

BILL OF INDICTMENT

20B 02956 5

Grand Jury Witnesses:

S/A Sara Lue, GBI Georgia Cyber Crime Unit

State of Georgia, Gwinnett Superior Court
September Term, 2020-Panel A

State of Georgia

Versus

Kathryn McCart Schrader

Offenses:

COUNT 1: COMPUTER TRESPASS (O.C.G.A. §16-9-93(b)(3))

COUNT 2: COMPUTER PASSWORD DISCLOSURE (O.C.G.A. §16-9-93(e))

COUNT 3: COMPUTER THEFT (O.C.G.A. §16-9-93(a)(1))

COUNT 4: TAMPERING WITH EVIDENCE (O.C.G.A. §16-10-94 (a))

COUNT 5: TAMPERING WITH EVIDENCE (O.C.G.A. §16-10-94 (a))

COUNT 6: VIOLATION OF OATH BY PUBLIC OFFICER (O.C.G.A. §16-10-1)

FILED IN OFFICE
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA

2020 NOV -6 PM 3:37

RICHARD ALEXANDER, CLERK

True Bill this 6th day of Nov., 2020.

Dwayne A. Wilson, Grand Jury Foreperson

Received in open court from the sworn Grand Jury bailiff and filed in office.

This 6th day of November, 2020.

Suzanne Ryans
Deputy Clerk, Gwinnett Superior Court

Peter J. Skandalakis, District Attorney, *Pro Tempore*,
Gwinnett Judicial Circuit
Special Presentment

The defendant herein waives a copy of indictment, list of witnesses, formal arraignment and pleads _____ guilty.

This _____ day of _____, 20____.

Defendant

Attorney for the Defendant

Assistant District Attorney, *Pro Tempore*

We the jury find the defendant

Foreperson

This _____ day of _____, 20 _____.

Georgia, Gwinnett County

This is to certify this is a true and correct copy of Indictment, as the same appears of record in Gwinnett County Superior/State Court.

Given under my official signature and seal of the Court this 6th day of Nov 2020

Suzanne Ryans
Deputy Clerk Superior/State Court, Gwinnett County, Georgia

BILL OF INDICTMENT

20B 02956 5

STATE OF GEORGIA, COUNTY OF GWINNETT
IN THE SUPERIOR COURT OF SAID COUNTY

The GRAND JURORS selected, chosen and sworn for the County of Gwinnett to wit:

- | | |
|--------------------------------------|---|
| 1. Dwayne A. Wilson, Foreperson | 14. Malinda Fink |
| 2. Angel J. Berry, Vice-Foreperson | 15. Jeffrey A. Meyers |
| 3. Janine Gonzalez, Clerk | 16. Ana Patino |
| 4. Younette Younge, Deputy Clerk | 17. Gino V. Perri |
| 5. Curline Abdul-Qawee | 18. Marshall Prince |
| 6. Amy Asbel | 19. Mirtza I. Quiroz |
| 7. Jamal Byrd | 20. Mariliana Suarez |
| 8. Weijing L. Carter | 21. Simon A. Tesfazghi |
| 9. Colin Cassidy | 22. Suong Van Vo |
| 10. Juan R. Chevere | 23. Kiplea Wright |
| 11. Keith Davis | 24. Eric J. Henderson, Alternate |
| 12. Solace G. Dogbe | 25. Champagne Fulton, Alternate |
| 13. Natasha Fiechter | 26. Alan Green, Alternate |

COUNT 1

THE GRAND JURORS AFORESAID, IN THE NAME AND BEHALF OF THE CITIZENS OF GEORGIA charge and accuse **KATHRYN MCCART SCHRADER** with the offense of **COMPUTER TRESPASS (O.C.G.A. § 16-9-93(b)(3))**, for that the said accused, in the County of Gwinnett and State of Georgia, between the 7th day of February 2019, and the 26th day of February 2019, did knowingly use a computer network, property of Gwinnett County, without authority and with the intent to alter the computer network of Gwinnett County, by attaching a device, to-wit: a SharkTap, and a computer tablet on to the Gwinnett County computer network to redirect network data, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 2

THE GRAND JURORS AFORESAID, IN THE NAME AND BEHALF OF THE CITIZENS OF GEORGIA, further charge and accuse **KATHRYN MCCART SCHRADER** with the offense of **COMPUTER PASSWORD DISCLOSURE (O.C.G.A. § 16-9-93(e))**, for that the said accused, in the County of Gwinnett and State of Georgia, between the 7th day of February 2019, and the 11th day of February 2019, did knowingly and without authority, disclose her username and password to Frank Karic, which allowed access to the Gwinnett County internal wireless network, resulting in damages in excess of \$500.00 to Gwinnett County, the owner of the computer network, contrary to the laws of said State, the good order, peace and dignity thereof.

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COUNT 3

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THE GRAND JURORS AFORESAID, IN THE NAME AND BEHALF OF THE CITIZENS OF GEORGIA, further charge and accuse **KATHRYN MCCART SCHRADER** with the offense of **COMPUTER THEFT (O.C.G.A. § 16-9-93(a)(1))**, for that the said accused, in the County of Gwinnett and State of Georgia, between the 7th day of February 2019, and the 26th day of February 2019, did knowingly use a computer network, property of Gwinnett County, without authority and with the intent to appropriate network data, the property of Gwinnett County, by attaching a device, to-wit: a SharkTap, and a computer tablet on to the Gwinnett County computer network which did collect network data and did send said data to an unauthorized location, to-wit: Edward Kramer's computer, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 4

THE GRAND JURORS AFORESAID, IN THE NAME AND BEHALF OF THE CITIZENS OF GEORGIA, further charge and accuse **KATHRYN MCCART SCHRADER** with the offense of **TAMPERING WITH EVIDENCE (O.C.G.A. §16-10-94(a))**, for that the said accused, in the County of Gwinnett and State of Georgia, on or about the 26th day of February 2019, did knowingly conceal physical evidence, to wit: a SharkTap device and a computer tablet attached to the SharkTap device, said evidence involving the offense of computer trespass as alleged in count one (1) of this indictment with the intent to prevent the apprehension of herself, Kathryn McCart Schrader, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 5

THE GRAND JURORS AFORESAID, IN THE NAME AND BEHALF OF THE CITIZENS OF GEORGIA, further charge and accuse **KATHRYN MCCART SCHRADER** with the offense of **TAMPERING WITH EVIDENCE (O.C.G.A. §16-10-94(a))**, for that the said accused, in the County of Gwinnett and State of Georgia, on or about the 26th day of February 2019, did knowingly conceal physical evidence, to wit: a SharkTap device and a computer tablet attached to the SharkTap device, said evidence involving the offense of computer trespass as alleged in count one (1) of this indictment with the intent to obstruct the prosecution of another person(s), to-wit: Frank Karic and Thomas Joseph "TJ" Ward, Jr. and Edward Kramer, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 6

THE GRAND JURORS AFORESAID, IN THE NAME AND BEHALF OF THE CITIZENS OF GEORGIA, further charge and accuse **KATHRYN MCCART SCHRADER** with the offense of **VIOLATION OF OATH BY PUBLIC OFFICER (O.C.G.A. §16-10-1)**, for that the said accused, in the County of Gwinnett and State of Georgia, on or about the 26th day of February 2019, being a public officer, to wit: a Superior Court Judge for the Gwinnett Judicial Circuit did willfully and intentionally violate the terms of her oath as prescribed by law, in that she did (in pertinent part) swear on December 19, 2016, said oath attached as Exhibit A, to

BILL OF INDICTMENT

20B 02956 5

"administer justice without respect to person, and do equal rights to the poor and the rich, and that I will faithfully and impartially discharge and perform all of the duties incumbent on me as a JUDGE OF THE SUPERIOR COURTS of this State, according to the best of my ability and understanding, and agreeably to the Laws and Constitution of this State and the Constitution of the United States"

and then did violate said oath by committing the offense of tampering with evidence as alleged in count four (4) of this indictment, in violation of her oath to perform her duties agreeably to the Laws of this State, contrary to the laws of said State, the good order, peace and dignity thereof.

Peter J. Skandalakis, District Attorney, *Pro Tempore*

(drafted: _____ proofed: _____)



State of Georgia

FILED IN OFFICE
CLERK PROBATE COURT
GWINNETT COUNTY, GA

2016 DEC 19 AM 10:36

OATH OF JUDGE OF THE SUPERIOR COURTS

[Signature] CLERK

STATE OF GEORGIA

Gwinnett

JUDICIAL CIRCUIT

I, Kathryn McCart Schrader, a citizen of Gwinnett County and being an employee of The State of Georgia and the recipient of public funds for services rendered as such employee, do hereby solemnly swear and affirm that I will support the Constitution of the United States and the Constitution of Georgia.

I do further swear that I will administer justice without respect to person, and do equal rights to the poor and the rich, and that I will faithfully and impartially discharge and perform all of the duties incumbent on me as a JUDGE OF THE SUPERIOR COURTS of this State, according to the best of my ability and understanding, and agreeably to the Laws and Constitution of this State and the Constitution of the United States.

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I do further solemnly swear and affirm that I am not the holder of any unaccounted for public money due this State, or any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the United States, nor of either of the several states, nor of any foreign state; and that I am otherwise qualified to hold said office, according to the Constitution and Laws of Georgia; and that I will support the Constitutions of the United States and of this State and that I have been a resident of this circuit for the time required by the Constitution and Laws of this State.

SO HELP ME GOD!

Sworn to and subscribed before me this the

19 day of December 2016

OFFICIAL TITLE, Probate Court Judge
Christopher A. Ballar

[Signature of Kathryn McCart Schrader]
Kathryn McCart Schrader Signature

(O.C.G.A. 15-6-6)
(O.C.G.A. 45-3-1)
(O.C.G.A. 45-3-12)

DIRECTIONS

The oath, when taken, must be filed as provided in the Official Code of Georgia Annotated, 45-3-4. The loyalty oath required by O.C.G.A. 45-3-11 through 45-3-15 shall apply to all elected officers of this state, including the Governor, constitutional officers, elected officials of any political subdivision of the government of Georgia, and local school board officials (O.C.G.A. 45-3-12).



State of Georgia
By His Excellency NATHAN DEAL
Governor of said State

To the Honorable JUDGE OF THE PROBATE COURT OF GWINNETT COUNTY

WHEREAS, I have this day commissioned KATHRYN MCCART SCHRADER
JUDGE OF SUPERIOR COURT, GWINNETT

Term: JANUARY 01, 2017 UNTIL DECEMBER 31, 2020

AND WHEREAS, the said person cannot attend at the Executive Department to qualify for his/her said office, without great inconvenience, I have selected you to administer to him/her the oath of office herewith send, and upon his/her taking and subscribing the same, and giving any bond as required by law, you will certify your proceedings to me, that the same may become a record.

Given under my hand and the seal of the Executive Department, at the Capitol, in the City of Atlanta, the 15TH day of DECEMBER in the year of our Lord Two Thousand and SIXTEEN.

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Nathan Deal

By the Governor,

Governor

Executive Secretary signature

Executive Secretary

STATE OF GEORGIA, GWINNETT COUNTY

I, the undersigned, do hereby certify to the Governor, that in obedience to the foregoing DEDIMUS POTESTATEM, KATHRYN MCCART SCHRADER has come before me and taken and subscribed the Official Oath, which was sent from the Executive Department for him/her, dated this date, and I have delivered his/her commission.

Given under my hand and official signature, this 19 day of December, 2016

Signature of Christopher A. Ballar

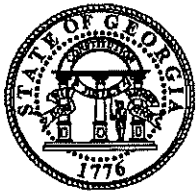
Christopher A. Ballar
Gwinnett County Probate Court Judge

DIRECTIONS

This Dedimus and certificate, when executed, should be returned to the Secretary of State.

The Oath for officers whose general duties are not confined to any one county, unless otherwise provided, should be returned with this dedimus; others should be filed as provided in Official Code of Georgia Annotated 45-3-4.

The Bond, for Judge of Probate Court only, should be approved by the Judge of Superior Court and returned with this dedimus, as provided in Official Code of Georgia Annotated 15-9-8



OFFICE OF THE DISTRICT ATTORNEY
GWINNETT JUDICIAL CIRCUIT
GWINNETT JUSTICE & ADMINISTRATION CENTER 75
LANGLEY DRIVE LAWRENCEVILLE, GA 30046
(770) 822-8400/ (770) 822-8465 (fax)

Daniel J. Porter
District Attorney

Dan W. Mayfield
Chief Assistant District Attorney
Lisa A. Jones
Chief Assistant District Attorney

Indictment / Accusation Assignment Memorandum

To: Clerk of Superior Court
From: District Attorney's Office
Re: Indictment / Accusation assignment to a Superior Court Judge
Date: November 2, 2020

Kathryn McCart Schrader

- D.A. File number

FILED IN OFFICE
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA
2020 NOV -6 PM 3:38
RICHARD ALEXANDER, CLERK

- Assign to Division 5 because the warrants have been previously assigned to this division.
- Assign randomly because the warrants have not been assigned to a division.
- Assign to Division _____ in which this defendant or a co-defendant has a pending criminal charge or a related case, or is serving a sentence on probation or in custody.
(See case# _____, the lowest relevant case#).
- Avoid Division _____ because the judicial clerk issued the warrant(s).
- Avoid **Division 2** because the case was pending in the D.A.'s office prior to **November 30, 2018**.
- One or more warrant charges murder or felony murder.