

**UNIVERSITY JUDICIARY
FORMAL HEARING DECISION FORM**

Name of Student: Joshua Oliver

Address: 234 Highland Park Drive

Phone Number: [REDACTED] DOB: [REDACTED]

Case #: 200600049 Hearing # 2006-19

Date of Hearing: April 12, 2006 Date of Delivery: April 14, 2006

Alleged Charge(s)	Finding(s) of the Hearing Panel
II (1) - Other Acts of Dishonesty	In Violation
II (3) - Other Acts of Dishonesty	Not In Violation

Sanction(s) (if applicable)

You will be suspended from the University of Georgia for a duration of one year beginning on May 10, 2006. You are eligible to return to the University for the summer 2007 semester, which begins May 15, 2007. In order to return you must reapply for admission, correctly fill out your application, and be accepted by the Office of Admissions.

Supplemental Sanction Sheet Used Y/N

Panel Members : Ashley Fowler, Presiding Justice
Douglas Kennen
Tom Huddle

To be completed by student:

My signature below indicates my receipt of this decision. I understand that I may appeal this decision in accordance with the process as outlined in the Code of Conduct and any appeal must specifically address any procedural or substantive errors and/or any new evidence that existed at the time of the hearing, but was not available and/or known to exist at the time of the hearing. If I chose to appeal, I must submit the appeal form to the Office of Judicial Programs within five business days of receiving this decision.

[Signature]
signature

April 14, 2006
date

ATHENS-CLARKE COUNTY POLICE DEPARTMENT
CRIMINAL INVESTIGATIONS DIVISION

REPORT OF ARREST

Case Number: 01-00-10-718

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Brief Summary of Events

On 100600 the victim came into Athens to stay the weekend with a friend,

She arrived in Athens in on Thursday afternoon. On the night of the incident, Oliver and another male , came into Athens with the intention of staying at apartment. They had been told by roommate that they could stay there and she had provided them with a key for that purpose.

The victim and the suspect had a conversation early in the evening and the suspect gave the victim a beer to drink, of which she consumed half of it. She and went downtown Athens until approximately 3 am at that time they went and ate breakfast and then returned to the apartment where they watched a movie with several other girls. After a short period of time the males returned and another conversation ensued between the suspect and the victim. He invited her to spend the evening in the bed that he was going to be sleeping in, at which point the victim told him that she was a virgin and that she had no intention of engaging in intercourse with him. He told her that this was okay.

The victim went in and had a conversation with in which she asked if she should do anything with him or not. They decided that she should not but that the suspect needed to be very clear on that point. She went back into the room and laid down in the bed with the suspect. They engaged in some mutual kissing for a period of time and then the suspect tried to remove the victim's shorts. He had already removed her shirt with her approval already. She told him that she didn't want to have sex with him and his reply was that if they weren't going to do anything that they should just go to sleep. They slept for a short period of time and then he woke her up again and they started kissing again. He then pushed her up against the wall and pushed her shorts out of the way and penetrated her. The victim stated that she told the suspect to stop several times and that she told him that he was hurting her. He pulled out of her just prior to ejaculation and ejaculated on her stomach area. He then told her that because he did this that she was still a virgin. She got up and got dressed and left the apartment returning to her home.

She went to work that day where she broke down and told her boss, , what had occurred. encouraged her to go and tell the police and also to go to the hospital and get checked out. After leaving work the victim returned home. She did not tell her parents what had occurred. She decided that she would go to stay with a friend in Statesboro until she could get up the nerve to tell her parents what had happened. She did not make it that far, being tired to drive all that way she stopped at a friend's house in Atlanta by the name of . She told and later his roommate what had happened to her.

The next day on 100800 the victim returned to Athens and related to what had occurred. She learned from that Oliver had stayed the night at the residence on Saturday night also and had slept in the same bed. convinced the victim to go to the police department and make a police report. This was 36 hours after the attack. Det. Russell met with the victim first, taking the initial report. She called me in at approximately 7pm. I called in the

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SANE nurse and an exam was performed after getting the victim's statement of the events of the evening. Rape Crisis was also contacted and arrived at the Cottage for the exam and interview portion.

Nurse Debbie Hatmaker made the determination that the victim had an abrasion and small tear in her vaginal area which was still bleeding. She also had a whitish discharge. She was given antibiotics and other medications.

After releasing the victim the next date Det. Taft was able to determine the suspect's full name and where he was stationed in the military. Det. Taft spoke to his commanding officer Lt. Bryan Vincent and advised him that I would like to speak to Oliver but that I didn't have a warrant and that he was not under arrest I just wanted to get his side of the story. The next date I was contacted by Will Tanner at the District Attorney's office who advised me that Oliver's attorney, Bruce Harvey, had called him and wanted to know what charges that we had on his client. He was informed that no charges had been made as of yet and that the investigator just wanted to talk to Oliver to get his side of the story pending any action in a court proceeding. Harvey relayed that he was instructing his client not to talk to any investigator on the case.

Due to this Det. Taft set up the matter for a pre-warrant hearing in Magistrate Court. Neither Oliver or his counsel came to the hearing. Judge Coleman issued a warrant for the arrest of Oliver after hearing the testimony of the victim. The victim signed the warrant and it was forwarded to Camp LeJeune and Oslow County Sheriff's office to be served.

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

RECORDED

STATE OF GEORGIA

STATE OF GEORGIA

* CASE NO. 54-01-CR-349

* CHARGE(S): Rape

* Agg. Assault

VS.

Joshua Oliver,
DEFENDANT.

WITHDRAWAL OF NOT GUILTY PLEA

AND ENTRY OF GUILTY PLEA

Comes now the defendant and after having entered his/her plea of not guilty on the 21 day of May, 2001, in the Athens-Clarke County Superior Court in the above referenced case and withdraws said plea and waives formal arraignment, copy of Bill of Indictment, list of witnesses sworn before the Grand Jury, list of witnesses the State intends to use upon the trial of this case, and pleads guilty to Aggravated Assault pursuant to Alford v. N.C.

This 7 day of Feb, 2003.

Joshua Oliver
Defendant

[Signature]
Attorney for Defendant

[Signature]
Assistant District Attorney
Western Judicial Circuit

Open Court
Filed in Clerk's Office
This 7 day of Feb, 2003
K Payne, Deputy Clerk
Athens-Clarke County Superior/State Court

FILED IN
CLERK'S OFFICE
SUPERIOR/STATE COURT

2005 JUL 14 PM 12:44

IIIB07-0001
Attachment-09
8/01/98

SPECIAL CONDITIONS OF PROBATION
CHILD ABUSER/SEX OFFENDER: ADULT VICTIM

In the SUPERIOR Court of CLARKE County, Georgia

THE STATE OF GEORGIA

§

CASE NO. SU01CR0349

VS.

§

JOSHUA OLIVER

§

The defendant, JOSHUA OLIVER, having been found guilty/plead guilty in the above-referenced case is hereby ordered to abide by the general conditions of probation as set forth in the sentence and the special conditions set forth in this document. Further, the defendant must comply with all rules and regulations of Child Abuser/Sex Offender Supervision that are now in effect or that may come into effect in the future. Failure to do so will result in the initiation of probation violation proceedings.

1. Probationer shall not purchase or possess any pornographic or sexually explicit materials including but not limited to adult over-the-counter publications, underground publications, privately developed materials, adult videos, and adult cable stations.
2. Probationer shall not frequent or be employed by any businesses exhibiting pornographic materials or activities including but not limited to adult bookstores, theaters, and nude/strip bars and clubs.
3. Probationer shall have no physical, visual, written, or telephone contact with the victim(s) in this case unless specifically approved by the treatment provider, the court, or the probation officer and consented to by the victim.
4. Probationer shall attend, participate in, and pay for any counseling and/or treatment deemed necessary by the court, the probation officer, or treatment providers. Probationers will continue in treatment for the duration of probation unless officially discharged upon satisfactory completion as determined by the probation officer in consultation with the treatment provider(s) and/or the court.
5. Probationer shall submit to a search of his/her person, property, residence, or vehicle at any time of the day or night with or without consent or search warrant, whenever requested by a probation officer or any other peace officer and specifically consents to the use of any contraband seized as

evidence in a probation violation proceeding.

IIIB07-0001
Attachment-09
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8/01/98

- 6. Probationer shall not take into his/her body any controlled substance or mind altering drug including alcohol, except pursuant to a legal doctor's prescription.
- 7. Probationer shall submit to and, if necessary, pay for breath, urine, blood, or saliva testing for analysis for the possible presence of a prohibited drug or alcohol.
- 8. Probationers convicted of any offense defined in OCGA 16-6-1, 16-6-2, 16-6-3, 16-6-4, 16-6-5.1, 16-6-6, 16-6-7 or 16-6-22 shall have a sample of his/her blood drawn for DNA analysis as required by OCGA 24-4-60. Probationer shall bear the expense of having the blood drawn.
- 9. Other Special Conditions: _____

ORDERED AT ATHENS-CHARKE, Georgia this 7th day of FEBRUARY, 192003
COUNTY

Jawon Stephens
Honorable _____, Presiding

***** This is to certify that a true and correct copy of the special conditions of probation and the rules and regulations have been delivered in person to the defendant and he/she has been duly instructed regarding the same.

This 24 day of Feb, 192003

Blode Fort
Probation Officer

Martine Halloway 5/20/03