

WARRANT OF ARREST – FELONY

COMMONWEALTH OF VIRGINIA Va. Code § 19.2-71, -72

[] General District Court [] Criminal [] Traffic
Washington [x] Juvenile and Domestic Relations District Court
CITY OR COUNTY

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth of Virginia forthwith to arrest and bring the Accused before this Court to answer the charge that the Accused, within this city or county, on or about 07/03/2023 did unlawfully and feloniously in violation of Section

18.2-371.1

....., Code of Virginia:
while being a parent, guardian, or a person responsible for the care of J.H., a child under 18 years of age, commit a willful act or omission in the care of such child so gross and wanton as to show a reckless disregard for human life.

I, the undersigned, have found probable cause to believe that the Accused committed the offense charged, based on the sworn statements of

W. Smarr WCSO , Complainant.

CCRE/Fingerprinting Required

08/22/2023 12:53 PM

DATE AND TIME ISSUED

Allison F. Arnold
[] CLERK [x] MAGISTRATE [] JUDGE
Allison F. Arnold

CASE NO.

JA 013824 -0200

ACCUSED:

Hayes, John Herb

LAST NAME, FIRST NAME, MIDDLE NAME

21290 Golden View Dr.

ADDRESS/LOCATION

Bristol, VA 24202

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN	HT.	WGT.	EYES	HAIR
W	M	MO. DAY YR. 09/05/1955	FT. IN.			BRO

SSN

229-86-9781

D.L.#

T68702743

STATE

VA

[] Commercial Driver's License

[] Commercial Motor Vehicle [] Hazardous Materials

CLASS 6 FELONY

[x] EXECUTED by arresting the Accused named above on this day:

08/22/2023 1435

DATE AND TIME OF SERVICE

M. Percy , Arresting Officer

830 WCSO 015

BADGE NO., AGENCY AND JURISDICTION

for B. Andri
SHERIFF

Attorney for the Accused:

Short Offense Description (not a legal definition):

ABUSE/NEGLECT CHILD: RECKLESS DISREGARD FOR LIFE

Offense Tracking Number:

191JM2300005837

FOR ADMINISTRATIVE USE ONLY

Virginia Crime Code: FAM-3808-F6

F

Hearing Date/Time

FELONY

WAIVER OF PRELIMINARY HEARING

Understanding my right to a preliminary hearing before the Court named in this warrant to determine whether there is probable cause to believe that I committed a felony AND, having the consequences of my waiver explained to me by the Judge of this Court, I nevertheless WAIVE MY RIGHT TO A PRELIMINARY HEARING on the felony charged in this warrant. Certified to the Circuit Court of this jurisdiction.

Offense Tracking Number: 191JM2300005837

Preliminary Hearing Costs

120 Ct. Appt. Atty	\$
113 Court Reporter	
113 Witness	
TOTAL	

☐ The named Accused was brought before me or appeared this day. Upon hearing the evidence, I order the case certified to the grand jury of this jurisdiction, at its next term date, having found probable cause to believe that the Accused committed the felony charged in this warrant.

☒ Bail on certification of unplanned and some other order of \$900.00 in Circuit Ct. for plea before 12/12/24 at 9:00 a.m. ORDER the accused discharged at preliminary hearing and the charge is dismissed.

☐ The charge was reduced to
The Accused was this day: ☐ tried in absence ☒ present

☒ PROSECUTING ATTORNEY PRESENT (NAME) Cheryl B. Brigg

☒ DEFENDANT'S ATTORNEY PRESENT (NAME) Jodi Sutherland

☐ NO ATTORNEY ☐ ATTORNEY WAIVED

☐ Interpreter present ☐ Certified pursuant to § 19.2-190.1.

Plea of Accused: ☐ not guilty ☐ witnesses sworn

☐ guilty ☐ nolo contendere

☐ Plea voluntarily and intelligently entered after the defendant was apprised of his right against compulsory self-incrimination and his right to confront the witnesses against him.

☐ Plea and Recommendation

☐ Deferred § 19.2-298.02, and order attached and incorporated

And was TRIED and FOUND by me: ☐ not guilty ☒ guilty as charged

☐ guilty of
VCC

☐ facts sufficient to find guilt but defer adjudication/disposition to

DATE AND TIME

☐ and place accused on probation, §§ 4.1-305, 4.1-1120, 18.2-57.3, 18.2-251, 19.2-303.2 or 19.2-303.6.

☐ First Offender order attached and incorporated.

☐ Deferred § 19.2-298.02, and order attached and incorporated.

DATE

JUDGE

And was FOUND by me to be: ☐ carrying hazardous materials

☐ driving a commercial motor vehicle

☐ I ORDER a nolle prosequi on the prosecution's motion

☐ I ORDER the charge dismissed ☐ with prejudice

☐ conditioned upon payment of costs and

☐ successful completion of ☐ traffic school

☐ mature driver school, § 16.1-69.48:1.

☐ accord and satisfaction, § 19.2-151.

☐ under §§ 4.1-305, 4.1-1120, 18.2-57.3, 18.2-251, 19.2-303.2 or 19.2-303.6.

☐ Guilty – upon a violation of a term or condition of a deferred adjudication/disposition.

I impose the following Disposition:

☐ FINE of \$ with \$ suspended

☐ JAIL SENTENCE of imposed,

☐ of which days mandatory minimum, with

..... suspended for a period

of, conditioned upon being of good behavior,

keeping the peace, obeying this order and paying fines and costs.

Credit is allowed pursuant to § 53.1-187 for time spent in confinement.

☐ Serve jail sentence beginning

☐ on weekends only

☐ Work release ☐ authorized if eligible ☐ required

☐ not authorized

☐ Public work force ☐ authorized ☐ not authorized

☐ on PROBATION for

☐ VASAP ☐ local community-based probation agency

☐ Monitoring by GPS/other tracking device

☐ DRIVER'S LICENSE suspended for

☐ Restricted Driver's License per attached order

☐ Ignition interlock for

☐ RESTITUTION order incorporated

☐ Restitution payment is a condition of suspended sentence

☐ COMMUNITY SERVICE hours to be completed

by and supervised by

☐ to be credited against fines and costs

☐ Contact prohibited between defendant and victim/victim's

family or household members

☐ Reimburse Commonwealth for investigatory medical fees

☐ Pay \$50 fee to the Court for Trauma Center Fund

☐ § 19.2-298.02(D) – dismissal expungement eligible by parties'

agreement

☐ Other

☐ Submit to FINGERPRINTING and photograph per attached order

☐ Remanded for ☐ FINGERPRINTING/CCRE Report

☐

☐ DNA order incorporated

☐ Bail on Appeal \$

DATE

JUDGE

FINE

COSTS

461 FIXED MISD FEE

462 FIXED DRUG MISD FEE

001 INT CRIM CHILD FEE

113 WITNESS FEE

113 IGNITION INTERLOCK

113 DUI FEE

113

120 CT. APPT. ATTY

121 TRIAL IN ABSENCE FEE

125 WEIGHING FEE

133 BLOOD TEST FEE

137 TIME TO PAY

192 TRAUMA CENTER FEE

228 COURTHOUSE

CONSTRUCTION FEE

234 JAIL ADMISSION FEE

243 LOCAL TRAINING

ACADEMY FEE

244 COURTHOUSE

SECURITY FEE

OTHER (SPECIFY)

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CRIMINAL COMPLAINT

RULES 3A:3 AND 7C:3

Print ALL information clearly:

Washington County

CITY OR COUNTY

☐

General District Court

☒

Juvenile and Domestic Relations District Court

Under penalty of perjury, I, the undersigned Complainant swear or affirm that I have reason to believe that the Accused committed a criminal offense, on or about

07/03/2023

DATE OFFENSE OCCURRED

in the ☐ City ☒ County ☐ Townof Washington

I base my belief on the following facts:

See Attachment "A"; Attachment "A" attached hereto and made a part thereof

The statements above are true and accurate to the best of my knowledge and belief.

In making this complaint, I have read and fully understand the following:

- By swearing to these facts, I agree to appear in court and testify if a warrant or summons is issued.
- The charge in this warrant cannot be dismissed except by the court, even at my request.

Smarr, William W. BDG#826

NAME OF COMPLAINANT (LAST, FIRST, MIDDLE)

(PRINT CLEARLY)

WWS

SIGNATURE OF COMPLAINANT

Subscribed and sworn to before me this day.

8/22/2023 12:48pm

DATE AND TIME

Allison F. Arnold☐ CLERK☒ MAGISTRATE☐ JUDGE

ACCUSED: Name, Description, Address/Location

Hayes, John Herb III

LAST NAME, FIRST NAME, MIDDLE NAME

21290 Golden View Dr.Bristol, VA 24202

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	MO.	BORN DAY	YR.	HT. FT.	IN.	WGT.	EYES	HAIR
W	M	09	05	1955					BRO

SSN

229-86-9781

LICENSE #

T68702743

Case #

2333887

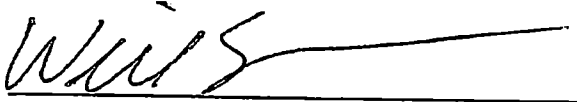
Charges

18.2-371.1 VA Code Abuse and Neglect of Children Two (2) Counts

ATTACHMENT "A"

On July 12, 2023 I was notified by WCDSS that they had done a removal of SH a 2 YOF and JH a 1 YOM from John Hayes and Geordyn Taylor at 21292 Golden View Dr. Upon doing the removal DSS had done a hair follicle test on the children. SH tested positive for methadone, while JH tested positive for methamphetamine and methadone. DSS did a drug screen on John Hayes, and Geordyn Taylor, the parents of the children. John tested positive for methadone, while Geordyn tested positive for methamphetamine and methadone. I interviewed both parents at their home who showed me their cards for their methadone clinic. When asked how the children were exposed, both parents stated that they did not know how the children had been exposed to these substances. John and Geordyn were the custodians and parents of the children and while in their custody both children were exposed to these substances. There has also been a recent call history at this address wherein the couple has stated that one or the other is using meth and drugs and that they need police assistance due to the drug use.

Due to the aforementioned facts I will be seeking Two (2) Counts of VA CODE 18.2-371.1 Child Abuse and Neglect



Detective William W. Smarr

Washington County Virginia Sheriff's Office

COMMONWEALTH OF VIRGINIA Va. Code § 19.2-71, -72

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth of Virginia forthwith to arrest and bring the Accused before this Court to answer the charge that the Accused, within this city or county, on or about **07/03/2023**..... did unlawfully and feloniously in violation of Section

18.2-371.1 _____, Code of Virginia:

while being a parent, guardian, or a person responsible for the care of S.H., a child under 18 years of age, commit a willful act or omission in the care of such child so gross and wanton as to show a reckless disregard for human life.

I, the undersigned, have found probable cause to believe that the Accused committed the offense charged, based on the sworn statements of

W. Smarr WCSO, Complainant.

CCRE/Fingerprinting Required

08/22/2023 12:53 PM
DATE AND TIME ISSUED

Allison F. Arnold
☐ CLERK ☒ MAGISTRATE ☐ JUDGE
Allison F. Arnold

FORM DC-312 (MASTER, PAGE ONE OF TWO) 03/21

CASE NO.

ACCUSED:

Hayes, John Herb

LAST NAME, FIRST NAME, MIDDLE NAME

21290 Golden View Dr.

ADDRESS/LOCATION

Bristol, VA 24202

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN	HT.	WGT.	EYES	HAIR
W	M	MO. DAY YR. 09/05/1955	FT. IN.			BRO

SSN

229-86-9781

DL#

STATE

T68702743

VA

[] Commercial Driver's License

☐ Commercial Motor Vehicle ☐ Hazardous Materials

CLASS **6** **FELONY**

[X] EXECUTED by arresting the Accused named above
on this day:

08/28/2023 1435

DATE AND TIME OF SERVICE

M. Perry....., Arresting Officer

830 WCSO 095

BADGE NO.. AGENCY AND JURISDICTION

for B. Ando
SHERIFF

Attorney for the Accused:

Short Offense Description (not a legal definition):
ABUSE/NEGLECT CHILD: RECKLESS DISREGARD FOR LIFE

Offense Tracking Number:

191JM2300005836

FOR ADMINISTRATIVE USE ONLY

Virginia Crime Code: **FAM-3808-F6**

F

Hearing Date/Time

FELONY

WAIVER OF PRELIMINARY HEARING

Understanding my right to a preliminary hearing before the Court named in this warrant to determine whether there is probable cause to believe that I committed a felony AND, having the consequences of my waiver explained to me by the Judge of this Court, I nevertheless WAIVE MY RIGHT TO A PRELIMINARY HEARING on the felony charged in this warrant. Certified to the Circuit Court of this jurisdiction.

ACUSED
ATTORNEY FOR ACCUSED

4/1/24
DATE
JUDGE

[] The named Accused was brought before me or appeared this day.
Upon hearing the evidence, I order the case certified to the grand jury of this jurisdiction, at its next term date, having found probable cause to believe that the Accused committed the felony charged in this warrant.

[X] Bail on certification \$ unchanged and may appear on 4/1/24 at 9:00 a.m. in Circuit Ct. for post hearing
[] I ORDER the accused discharged at preliminary hearing and the charge is dismissed.

[] The charge was reduced to
The Accused was this day: [] tried in absence [X] present

[X] PROSECUTING ATTORNEY PRESENT (NAME)
Elizabeth Bump

[X] DEFENDANT'S ATTORNEY PRESENT (NAME)
John D. ...

[] NO ATTORNEY [] ATTORNEY WAIVED
[] Interpreter present [] Certified pursuant to § 19.2-190.1.

Plea of Accused: [] not guilty [] witnesses sworn
[] guilty [] nolo contendere
[] Plea voluntarily and intelligently entered after the defendant was apprised of his right against compulsory self-incrimination and his right to confront the witnesses against him.

[] Plea and Recommendation
[] Deferred § 19.2-298.02, and order attached and incorporated

And was TRIED and FOUND by me: [] not guilty [] guilty as charged
[] guilty of
VCC
[] facts sufficient to find guilt but defer adjudication/disposition to
DATE AND TIME

[] and place accused on probation, §§ 4.1-305, 4.1-1120, 18.2-57.3, 18.2-251, 19.2-303.2 or 19.2-303.6.
[] First Offender order attached and incorporated.
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DATE JUDGE
And was FOUND by me to be: [] carrying hazardous materials
[] driving a commercial motor vehicle
[] I ORDER a nolle prosequi on the prosecution's motion
[] I ORDER the charge dismissed [] with prejudice
[] conditioned upon payment of costs and
[] successful completion of [] traffic school
[] mature driver school, § 16.1-69.48:1.
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[] under §§ 4.1-305, 4.1-1120, 18.2-57.3, 18.2-251, 19.2-303.2 or 19.2-303.6.

[] Guilty - upon a violation of a term or condition of a deferred adjudication/disposition.

I impose the following Disposition:

[] FINE of \$ with \$ suspended

[] JAIL SENTENCE of imposed,

[] of which days mandatory minimum, with
..... suspended for a period
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keeping the peace, obeying this order and paying fines and costs.
Credit is allowed pursuant to § 53.1-187 for time spent in confinement.

[] Serve jail sentence beginning
[] on weekends only

[] Work release [] authorized if eligible [] required
[] not authorized

[] Public work force [] authorized [] not authorized
[] on PROBATION for

[] VASAP [] local community-based probation agency
[] Monitoring by GPS/other tracking device

[] DRIVER'S LICENSE suspended for
[] Restricted Driver's License per attached order

[] Ignition interlock for

[] RESTITUTION order incorporated
[] Restitution payment is a condition of suspended sentence

[] COMMUNITY SERVICE hours to be completed
by and supervised by
[] to be credited against fines and costs

[] Contact prohibited between defendant and victim/victim's family or household members

[] Reimburse Commonwealth for investigatory medical fees
[] Pay \$50 fee to the Court for Trauma Center Fund

[] § 19.2-298.02(D) - dismissal expungement eligible by parties' agreement

[] Other

[] Submit to FINGERPRINTING and photograph per attached order
[] Remanded for [] FINGERPRINTING/CCRE Report

[]
[] DNA order incorporated

[] Bail on Appeal \$

DATE JUDGE

Offense Tracking Number: 191JM2300005836

Preliminary Hearing Costs	
120 Ct. Appt. Atty	\$
113 Court Reporter	
113 Witness	
TOTAL	

FINE

COSTS

461 FIXED MISD FEE

462 FIXED DRUG MISD FEE

001 INT CRIM CHILD FEE

113 WITNESS FEE

113 IGNITION INTERLOCK

113 DUI FEE

113

120 CT. APPT. ATTY

121 TRIAL IN ABSENCE FEE

125 WEIGHING FEE

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137 TIME TO PAY

192 TRAUMA CENTER FEE

228 COURTHOUSE

CONSTRUCTION FEE

234 JAIL ADMISSION FEE

243 LOCAL TRAINING

ACADEMY FEE

244 COURTHOUSE

SECURITY FEE

OTHER (SPECIFY)

.....

.....

.....

.....

.....

TOTAL \$

[] Stay of the proceedings pursuant to § 16.1-131.1

DATE JUDGE

DATE JUDGE

DATE JUDGE

DATE JUDGE

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DATE JUDGE