for appointed counsel services for the sum of **\$0.00**. Judgment is **Not Satisfied**.

Costs taxed against **Defendant**

The Court further orders:

30-Jan-2012 Defendant Sentenced

45 DAYS JAIL/\$1000.00 FINE: THE COURT SUSPENDS THE EXECUTION OF BOTH THE JAIL AND THE FINE AND PLACES THE DEFENDANT ON TWO YEARS SUPERVISED PROBATION WITH PRIVATE CORRECTIONAL SERVICES UNDER THE FOLLOWING TERMS AND CONDITIONS:

- The defendant is ordered to obey all laws, including all municipal and local Ordinance violations, all state and federal laws.
- The defendant is ordered to pay all court costs, including a judgement in favor of the Crime Victims compensations fund in the amount of \$10.00, together with all other fees and any fines totaling \$466.50 by making \$30.00 monthly payments beginning 03/01/12. (AN ADDITIONAL \$25.00 LATE PAYMENT FEE MAY BE ASSESSED IF NOT PAID WITHIN 30 DAYS OF SENTENCING.)
- Pay Cape County Law Enforcement Restitution Fund fees \$100.00
- At request of either the Court, any probation officer or any law enforcement official, the defendant is ordered to submit to any blood, breath or urine tests so requested.
- The defendant is ordered not to use or possess any drugs excepts those drugs presribed to the defendant by a licensed physician or surgeon and then only in the recommended dosages.
- The defendant is ordered not to remain in the presence of any persons possessing or consuming illegal drugs.
- The defendant is ordered to serve 10 days SHOCK probation. CREDIT
- The defendant is ordered to not have any contact, direct or indirect, with victim and is ordered to stay more than 500 feet away from the residence and place of employment of the victim.
- The defendant is ordered to enroll in and thereafter successfully complete the Aggressive Offender Program and/or Anger Management Program(enroll within 30 days).
- The defendant is ordered to complete all counseling and programming requested by the defendant's probation officer. The defendant is further ordered to abide by all other directives or requests made by the defendant's probation officer or this court timely.
- Obey all directives of your probation officer and all general condiiotons of probation as listed on form.

The Court further orders:

30-Jan-2012 Judgment Pub Defender Entered

\$125.00 PUBLIC DEFENDER LIEN SIGNED AND FILED BY ASSISTANT PUBLIC DEFENDER MICHAEL SATO



IN THE 32ND JUDICIAL CIRCUIT COURT, CAPE GIRARDEAU COUNTY MISSOURI

Judge or Division : GARY ALBERT KAMP (27280) DIV3		Case Number : 12CG-CR00144 <input type="checkbox"/> Change of Venue from	
		Offense Cycle No : L7013328	
State Of Missouri vs. Defendant: LISA ANNE ROSE (ROSLA1149) CAPE GIRARDEAU CO JAIL #20120183 JACKSON, MO 63755 Alias: LISA A ROSE SWATZELL		Assistant Prosecuting Attorney/MO Bar No: JULIA MEINERS KOESTER (59985) Defense Attorney/MO Bar No : MICHAEL AKIRA SATO (61650)	
DOB : 09-Sep-1964 SSN : ██████████ SEX : F			
		Appeal Bond Set Date : Amount :	
Judgment			

Charge #	Charge Date	Charge Code	Charge Description
Original Charge: 1	20-Jan-2012	2917500	Violation Of Order Of Protection For Adult (Misdemeanor A RSMo: 455.085)
Disposition:	30-Jan-2012	Guilty Plea	
Order Date:	30-Jan-2012	Sentence or SIS :	Incarceration Jail
Length :	45 Days	Start Date :	30-Jan-2012
Text :	2 YEARS SUPERVISED PROBATION PCS		
EXECUTION OF SENTENCE SUSPENDED			
Order Date:	30-Jan-2012	Sentence or SIS :	Fine
		Start Date :	30-Jan-2012
Text :	\$1000.00 FINE SUSPENDED: 2 YEARS SUPERVISED PROBATION PCS		
EXECUTION OF SENTENCE SUSPENDED			
		Fine Stayed:	\$1,000.00
Program :	PROBATION	Agency :	PRIVATE CORRECTIONAL SERVICES
Classification :	SUPERVISED		
Associated To :	Charge 1, Charge 1		
Start Date :	30-Jan-2012	Due to End :	30-Jan-2014

Case ID / Docket # 12CG -CR 00144
Defendant: Lisa Rose (Swatzell)
Attorney: M Sato
Charge: I Violation order protection
III _____

Date: 1-30-12
TOTAL FINE/COSTS/FEES DUE : \$ 466.50
Prosecuting Attorney: Julia K
II _____
IV _____

Sentence: _____ SIS - (SUSPENDED IMPOSITION OF SENTENCE)
_____ JAIL - 45 days > SES
_____ FINE - \$ 1000

Probation Term: 2 YEAR(S) SUPERVISED PCS Report by _____

SPECIAL PROBATION CONDITIONS:

- Obey all laws, including all municipal and local ordinance violations, all state and federal laws.
- Pay all COSTS, including a judgement in favor of the Crime Victims Compensation Fund (CVCF) in the amount of \$ 10.00, INMATE SECURITY FUND of \$2.00, COURT COSTS of \$ 104.50, CAPE COUNTY LAW ENFORCEMENT RESTITUTION FUND of \$ 100.00, FINES of \$ _____, Mo St Hwy Patrol Testing of \$ _____, JAILBOARD FEES at \$22.50 per day for 10 days for a total of \$ 225.00, == TOTALING \$ 466.50 to be paid by _____ or \$ 30.00 monthly payments beginning on 3-1-12 and each month thereafter until paid in full. (Additional \$25.00 late payment fee may be assessed if not paid within 30 days).
- _____ Do not possess or consume any intoxicating beverages of any nature, any type or any kind, at any time, at any place for any reason.
- At request of either the Court, any probation officer or any law enforcement officer, the defendant is ordered to submit to any blood, breath or urine tests so requested.
- _____ Do not operate any motor vehicle after consuming any intoxicating beverages (BAC > _____)
- _____ Avoid all places where the sale of intoxicating beverages is the primary source of income or purpose for that business or where intoxicating beverages are being possessed (i.e. no bars, liquor stores, taverns, private clubs, private parties, your home, your friends home, college functions, etc).
- _____ Attend and complete a state certified SATOP by _____. The defendant is ordered to forward documents showing completion within 2 weeks of completion and is ordered to complete all recommendations, if any, that may result of evaluation process.
- _____ Complete _____ hours COMMUNITY SERVICE no later than _____.
- Do not use or possess any drugs except those drugs prescribed to the defendant by a licensed physician or surgeon and then only in the recommended dosages.
- Do not remain in the presence of any persons possessing or consuming alcohol and/or illegal drugs.
- _____ Defendant is ordered to seek an CHEMICAL DEPENDENCY EVALUATION within 30 days. The defendant is ordered to abide by all recommendations that may come out of that evaluation. It is further ordered that the defendant is not to terminate any treatment or counseling unless the defendant has been successfully discharged by the treating supervisor or have been released from completing said treatment or counseling by the defendant's probation officer or this Court. The defendant is ordered to exercise any release of information forms that may be requested by the defendant's supervising probation officer or this Court.
- _____ Defendant is ordered to not operate any motor vehicle for any reason under any circumstances unless said vehicle has a properly installed & functioning ignition interlock system. See additional forms. Certified copy to DOR.

REC'D FEB 24 2014

Defendant is ordered not to operate any motor vehicle unless the defendant has a proper valid operator's license in the State of Missouri and is acting within its limitations.

Defendant is ordered to serve 10 days shock probation. The defendant is ordered to report to the Cape Girardeau County Jail by : AM / PM

Credit

Defendant is ordered to not have any contact, direct or indirect, with victim, J Swartzell, and is ordered to stay more than 500 feet away from the residence and the place of employment of J Swartzell.

Defendant is ordered to enroll in and thereafter successfully complete the AGGRESSIVE OFFENDER Program/ ANGER MANAGEMENT Program / LIFE SKILLS Program / FINANCIAL MANAGEMENT CLASS / SUBSTANCE ABUSE CLASS / VICTIM IMPACT PANEL / DOMESTIC VIOLENCE CLASS. (enroll within 30 days).

Defendant is ordered to not maintain a checking account or write any checks while on probation.

Defendant is ordered to pay restitution in the amount of \$ (exhibit) thru the Prosecuting Attorneys Office after court costs have been paid in full.

Defendant is ordered to complete all counseling and programming requested by the defendant's probation officer. The defendant is further ordered to abide by all other directives or requests made by the defendant's probation officer or this Court timely.

Defendant is ordered to enroll in a GED program within 30 days of this date and the defendant is thereafter ordered to complete said GED program within one year of this sentencing date and is to provide verification to the Court within said one year date of this order.

It is ordered that the defendant shall be at home each night from p.m. until a.m. the following morning unless in the company of one or both of his parents.

Defendant is ordered to stay more than 1000 feet away from the premises and parking lot of any located any where.

Abuse & Lose Order Order for Fingerprinting

Complete Community Traffic Program by . See additional forms.

In addition to all of the above special conditions of probation listed above I understand that I have the following general conditions of probation that are hereby imposed as a result of my being placed on probation. The general conditions of probation are listed below. I have received a copy of the conditions of my probation and I have read and understood them and agree that there are none of these conditions that I cannot comply with and hereby agree to be bound by all general and special conditions of probation. I understand that failure to abide by and follow all conditions of probation as set forth here may and probably will result in my incarceration.

Jean Rene Swartzell
Defendant

ADDRESS: 1437 Howell
Cape

DATE OF BIRTH: 9-19-64

TELEPHONE: () 587-9179

M (F)
W / B / H

GENERAL CONDITIONS OF PROBATION

- ** I will report any arrest of myself for any violation of any municipal, county, state or federal statute or ordinance within 48 hours of my arrest to the Clerk of Division III of the Circuit Court of Cape Girardeau County, Mo.
** I will keep this court advised of my current mailing address, telephone number and, if employed, my employers mailing address and telephone number. Any changes hereto must be notified to the Court within 48 hours of said change.
** I will not be in the presence or company of any person who is currently on any probation for any offense wherever situated.
** If this is supervised by private probation I will pay a monthly fee of \$45.00 per month, to the supervising agency ordered by the Court unless otherwise directed.
** I will obey all directives given me by my probation officer.

PRIVATE CORRECTIONAL SERVICES

PCS

294 CHRISTINE DRIVE
CAPE GIRARDEAU, MO 63701
(573) 803-0858 / (573) 803-0857

PRIVATE PROBATION ORDER

NAME: Lisa Rose

DOCKET #: 12CG - CR00144

ADDRESS: _____

YOU ARE HEREBY PLACED ON SUPERVISED PROBATION WITH PRIVATE CORRECTIONAL SERVICES FOR THE PERIOD SET OUT ON THE ATTACHED SPECIAL PROBATION CONDITIONS FORM UNTIL YOU HAVE PROVEN BY YOUR CONDUCT AND TO THE SATISFACTION OF THIS COURT THAT YOU ARE ENTITLED TO DISCHARGE FROM THIS PROBATION.

YOU ARE HEREBY ADVISED THAT UNDER THE LAW THE COURT MAY, AT ANY TIME, MODIFY ANY OF THE CONDITIONS OF PROBATION, AND YOU SHALL BE SUBJECT TO ARREST UPON ORDER OF THE COURT FOR ALLEGED VIOLATIONS AND YOUR PROBATION MAY BE REVOKED AFTER A HEARING. IF YOUR PROBATION IS REVOKED, THE COURT MAY IMPOSE OR ORDER EXECUTION OF SENTENCE FOR YOUR ORIGINAL OFFENSE IN ACCORDANCE WITH THE LAWS OF THE STATE OF MISSOURI, AND COMMIT YOU TO SUCH INSTITUTION AS PROVIDED BY LAW.

STANDARD CONDITIONS OF PROBATION:

I WILL OBEY ALL LAWS AND ORDINANCES. I WILL REPORT ALL ARRESTS (INCLUDING TRAFFIC CITATIONS). I WILL REPORT ANY CHANGES IN RESIDENCY, AND I WILL REPORT ANY CHANGES OF EMPLOYMENT STATUS, TO MY PRIVATE PROBATION OFFICER, IF SUPERVISED, OR TO THE COURT CLERK IF UNSUPERVISED, WITHIN 48 HOURS.

I WILL FOLLOW ANY DIRECTIVE OF THE COURT AND UNDERSTAND THAT I MUST ABIDE BY THE SPECIAL CONDITIONS OF PROBATION SET FORTH ON THE SPECIAL PROBATION CONDITIONS FORM ISSUED BY THE COURT AND ATTACHED HERETO.

I HAVE READ, OR HAVE HAD READ TO ME, THE ABOVE ORDER AND CONDITIONS. I AGREE TO COMPLY WITH SUCH CONDITIONS DURING THE PERIOD OF MY PROBATION.

JUDGE

1/30/12
DATE

Lisa Rose
DEFENDANT

1/30/12
DATE

REC'D FEB 24 2014

IN THE CIRCUIT COURT OF CAPE GIRARDEAU COUNTY, MISSOURI

STATE OF MISSOURI)

Plaintiff,)

v.)

LISA ROSE)

Case No. 12CG-CR00144

LKA: 1437 Howell)

Cape Girardeau, MO 63701)

White Female DOB: 09/19/1964)

SSN: [REDACTED])

SID:)

FBI:)

OCN: L7013728)

PA File No. 031053024

Defendant.)

INFORMATION IN A MISDEMEANOR CASE

The Prosecuting Attorney of County Cape Girardeau, State of Missouri, charges that the defendant either acting alone or knowingly in concert with another, in violation of Sections 455.010 and 455.085, RSMo, committed the class A misdemeanor of violation of order of protection, punishable upon conviction under Sections 558.011 and 560.016, RSMo, in that on or about January 20, 2012, the defendant, having been served with a copy of an order of the Circuit Court of Cape Girardeau County that prohibited the defendant from initiating communication with Jerry Swatzell, knowingly violated the terms and conditions of the order by calling Jerry Swatzell multiple times on the telephone and showing up at his residence at 1437 Howell Street and trying to get inside.

CHARGE CODE: 2917516.0

WITNESSES:

Ryan J Droege 40 S. Sprigg, Cape Girardeau, MO 63703

Robert W. Ross Cape Girardeau Police Department, Cape Girardeau, MO 63703

Jerry Wayne Swatzell 1437 N Howell, Cape Girardeau, MO 63701

PUNISHMENT:

One day to one year in the county jail, or a fine not exceeding one thousand dollars, or by both such imprisonment and fine.

FILED
JAN 21 2012

PATTI WIBBENMEYER
CIRCUIT CLERK

REC'D FEB 24 2014

Julia M Koester
Assistant Prosecuting Attorney

Julia Meiners Koester, Assistant Prosecuting Attorney of the County of Cape Girardeau, State of Missouri, being duly sworn upon oath, state the facts stated in the above information are true according to his/her best information, knowledge, and belief.

Julia M Koester
Assistant Prosecuting Attorney

Sworn and subscribed to before me this 2/5th day of January, 2012.

CLERK OF THE COURT

BY:

Vicki N. King, Jr.



FILED
JAN 21 2012

PATTI WIBBENMEYER
CIRCUIT CLERK

REC'D FEB 24 2014

Report: CZR0026

32ND JUDICIAL CIRCUIT
CAPE GIRARDEAU (JACKSON)
CIRCUIT COURT DOCKET SHEETDate: 29-May-2012
Time: 3:31:17PM
Page: 5

Case continued from previous page.

12CG-CR00186

ST V LISA A SWATZELL

Security Level: 1 Public

Filed By: DAVID W NEWELL29-May-2012 **Motion Granted/Sustained**

29-May-2012

Motion Granted/Sustained**Hearing Continued/Rescheduled**REVOCATION HEARING CANCELLED....CONTINUED 6/11/12 AT 11:00 AM (VIDEO
ARRAIGNMENT) REQUEST DAVID NEWELL, ATTORNEY.**Hearing Continued From:** 29-May-2012; 2:00 PM**Probation Viol Hrng Scheduled****Scheduled For:** 11-Jun-2012; 11:00 AM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau
(Jackson)

REC'D FEB 24 2014

Report: CZR0026

32ND JUDICIAL CIRCUIT
 CAPE GIRARDEAU (JACKSON)
 CIRCUIT COURT DOCKET SHEET

Date: 29-May-2012

Time: 3:31:17PM

Page: 4

Case continued from previous page.

12CG-CR00186**ST V LISA A SWATZELL****Security Level: 1 Public**

28-Feb-2012 **Order for Private Probation**
 WITH PCS
Misd Costs Assc Tax-Reg-w/cost
Associated To: LISA A ROSE
Judgment CVC \$10 - Other
Associated To: LISA A ROSE
Costs Ordered to Def
 \$771.50 TO BE PAID BY MAKING \$50.00 MONTHLY PYMTS BEG 4/1/12
Probation Cond Revw Hrng Sched
 CASE SCHEDULED FOR REVIEW OF PROBATION CONDITIONS TO SEE IF ANY VIOLATIONS
 HAVE OCCURED AND NOT REPORTED TO THE PROBATION OFFICER OR THE COURT. **
 (THIS IS FOR COURT PURPOSES ONLY, NO COURT APPEARANCE REQUIRED)**
Scheduled For: 29-Nov-2013; 5:00 PM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau (Jackson)

16-Mar-2012 **Probation Violation Filed**
 DEFENDANT CHARGED WITH VIOLATION OF EX PARTE (12CG-CR00445)

28-Mar-2012 **Entry of Appearance Filed**
Filed By: JENNIFER L SLONE

05-Apr-2012 **Probation Viol Hrng Scheduled**
Scheduled For: 09-Apr-2012; 10:59 AM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau
 (Jackson)

09-Apr-2012 **Hearing Continued/Rescheduled**
 STATE BY FRANK MILLER, ASSISTANT PROSECUTING ATTORNEY. DEFENDANT IN PERSON
 (IN CUSTODY (ON 12CG-CR00445M) AND BY JENNIFER SLONE, ASSISTANT PUBLIC
 DEFENDER. PROBATION VIOLATION HEARING SET 5/2/12 AT 10 AM.
Hearing Continued From: 09-Apr-2012; 10:59 AM
Probation Viol Hrng Scheduled
Scheduled For: 02-May-2012; 10:00 AM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau
 (Jackson)

02-May-2012 **Hearing Continued/Rescheduled**
 STATE BY JULIA KOESTER, ASS'T PROSECUTING ATTORNEY. DEFENDANT IN PERSON, IN
 CUSTODY OF SHERIFF ON NEW CASE AND BY JENNIFER SLONE, ATTORNEY. REVOCATION
 HEARING SET 5/29/12 AT 2:00 PM. DEFT REMANDED.
Hearing Continued From: 02-May-2012; 10:00 AM
Probation Viol Hrng Scheduled
Scheduled For: 29-May-2012; 2:00 PM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau (Jackson)

24-May-2012 **Motion to Withdraw**
Filed By: JENNIFER L SLONE
 24-May-2012 **Motion Granted/Sustained**
Motion Granted/Sustained
Entry of Appearance Filed
Filed By: DAVID W NEWELL
Motion for Continuance

REC'D FEB 24 2014

Report: CZR0026

32ND JUDICIAL CIRCUIT
 CAPE GIRARDEAU (JACKSON)
 CIRCUIT COURT DOCKET SHEET

Date: 29-May-2012
 Time: 3:31:17PM
 Page: 3

Case continued from previous page.

12CG-CR00186

ST V LISA A SWATZELL

Security Level: 1 Public

28-Feb-2012

Hearing/Trial Cancelled

Scheduled For: 28-Feb-2012; 9:00 AM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau (Jackson)

Guilty Plea

STATE BY JULIA KOESTER, ASSISTANT PROSECUTING ATTORNEY. DEFENDANT IN PERSON, IN CUSTODY OF SHERIFF AND BY MICHAEL SATO, ATTORNEY. COURT INQUIRES OF DEFENDANT AND FINDS THERE IS A FACTUAL BASIS FOR THE PLEA. COURT FINDS DEFENDANT FREELY, VOLUNTARILY AND KNOWINGLY WAIVED RIGHT TO TRIAL AND ENTERED PLEA OF GUILTY TO AMENDED CHARGE AS FILED. COURT ACCEPTS PLEA OF GUILTY AND FINDS DEFENDANT GUILTY OF A-M, VIOLATION ORDER OF PROTECTION.

Defendant Sentenced

6 MONTHS JAIL (CONCURRENT 12CG-CR00144).../\$1000.00 FINE. COURT SUSPENDS EXECUTION OF SENTENCE AND DEFENDANT PLACED ON 2 YEARS SUPERVISED PROBATION WITH PCS WITH CONDITIONS:

- The defendant is ordered to obey all laws, including all municipal and local ordinance violations, all state and federal laws.
- The defendant is ordered to pay all court costs \$106.50 including a judgement in favor of the Crime Victims compensations fund in the amount of \$10.00, together with 28 days jailboard \$630.00, late fee \$25.00 totaling \$771.50 by making \$50.00 monthly payments beginning 4/1/12 . (AN ADDITIONAL \$25.00 LATE PAYMENT FEE MAY BE ASSESSED IF COSTS NOT PAID WITHIN 30 DAYS OF SENTENCING).
- Pay jailboard fees at \$22.50 per day for 28 days for a total of \$630.00.
- At request of either the Court , any probation officer or any law enforcement official, the defendant is ordered to submit to any blood, breath or urine tests so requested.
- The defendant is ordered not to use or possess any drugs except those prescribed to the defendant by a licensed physician or surgeon and then only in the recommended dosages.
- The defendant is ordered to not remain in presence of any person possessing or consuming alcohol and/or illegal drugs.
- The defendant is ordered to serve 28 days SHOCK probation. The defendant is ordered to report to the Cape Girardeau County jail on: credit 28 days.
- The defendant is ordered to not have any contact with victim and stay more than 500 feet away from residence/wori of victim.
- The defendant is ordered to enroll in Aggressive Offender Program and/or Anger Management Program within 30 days and successfully complete.
- The defendant is ordered to complete all counseling and programming requested by the defendant's probation officer. The defendant is further ordered to abide by all other directives or requests made by the defendant's probation officer or this Court timely.

--Obey all directives of your probation officer and all general conditions of probation as listed on form.

Sentence Date: 28-Feb-2012; **Sentence:** Incarceration Jail

Sentence Date: 28-Feb-2012; **Sentence:** Fine

REC'D FEB 24 2014

Report: CZR0026

32ND JUDICIAL CIRCUIT
 CAPE GIRARDEAU (JACKSON)
 CIRCUIT COURT DOCKET SHEET

Date: 29-May-2012

Time: 3:31:17PM

Page: 2

Case continued from previous page.

12CG-CR00186**ST V LISA A SWATZELL****Security Level: 1 Public**

01-Feb-2012 **OCN Filed**
 L7013421

Bond Set
 \$7500 CASH / SURETY
 -- DEFENDANT SHALL HAVE NO DIRECT OR INDIRECT CONTACT WITH VICTIM
 -- DEFENDANT SHALL STAY MORE THAN 500 FEET AWAY FROM THE RESIDENCE AND PLACE
 OF EMPLOYMENT OF VICTIM
Filed By: GARY A KAMP

Warrant Issued
 Document ID: 12-CJARW-107, for ROSE, LISA ANNE. , Bond Amount: 7,500.00, Bond Text: CASH /
 SURETY
Service/Attempt Date: 03-Feb-2012
Bond Amount: 7,500.00; **Bond Text:** CASH / SURETY

Judge/Clerk - Note
 ALSO HAS PROBATION VIOLATION CASE 12CG-CR00144

Warrant Served
 Document ID - 12-CJARW-107; Served To - ROSE, LISA ANNE; Server - SO CAPE GIRARDEAU
 CO-JACKSON; Served Date - 03-FEB-12; Served Time - 00:00:00; Service Type - Sheriff
 Department; Reason Description - Served

03-Feb-2012 **Initial Arraignment Scheduled**
Scheduled For: 06-Feb-2012; 11:00 AM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau
 (Jackson)

06-Feb-2012 **Initial Arraignment Hrng Held**
 STATE BY FRANK MILLER, ASST PROSECUTING ATTORNEY. DEFENDANT IN PERSON AND IN
 CUSTODY OF JAILER. DEFENDANT COMPLETES APPLICATION FOR APPOINTMENT OF
 COUNSEL. TERRY WHITE, ASST PUBLIC DEFENDER, FINDS "is indigent" AND ENTERS THE
 APPEARANCE OF THE PUBLIC DEFENDERS OFFICE. CAUSE SET FOR PRELIMINARY
 HEARING 2-28-12 9 AM.

Charges Read
Filed By: LISA A ROSE

Preliminary Hearing Scheduled
Scheduled For: 28-Feb-2012; 9:00 AM; GARY ALBERT KAMP; **Setting:** 0; Cape Girardeau (Jackson)

Filing:
 LETTER DATED 2-3-12 FROM JERRY SWATZELL REGARDING DEFENDANT'S LAST NAME

16-Feb-2012 **Entry of Appearance Filed**
Filed By: MICHAEL A SATO

28-Feb-2012 **Amended Complaint Filed**
 AMENDED COMPLAINT IN A FELONY CASE AND INFORMATION IN A MISDEMEANOR CASE
 SIGNED AND FILED BY JULIA KOESTER, ASST PROSECUTING ATTORNEY AMENDING
 CHARGE TO CLASS A-M, VIOLATION ORDER OF PROTECTION.
Filed By: JULIA M KOESTER

Judgment Pub Defender Entered
 JUDGMENT ENTERED IN THE AMOUNT OF \$125.00

REC'D FEB 24 2014

Report: CZR0026

32ND JUDICIAL CIRCUIT
CAPE GIRARDEAU (JACKSON)
CIRCUIT COURT DOCKET SHEET

Date: 29-May-2012
Time: 3:31:17PM
Page: 1

12CG-CR00186 ST V LISA A SWATZELL**Security Level: 1 Public**

Case Type: AC Felony **Case Filing Date:** 01-Feb-2012
Status: Judgment CVC \$10 - Other
Disposition: Guilty Plea **Disposition Date:** 28-Feb-2012
OCN#: L7013421
Arresting Agency: MO0160100

		<u>Release/Status</u>	<u>Reason</u>
		<u>Change Date</u>	
Judge	GARY ALBERT KAMP (27280)		
Defendant	LISA ANNE ROSE (ROSLA1149)		
Attorney for Defendant	DAVID W. NEWELL(46542)		
Assistant Prosecuting Attorney	JULIA MEINERS KOESTER (59985)		
Assistant Public Defender	JENNIFER LYNN SLONE (60318)	24-May-2012	Attorney Withdrawn
Assistant Public Defender	MICHAEL AKIRA SATO (61650)	27-Mar-2012	Attorney Withdrawn

Officer Badge No.: CGPD # 291

Charge #	Charge Date	Charge Code	Charge Description	
Original Charge:	1	31-Jan-2012	2917300	Violation Of Order Of Protection For Adult - 2nd Ofns (Felony D RSMo : 455.085)
Amended To:	1	31-Jan-2012	2917500	Violation Of Order Of Protection For Adult (Misdemeanor A RSMo : 455.085)
Disposition:	28-Feb-2012			Guilty Plea
Order Date:	28-Feb-2012			Sentence or SIS: Incarceration Jail
Length:	6 Months			Start Date: 28-Feb-2012
Text:	6 MONTHS JAIL/SES/2 YEARS SUPER WITH PCS			
EXECUTION OF SENTENCE SUSPENDED				
Order Date:	28-Feb-2012			Sentence or SIS: Fine
				Start Date: 28-Feb-2012
Text:	\$1000.00 FINE, SUSPENDED			
EXECUTION OF SENTENCE SUSPENDED				
				Fine Stayed: \$ 1,000.00
Program:	PROBATION		Agency: PRIVATE CORRECTIONAL SERVICES	
Associated To:	Charge 1, Charge 1			
Classification:	SUPERVISED			
Start Date:	28-Feb-2012	Due to End	28-Feb-2014	

<u>Filing Date</u>	<u>Description</u>
01-Feb-2012	Judge Assigned Complaint Filed Filed By: JULIA M KOESTER Probable Cause Statement Filed

REC'D FEB 24 2014

Judge: Gary A. Kamp

CASE # 12CG-CR 00186 TOTAL AMOUNT DUE : \$ _____

Date: 3-6-13 Prosecuting Atty: Julia Koester

Defendant: Lisa Rose Swartzell Attorney: David Newell
(Jail)

PROBATION: (PCS / MO BDP&P / UN / SUP) ORIGINAL CHARGE -Viol order Prot
ORIGINAL SENT - 6 months / 1000.00

SIS REVOKED _____ ADMITS VIOLATION X

PROBATION REVOKED X CONTINUED ON PROBATION _____ (SAME TERMS & CONDITIONS)

SENTENCE: JAIL 6 months CREDIT FOR TIME SERVED _____

FINE \$ _____ REMANDED TO CUSTODY OF BAILIFF
concurrent
12CG-CR00445

PROBATION EXTENDED _____ \$ _____ COSTS TO DEBT COLLECTION
PAYMENT PLAN # 116272

(10 PCS)
ADDED PROBATION CONDITIONS:

Pay previous owed costs/fine \$ 771.50 by _____ or
\$ _____ monthly payments beginning _____ and each month thereafter.

Pay Cape County Law Enforcement Restitution Fund fees of \$ _____ by _____.

Pay jailboard fees at \$22.50 per day for _____ days for a total of \$ _____.

The defendant is ordered to serve _____ days shock probation. The defendant is ordered
to report to the Cape Girardeau County Jail by _____ am / pm

Complete _____ additional hours of community service by _____.

The defendant is ordered to seek an alcohol dependency evaluation / chemical dependency
evaluation / psychological evaluation / substance abuse evaluation within 30 days. The
defendant is ordered to abide by all recommendations that may come out of that evaluation.

Defendant advised that any further violation will result in JAIL.

Defendant ordered to report to probation appointments regularly and timely.

Defendant ordered to keep probation fees and court costs current.

LAST CHANCE / NO MORE EXCUSES _____ NO GOOD TIME CREDIT _____ NO TRUSTEE STATUS

Do not remain in the presence of any persons possessing or consuming alcoholic beverages
and / or illegal drugs.

In addition to all of the above added conditions of probation listed above I understand that I have the same terms and
conditions of probation previously imposed as a result of my being placed on probation. The added conditions of
probation are listed below. I have received a copy of the added conditions of my probation and I have read and
understood them and agree that there are none of these conditions that I cannot comply with and hereby agree to be bound
by all general and special conditions of probation. I understand that failure to abide by and follow all conditions of
probation as set forth here may and probably will result in my incarceration.

Defendant

ADDRESS: _____ DATE OF BIRTH: _____

TELEPHONE: _____

REC'D FEB 24 2014

IN THE CIRCUIT COURT OF CAPE GIRARDEAU COUNTY, MISSOURI

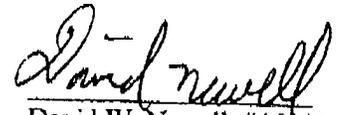
STATE OF MISSOURI)
 , Plaintiff)
 Vs.)
 LISA A. ROSE)
 Defendant.)

) CASE NO. 12CG-CR00445, 12CG-CR00186, 12CG-CR00144
)

ENTRY OF APPEARANCE

Comes Now, David W. Newell, and enters his appearance on behalf of the
Defendant Lisa A. Rose.

Respectfully Submitted,



David W. Newell #46342
117 E. Jefferson Suite E
Jackson, MO 63755
(573) 243-3693
NEWELLCOA@JUNO.COM
Attorney for Defendant

FILED
MAY 24 2012

PATTI WIBBENMEYER
CIRCUIT CLERK
REC'D FEB 24 2014



IN THE 32ND JUDICIAL CIRCUIT COURT, CAPE GIRARDEAU COUNTY MISSOURI

Judge or Division : GARY ALBERT KAMP (27280) DIV3		Case Number : 12CG-CR00186 <input type="checkbox"/> Change of Venue from	
		Offense Cycle No : L7013421	
State Of Missouri vs. Defendant: LISA ANNE ROSE (ROSLA1149) CAPE GIRARDEAU CO JAIL #20120183 JACKSON, MO 63755 Alias: LISA ANNE TIMMERMAN LISA A SWATZELL		Assistant Prosecuting Attorney/MO Bar No: JULIA MEINERS KOESTER (59985) Defense Attorney/MO Bar No : MICHAEL AKIRA SATO (61650)	
DOB : 09-Sep-1964 SSN : ██████████ SEX : F			
		Appeal Bond Set Date : Amount :	
Judgment			

	Charge #	Charge Date	Charge Code	Charge Description
Original Charge:	1	31-Jan-2012	2917300	Violation Of Order Of Protection For Adult - 2nd Ofns (Felony D RSMo: 455.085)
Amended To:	1	31-Jan-2012	2917500	Violation Of Order Of Protection For Adult (Misdemeanor A RSMo: 455.085)
Disposition:	28-Feb-2012		Guilty Plea	
Order Date:	28-Feb-2012		Sentence or SIS :	Incarceration Jail
Length :	6 Months		Start Date :	28-Feb-2012
Text :	6 MONTHS JAIL/SES/2 YEARS SUPER WITH PCS			
EXECUTION OF SENTENCE SUSPENDED				
Order Date:	28-Feb-2012		Sentence or SIS :	Fine
			Start Date :	28-Feb-2012
Text :	\$1000.00 FINE, SUSPENDED			
EXECUTION OF SENTENCE SUSPENDED				
			Fine Stayed:	\$1,000.00
Program :	PROBATION		Agency :	PRIVATE CORRECTIONAL SERVICES
Classification :	SUPERVISED			
Associated To :	Charge 1, Charge 1			
Start Date :	28-Feb-2012		Due to End :	28-Feb-2014

The Court orders:

That Judgment entered in favor of the State of Missouri and against the defendant for the sum of **\$10.00** for the Crime Victims Compensation fund. Judgment is **Not Satisfied**.

Judgment for the State of Missouri and against the defendant for appointed counsel services for the sum of **\$0.00**. Judgment is **Not Satisfied**.

Costs taxed against **Defendant**

The Court further orders:

28-Feb-2012 Judgment Pub Defender Entered

JUDGMENT ENTERED IN THE AMOUNT OF \$125.00

The Court further orders:

28-Feb-2012 Defendant Sentenced

6 MONTHS JAIL (CONCURRENT 12CG-CR00144).../\$1000.00 FINE. COURT SUSPENDS EXECUTION OF SENTENCE AND DEFENDANT PLACED ON 2 YEARS SUPERVISED PROBATION WITH PCS WITH CONDITIONS:

-- The defendant is ordered to obey all laws, including all municipal and local ordinance violations, all state and federal laws.

-- The defendant is ordered to pay all court costs \$106.50 including a judgement in favor of the Crime Victims compensations fund in the amount of \$10.00, together with 28 days jailboard \$630.00, late fee \$25.00 totaling \$771.50 by making \$50.00 monthly payments beginning 4/1/12 . (AN ADDITIONAL \$25.00 LATE PAYMENT FEE MAY BE ASSESSED IF COSTS NOT PAID WITHIN 30 DAYS OF SENTENCING).

-- Pay jailboard fees at \$22.50 per day for 28 days for a total of \$630.00.

-- At request of either the Court , any probation officer or any law enforcement official, the defendant is ordered to submit to any blood, breath or urine tests so requested.

-- The defendant is ordered not to use or possess any drugs except those prescribed to the defendant by a licensed physician or surgeon and then only in the recommended dosages.

-- The defendant is ordered to not remain in presence of any person possessing or consuming alcohol and/or illegal drugs.

-- The defendant is ordered to serve 28 days SHOCK probation. The defendant is ordered to report to the Cape Girardeau County jail on: credit 28 days.

-- The defendant is ordered to not have any contact with victim and stay more than 500 feet away from residence/work of victim.

-- The defendant is ordered to enroll in Aggressive Offender Program and/or Anger Management Program within 30 days and successfully complete.

-- The defendant is ordered to complete all counseling and programming requested by the defendant's probation officer. The defendant is further ordered to abide by all other directives or requests made by the defendant's probation officer or this Court timely.

--Obey all directives of your probation officer and all general conditions of probation as listed on form.

Case ID / Docket # 12 CG -CR 00184 Date: 2/28/12
Defendant: Lisa Rose-Swartzell (Jail) TOTAL FINE/COSTS/FEES DUE: 771.50
Attorney: Michael Sato Prosecuting Attorney: Julia R.
Charge: I Hammels M - Viol Order Prot II _____
III _____ IV _____

Sentence: _____ SIS - (SUSPENDED IMPOSITION OF SENTENCE) # 116.50
 Jail - 6 months YES - Concurrent 630.00
 Fine - \$ 1000 12 CG - CR 00144 746.50

Probation Term: 2 YEAR(S) SUPERVISED W/PCS Report by 25
771.50

SPECIAL PROBATION CONDITIONS:

- Obey all laws, including all municipal and local ordinance violations, all state and federal laws.
- Pay all COURT COSTS, including a judgement in favor of the Crime Victims Compensation Fund (CVCF) in the amount of \$ 10-, MSHP LAB TEST \$ _____ = totaling \$ 771.50 to be paid by _____ or \$ 50.00 monthly payments beginning on 4-1-12 and each month thereafter until paid (Additional \$25.00 late payment fee may be assessed if not paid within 30 days). PAYMENT PLAN # _____.
- Pay Cape County Law Enforcement Restitution Fund fees \$ _____ by _____.
- Pay JAILBOARD FEES at \$22.50 per day for 28 days for a total of \$ 630.
- Do not possess or consume any intoxicating beverages of any nature, any type or any kind, at any time, at any place for any reason.
- At request of either the Court, any probation officer or any law enforcement officer, the defendant is ordered to submit to any blood, breath or urine tests so requested.
- Do not operate any motor vehicle after consuming any intoxicating beverages (BAC > _____)
- Avoid all places where the sale of intoxicating beverages is the primary source of income or purpose for that business or where intoxicating beverages are being possessed (i.e. no bars; liquor stores, taverns, private clubs, private parties, your home, your friends home, college functions, etc).
- Attend and complete a state certified SATOP by _____. The defendant is ordered to forward documents showing completion within 2 weeks of completion and is ordered to complete all recommendations, if any, that may result of evaluation process.
- Complete _____ hours COMMUNITY SERVICE no later than _____.
- Do not use or possess any drugs except those drugs prescribed to the defendant by a licensed physician or surgeon and then only in the recommended dosages.
- Do not remain in the presence of any persons possessing or consuming alcohol and/or illegal drugs.
- Defendant is ordered to seek an CHEMICAL DEPENDENCY EVALUATION within 30 days. The defendant is ordered to abide by all recommendations that may come out of that evaluation. It is further ordered that the defendant is not to terminate any treatment or counseling unless the defendant has been successfully discharged by the treating supervisor or have been released from completing said treatment or counseling by the defendant's probation officer or this Court. The defendant is ordered to exercise any release of information forms that may be requested by the defendant's supervising probation officer or this Court.
- Defendant is ordered to not operate any motor vehicle for any reason under any circumstances unless said vehicle has a properly installed & functioning ignition interlock system. See additional forms. Certified copy to DOR.

REC'D FEB 24 2014

Defendant is ordered not operate any motor vehicle unless the defendant has a proper valid operator's license in the State of Missouri or has a proper hardship permit and are acting within its limitations.

Defendant is ordered to serve 28 days shock probation. The defendant is ordered to report to the Cape Girardeau County Jail by : _____ AM / PM

Credit 28 day

Defendant is ordered to not have any contact, direct or indirect, with victim, Jerry Swartzell, and is ordered to stay more than 500 feet away from the residence and the place of employment of Jerry Swartzell.

Defendant is ordered to enroll in and thereafter successfully complete the AGGRESSIVE OFFENDER Program / ANGER MANAGEMENT Program / LIFE SKILLS Program / FINANCIAL MANAGEMENT CLASS / SUBSTANCE ABUSE CLASS / VICTIM IMPACT PANEL / DOMESTIC VIOLENCE CLASS (enroll within 30 days).

Defendant is ordered to not maintain a checking account or write any checks while on probation.

Defendant is ordered to pay restitution in the amount of \$ _____ (exhibit _____) by _____ thru the Prosecuting Attorneys Office after court costs have been paid in full.

Defendant is ordered to complete all counseling and programming requested by the defendant's probation officer. The defendant is further ordered to abide by all other directives or requests made by the defendant's probation officer or this Court timely.

Defendant is ordered to enroll in a GED program within 30 days of this date and the defendant is thereafter ordered to complete said GED program within one year of this sentencing date and is to provide verification to the Court within said one year date of this order.

It is ordered that the defendant shall be at home each night from _____ p.m. until _____ a.m. the following morning unless in the company of one or both of his parents.

Defendant is ordered to stay more than 1000 feet away from the premises and parking lot of any _____ located any where.

_____ Abuse & Lose Order _____ Order for Fingerprinting

Complete Community Traffic Program by _____. See additional forms.

In addition to all of the above special conditions of probation listed above I understand that I have the following general conditions of probation that are hereby imposed as a result of my being placed on probation. The general conditions of probation are listed below. I have received a copy of the conditions of my probation and I have read and understood them and agree that there are none of these conditions that I cannot comply with and hereby agree to be bound by all general and special conditions of probation. I understand that failure to abide by and follow all conditions of probation as set forth here may and probably will result in my incarceration.

Defendant

ADDRESS: _____

DATE OF BIRTH: _____

TELEPHONE: (_____) _____

M / F
W / B / H

GENERAL CONDITIONS OF PROBATION

- ** I will report any arrest of myself for any violation of any municipal, county, state or federal statute or ordinance within 48 hours of my arrest to the Clerk of Division III of the Circuit Court of Cape Girardeau County, Mo.
- ** I will keep this court advised of my current mailing address, telephone number and, if employed, my employers mailing address and telephone number. Any changes hereto must be notified to the Court within 48 hours of said change.
- ** I will not be in the presence or company of any person who is currently on any probation for any offense wherever Situated.
- ** If this is supervised by private probation I will pay a monthly fee of \$45.00 per month, to the supervising agency ordered by the Court unless otherwise directed.
- ** I will obey all directives given me by my probation officer.

PRIVATE CORRECTIONAL SERVICES

PCS

294 CHRISTINE DRIVE
CAPE GIRARDEAU, MO 63701
(573) 803-0858 / (573) 803-0857

PRIVATE PROBATION ORDER

NAME: Lisa Rose Swartzell DOCKET #: 12CG-CR00186

ADDRESS: _____

YOU ARE HEREBY PLACED ON SUPERVISED PROBATION WITH PRIVATE CORRECTIONAL SERVICES FOR THE PERIOD SET OUT ON THE ATTACHED SPECIAL PROBATION CONDITIONS FORM UNTIL YOU HAVE PROVEN BY YOUR CONDUCT AND TO THE SATISFACTION OF THIS COURT THAT YOU ARE ENTITLED TO DISCHARGE FROM THIS PROBATION.

YOU ARE HEREBY ADVISED THAT UNDER THE LAW THE COURT MAY, AT ANY TIME, MODIFY ANY OF THE CONDITIONS OF PROBATION, AND YOU SHALL BE SUBJECT TO ARREST UPON ORDER OF THE COURT FOR ALLEGED VIOLATIONS AND YOUR PROBATION MAY BE REVOKED AFTER A HEARING. IF YOUR PROBATION IS REVOKED, THE COURT MAY IMPOSE OR ORDER EXECUTION OF SENTENCE FOR YOUR ORIGINAL OFFENSE IN ACCORDANCE WITH THE LAWS OF THE STATE OF MISSOURI, AND COMMIT YOU TO SUCH INSTITUTION AS PROVIDED BY LAW.

STANDARD CONDITIONS OF PROBATION:

I WILL OBEY ALL LAWS AND ORDINANCES. I WILL REPORT ALL ARRESTS (INCLUDING TRAFFIC CITATIONS). I WILL REPORT ANY CHANGES IN RESIDENCY, AND I WILL REPORT ANY CHANGES OF EMPLOYMENT STATUS, TO MY PRIVATE PROBATION OFFICER, IF SUPERVISED, OR TO THE COURT CLERK IF UNSUPERVISED, WITHIN 48 HOURS.

I WILL FOLLOW ANY DIRECTIVE OF THE COURT AND UNDERSTAND THAT I MUST ABIDE BY THE SPECIAL CONDITIONS OF PROBATION SET FORTH ON THE SPECIAL PROBATION CONDITIONS FORM ISSUED BY THE COURT AND ATTACHED HERETO.

I HAVE READ, OR HAVE HAD READ TO ME, THE ABOVE ORDER AND CONDITIONS. I AGREE TO COMPLY WITH SUCH CONDITIONS DURING THE PERIOD OF MY PROBATION.

JUDGE

DEFENDANT

2/28/12
DATE

2/28/12
DATE

REC'D FEB 24 2014

IN THE CIRCUIT COURT OF CAPE GIRARDEAU COUNTY, MISSOURI

STATE OF MISSOURI)	
)	
Plaintiff,)	
)	Case No. 12CG-CR00186
v.)	
)	
LISA ROSE SWATZELL)	
)	
LKA: 1437 Howell)	
Cape Girardeau, MO 63701)	
White Female DOB: 09/19/1964)	
SSN: ██████████)	
SID: mo00564592)	
FBI: 626807ND0)	
OCN: L7013421)	PA File No. 031053084
)	
Defendant.)	

INFORMATION IN A MISDEMEANOR CASE

The Prosecuting Attorney of County Cape Girardeau, State of Missouri, charges that the defendant either acting alone or knowingly in concert with another, in violation of Sections 455.010 and 455.085, RSMo, committed the class A misdemeanor of violation of order of protection, punishable upon conviction under Sections 558.011 and 560.016 in that on or about January 31, 2012, the defendant, having been served with a copy or having knowledge of an order of the Circuit Court of Cape Girardeau County that prohibited the defendant from initiating communication with Jerry Swatzell, knowingly violated the terms and conditions of the order by calling his phone and showing up to the property at 1437 Howell Street where Jerry Swatzell was located and communicating with him.

CHARGE CODE: 2917599.0

WITNESSES:

Jenelle Christine Levy 1421 Howell St., Cape Girardeau, MO 63701
 Jonathan Ortmann 40 S. Sprigg, Cape Girardeau, MO 63703
 Jerry Wayne Swatzell 1437 N Howell, Cape Girardeau, MO 63701

PUNISHMENT:

One day to one year in the county jail, or a fine not exceeding one thousand dollars, or by both such imprisonment and fine.

F I L E D
FEB 28 2012

PATTI WIBBENMEYER
 CIRCUIT CLERK
REC'D FEB 24 2014

Julia M Koester
Assistant Prosecuting Attorney

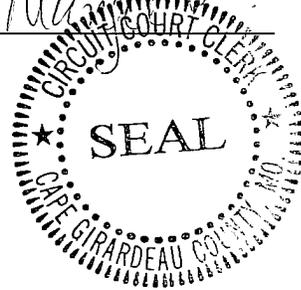
Julia Meiners Koester, Assistant Prosecuting Attorney of the County of Cape Girardeau, State of Missouri, being duly sworn upon oath, state the facts stated in the above information are true according to his/her best information, knowledge, and belief.

Julia M Koester
Assistant Prosecuting Attorney

Sworn and subscribed to before me this 28th day of February, 2012.

CLERK OF THE COURT

BY: Valerie Murray De



F I L E D
FEB 28 2012

PATTI WIBBENMEYER
CIRCUIT CLERK

REC'D FEB 24 2014

IN THE CIRCUIT COURT OF CAPE GIRARDEAU COUNTY, MISSOURI

STATE OF MISSOURI

Plaintiff,

v.

LISA ROSE SWATZELL

LKA: 1437 Howell
Cape Girardeau, MO 63701
White Female DOB: 09/19/1964
SSN:
SID: mo00564592
FBI: 626807ND0
OCN: L7013421

Defendant.

Case No. 12CG-CR00186

PA File No. 031053084

AMENDED COMPLAINT IN A FELONY CASE

Comes now, the Prosecuting Attorney of the County of Cape Girardeau, State of Missouri, being duly sworn upon oath and upon information and belief, and states that there is probable cause to believe that the accused committed the following crimes:

The Prosecuting Attorney of County Cape Girardeau, State of Missouri, charges that the defendant either acting alone or knowingly in concert with another, in violation of Sections 455.010 and 455.085, RSMo, committed the class A misdemeanor of violation of order of protection, punishable upon conviction under Sections 558.011 and 560.016 in that on or about January 31, 2012, the defendant, having been served with a copy or having knowledge of an order of the Circuit Court of Cape Girardeau County that prohibited the defendant from initiating communication with Jerry Swatzell, knowingly violated the terms and conditions of the order by calling his phone and showing up to the property at 1437 Howell Street where Jerry Swatzell was located and communicating with him.

Charge Code: 2917599.0

Wherefore, Julia Meiners Koester, Assistant Prosecuting Attorney, being duly sworn upon oath, state the facts stated in the above information are true according to his best information, knowledge, and belief.

Handwritten signature of Julia M. Koester and typed name: Assistant Prosecuting Attorney

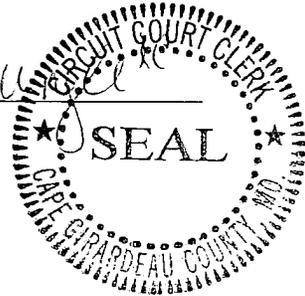
FILED FEB 28 2012 PATTI WIBBENMEYER CIRCUIT CLERK

REC'D FEB 24 2014

Sworn and subscribed to before me this 28th day of February,
2012.

Susan Wessell
CLERK OF THE COURT

BY: Vickie M. [Signature]



FILED
FEB 28 2012

PATTI WIBBENMEYER
CIRCUIT CLERK

REC'D FEB 24 2014

IN THE CIRCUIT COURT OF CAPE GIRARDEAU COUNTY, MISSOURI

STATE OF MISSOURI

Plaintiff,

v.

LISA ROSE SWATZELL

LKA: 1437 Howell
Cape Girardeau, MO 63701
White Female DOB: 09/19/1964
SSN: ██████████
SID: mo00564592
FBI: 626807ND0
OCN: L7013421

Defendant.

Case No. 12CG-000186

PA File No. 031053084

COMPLAINT AND REQUEST FOR A WARRANT IN A FELONY CASE

Comes now, the Prosecuting Attorney of the County of Cape Girardeau, State of Missouri, being duly sworn upon oath and upon information and belief, and states that there is probable cause to believe that the accused committed the following crimes:

The Prosecuting Attorney of County Cape Girardeau, State of Missouri, charges that the defendant either acting alone or knowingly in concert with another, in violation of Sections 455.010 and 455.085, RSMo, committed the class D felony of violation of order of protection, punishable upon conviction under Sections 558.011 and 560.011 in that on or about January 31, 2012, the defendant, having been served with a copy or having knowledge of an order of the Circuit Court of Cape Girardeau County that prohibited the defendant from initiating communication with Jerry Swatzell, knowingly violated the terms and conditions of the order by calling his phone and showing up to the property at 1437 Howell Street where Jerry Swatzell was located and communicating with him,

and on or about January 30, 2012, the defendant pleaded guilty to violating an order of protection in Circuit Court of Cape Girardeau County, Missouri.

CHARGE CODE: 2917316.0

FILED
FEB - 1 2012

PATTI WIBBENMEYER
CIRCUIT CLERK
REC'D FEB 24 2014

The facts that form the basis for this information and belief are contained in the attached statement of facts concerning this matter, which statement is made a part hereof and is submitted herewith as a basis upon which this court may find the existence of probable cause for the issuance of the warrant.

Wherefore, Julia Meiners Koester, Assistant Prosecuting Attorney, prays that an arrest warrant be issued as provided by law.

Julia M Koester

Assistant Prosecuting Attorney

Sworn and subscribed to before me this 1st day of February,
2012.

Susan Wessell
CLERK OF THE COURT

Walter Beussink

BY: _____

FILED
FEB - 1 2012

PATTI WIBBENMEYER
CIRCUIT CLERK

REC'D FEB 24 2014

Report: CZR0026

32ND JUDICIAL CIRCUIT
CAPE GIRARDEAU (JACKSON)
CIRCUIT COURT DOCKET SHEETDate: 19-Mar-2013
Time: 4:52:44PM
Page: 2

Case continued from previous page.

12CG-CR00445-01 ST V LISA A ROSE**Security Level: 1 Public**

06-Mar-2013

Defendant Sentenced

270 DAYS JAIL, TO BE EXECUTED. CREDIT TIME SERVED. DEFENDANT REMANDED TO CUSTODY OF SHERIFF. (CONCURRENT 12CG-CR00144 & 12CG-CR00186)

Sentence Date: 06-Mar-2013; **Sentence:** Incarceration Jail**Misd Costs Assc Tax-Reg-w/cost****Judgment CVC \$10 - Other****Costs Tranf to Debt Collect**\$118.50 COURT COSTS TO DEBT COLLECTION CENTER. PAYMENT PLAN # 16273
DEFT ORDERED PAY COSTS THROUGH THEM.

REC'D FEB 24 2014

Report: CZR0026

32ND JUDICIAL CIRCUIT
CAPE GIRARDEAU (JACKSON)
CIRCUIT COURT DOCKET SHEET

Date: 19-Mar-2013

Time: 4:52:44PM

Page: 1

12CG-CR00445-01 ST V LISA A ROSE**Security Level: 1 Public**

Case Type: AC Misdemeanor **Case Filing Date:** 06-Mar-2013
Status: Judgment CVC \$10 - Other
Disposition: Guilty Plea **Disposition Date:** 06-Mar-2013
OCN#: G7026181
Arresting Agency: MO0160100

Release/Status Reason
Change Date

Judge GARY ALBERT KAMP (27280)
Defendant **LISA ANNE ROSE (ROSLA1149)**
Attorney for Defendant DAVID W. NEWELL(46542)
Assistant Prosecuting Attorney JULIA MEINERS KOESTER (59985)
Officer Badge No.: CGPD

Charge #	Charge Date	Charge Code	Charge Description
Original Charge:	1 14-Mar-2012	2917500	Violation Of Order Of Protection For Adult (Misdemeanor A RSMo : 455.085)
Disposition:	06-Mar-2013	Guilty Plea	
Order Date:	06-Mar-2013		Sentence or SIS: Incarceration Jail
Length: 270 Days			Start Date: 06-Mar-2013
Text: 270 DAYS JAIL EXECUTED			

Filing Date **Description**
06-Mar-2013 **Memorandum Filed**
THIS IS A SUBCASE (DIV III)

Filing:

Comes now the Defendant in person and with her attorney, David Newell. The State appears by Ass't Prosecuting Attorney, Julia Koester. The Court inquires as to whether both parties have received a copy of the [REDACTED]. Both parties advised that they have received a copy of the updated report. Neither parties requests an additional [REDACTED] of the defendant. Both parties stipulate that the defendant [REDACTED]

[REDACTED]. Both parties advise that they are ready to proceed on this matter with the defendant pleading guilty to the charges as filed on new case and admitting violation of probation on other cases.

Case Review Held**Guilty Plea**

STATE BY JULIA KOESTER, ASSISTANT PROSECUTING ATTORNEY. DEFENDANT IN PERSON, IN CUSTODY OF SHERIFF AND BY DAVID NEWELL, ATTORNEY. COURT INQUIRES OF DEFENDANT AND FINDS THERE IS A FACTUAL BASIS FOR THE PLEA. COURT FINDS DEFENDANT FREELY, VOLUNTARILY AND KNOWINGLY WAIVED RIGHT TO TRIAL AND ENTERED PLEA OF GUILTY TO CHARGE AS FILED. COURT ACCEPTS PLEA OF GUILTY AND FINDS DEFENDANT GUILTY OF A-M, VIOLATION ORDER OF PROTECTION.

REC'D FEB 24 2014

Case ID / Docket # 12CG -CR 00445 Date: 3/6/13
Defendant: Lisa Rose TOTAL FINE/COSTS/FEES DUE : _____
Attorney: David Newell Prosecuting Attorney: Julia Koester
Charge: I Viol order Protection II _____
III _____ IV _____

Sentence: _____ SIS - (SUSPENDED IMPOSITION OF SENTENCE) # 118.50
 Jail - 270 day
Fine - \$ _____

Probation Term: _____ YEAR(S) (UN)SUPERVISED _____ Report by _____

SPECIAL PROBATION CONDITIONS:

Obey all laws, including all municipal and local ordinance violations, all state and federal laws.

Pay all COURT COSTS, including a judgement in favor of the Crime Victims Compensation Fund (CVCF) in the amount of \$ _____ totaling \$ _____ to be paid by _____ or \$ _____ monthly payments beginning on _____ and each month thereafter until paid (Additional \$25.00 late payment fee may be assessed if not paid within 30 days). PAYMENT PLAN # 16273

Pay Cape County Law Enforcement Restitution Fund fees \$ _____ by _____.

Pay JAILBOARD FEES at \$22.50 per day for _____ days for a total of \$ _____.

Do not possess or consume any intoxicating beverages of any nature, any type or any kind, at any time, at any place for any reason.

At request of either the Court, any probation officer or any law enforcement officer, the defendant is ordered to submit to any blood, breath or urine tests so requested.

Do not operate any motor vehicle after consuming any intoxicating beverages (BAC > .02).

Avoid all places where the sale of intoxicating beverages is the primary source of income or purpose for that business or where intoxicating beverages are being possessed (i.e. no bars, liquor stores, taverns, private clubs, private parties, your home, your friends home, college functions, etc).

Attend and complete a state certified SATOP by _____. The defendant is ordered to forward documents showing completion within 2 weeks of completion and is ordered to complete all recommendations, if any, that may result of evaluation process.

Complete _____ hours COMMUNITY SERVICE no later than _____.

Do not use or possess any drugs except those drugs prescribed to the defendant by a licensed physician or surgeon and then only in the recommended dosages.

Do not remain in the presence of any persons possessing or consuming alcohol or illegal drugs.

REC'D FEB 24 2014

Defendant is ordered to seek an CHEMICAL DEPENDENCY EVALUATION within 30 days. The defendant is ordered to abide by all recommendations that may come out of that evaluation. It is further ordered that the defendant is not to terminate any treatment or counseling unless the defendant has been successfully discharged by the treating supervisor or have been released from completing said treatment or counseling by the defendant's probation officer or this Court. The defendant is ordered to exercise any release of information forms that may be requested by the defendant's supervising probation officer or this Court.

Defendant is ordered to not operate any motor vehicle for any reason under any circumstances unless said vehicle has a properly installed & functioning ignition interlock system. See additional forms. Certified copy to DOR.

Defendant is ordered to not operate any motor vehicle unless the defendant has a proper valid operator's license in the State of Missouri or has a proper hardship permit and are acting within its limitations.

Defendant is ordered to serve _____ days shock probation. The defendant is ordered to report to the Cape Girardeau County Jail by : _____ AM / PM

Defendant is ordered to not have any contact, direct or indirect, with victim, _____, and is ordered to stay more than 500 feet away from the residence and the place of employment of _____.

Defendant is ordered to enroll in and thereafter successfully complete the LIFE SKILLS PROGRAM / FINANCIAL MANAGEMENT CLASS / SUBSTANCE ABUSE CLASS / VICTIM IMPACT PANEL(enroll within 30 days).

The Defendant shall be screened within 30 days for enrollment in an AGGRESSIVE OFFENDER PROGRAM / DOMESTIC BATTERER PROGRAM and shall thereafter complete the appropriate Program.

Defendant is ordered to not maintain a checking account or write any checks while on probation.

Defendant is ordered to pay restitution in the amount of \$ _____ (Exhibit _____) by _____ thru the Prosecuting Attorneys Office after court costs have been paid in full.

Defendant is ordered to complete all counseling and programming requested by the defendant's probation officer. The defendant is further ordered to abide by all other directives or requests made by the defendant's probation officer or this Court timely.

Defendant is ordered to enroll in a GED program within 30 days of this date and the defendant is thereafter ordered to complete said GED program within one year of this sentencing date and is to provide verification to the Court within said one year date of this order.

It is ordered that the defendant shall be at home each night from _____ p.m. until _____ a.m. the following morning unless in the company of one or both of his parents.

Defendant is ordered to stay more than 1000 feet away from the premises and parking lot of any _____ located any where.

Complete Community Traffic Program by _____. See additional forms.

In addition to all of the above special conditions of probation listed above I understand that I have the following general conditions of probation that are hereby imposed as a result of my being placed on probation. The general conditions of probation are listed below. I have received a copy of the conditions of my probation and I have read and understood them and agree that there are none of these conditions that I cannot comply with and hereby agree to be bound by all general and special conditions of probation. I understand that failure to abide by and follow all conditions of probation as set forth here may and probably will result in my incarceration.

Defendant

ADDRESS: _____

DATE OF BIRTH: _____

M / F

TELEPHONE: (_____) _____

W / B / H

GENERAL CONDITIONS OF PROBATION

- ** I will report any arrest of myself for any violation of any municipal, county, state or federal statute or ordinance within 48 hours of my arrest to the Clerk of Division III of the Circuit Court of Cape Girardeau County, Mo.
- ** I will keep this court advised of my current mailing address, telephone number and, if employed, my employers mailing address and telephone number. Any changes hereto must be notified to the Court within 48 hours of said change.
- ** I will not be in the presence or company of any person who is currently on any probation for any offense wherever Situated.
- ** If this is supervised by private probation I will pay a monthly fee of \$45.00 per month, to the supervising agency ordered by the Court unless otherwise directed.



IN THE 32ND JUDICIAL CIRCUIT COURT, CAPE GIRARDEAU COUNTY MISSOURI

Judge or Division : GARY ALBERT KAMP (27280)		Case Number : 12CG-CR00445-01 <input type="checkbox"/> Change of Venue from	
		Offense Cycle No : G7026181	
State Of Missouri vs. Defendant: LISA ANNE ROSE (ROSLA1149) PO BOX 1258 CAPE GIRARDEAU, MO 63701 Alias: LISA ANNE TIMMERMAN LISA A SWATZELL		Assistant Prosecuting Attorney/MO Bar No: JULIA MEINERS KOESTER (59985) Defense Attorney/MO Bar No : DAVID W NEWELL (46542)	
DOB : 09-Sep-1964 SSN : ██████████ SEX : F			
		Appeal Bond Set Date : Amount :	
Judgment			

	Charge #	Charge Date	Charge Code	Charge Description
Original Charge:	1	14-Mar-2012	2917500	Violation Of Order Of Protection For Adult (Misdemeanor A RSMo: 455.085)
Disposition:	06-Mar-2013		Guilty Plea	
Order Date:	06-Mar-2013		Sentence or SIS :	Incarceration Jail
Length :	270 Days		Start Date :	06-Mar-2013
Text :	270 DAYS JAIL EXECUTED			

The Court orders:

That Judgment entered in favor of the State of Missouri and against the defendant for the sum of **\$10.00** for the Crime Victims Compensation fund. Judgment is **Not Satisfied**.

Costs taxed against **Defendant**

The Court further orders:

06-Mar-2013 Defendant Sentenced

270 DAYS JAIL, TO BE EXECUTED. CREDIT TIME SERVED. DEFENDANT REMANDED TO CUSTODY OF SHERIFF. (CONCURRENT 12CG-CR00144 & 12CG-CR00186)

REC'D FEB 24 2014

IN THE CIRCUIT COURT OF CAPE GIRARDEAU COUNTY
STATE OF MISSOURI

STATE OF MISSOURI,)	Cause No. 12CG-CR00445
Plaintiff)	
)	Division No. III
v.)	
)	
LISA ROSE,)	
Defendant)	

ENTRY OF APPEARANCE

Undersigned counsel hereby requests the Clerk to enter counsel's appearance of record in the above captioned cause pursuant to Chapter 600, RSMO.

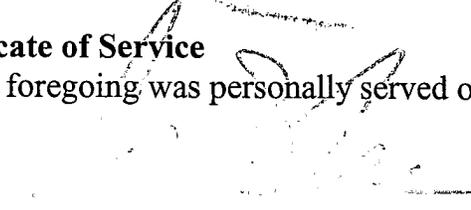
Respectfully submitted,



 Jennifer Slone, Mo Bar No. 60318
 Attorney for Defendant
 215 North High Street
 Jackson, MO 63755
 Phone: 573-243-3949
 Fax: 573-243-1613
 E-Mail: Jennifer.Slone@mspd.mo.gov

Certificate of Service

I certify that a true copy of the above and foregoing was personally served on all parties this 28th day of March, 2012.



 Jennifer Slone

REC'D FEB 24 2014

F I L E D
MAR 28 2012

PATTI WIBBENMEYER
CIRCUIT CLERK

IN THE CIRCUIT COURT OF CAPE GIRARDEAU COUNTY, MISSOURI

STATE OF MISSOURI

Plaintiff,

v.

LISA A ROSE

LKA: 1437 Howell

Cape Girardeau MO, 63701

White / Female DOB:

09/19/1964

SSN: [REDACTED]

SID: mo00564592

FBI: 626807ND0

OCN:

Defendant.

Case No. 12CC-CR00445

PA File No. 031053381

COMPLAINT AND REQUEST FOR A WARRANT IN A MISDEMEANOR CASE

Comes now, the Prosecuting Attorney of the County of Cape Girardeau, State of Missouri, being duly sworn upon oath and upon information and belief, and states that there is probable cause to believe that the accused committed the following crimes:

The Prosecuting Attorney of County Cape Girardeau, State of Missouri, charges that the defendant either acting alone or knowingly in concert with another, in violation of Sections 455.010 and 455.085, RSMo, committed the class A misdemeanor of violation of order of protection, punishable upon conviction under Sections 558.011 and 560.016, RSMo, in that on or about March 14, 2012, the defendant, having been served with a copy and having knowledge of an order of the Circuit Court of Cape Girardeau County that prohibited the defendant from initiating communication with Jerry Swatzell, knowingly violated the terms and conditions of the order by calling him multiple times on the telephone and leaving messages on his phone.

Charge Code: 2917516.0

The facts that form the basis for this information and belief are contained in the attached statement of facts concerning this matter, which statement is made a part hereof and is submitted herewith as a basis upon which this court may find the existence of probable cause for the issuance of the warrant.

REC'D FEB 24 2014
FILED
MAR 16 2012
PATTI WIBBENMEYER
CIRCUIT CLERK

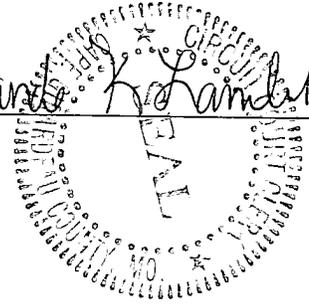
Wherefore, Julia Meiners Koester, Assistant Prosecuting Attorney, prays that an arrest warrant be issued as provided by law.

Julia M Koester
Assistant Prosecuting Attorney

2012 Sworn and subscribed to before me this 16th day of March.

Susan Wessell
CLERK OF THE COURT

BY: Amanda K. Hamlet



FILED
MAR 16 2012

REC'D FEB 24 2014
PATTI WIBBENMEYER
CIRCUIT CLERK

IN THE CIRCUIT COURT OF CAPE GIRARDEAU COUNTY, MISSOURI

STATE OF MISSOURI)	
)	
Plaintiff,)	
)	Case No.
v.)	
)	
LISA A ROSE)	
)	
LKA: 1437 Howell)	
Cape Girardeau, MO 63701)	
White Female DOB: 09/19/1964)	
SSN: [REDACTED])	
SID: mo00564592)	
FBI: 626807ND0)	
OCN:)	PA File No. 031053381
)	
Defendant.)	

INFORMATION IN A MISDEMEANOR CASE

The Prosecuting Attorney of County Cape Girardeau, State of Missouri, charges that the defendant either acting alone or knowingly in concert with another, in violation of Sections 455.010 and 455.085, RSMo, committed the class A misdemeanor of violation of order of protection, punishable upon conviction under Sections 558.011 and 560.016, RSMo, in that on or about March 14, 2012, the defendant, having been served with a copy and having knowledge of an order of the Circuit Court of Cape Girardeau County that prohibited the defendant from initiating communication with Jerry Swatzell, knowingly violated the terms and conditions of the order by calling him multiple times on the telephone and leaving messages on his phone.

CHARGE CODE: 2917516.0

WITNESSES:

Douglas Hays Cape Girardeau Police Department, Cape Girardeau, MO 63703
Kelvin Robinson Cape Girardeau Police Department, Cape Girardeau, MO 63703
Jerry Wayne Swatzell 1437 N Howell, Cape Girardeau, MO 63701

PUNISHMENT:

One day to one year in the county jail, or a fine not exceeding one thousand dollars, or by both such imprisonment and fine.

Julia M Koester
Assistant Prosecuting Attorney

REC'D FEB 24 2014

F I L E D
MAR 16 2012

PATTI WIBBENMEYER
CIRCUIT CLERK

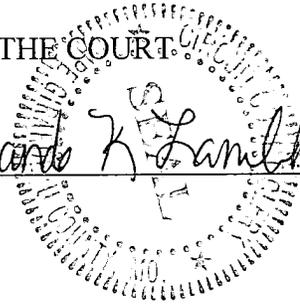
Julia Meiners Koester, Assistant Prosecuting Attorney of the County of Cape Girardeau, State of Missouri, being duly sworn upon oath, state the facts stated in the above information are true according to his/her best information, knowledge, and belief.

Julia M Koester
Assistant Prosecuting Attorney

Sworn and subscribed to before me this 16th day of March, 2012.

CLERK OF THE COURT

BY: Amanda K. Lambert



FILED
MAR 16 2012
PATTI WIBBENMEYER
CIRCUIT CLERK
REC'D FEB 24 2014