

IN THE SUPERIOR COURT OF BIBB COUNTY
STATE OF GEORGIA

MACON-BIBB COUNTY,

Plaintiff,

v.

AUTUMN TRACE APARTMENTS, LP;
HALLMARK MANAGEMENT, INC.;
HALLMARK COMPANIES, INC.; and
other unknown business entities affiliated
therewith.

Defendants.

ACTION NO. _____

**VERIFIED COMPLAINT TO ABATE PUBLIC NUISANCE
AND FOR INJUNCTIVE RELIEF**

COMES NOW, Macon-Bibb County, and hereby files this Complaint to Abate Public Nuisance and for Injunctive Relief to enjoin a nuisance against the owners, agents, corporations, buildings, structures and place, and the ground itself in or upon which such nuisance exists, pursuant to OCGA §§ 41-1-2 and 41-2-1, *et seq.* showing this Court, in support thereof, the following:

I. INTRODUCTION

1.

This is a public nuisance action brought by Macon-Bibb County against the Defendants in relation to the business and property they own and control, known as Autumn Trace Apartments, located at 1745 Rocky Creek Rd, Macon, Bibb County, Georgia, 31206, Parcel Number O101-0076, Landlot 183, District 4 (“Autumn Trace”, or the “Property”). This action is brought by Macon-Bibb County, upon authorization by the Mayor of Macon-Bibb, based on information

provided by local law enforcement and code enforcement officials and other complaints. The Defendant has allowed, participated in, failed to control, and condoned the conditions on the Property which created an annoyance to the public in general and are manifestly injurious to the public health and safety, tending greatly to corrupt the manners and morals of the public and threatening any members of the public who may encounter these conditions. (“Nuisance Conditions”). Specifically, these Nuisance Conditions include, but are not limited to, substantial gang and drug activity which is regularly conducted on or about the Property, including frequent shootings and violent crimes which have occurred over the last two years and increased in frequency and severity in recent months. Now, Macon-Bibb is seeking that the Property be declared a public nuisance by this Court and the nuisance be enjoined, restrained, and abated by order of this Court as authorized by Georgia law.

II. PARTIES, JURISDICTION, AND VENUE

2.

The undersigned serve as county attorneys and are authorized to bring this action against the Defendants on behalf of the public pursuant to OCGA § 41-2-2.

3.

Defendant Autumn Trace Apartments, LP (ATA) is a domestic limited partnership, doing business as Autumn Trace Apartments, with its principal office located at 3111 Paces Mill Rd., Suite A-250, Atlanta, GA, 30339. Defendant ATA is the landowner of the Property located at 1745 Rocky Creek Rd, Macon, Bibb County, Georgia, and had actual or constructive knowledge of and had the legal authority to prevent or control the Nuisance Conditions on this Property. Notwithstanding, Defendant ATA participated in or failed to otherwise control these Nuisance Conditions. ATA can be

served through its registered agent, Emil Raab, at 3111 Paces Mill Rd Suite A-250, Atlanta, Cobb County, GA, 30339, or wherever he may be found.

4.

Defendant Hallmark Management, Inc. (HMI) is a domestic for-profit corporation, doing business as Hallmark Management, with its principal office located at 3111 Paces Mill Rd., Suite A-250, Atlanta, GA, 30339. HMI can be served through its registered agent, Emil Raab, at 3111 Paces Mill Rd Suite A-250, Atlanta, Cobb County, GA, 30339, or wherever he may be found.

5.

On information and belief, Defendant HMI is the sole owner of Defendant ATA, either directly or through one or more subsidiary entities, and at all times relevant to this complaint, had actual or constructive knowledge of and had the legal authority to prevent or control the Nuisance Conditions on this Property. Notwithstanding, Defendant HMI participated in or failed to otherwise control these Nuisance Conditions, including by failing to provide Defendant ATA with the resources and support needed to render the Property reasonably safe.

6.

Defendant Hallmark Companies, Inc. (HCI) is a domestic for-profit corporation, doing business as Hallmark Companies, with its principal office located at 3111 Paces Mill Rd., Suite A-250, Atlanta, GA, 30339. HCI can be served through its registered agent, Emil Raab, at 3111 Paces Mill Rd Suite A-250, Atlanta, Cobb County, GA, 30339, or wherever he may be found.

7.

On information and belief, Defendant HCI is the sole owner of Defendant HMI, either directly or through one or more subsidiary entities.

8.

On information and belief, Defendant HCI is the sole owner of Defendant ATA, either directly or through one or more subsidiary entities, including Defendant HMI, and at all times relevant to this complaint, had actual or constructive knowledge of and had the legal authority to prevent or control the Nuisance Conditions on this Property. Notwithstanding, Defendant HCI participated in or failed to otherwise control these Nuisance Conditions, including by failing to provide Defendants HMI and ATA with the resources and support needed to render the Property reasonably safe.

9.

As of February 15, 2026, Emil Raab (Raab) is listed on the website for HCI, being <https://www.hallmarkco.com/>, under the “Leadership” page within the “Companies” menu tab, as being the Chief Financial Officer for HCI. Raab is also listed as the registered agent on the Georgia Secretary of State’s business information database as being the registered agent of 238 business entities, nearly all of which list their principal office address as being 3111 Paces Mill Rd Suite A-250, Atlanta, Cobb County, GA, 30339.

10.

Any business entities which have either direct or indirect ownership or control over Defendant ATA, or over the Property have also had actual or constructive knowledge of and had the legal authority to prevent or control the Nuisance Conditions on this Property. Notwithstanding, such entities instead participated in or failed to otherwise control these Nuisance Conditions, including by failing to provide Defendant ATA or other appropriate subsidiary entities with the resources and support needed to render the Property reasonably safe.

11.

This Court has subject matter jurisdiction over this action.

12.

Venue is proper in this Court on the grounds that this is an action brought in rem, and the subject Property is located in Bibb County.

AUTUMN TRACE IS A PUBLIC NUISANCE

UNDER O.C.G.A. § 41-2-1, et seq.

13.

Plaintiff realleges and incorporates by reference the allegations of Paragraphs 1 through 12 of this Complaint as if the same were fully set forth herein.

14.

Defendant ATA's business, Autumn Trace Apartments at 1745 Rocky Creek Rd, Macon, Bibb County, Georgia, is a well-known center of frequent serious criminal activity, including murders, assaults, drive by shootings, and burglaries. The Bibb County Sheriff's Office (BCSO) regularly patrols the area around Autumn Trace due to the frequent reports of illegal drug, violence, and gang-related activity. Additionally, since 2024, hundreds of emergency 911 calls have been placed from this location.

15.

On information and belief, Autumn Trace is a 72-unit multifamily housing complex, and participates in the United States Department of Housing and Urban Development's Project-Based Voucher (PBV) program, meaning that every resident of Autumn Trace qualifies for low-income housing assistance.

16.

The State of Georgia and Macon-Bibb County, through the funding of the Bibb County Sheriff's Office, devote substantial public resources, attention, patrols, time, and operations to Autumn Trace to confirm and respond to the widespread illegal activity that regularly occurs at the Property. Multiple BCSO reports reveal that Autumn Trace is known for criminal activity being conducted at the Property. Copies of relevant incident reports and CAD reports from 2024 to present are collectively attached hereto at Exhibit "A." A portion of those reports will be summarized below.

17.

On January 29, 2026, BCSO received a report that someone fired a gun into the apartment of an Autumn Trace resident, breaking glass and injuring the woman as she slept inside. The victim, who was five months pregnant, suffered gunshot wounds to her torso and arm. As BCSO was investigating the shooting of this residence, they learned another Autumn Trace apartment had also received gunfire around this same time. According to the report, that apartment received over thirty rounds of gunfire, primarily through the rear bedroom. One of the rounds went into the mattress where a victim was sitting. The shell casings for both shootings were located between the two buildings. In all, 78 shell casings in seven different calibers were recovered, including casings for three different assault rifles. This incident was reported in Case Number 2026-00008302, which can be found in Exhibit A at page 1.

18.

On or about January 12, 2026, BCSO received a report of a man with a gun walking around Autumn Trace. The caller advised that the man was known as "KJ," and was one of the suspects

involved in a previous shooting at Autumn Trace. This incident was reported in Case Number 2026-00003605, which can be found in Exhibit A at page 8.

19.

On or about January 10, 2026, BCSO responded to an emergency call at Autumn Trace. The caller advised that someone had just fired multiple gunshots on the property “poss[ibly] from automatic guns.” This incident was reported in Case Number 2026-0002902, which can be found in Exhibit A at page 12.

20.

In the early morning hours of January 9, 2026, a caller reported to BCSO that a group of teens with guns was roaming the property at Autumn Trace. This incident was reported in Case Number 2026-0002468, which can be found in Exhibit A at page 38.

21.

Later that same day, January 9, 2026, BCSO responded to a report of an aggravated assault at Autumn Trace. Upon arrival, deputies learned that a mother and daughter were asleep in their beds when an unknown suspect fired multiple rounds into their home, striking and wounding both of them. Both victims were transported to the hospital for treatment. Deputies found damage to the walls and ceiling of the home, and located shell casings of three different calibers near the side and rear of the apartment building. These events were reported in Case Number 2026-00002482, which can be found in Exhibit A at page 15.

22.

On January 8, 2026, BCSO responded to Autumn Trace to a report of shots fired. An investigation revealed that at least three suspects engaged in a gunfight on the property. Deputies

found shell casings in 9mm, .40 caliber, and .300 blackout on the scene, and identified seven victims aging in range from one to thirty-four. Deputies also, recovered a ski mask, and based on the evidence at the scene, requested a Gang Unit Investigator assist in the investigation, The incident was reported in Case Number 2026-00002203, which can be found in Exhibit A at page 41.

23.

On December 26, 2025, BCSO received a call from Autumn Trace Apartments requesting assistance, reporting that multiple females were engaged in a fight on the property, and that pepper spray had been deployed during the altercation. The incident was reported in Case Number 2025-00113091, which can be found in Exhibit A at page 71.

24.

On December 8, 2025, BCSO received a call from a woman at Autumn Trace who complained that a group of people were trying to fight her husband. A later call in the report indicated that the apartment door was kicked in during the altercation. This incident is reported in Case Number 2025-107811, which can be found in Exhibit A at page 75.

25.

On November 26, 2025, an Autumn Trace resident reported that she heard six shots coming from a group of boys outside her apartment and feared her apartment may have been struck by the gunfire. This incident was reported in Case Number 2025-104568, which can be found in Exhibit A at page 79.

26.

On or about November 25, 2025, BCSO deputies responded to the report of an aggravated assault and a person shot. Further investigation revealed that a fifteen-year-old boy was in his room when an unknown suspect fired multiple rounds into the house, passing through walls and shattering windows. Investigators located five 9mm shell casings behind the building. This incident was reported in Case Number 2025-00104262, which can be found in Exhibit A at page 82.

27.

The day before, on November 24, 2025, BCSO responded to Autumn Trace regarding a shots fired call. Deputies arrived to find that an unknown suspect had fired multiple rounds into the apartment that a mother and children occupied. Although none were struck by the bullets, deputies located bullet holes in the living room and dining area. Five 9mm shell casing were located on the backside of the apartment. This case was reported in Case Number 2025-00103957, which can be found in Exhibit A at page 89.

28.

On or about November 15, 2025, BCSO responded to a damaged property call at Autumn Trace. A responding deputy met with the apartment resident, who reported that her son's bedroom window was smashed open. Children in the area reported that a man in a ski mask was walking around the complex and smashing windows with a brick. This event was recorded in Case Number 2025-00101187, which can be found in Exhibit A at page 104.

29.

On or about November 11, 2025, BCSO responded to a report of possible shots fired. Deputies spoke with a mother, who stated that her sixteen-year-old daughter was involved in a fight with other girls before the mother arrived home. One of the girls had a gun, and their apartment window was broken. These events were recorded in Case Number 2025-00103591, which can be found in Exhibit A at page 96.

30.

On or about October 24, 2025, BCSO responded to Autumn Trace on a damaged property call. The apartment manager informed the responding deputy that one of the air conditioning units had been damaged by a stray bullet. These events were recorded in Case Number 2025-00094024, which can be found in Exhibit A at page 109.

31.

On or about October 23, 2025, BCSO responded to Atrium Health emergency room regarding an aggravated assault that occurred at Autumn Trace. The deputy learned that the victim was walking by some men arguing in the parking lot when he heard shots ring out, one of which struck him in the foot. This incident was recorded in Case Number 2025-00093912, which can be found in Exhibit A at page 117.

32.

On or about October 10, 2025, BCSO received a call reporting that three or four teens were walking around Autumn Trace with firearms. This incident was recorded in Case Number 2025-00089684, which can be found in Exhibit A at page 122.

33.

On or about October 9, 2025, BCSO received a call that twenty to thirty spectators had gathered from Autumn Trace apartment buildings to watch a fight. This incident was reported in Case Number 2025-00089342, which can be found in Exhibit A at page 125.

34.

Also on October 9, 2025, an Autumn Trace resident reported to BCSO that she had received a terroristic threat on her life. The victim explained that the suspect threatened her not to testify about the murder she had witnessed at the apartment complex. This incident is reported in Case Number 2025-00089302, which can be found in Exhibit A at page 129.

35.

On or about September 10, 2025, an Autumn Trace resident reported that an unknown suspect attempted to kick her door in, leaving the knob damaged. This event was recorded in Case Number 2025-00079574, which can be found in Exhibit A at page 133.

36.

Around midnight on or about September 8, 2025, an Autumn Trace resident reported to BCSO that there was a fight at a loud party in the complex, and asked BCSO to disperse the crowd. This event was recorded in Case Number 2025-00079138, which can be found in Exhibit A at page 136.

37.

On or about August 3, 2025, BCSO investigated a kidnapping and home invasion at Autumn Trace. The suspect kicked in the resident's door, took her child, and fled by car. After authorities issued an Amber Alert, the suspect was captured via a pit maneuver in another county.

These events were recorded in Case Number 2025-00067710, which can be found in Exhibit A at page 139.

38.

On or about June 5, 2025, BCSO responded to a report of a homicide at Autumn Trace. Investigators found a 22-year-old male deceased on an apartment floor with a substantial amount of blood pooled around him. Multiple shell casings were outside the apartment in the breezeway, and bullets were in the front door. This case was reported in Case Number 2025-00048913, which can be found in Exhibit A at page 156.

39.

Also on June 5, 2025, an Autumn Trace resident reported to BCSO that a suspect with a gun struck her in the mouth and threatened her. After calling 911, the victim advised she was hiding until a deputy showed up. This case was reported in Case Number 2025-00048817, which can be found in Exhibit A at page 176.

40.

On May 30, 2025, an Autumn Trace resident reported that someone had broken into her apartment and had taken her things. This incident was reported in Case Number 2025-00047087, which can be found in Exhibit A at page 179.

41.

On or about May 23, 2025, BCSO received a report that someone had kicked in the door of Unit E3 at Autumn Trace. This case was reported in Case Number 2025-00045315, which can be found in Exhibit A at page 182.

42.

On or about May 5, 2025, an Autumn Trace resident reported to BCSO that someone tried to break into her apartment while she and her children were home. Although the attacker damaged the lock, he was unable to gain entry. This event is reported in Case Number 2025-00039417, which can be found in Exhibit A at page 187.

43.

On or about May 1, 2025, BCSO received a report from Autumn Trace that someone had fired bullets through two air conditioning units in their apartments. This incident was reported in Case Number 2025-00038228, which can be found in Exhibit A at page 195.

44.

On or about April 4, 2025, BCSO received a report of a dispute in the parking lot of Autumn Trace, in which one party was reportedly armed with a firearm. When the officer approached, the suspect fled the parking lot on foot. The victim warned the pursuing deputy that the suspect was armed with an AR-15 style pistol in his waistband. This event is reported in Case Number 2025-00029345, which can be found in Exhibit A at page 198.

45.

On or about March 20, 2025, BCSO received a report of gunfire at Autumn Trace at 8:50 pm. This incident was reported in Case Number 2025-00024875, which can be found in Exhibit A at page 205.

46.

On or about March 8, 2025, BCSO received a report of a large group of males roaming back and forth between buildings at Autumn Trace. This incident was reported in Case Number 2025-0021108, which can be found in Exhibit A at page 207.

47.

On or about March 1, 2025, an Autumn Trace resident reported to BCSO that a group of four teens entered her apartment to assault her son, but he was not at home. A large group then gathered at her door, but fled when the responding deputy arrived. This incident was reported in Case Number 2025-00018122, which can be found in Exhibit A at page 210.

48.

On or about February 19, 2025, BCSO received a report that a man at Autumn Trace pulled a gun on a resident before walking towards another set of apartment buildings. This incident was reported in Case Number 2025-00015584, which can be found in Exhibit A at page 214.

49.

On or about February 18, 2025, BCSO received a report from Autumn Trace that multiple male suspects ages 18-21 were “threatening to shoot up the apartment.” The report noted an ongoing feud between and among residents. This event is recorded in Case Number 2025-00015353, which can be found in Exhibit A at page 217.

50.

Also on or about February 18, 2025, an Autumn Trace resident reported that several male suspects shot into her apartment and took off in an unknown vehicle. After the gunfire, the resident reported that several males came into her apartment “looking for someone they didn’t like.” The

men then left in two cars and on foot when the responding deputy arrived. This event is recorded in Case Number 2025-00015313, which can be found in Exhibit A at page 221.

51.

Additionally, on or about February 18, 2025, an Autumn Trace resident reported to BCSO that male suspects armed with firearms got into a fight with her nephew, and, during the course of the altercation, the suspects struck her in the mouth. This event is recorded in Case Number 2025-00015043, which can be found in Exhibit A at page 225.

52.

On or about February 11, 2025, a child resident of Autumn Trace called 911 at her sister's request to report that a male suspect was in their home with a gun and her sister had a baby in the house. The male then went outside to argue with someone. When the BCSO deputy arrived on the scene, he found that the suspect had pistol whipped another male, and that victim was bleeding from the head. This incident was recorded in Case Number 2025-00013058, which can be found in Exhibit A at page 230.

53.

On or about February 8, 2025, an Autumn Trace resident reported that a large group of men were gathered in front of buildings D and E. The complainant asked for deputy to ride by the group because of the large number of shots fired. This event is recorded in Case Number 2025-00012179. This event follows a call from the Autumn Trace rent office two days earlier advising that four to five males with guns were walking back and forth between the two buildings in Case Number 2025-00011481, which can be found in Exhibit A at page 237.

54.

On or about January 30, 2025, BCSO located a fugitive with active warrants in the parking lot of Autumn Trace. In his car were scales and marijuana prepackaged for sale. After confirming his warrant for VOP for manslaughter, the deputies placed him under arrest for the outstanding warrant and possession of marijuana with intent to distribute. This incident was reported in Case Number 2025-00009132, which can be found in Exhibit A at page 240.

55.

On or about January 28, 2025, BCSO responded to a report of an apartment window being shot out by gunfire. Based on the evidence, BCSO called the Gang Unit for assistance. This event is reported in Case Number 2025-00008446, which can be found in Exhibit A at page 246.

56.

On or about January 27, 2025, BCSO received a report that there was a man in a hoodie walking around Autumn Trace with a gun. This event is reported in Case Number 2025-00008267, which can be found in Exhibit A at page 255.

57.

On or about January 26, 2025, an Autumn Trace resident notified BCSO that unknown suspects fired over thirty bullets into her apartment, shattering her windows. Based on the report, BCSO notified the Gang Unit. These events were reported in Case Number 2025-00008002, which can be found in Exhibit A at page 258.

58.

Also on or about January 26, 2025, BCSO responded to a call of several other residences being shot up at Autumn Trace. An investigation revealed multiple shell casings in 9mm, .40

caliber, and 20 gauge, as well as holes in multiple buildings from pistol fire and shotgun blasts. This incident was reported in Case Number 2025-00007944, which can be found in Exhibit A at page 261.

59.

On or about January 24, 2025, BCSO responded to a report of an armed robbery and home invasion at Autumn Trace. An investigation revealed that multiple suspects forced their way inside a man's apartment and robbed him at gunpoint just after he'd arrived home. While he was being robbed inside, another suspect held the victim's friend at gunpoint in the parking lot and demanded money from him as well. This incident was reported in Case Number 2025-00007435, which can be found in Exhibit A at page 273.

60.

On or about January 9, 2025, a grandfather asked BCSO to send a deputy to Autumn Trace. He explained that when he arrived to pick up his grandchildren, there was a suspect there that he believed had a gun and that he feared for his safety. This incident was reported in Case Number 2024-00002732, which can be found in Exhibit A at page 279.

61.

On or about January 6, 2025, an Autumn Trace resident reported to BCSO that there was gunfire during an argument in the parking lot. The caller refused to give further information. This incident was reported in Case Number 2025-00001454, which can be found in Exhibit A at page 282.

62.

Also on or about January 6, 2025, an Autumn Trace resident reported to BCSO that there were multiple suspects with guns near apartment building E. According to the report, residents heard the suspects and gunfire near the children's playground. This incident was reported in Case Number 2025-00001440, which can be found in Exhibit A at page 285.

63.

On or about November 27, 2024, BCSO responded to a call of shots fired at Autumn Trace. According to the report, a resident heard multiple rounds of gunfire coming from the parking lot. Once the gunfire ceased, the resident found that some of the rounds had struck his car, breaking the rear window. This incident was reported in Case Number 2024-00102522, which can be found in Exhibit A at page 288.

64.

On or about November 23, 2024, BCSO received a call from an Autumn Trace resident reporting that a group of female suspects with guns "jumped on her daughter." This case was reported in Case Number 2024-00101151, which can be found in Exhibit A at page 293.

65.

On or about November 18, 2024, BCSO received a report of an aggravated assault at Autumn Trace. According to the report, a Door Dash driver gave a suspect the wrong food order. When he returned to give the suspect the correct food order, the suspect tried to assault him and pulled out a gun. The incident was reported in Case Number 2024-00099607, which can be found in Exhibit A at page 296 .

66.

On or about October 14, 2024, BCSO received a report of gunfire at Autumn Trace. According to the report, a resident was in her apartment when a shot came through her window. A deputy was dispatched to the scene, and after arriving learned that two groups of suspects had engaged in a gunfight in the complex. These events were recorded in Case Numbers 2024-00087963 and 00087936, which can be found in Exhibit A at page 299 and 302, respectively.

67.

On or about September 18, 2024, an Autumn Trace resident reported to BCSO that someone had damaged her car window in the Autumn Trace parking lot. According to the report, the victim believed the damage was a bullet hole. These events were recorded in Case Number 2024-00079140, which can be found in Exhibit A at page 312.

68.

On or about August 18, 2024, an Autumn Trace resident reported to BCSO that a group of teens were breaking into resident's homes. This event was reported in Case Number 2024-00068987, which can be found in Exhibit A at page 317.

69.

On or about July 15, 2024, BCSO received a report of an armed robbery in the Autumn Trace parking lot. The victim stated he was waiting for a friend in his car when a man pointed a pistol at him and robbed him of \$300 worth of marijuana. This event was recorded in Case Number 2024-00058415, which can be found in Exhibit A at page 320.

70.

On or about July 12, 2024, BCSO received a report of a large fight in the Autumn Trace parking lot. According to the report, a group of about fifteen people were fighting and were pointing guns at one another. This event was recorded in Case Number 2024-00057618, which can be found in Exhibit A at page 330.

71.

On or about June 21, 2024, BCSO received a report of a group of male and female suspects with guns gathered at the Autumn Trace apartment entrance. This event was recorded in Case Number 2024-00050280, which can be found in Exhibit A at page 334.

72.

On or about June 10, 2024, BCSO received a report of several males armed with guns sitting in a vehicle at the back of the Autumn Trace parking lot. According to the report, the caller believed they were there to shoot up her house. This event was recorded in Case Number 2024-00046506, which can be found in Exhibit A at page 337.

73.

On or about June 6, 2024, BCSO received a report of a burglary in progress at Autumn Trace. According to the report, a resident was on the phone when she heard multiple gunshots. After hiding in her tub, she heard someone walking around her apartment even while she was on the phone with 911. This event was recorded in Case Number 2024-00044677, which can be found in Exhibit A at page 340.

74.

On or about June 1, 2024, BCSO responded to Autumn Trace in response to an adult assaulting a child. Upon arrival, the deputy learned that an adult woman grabbed a 13-year-old child by the hair and then slammed her to the ground. The deputy arrested the woman and charged her with cruelty to children. This incident was reported in Case Number 2024-00043006, which can be found in Exhibit A at page 352.

75.

On or about May 1, 2024, BCSO received a report of a group of teens breaking into cars in the Autumn Trace parking lot, and then shooting guns at a person who was trying to stop them. According to the report, the teens fled on foot after. This event was recorded in a report attached to Exhibit A at page number 368.

76.

On or about January 22, 2024, BCSO responded to Autumn Trace to investigate a terroristic threats report. According to the victim, a group of teens threatened to shoot up the victim's house after an argument. This case was reported in Case Number 2024-00006115, which can be found in Exhibit A at page 362.

AUTUMN TRACE'S RESIDENTS ARE FUNCTIONALLY TRAPPED IN PLACE

77.

Plaintiff realleges and incorporates by reference the allegations of Paragraphs 1 through 77 of this Complaint as if the same were fully set forth herein.

78.

The Georgia Department of Community Affairs (DCA) offers a website at <https://dca.georgia.gov/housing-choice-voucher/project-based-voucher-program/pbv-participants>, at which renters looking to get onto a waitlist for PBV affordable housing can find the names of properties with open waitlists. As of February 15, 2026, there are no other PBV properties listed by DCA which are located in Macon-Bibb County. As such, a prospective tenant looking to escape from the deadly conditions at Autumn Trace is not even able to apply to get on a waitlist to move to a new DCA-funded PBV apartment.

79.

The Macon Housing Authority also offers public housing services in Macon-Bibb County, and describes its waitlisting procedures on its website at <https://www.maconhousing.com/mha/waitinglist.aspx.html>. It provides that, “The Waiting List is a complex database containing up to 2,600 application files and sorted by Bedroom Size, Preference, Date, and Time,” and describes a schedule of preferences by which certain applicants are given priority for housing placements. As such, the public housing offerings available in Macon-Bibb County are also unable to provide the tenants of Autumn Trace with immediate means to escape the deadly conditions present there.

80.

As a result of their financial circumstances, and the inaccessibility of available alternative housing in Macon-Bibb County, the lives of Autumn Trace’s residents remain at the mercy of the Defendants to this action, and depend on their ability to take reasonable and adequate measures to abate the Nuisance Conditions thereon and render Autumn Trace reasonably safe.

**THERE ARE REASONABLE, COMMON-SENSE MEASURES THAT DEFENDANTS
CAN TAKE TO MITIGATE OR ABATE THE NUISANCE CONDITIONS**

81.

Plaintiff realleges and incorporates by reference the allegations of Paragraphs 1 through 81 of this Complaint as if the same were fully set forth herein.

82.

On information and belief, based on the experience of Macon-Bibb County and the BCSO in using location-based policing tactics to address other public nuisance locations in the community, there are some reasonable, common-sense measures that the Defendants can take that would help mitigate or abate the nuisance conditions present at Autumn Trace. While every public nuisance condition is slightly different, and the measures required to achieve abatement can vary, there are some common measures that are entirely within Defendants' control, and that have proven repeatedly to be relatively easy to implement, and have been effective in some situations at reducing chronic crime in other parts of the community, including, without limitation:

- a. Installing a sufficient number of movable security cameras with sufficient resolution, audio capture, and coverage to allow BCSO to identify the participants in criminal activities when they occur;
- b. Providing sufficient lighting as to enable the security cameras to be functional and useful in nighttime or low-light conditions;
- c. Providing BCSO with live access to full-definition security camera footage;

- d. Providing access controls to the property, including perimeter fencing and gated access for motor vehicles to prohibit or inhibit access by persons who are not residents, staff, or guests;
- e. Installing speed bumps in the parking lot to limit the ability of criminals to get away quickly in the event of a theft or shooting incident;
- f. Strictly enforcing all lease terms relating to who is allowed to stay on the Property, including inspecting residences and quickly evicting any residents who allow unregistered or disallowed persons to stay in their apartments;
- g. Adopting a zero-tolerance policy and quickly evicting any tenants whose household residents or guests are seen engaging in shootings, drug crimes, or gang activities on the Property;
- h. Buying out leases for problem tenants who are not otherwise subject to eviction;
- i. Inspecting all units at random and no less than quarterly to identify unregistered occupants, illegal activity, or other lease violations, and evicting residents who fail to comply with lease terms;
- j. Hiring off-duty law enforcement officers or armed security guards licensed by the Georgia State Board of Private Detectives and Security Agencies to provide 24/7 security;
- k. Imposing a curfew prohibiting the assembly of groups of residents or visitors outdoors on the property at night;
- l. Maintaining a registry of tenant-owned vehicles by license plate number and investigating unregistered vehicles that remain at or frequent the Property;

- m. Maintaining a “do not rent” list to prohibit problem residents or guests from returning, even if there is a change in management personnel;
- n. Repairing and maintaining units damaged by criminal activity promptly;
- o. Providing meaningful opportunities for residents to inform management of dangerous or criminal activities to be addressed, and to otherwise raise concerns or complaints to management, and then addressing reasonable concerns or safety issues in a diligent manner; and
- p. Providing management with adequate funding and resources to operate Autumn Trace diligently and safely.

MACON-BIBB COUNTY IS ENTITLED TO RELIEF

83.

Plaintiff realleges and incorporates by reference the allegations of Paragraphs 1 through 83 of this Complaint as if the same were fully set forth herein.

84.

Macon-Bibb County brings this action to immediately, temporarily, and permanently abate and enjoin the public nuisance that has existed and continues to be maintained at the Property.

85.

Pursuant to O.C.G.A. § 41-2-2, a complaint for public nuisance may be filed by the district attorney, solicitor-general, city attorney, or county attorney on behalf of the public.

86.

This Court is authorized to abate and enjoin the Nuisance Conditions that have existed and continues to be maintained at Autumn Trace, 1745 Rocky Creek Rd, Macon, Bibb County, Georgia 31206.

87.

Georgia law provides that "Upon filing of a petition as provided in Code Section 41-2-2, any nuisance which tends to the immediate annoyance of the public in general, is manifestly injurious to the public health or safety, or tends greatly to corrupt the manners and morals of the public may be abated by the order of a judge of the superior court of the county in which venue is proper." O.C.G.A. § 41-2-1.

WHEREFORE, Plaintiff prays for the following relief:

- (a) that this matter be scheduled for an interlocutory abatement hearing before this Court at the earliest possible opportunity;
- (b) that the Property owned, operated, and controlled by the Defendants at 1745 Rocky Creek Rd, Macon, Bibb County, Georgia, be declared a public nuisance, pursuant to O.C.G.A. §§ 41-2-1;
- (c) that this Court impose only such limited process as the Court finds necessary to satisfy itself of the nature of this nuisance and determine a manner of abatement and injunction;
- (d) that discovery in this action be limited to the shortest amount of time possible, so as to provide for an expedited trial on the merits of this matter;

- (e) that this Court order the continued abatement of this nuisance on a permanent basis, including the right to amend the required abatement conditions as needed to ensure the safety of the Defendants' premises to the public;
- (f) that this Court award judgment in favor of Plaintiff against the Defendant for the requested equitable and declaratory relief sought in the Complaint; and
- (g) that Plaintiff have such other and further relief as this Court deems just and equitable.

Respectfully submitted this 16th day of February, 2026.

GAUTREAUX LAW, LLC

/s/ K. David Cooke, Jr
K. David Cooke, Jr.
Georgia Bar No. 184584
ATTORNEY FOR PLAINTIFF
SPECIAL ASSISTANT COUNTY ATTORNEY
778 Mulberry Street
Macon, Georgia 31201
(478) 238-9758 (telephone)
david@gautreauxlawfirm.com

MACON-BIBB COUNTY ATTORNEY'S OFFICE

/s/ Michael J. McNeill
Michael J. McNeill
Georgia Bar No. 254983
Chief Assistant County Attorney
700 Poplar Street, P.O. Box 247
Macon, GA 31202-0247
External Direct: 478-219-4393
mmcneill@maconbibb.us