

IN THE SUPERIOR COURT OF CLARKE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

vs.

SHAMON ELDER, JR., AKA "OT" AKA "TRENDY"
AND
JAQUAVIOUS SMITH, AKA "JQ" AKA "GLOKBOY"
Defendant(s).

Case No: SU-____-CR-_____

Charge(s):

- Ct. 1: Violation of Street Gang Terrorism and Prevention Act
- Ct. 2: Violation of Street Gang Terrorism and Prevention Act
- Ct. 3: Violation of Street Gang Terrorism and Prevention Act
- Ct. 4: Violation of Street Gang Terrorism and Prevention Act
- Ct. 5: Violation of Street Gang Terrorism and Prevention Act
- Ct. 6: Violation of Street Gang Terrorism and Prevention Act
- Ct. 7: Violation of Street Gang Terrorism and Prevention Act
- Ct. 8: Violation of Street Gang Terrorism and Prevention Act
- Ct. 9: Murder
- Ct. 10: Felony Murder
- Ct. 11: Aggravated Assault
- Ct. 12: Possession of Firearm During Commission of a Felony

INDICTMENT

Returned in Open Court,

*This 2nd Day of April 2024.
Elisa Zarate, Clerk*

Trial

Bill

_____, Foreperson
_____, Prosecutor
CHRISTOPHER CARR, ATTORNEY GENERAL

ARRAIGNMENT

The Defendant, SHAMON ELDER JR.

hereby waives formal arraignment and pleads _____

This _____ day of _____, 2024.

Defendant

Attorney for Defendant

CHRISTOPHER CARR, ATTORNEY GENERAL

ARRAIGNMENT

The Defendant, JAQUAVIOUS SMITH

hereby waives formal arraignment and pleads _____

This _____ day of _____, 2024.

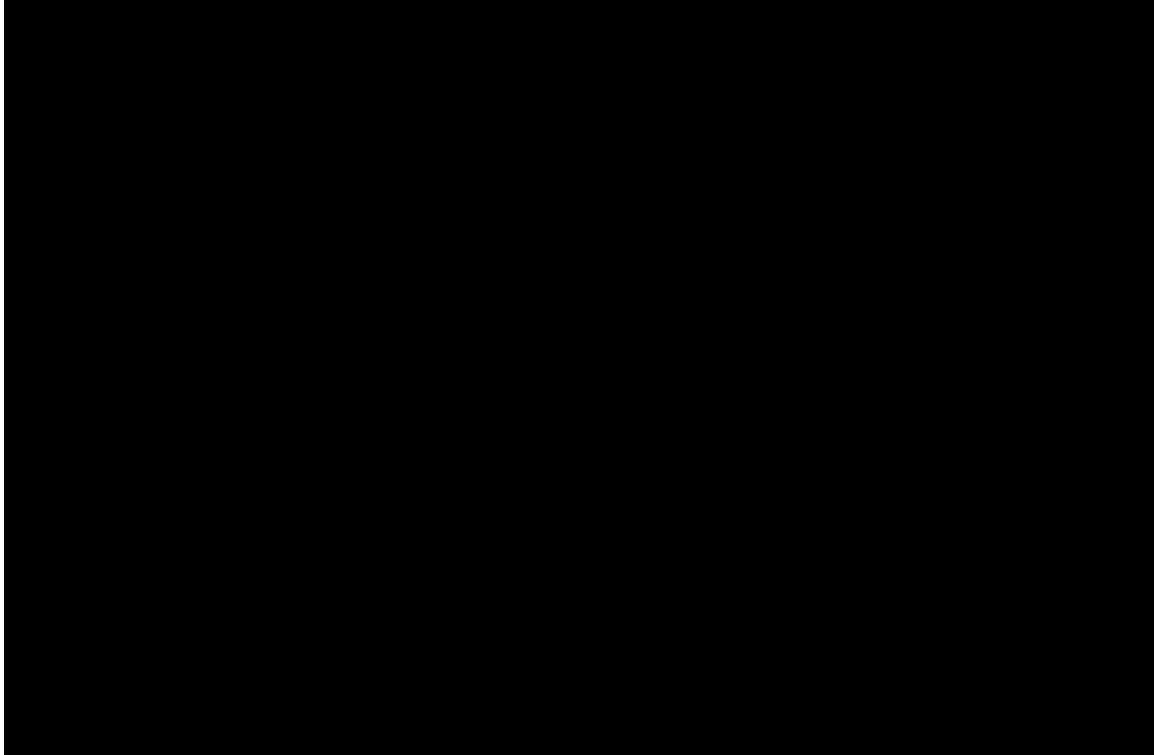
Defendant

Attorney for Defendant

CHRISTOPHER CARR, ATTORNEY GENERAL

IN THE SUPERIOR COURT OF CLARKE COUNTY

The Grand Jurors selected, chosen and Sworn for the County of Clarke, to wit:



COUNT 1: The Grand Jurors aforesaid, in the name and on behalf of the citizens of the State of Georgia, do hereby charge and accuse **SHAMON ELDER, JR., AKA "OT" AKA "TRENDY"** with the offense of **VIOLATION OF STREET GANG TERRORISM AND PREVENTION ACT O.C.G.A. 16-15-4(a)** in that the said accused on or about the **16th day of April, 2022**, in the County of Clarke and State of Georgia, while being associated with Red Tape Gang, a criminal street gang, did unlawfully participate in criminal gang activity through the commission of the offenses of Murder as alleged in Count 9 of the Indictment, Felony Murder as alleged in Count 10 of the Indictment, and Aggravated Assault as alleged in Count 11 of the Indictment, contrary to the laws of said State the good order peace and dignity thereof.

COUNT 2: And the Grand Jurors aforesaid, in the name and on behalf of the citizens of the State of Georgia, do further charge and accuse **SHAMON ELDER, JR., AKA "OT" AKA "TRENDY"** with the offense of **VIOLATION OF STREET GANG TERRORISM AND PREVENTION ACT O.C.G.A. 16-15-4(b)** in that the said accused on or about the **16th day of April, 2022**, in the County of Clarke and State of Georgia, while being associated with Red Tape Gang, a criminal street gang, did unlawfully participate in criminal gang activity through the commission of the offenses of Murder as alleged in Count 9 of the Indictment, Felony Murder as alleged in Count 10 of the Indictment, and Aggravated Assault as alleged in Count 11 of the Indictment, with the intent to maintain and increase his status in said gang, contrary to the laws of said State the good order peace and dignity thereof.

COUNT 3: And the Grand Jurors aforesaid, in the name and on behalf of the citizens of the State of Georgia, do further charge and accuse **SHAMON ELDER, JR., AKA "OT" AKA "TRENDY"** with the offense of **VIOLATION OF STREET GANG TERRORISM AND PREVENTION ACT O.C.G.A. 16-15-4(a)** in that the said accused on or about the **16th day of April, 2022**, in the County of Clarke and State of Georgia, while being associated with Red Tape Gang, a criminal street gang, did unlawfully participate in criminal gang activity through the commission of the offense of Possession of Firearm During Commission of a Felony as alleged in Count 12 of the Indictment, contrary to the laws of said State the good order peace and dignity thereof.

COUNT 4: And the Grand Jurors aforesaid, in the name and on behalf of the citizens of the State of Georgia, do further charge and accuse **SHAMON ELDER, JR., AKA "OT" AKA "TRENDY"** with the offense of **VIOLATION OF STREET GANG TERRORISM AND PREVENTION ACT O.C.G.A. 16-15-4(b)** in that the said accused on or about the **16th day of April, 2022**, in the County of Clarke and State of Georgia, while being associated with Red Tape Gang, a criminal street gang, did unlawfully participate in criminal gang activity through the commission of the offense of Possession of Firearm During Commission of a Felony as alleged in Count 12 of the Indictment, with the intent to maintain and increase his status in said gang, contrary to the laws of said State the good order peace and dignity thereof.

COUNT 5: And the Grand Jurors aforesaid, in the name and on behalf of the citizens of the State of Georgia, do further charge and accuse **JAQUAVIOUS SMITH, AKA "JQ" AKA "GLOKBOY"** with the offense of **VIOLATION OF STREET GANG TERRORISM AND PREVENTION ACT O.C.G.A. 16-15-4(a)** in that the said accused on or about the **16th day of April, 2022**, in the County of Clarke and State of Georgia, while being associated with Red Tape Gang, a criminal street gang, did unlawfully participate in criminal gang activity through the commission of the offenses of Murder as alleged in Count 9 of the Indictment, Felony Murder as alleged in Count 10 of the Indictment, and Aggravated Assault as alleged in Count 11 of the Indictment, contrary to the laws of said State the good order peace and dignity thereof.

COUNT 6: And the Grand Jurors aforesaid, in the name and on behalf of the citizens of the State of Georgia, do further charge and accuse **JAQUAVIOUS SMITH, AKA "JQ" AKA "GLOKBOY"** with the offense of **VIOLATION OF STREET GANG TERRORISM AND PREVENTION ACT O.C.G.A. 16-15-4(b)** in that the said accused on or about the **16th day of April, 2022**, in the County of Clarke and State of Georgia, while being associated with Red Tape Gang, a criminal street gang, did unlawfully participate in criminal gang activity through the commission of the offenses of Murder as alleged in Count 9 of the Indictment, Felony Murder as alleged in Count 10 of the Indictment, and Aggravated Assault as alleged in Count 11 of the Indictment, with the intent to maintain and increase his status in said gang, contrary to the laws of said State the good order peace and dignity thereof.

COUNT 7: And the Grand Jurors aforesaid, in the name and on behalf of the citizens of the State of Georgia, do further charge and accuse **JAQUAVIOUS SMITH, AKA "JQ" AKA "GLOKBOY"** with the offense of **VIOLATION OF STREET GANG TERRORISM AND PREVENTION ACT O.C.G.A. 16-15-4(a)** in that the said accused on or about the **16th day of April, 2022**, in the County of Clarke and State of Georgia, while being associated with Red Tape Gang, a criminal street gang, did unlawfully participate in criminal gang activity through the commission of the offense of Possession of Firearm During Commission of a Felony as alleged in Count 12 of the Indictment, contrary to the laws of said State the good order peace and dignity thereof.

COUNT 8: And the Grand Jurors aforesaid, in the name and on behalf of the citizens of the State of Georgia, do further charge and accuse **JAQUAVIOUS SMITH, AKA "JQ" AKA "GLOKBOY"** with the offense of **VIOLATION OF STREET GANG TERRORISM AND PREVENTION ACT O.C.G.A. 16-15-4(b)** in that the said accused on or about the **16th day of April, 2022**, in the County of Clarke and State of Georgia, while being associated with Red Tape Gang, a criminal street gang, did unlawfully participate in criminal gang activity through the commission of the offense of Possession of Firearm During Commission of a Felony as alleged in Count 12 of the Indictment, with the intent to maintain and increase his status in said gang, contrary to the laws of said State the good order peace and dignity thereof.

COUNT 9: And the Grand Jurors aforesaid, in the name and on behalf of the citizens of the State of Georgia, do further charge and accuse **SHAMON ELDER, JR., AKA "OT" AKA "TRENDY" AND JAQUAVIOUS SMITH, AKA "JQ" AKA "GLOKBOY", INDIVIDUALLY AND AS PARTIES TO THE CRIME CONCERNED**, with the offense of **MURDER, O.C.G.A. 16-5-1(a)**, in that the said accused on or about the **16th day of April, 2022**, in the County of Clarke and State of Georgia, did unlawfully and with malice aforethought, cause the death of Brynarius Smith, a human being, by shooting him with a firearm, a deadly weapon, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 10: And the Grand Jurors aforesaid, in the name and on behalf of the citizens of the State of Georgia, do further charge and accuse **SHAMON ELDER, JR., AKA "OT" AKA "TRENDY" AKA JAQUAVIOUS SMITH, AKA "JQ" AKA "GLOKBOY", INDIVIDUALLY AND AS PARTIES TO THE CRIME CONCERNED**, with the offense of **FELONY MURDER, O.C.G.A. 16-5-1(c)**, in that the said accused on or about the **16th day of April, 2022**, in the County of Clarke and State of Georgia, did unlawfully and while in the commission of the felony of Aggravated Assault, cause the death of Brynarius Smith, a human being, irrespective of malice, by shooting him with a firearm, a deadly weapon, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT 11: And the Grand Jurors aforesaid, in the name and on behalf of the citizens of the State of Georgia, do further charge and accuse **SHAMON ELDER, JR., AKA "OT" AKA "TRENDY" AND JAQUAVIOUS SMITH, AKA "JQ" AKA "GLOKBOY", INDIVIDUALLY AND AS PARTIES TO THE CRIME CONCERNED**, with the offense of **AGGRAVATED ASSAULT, O.C.G.A. § 16-5-21**, in that the said accused on or about the **16th day of April, 2022**, in the County of Clarke and State of Georgia, did unlawfully and knowingly make an assault upon Brynarius Smith with a firearm, a deadly weapon, contrary to the laws of said State, the good order, peace and dignity thereof.

Case No. SU-____-CR-_____
STATE vs. SHAMON ELDER JR.
JAQUAVIOUS SMITH
Indictment; Page 3

COUNT 12: And the Grand Jurors aforesaid, in the name and on behalf of the citizens of the State of Georgia, do further charge and accuse **SHAMON ELDER, JR., AKA "OT" AKA "TRENDY" AND JAQUAVIOUS SMITH, AKA "JQ" AKA "GLOKBOY", INDIVIDUALLY AND AS PARTIES TO THE CRIME CONCERNED,** with the offense of **POSSESSION OF FIREARM DURING THE COMMISSION OF A FELONY, O.C.G.A. § 16-11-106,** in that the said accused on or about the **16th day of April, 2022,** in the County of Clarke and State of Georgia, did unlawfully have on his person a firearm during the commission of a felony, to wit: Murder as alleged in Count 9 of the Indictment, Felony Murder as alleged in Count 10 of the Indictment, and Aggravated Assault as alleged in Count 11 of the Indictment, contrary to the laws of said State, the good order, peace and dignity thereof.

Contrary to the laws of said State, the good order, peace and dignity thereof.

Indictment
CLARKE COUNTY SUPERIOR COURT,

Hovie Lister, Prosecutor
CHRISTOPHER CARR, ATTORNEY GENERAL