

IN THE SUPERIOR COURT OF CLAYTON COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA \* CASE#: 2021CR01670-09  
\*  
vs. \* CHARGE:  
\* Theft by Conversion  
\*  
Bianca Deloach \*

**MOTION TO NOLLE PROSEQUI**

Defendant having been charged with the offense indicated above, upon filing and docketing of the **WARRANT**, the offense being a **FELONY**, and a **THOROUGH and EXHAUSTIVE REVIEW** of the facts and circumstances of this case revealing that:

On March 25, 2021, Hertz Rental Car reported a Ford Explorer stolen to Atlanta Police Department. That vehicle was rented by the defendant on October 3, 2020, and to be returned on December 22, 2020. On March 26, 2021, Clayton County Sheriff's Deputies observed the vehicle being driven on Godby Road, when the vehicle tag came back stolen as of the day before. Deputies followed the vehicle into a chevron gas station, located on Godby Road, where they witnessed the defendant getting out of the vehicle and pumping gas. Deputies approached the defendant and placed her under arrest. As she was being placed under arrest she uttered "I just paid them \$3900.00". At the time of arrest the defendant did not have proof of payment. The defendant was arrested on March 26, 2021, and was released on bond April 4, 2021.

On November 8, 2021, the State received a copy of the Dollar Car Rental invoice provided to the defendant from the company. The invoice is in the amount of \$3,974.57 and is showing full payment as of February 25, 2021. The State also received correspondence from the defendant's attorney regarding national claims against Hertz Rental Car Company, which also owns and acquired Dollar Car Rental, for false claims of theft of rented vehicles. In performing due diligence, the State reached out to the Hertz representative on file and was unable to speak with him. It should be noted the State has reached out seven times to this representative, only making contact twice, between March 31, 2021, and the end of November. The State communicated with a Hertz representative from New Jersey who was unable to explain how the defendant paid in full in February for the vehicle, yet the vehicle was reported stolen. The New Jersey representative was also unable to identify any number of attempts made by Hertz to contact the defendant and request the vehicle returned. As of to date, the State has yet to hear from the Georgia Hertz representative. The State did confirm the reported stolen vehicle is now back in the custody of Hertz Rental Car Company.

Based on the defendant's time in custody, the lack of cooperation from any representative of Hertz Rental Car Company, the proof of payment in the amount of \$3,974.57, the national claims against Hertz Rental Car Company, the alleged stolen vehicle being in the custody of Hertz Rental Car Company, and in the interest of justice, the State respectfully requests that the above felony charge be NOLLE PROSSED.

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Comes now, Brianna N. Woods, Assistant District Attorney, Clayton Judicial Circuit, and for good cause shown moves this Court to:

Nolle Prose: [ X ]



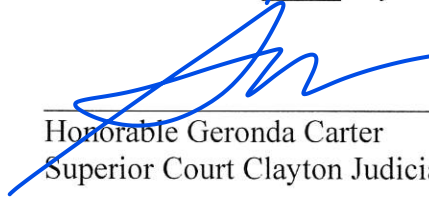
Brianna N. Woods  
#: 600616  
Assistant District Attorney

**ORDER**

The within and foregoing Motion having been READ AND CONSIDERED, said Motion is HEREBY GRANTED, SO ORDERED this 15<sup>th</sup> day of Dec., 2021.

**FILED**

CLAYTON COUNTY, GA  
12/15/2021 11:12am  
Jacqueline D. Wills  
CLERK SUPERIOR COURT



Honorable Geronda Carter  
Superior Court Clayton Judicial Circuit