

COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR BRIEFS OR MOTIONS

Date: January 2, 2014

To: Mr. Ezra Johnson, 6121 Memorial Drive, Stone Mountain, Georgia 30083

Docket Number: A14A0716 **Style:** Ezra Johnson v. Ukeju Chi-Ukpai

Your document(s) is (are) being returned for the following reason(s).

1. Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 **Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4. **No Certificate of Service accompanied your document(s). Rule 6**
5. Your Certificate of Service did not include the complete name and mailing address of each opposing counsel and pro se party. Rules 1(a) and 6. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
6. There were an insufficient number of copies of your document. Rule 6.
7. Your document exceeds page limits. Rules 24 (f) and 27 (a)
8. Your document was submitted without permission to file (supplemental brief or second motion for reconsideration). Rules 27 (a) and 37 (d)
9. Letter briefs and letter cites are not permitted. Rule 27 (b)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12. Type was on both sides of the paper; type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17. The Motion to Supplement has not been granted.
18. Other

RECEIVED IN OFFICE
2013 DEC 27 PM 3:22
CLERK/COURT ADMIN/STRAT#R
COURT OF APPEALS OF GA

Court of Appeals of Georgia

A14A0716

File No: ~~13A47882-1~~

Judge Alvin T. Wong
October 16, 2013

UKEJU CHI-UKPAI,
Plaintiff,

vs.

EZRA JOHNSON
Defendant,

I hereby request an appeal for the case # no: 13a47882-1. between Ukeju Chi-Ulpai vs. Ezra Johnson of E & T Automotive. On July 4, 2012, in the afternoon, I received a call from Mr. Ukeju chi Ukpai, requesting that I inspect a SUV he intended to purchase. I explained to him that I was home with my family and had no plans of leaving my home that day. He called back and that same day. I asked him to wait until the following day July 05, 2012. On July 05, 2012; while I was working I heard a vehicle pull up into my shop sputtering and misfiring. Mr. Ukeju Chi-ukpai stopped the vehicle and stepped out. I walked towards him and asked him, whether or not he had bought this SUV. He did not answer. I walked around the vehicle and noticed a brand new tag on the vehicle. I said to him, "So you buy this vehicle." And he responded "Yes." Then I said to him, "Do you know that this vehicle needs a new engine." He asked me, "How do you know?" I told him, "I am a mechanic and I know these things." He began to cry

We talked about what we could do to resolve the problem. I mentioned to him that we needed to replace the engine or rebuild the engine while it is still in the vehicle. I quoted him the following prices:

Replace the engine no labor cost estimated at	\$1,700
Replace engine, labor and taxes	\$2846.00 (Exhibit X).

When Mrs. UKpai heard the cost, she advised her husband to get rid of the vehicle. Mr. Ukpai ignored her and asked me how much to rebuild the engine instead. I made him an offer to rebuild the engine that was in the vehicle and quoted him the cost of \$1,500 to cover the cost for parts, labor and tax. (Exhibit A-3) page 3 line 22. He accepted that my offer and later gave me the \$1,500 in the form of a check for the parts.

I rebuilt the engine in the vehicle. When I test drove the vehicle it ran for around 45 minutes and then began to misfire similar to when it first came in. I spent hours trying to determine what was wrong. I communicated this problem to Mr. Ukpai and we decided to get a second opinion.

I towed it to friend mechanic shop. G & T automotive at 6201 memorial Dr ste 301 stone mountain ga 30083. We spent all muse a week checking on the vehicle, but couldn't figure out what was going on. Finally we came up with the same diagnostic that the vehicle had low compression but did not know why. I communicated the problem to Mr. Ukpai and told him I would need to take the vehicle to the dealer for a better diagnosis. He agreed and I took it to the rick case Mitsubishi dealership in Duluth. The dealership charged me \$102.59 for a diagnostic test. The dealership ran a diagnostic test and the test came back with misfiring and low compression in the cylinders. The dealer asked me for a report on the work I carried out on the

vehicle. The dealer told me that the vehicle can start and run, but it has a low compression in some of the cylinders. I told them that the car shouldn't have low compression in the cylinders because I put new rings on it. After leaving the dealership I towed the vehicle back to the shop which cost me \$160. I contacted Mr. Ukpai and explained to him that the dealer was unable to fully diagnose the cause of the problem and suggested that in a final attempt I could take it to Joe's Machine Shop. Mr. Ukpai gave me the go ahead for a final diagnostic and I then contacted Joe's Machine Shop.

The SUV was towed to Joe's Machine Shop. I gave him a full report of the work done and diagnosis from dealership. Joe advised me that everything was done correctly and that something else was going on with the vehicle. He stated that he would need to run some test on the engine, so I should pull it apart and take it to him. which I did on. We ran detailed diagnostics tests and inspected the engine block. On the observations by Joe's Mechanic Shop. Joe noticed that a chemical he identified as (sugar) was in the gas tank. This caused the rings to collapse and lock on to the pistons. I contacted Mr. Ukpai. and informed him of the problem. Mr. Ukpai then asked me how we could get this done and what can be done to save him some money because it was getting costly. I informed him that we could soak the pistons in rust remover.

It took me approximately three weeks from to for me to remove the rings from the pistons. I told him I spoke with the experts at the machine shop and they told me I could rebuild the engine again by getting all new parts, but this time I would have to replace the fuel pump injector rails and clean the engine block; put new rings, bearing and piston rings into the engine. I explained that we would need to purchase all of the new parts and rebuilt the engine once more.

I discussed the new cost to rebuild the engine with Mr. Ukpai. In my hearing his wife and she advised him to get rid of the vehicle for the second time and stop putting money into the vehicle. He told his wife, "No, the vehicle can be used for something. We could send it down to Africa." After consulting with Joe's machine shop on I gave Mr. Ukai. A quote for the cost of the parts to rebuild the engine (labor not yet included). On I called Mr. Ukpai to discuss a reduced labor cost but he avoided the matter. He stated that I should trust him, based on the fact that he has given me a check in the past.

The vehicle is fixed and has been ready to be picked up by the plaintiff since.

As of date; he still had not paid me the money for the labor for neither the first job nor the second job. My hourly rate is \$80/hr based on the All Date Labor Guide (Exhibit C-1).

Work invoice:

Labor	\$3,572.00
Diagnostic at Rick Case Mitsubishi in Duluth	\$ 102.59

Towing by Tow N Go Roadside service	\$ 140.00
Gas	\$ 20.00
Replacement of the fuel pump	\$ 144.00
Appeal court costs	\$ 217.00
	\$4,195.59

The first proceeding took place on September 11, 2013 at 1:30 pm and was presided over by The Honorable Judge Alvin T. Wong stated.

1. Mr. Chi-Ukpai stated that he paid E and T Automotive \$2,170 for parts and labor. That is incorrect. Mr Chi-Ukpai paid me only that was used to purchase the following:
2. E and T Automotive did not breach his automotive repair contract with Mr. Ukpai. The vehicle was fixed in a timely matter, but due to the fact that chemicals were found in the gas tank the vehicle returned to its previous state; just as what the plaintiff stated in the transcripts (Exhibit A-3) that the engine was bad on page 3 lines 18, (Exhibit A-3) page 4 line 11 and on. (Exhibit A-3) page 4 line 16.
3. During the first hearing, Judge A. R. Sacks informed me that I didn't have the right to touch Mr. Ukeju Chi-Ukpai vehicle because I didn't have a signed invoice. I had an offer and acceptance which constitute a contract and an invoice which was signed by Mr. Ukpai. See EXHIBIT.
4. Judge Sacks rewarded him \$5,826 plus percentage of 6.25 per annum under the guise that I didn't have a signed contract with Mr. Ukpai. Please see (Exhibit A-1) dated 7/5/12 and a check (Exhibit A-2) to match signatures—serves as a contract and the judge also indicated a breach of agreement due to lack of a timeline (follow-up exhibit A-4). I have a signed invoice giving me permission to work on Mr. Chi-Ukpai's vehicle.

I am please asking the court to review my case with Mr. Ukpai and award me accordingly to the rules and guidelines of the Small Claims Court. Thank you for taking the time out to review my case.

Sincerely,

Ezra Johnson/ E and T Automotive

COURT OF APPEALS OF GEORGIA

47 Trinity Avenue, S.W., Suite 501

Atlanta, Georgia 30334

(404)656-3450

Business Hours: Monday - Friday, 8:30 a.m. to 4:30 p.m.

NOTICE OF DOCKETING - DIRECT APPEAL

APPEAL CASE NUMBER: A14A0716

DATE OF DOCKETING: December 13, 2013

STYLE: EZRA JOHNSON v. UKEJU CHI-UKPAI

IMPORTANT RULE REQUIREMENTS AND INFORMATION

Briefs: Appellant's brief (including an Enumeration of Errors as Part II) shall be filed within 20 days of the date on this docketing notice. **No appellant's brief shall be received for filing without the \$300.00 filing fee or sufficient pauper's affidavit.** Appellee's brief shall be filed within 40 days after the docketing date or 20 days after the filing of the appellant's brief whichever is later.

Requests for extensions of time to file briefs should be made by motion. Failure to timely file briefs or to follow any Court rules or orders may cause the appeal to be dismissed or may cause non-consideration of a brief and may subject the offender to contempt.

Filing by US Postal Mail or Delivery Service: The contents of a properly addressed mailing other than a motion for reconsideration shall be deemed filed on the date of the U.S. Postal Service postmark date if it is stamped on the envelope or container. A filing received from an overnight delivery service is deemed filed on the date shown on the envelope or container. If no date appears on the container or envelope of a mailing or delivery, the contents shall be deemed filed on the date of receipt by the court. **Motions for reconsideration are deemed filed on the date the motion is physically received in the Clerk's office.**

Oral Argument: A Request for Oral Argument shall be filed within 20 days of the date on this docketing notice. If oral argument is requested and granted by this Court, the argument is tentatively scheduled for Mar 06 2014 before the Third Division: P. J., Barnes, J., Boggs, J., Branch. A calendar will be sent to counsel of record confirming the exact date of oral argument. If the calendar has not been received at least ten days prior to the tentative oral argument date, please contact the Clerk's office.

Communications: For information, contact the Clerk's office or visit www.gaappeals.us. There shall be no communications relating to pending appeals to any judge or member of the judge's staff.

**COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR APPLICATIONS**

January 2, 2014

To: Mr. Darrell D. Cross, GDC04531, Dougherty County Jail, Post Office Box 549, Albany, Georgia 31702

Docket Number: **Style:**

Your document(s) is (are) being returned for the following reason(s).

1. **Your Application was not accompanied by the statutory filing fee, \$300.00 civil; \$80.00 criminal, or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. Portions of the record included were not tabbed and indexed. Rules 30 (e) and 31 (c).
3. **A stamped "filed" copy of the trial court's order to be appealed was not attached to your Application. Rules 30 (b) and 31 (e)**
4. A stamped "filed" copy of the Certificate of Immediate Review was not attached to your Interlocutory Application. Rule 30(b)
5. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
6. There were an insufficient number of copies of your document. Rule 6
7. **No Certificate of Service accompanied your document(s). Rule 6 You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.**
8. Your Certificate of Service did not include the complete name and /or mailing address of each opposing counsel and pro se party. Rule 1(a) and 6
9. Your document exceeds page limits. Rules 24(f) , 30(e) and 31(c)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. No extension of time for filing an interlocutory application will be granted . Rule 30 (g) . No extension of time will be granted for filing a discretionary application unless the motion for extension is filed on or before the due date of the discretionary application.
12. The type font was smaller than 10 characters per inch; type was not double-spaced or/and type was on both sides of the paper. Rules 1(c), 24(b), 37(a) and 41(b).
13. Your motions were submitted in an improper form (joint, compound, or alternative motions in one document). Rule 41 (b)
14. Margins were too small or paper size was incorrect. Rules 1(c), 24(c), 30(e), 31(c) and 41(b).
15. Your document was submitted for filing more than 30 days after the date of the order granting, denying or dismissing the application or the order granting, denying or dismissing the Motion for Reconsideration. Rules 30(j) and 31(j).
16. Other:

For Additional information, please go to the Court's website at: www.gaappeals.us

Educated "Way" more than myself in Law, have been to the Best of Law Schools, know Holidays, weekends for Filer on the minute of Courts, doesn't count as a Filer date. Thank you! Go Bless

12-21-13

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2013 DEC 26 PM 4:09

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

First Amendment Right To petition the Gover
=ment For Redress of Grievances, motions, petitions.

(Sec.)

Dear The Georgia Court of Appeal Division Court Clerk.
pardon me my name's is Applant Mr. Darrell D. Cross,
I'm located in the Dougherty Co. Jail, In Albany, Georgia 31705, at
"P.O. Box 549, How're you all done? Find I am hapen, I'm
not done so well, just, lost, my biological father on 12-12-13,
who funeral is today in the Atlanta, Ga area. I need for
you Chief above Clerks to take Notice, allow me to
proceed on appeal of a probation Revocation Hearing,
in Case NO. 07 or 08 B: 1227, I don't ve the Cap No. for
this Case. The Dougherty Co. Superior Ct. Clerk etc., These
peoples doesn't like answering pro-se motions, appeals in
this Circuit, none too many motions filed by License
Counselors." I've also a order attached to had appealed
a formal Counselor withdrawal from said: Case, by
the Chief Judge, in which the Counselor stated: They're
not, paid for appealing Cases. I need any available documents, etc
official Indigence affidavit to proceed as, within means
of O.C.G.A. 5-3-22, Case I "can't afford the Case of
this appeal. you all can call the Account Business Office
at this Jail to verify, Cause these peoples doesn't
normally sign "no-indigent affidavits, what I'm entitle
to also within means of O.C.G.A. Section 5-3-4. . . .

Is im entitle
to also a De novo
Investigation, within
means of O.C.G.A.
5-3-20. AS
stated: I doubt a
Probation Hearing
Transcript was made.
I, A so the DA done
had the acclain
report to
I was quote "I'm
Lay, about
entitle to Jail
Credit under
etc. re to
activation of"

(229) 431-5100
or may conne
ctions

page 9 of 10

Focus, flip over for
reading of... Legal Letter too Chief
Clerk of The Appeal Ct.

IN THE GEORGIA COURT OF APPEAL
SECOND DIVISION STATE OF GEORGIA

STATE OF GEORGIA

v.

Hon. Mr. DARRELL D. CROSS,
Pro-se Appellant

probation Hearing etc.

CASE NO. OTR:1227

CAP No. _____

NOTICE OF APPEAL O.C.G.A. 5-6-33. etc.

Comes, Now the Defendant Appellant in this above style case, through his unassigned Counsel for the record, make this his Notice of Appeal of his State Probation Revocation Hearing, that was held in a lower Circuit Superior Ct. of Dougherty Co., before Hon. Chief Judge Willie Lockette, on December 2, 2013, before Assist. District Attorney MS. Smite Wilson, who was represented by Counsel for the record Mr. Marcus Roberts Bar No. 439158 of the Dougherty Judicial Circuit, po. Box 1827/ Room 100 Albany, Ga 31702, AS:

Grounds set forth in his petition:

- (A.) The Appellant state he's a pro-se Defendant in this action, he ask this Court "mercy" to proceed Informa papuris as Indigent, because his is Confined to a "SMU" area, for up too 22½ hours a day, without access to a Law Library, within his 6th, 14th Amendment Rights to bring a Successful Appeal.
- (B.) The Appellant or Appellee ask respect Court to allow him mean-time to tender, amend his documents as Exhibits to this Court; Whereas he be giving a docket Number in, quote the mean-time, because he is as said Indigent...

... doesn't have access to a copy machine, the Jail authorities doesn't have a copy, print out machine, Carbon paper for inmates in County Custody.

(C.) The Appellant is appealing more than several motions he'd filed, mailed to the Dougherty Co. Superior Ct. Chief Clerk Mrs. Evonne S. Mull on about December 11, 2013. Whereas these following Pro-Se motions was i.e. Motion To Appeal Counsel withdrawal, Motion for Rehearing, Motion of Appeal the probation Hearing, "Sac" in the Superior Ct. of Dougherty Co. State of Georgia v. Darrell Cross, Motion of a Notice of Appeal to be transferd by the Chief Clerk of Dougherty Co. To the Georgia Court of Appeal. Whereas this Court ignored all motions EXCEPT one individual motion i.e. A motion To Appeal Counsel withdrawal,

(D.) This order of denial was answerd by Chief Judge Willie Lockette answer denied, so order on December 17, 2013, filed on the minute of the Dougherty Co. Superior Ct. at 2:16 p.m., which he'll go ahead a "Tender" his "only" order in this mailing Notice of Appeal as his "only" original copy.

(E.) The Appellant Appeals on plain and harmless errors, believes his Constitutional rights has been violated, by the appointed Counselor, in means of Strickland v. Washington, 466 U.S. 668 (104 S. 2052 80 LE12d 674) (1984), because Counsel's performance was deficient, prejudiced Appellant, Defendant's defense, proceedings, in his State probation Revocation Hearing... etc. ...

page 2 of 10

... Justices of the Court
please turn over "page 2" for
reading of Notice of Appeal.

... take Emitt Samples, after the morning of arraignment or "quote" arrangement, of Court on March 14, 2013; Appealant believe his testimony shouldn't have been used against him, because he Pacific was told by Counselor that: IF you testify to the files of Grievance, bring it up in opening Court, asking the Judge: Does he've a conflict of Interest, personal grudge against hearing the case. He's gone to be upset, sentence you to the "maximum" of your probation; The Inmate Request Form no. 211 "quote" will be tender as EX hibits in mean-time.

(H) The Appealant had 15 years on State probation left, which a House Bill ["SB"] in the Georgia General Assembly enacted; under probation Hearings, probation Revocations in Georgia, (see) Georgia Criminal Trial practice Ed., stated: Once a Probationary defendant completes a term of 24 mons.; without been convicted of a new Felony Conviction. He or she shall be terminated; Although the probationary Appealant, had left town, the state after his former State prison sentence, in this indictment, because of some suitable threats was made to him, on about September 24, 2012 etc., which he doesn't Pacific believe this Court will include alphabet [H] in his notice of Appeal for relief. He believes the "Judge" was haste, hash in sentencing, on December 2, 2013, in giving him 5 years in State prison at the DOC., away from the 30 days of the probation officer Summary recommendation, attached to warrant no. 12-1352, The [petition for] Modification III B09 - col Attachment so p1 page 1 of 5 revised 5/15/09 olt. of the Dept. of Corrections of Georgia. It stated ...

... 24 mos. In Jail.

(J) The Appellant petitioner was carried into a State Probation Hearing on 12-2-13, didn't witness a Court Reporter presence to transcribe the proceedings, where he'd only witness a Caucasian female set next to the Assist. D.A. Smith Wilson with a Computerize Notebook.

(K) The Appellant believes his Constitutional Rights, Liberty to Jail Time Credited was not "property" given, retroactive by the Judge, dealing within means of Case Law, arguments set forth in Norman vs. The State, under O.C.G.A. Section 17-10-9, whereas it's the duty of the sentencing Judge to award each so day spent in Custody of the Sheriff, not his former Lawyer, the pardons & parole Board of Georgia, In the Hearing the Judge had stated: Didn't your Lawyer just explain to you that: you'll receive Jail Credited? After the probationary Appellant argue to the Superior Ct., without been negative, Sarcastic, that: your honorable Judge it's not blinding upon my attorney, none quote the Sheriff to award, will you give under section 17-10-9. Wherefore, the Petitioner Probationary Appellant prays, that this respectfully Court will let him in this structure of it Court out of a dangerous rain storm, before he suffers a potential illness, whereas he quote he isn't 100% skilled in Legal arguments, Litigation principles, whatever he's entitle to within means of the Anti-terrorism, Death penalty Act on Appeals, post Conviction relief etc., He just aren't able to afford even the "possibilities" of paying a \$260.00 Filer fee ...

page 5 of 10

patiently, Focus Justices

of this respectfully Ct. Flip
over page 5 on back.

CERTIFICATE OF SERVICE

I hereby certify that I have served the opposing parties
a true copy of this Notice of Appeal, Constitutional Grounds,
Order. By placing the same in the United State Mail, with proper
postage paid upon ~~day~~ the Appealant, to with ATTN:

Court of Appeal of Georgia
Chief Clerk of Court
47 Trinity Ave. S.W.
Suite 501
Atlanta, Ga 30334

This 21 day of Dec 2013
Jarrell Cross

Exhibit C etc.

IN THE SUPERIOR COURT OF DOUGHERTY COUNTY
STATE OF GEORGIA

STATE OF GEORGIA)
) Case Number (s): 07 R 1227
)
 vs.)
)
 DARRELL CROSS)

ORDER

The motion of Counsel Marcus Roberts and the Dougherty Circuit Public Defender Office to withdraw as counsel of record having been read and considered;

For good cause shown, it is hereby **ORDERED AND ADJUDGED** that **Marcus Roberts**, and the Dougherty Circuit Public Defender Office are hereby relieved as counsel of record for Defendant Darrell Cross

So **ORDERED** this 17th day of December, 2013


Judge, Superior Court of Dougherty County

Prepared by:


Marcus Roberts 439158
Assistant Public Defender
Dougherty Judicial Circuit
P.O. Box 1827/ Room 100
Albany, Georgia 31702
(229) 483-6240
marobertis@dougherty.ga.us

2013 DEC 17 PM 2:16
EVONNE S. MULL
DOUGHERTY COUNTY
CLERK OF COURTS

FILED

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of December, 2013, a true copy of this Motion was served: (1) by hand delivery upon the Office of the District Attorney **ATTN: Smith Wilson**, Assistant District Attorney; and (2) by U.S. Mail with proper postage paid upon Defendant **DARRELL CROSS**, OCA# 4531/E123, c/o Dougherty County Jail Facility, P.O. Box 549, Albany, GA 31702.

DISTRICT ATTORNEY OFFICE
2013 DEC 17 PM 2:19


Marcus Roberts 439158
Assistant Public Defender

COPY

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 3, 2014

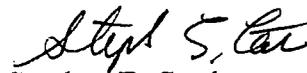
Mr. Victor Callahan
GDC80623 K1-68
Valdosta State Prison
Post Office Box 310
Valdosta, Georgia 31603

Dear Mr. Callahan:

I am in receipt of your letter requesting information regarding where to submit a Notice of Intent to Apply for Certiorari, as well as, Petition for Certiorari, with the Supreme Court of Georgia. You may write the Supreme Court of Georgia at the following address for additional information:

Supreme Court of Georgia
244 Washington Street, S.W. • Suite 572
Atlanta, Georgia 30334

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

RECEIVED IN OFFICE
2013 DEC 26 PM 4:10
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

P.S. ALDES THE MOTION FOR RECONSIDERATION IS FILED IN THIS COURT.

MAURICE COLLAMAN 80633 K950

MERRY XMAS AND A HAPPY NEW YEAR.

THANK YOU FOR YOUR KIND

ASSISTANCE IN LEGAL MATTERS.

DR AFFORDS WHICH A DEVEN CAN CONTACT FOR

SECOND, DOES YOUR WIFE HAS A JOB

DO I SUBMIT A MOTION OR OTHERWISE.

LAW ADVISE, BUT MY QUESTION TO YOU IS, WHICH COURT

SIR, I REALIZE THAT YOU'RE NOT ABLE TO GIVE OUT ANY

DATE: DEC, 2013

TO: MR. STEPHEN E. GOSWAMI
CLERK/COURT ADMINISTRATOR

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 3, 2014

Mr. Kurtis Lee Brown
GDC1240028
Johnson State Prison
Post Office Box 344
Wrightsville, Georgia 31096

RE: Kurtis Lee Brown v. The State
Relief from Judgment Criminal Rule 7.8
Criminal Civil Rights Violations

Dear Mr. Brown:

In response to above referenced correspondence received in this office, we do not have a case styled in your name pending in this Court.

Until a case is docketed in this Court, all communications should be directed to your attorney of record or to the trial court from which you are appealing.

We are returning your documents so you may use them in any future legal proceedings that you may have.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

(1 of 4)

IN THE COURT OF APPEALS FOR THE STATE OF GEORGIA
STATE OF GEORGIA

Kurtis-Lee Brown
Petitioner

CASE'S #s CRO6-0529-KA

VS.

CRO7-0530-KA

STATE OF GEORGIA

RELIEF FROM JUDGMENT

Greg McConell

CRIMINAL RULE 7.8

Michael L. Karpf

Orin L. Alexis

Meg Heap

Michael L. Edwards

CRIMINAL CIVIL RIGHTS

Emory B. Bazemore

VIOLATIONS

Orin L. Alexis

Jennifer Burns

Respondents

RECEIVED IN OFFICE
2014 JAN -2 PM 3:54
COURT ADMINISTRATOR
COURT OF APPEALS OF GA

CRIMINAL RULE 7.8

(a.) Clerical mistakes: Clerical mistake in orders, or other parts of the record and errors therein arising from oversight or omission may be corrected by the court at any time of its own initiative or on the motion of any party and after such notice, if any, as the court orders. Such mistakes may be so corrected before review is accepted by an appellate court, and thereafter may be corrected pursuant to RAP 7.2(e.)

(b) mistakes; Inadvertence; Excusable Neglect; NEWLY DISCOVERED EVIDENCE; FRAUD; ect: ON MOTION upon such Terms as are just; The court may relieve a party from A final judgment, order or proceeding for the following Reasons:

(1) mistake; Inadvertence, surprise, excusable neglect OR Irregularly in obtaining a judgment or order;

a) NEWLY DISCOVERED EVIDENCE which by due Diligence could not have been Discovered In Time To move for A Trial under RULE 7.6;

3) FRAUD (whether heretofore Denominated Intrinsic or

Extrinsic), misrepresentation, or other misconduct of An adverse party; and NO COURTS IN GEORGIA HAVE subject matter are Personal JURISDICTION OVER KURTIS-LEE; Brown, The Trial court must have BOTH Jurisdiction, to hear These cases, while personal Jurisdiction deals with The Authority of A Court to bind The party's to the Action;" 21 AM. JUR. 2d "Criminal Law" 480 (Emphasis added).

(4) THE JUDGMENT IS VOID.

(5) Any other Reason justifying Relief From The operation of Judgment.

The motion shall be made within A Reasonable Time and For Reasons.

(a) NOT MORE Than 1 year After judgment, order or proceeding was Entered or TAKEN, and is further subject to RIM 10.73.090, 100, 130, and 140. A motion under section.

(b) does not affect the finality of the judgment or suspend its operation.

(c) Procedure on VACATION OF JUDGMENT.

1) MOTION: Application shall be made by motion by stating the grounds upon which relief is asked, and supported by AFFIDAVITS setting forth a concise statement of the facts or errors upon which the motion is based.

a) INITIAL CONSIDERATION: The COURT may deny the motion without a hearing if the fact alleged in the Affidavits do not establish grounds for relief. The court may transfer a motion to the court of appeals for consideration as (PRP) if such transfer would serve the ends of justice.

otherwise, The court shall enter an order fixing a time and place for hearing and directing the adverse party to appear and show cause why the relief asked for should not be GRANTED.

Adopted effective September 1, 1986, amended effective September 1, 1991
Kurtis-Lee; Brown

(4 of 4)

CERTIFICATE OF SERVICE

This is to certify that I, Kurtis-Lee Brown the petitioner ~~or~~ has this day served the parties below with a copy of this action by way of the United States Postal Service with the appropriate postage affixed thereto

This 28th day of Dec., 2013

Respectfully submitted
Kurtis-Lee Brown

cc:

Kurtis-Lee Brown

1.) Chatham County Courthouse (Clerk)

Superior Court

133 Montgomery St. (suite 600)

P.O. Box 2309

Savannah, Ga. 31402

2.) DISTRICT Attorney office

P.O. Box 2309

Savannah, Ga. 31402

3.) The Brown family and friends

4.) Al Sharpton / National Action Network

5.) Jesse Jackson / Rainbow Push Coalition

6.) Supreme Court of the United States / Washington DC

1
OK
E

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

404-656-3450

January 3, 2014

Mr. Ajit Bhat
425 Lakehill Court
Johns Creek, Georgia 30022

RE: Direct Appeal - Case E9854
Johns Creek Municipal Court

Dear Mr. Bhat:

There is no current case pending in the Court of Appeals under your name. Until a case is docketed in the Court of Appeals in your name, you should direct your inquiries to your attorney or the clerk of the trial court from which you are appealing.

Since you are aware that a Notice of Appeal is filed with the clerk of the trial court and not with the Court of Appeals of Georgia, you do not need to provide this Court with a copy of the Notice of Appeal you filed with the municipal court.

Once the trial court clerk has received and filed a Notice of Appeal, the trial court clerk will prepare a copy of the record and transcripts as designated by the Notice of Appeal and transmit it to this Court. Once the Notice of Appeal is docketed in the Court of Appeals of Georgia, a Docketing Notice with the briefing schedule and other important information is mailed to counsel for the parties or directly to the parties, if the parties are representing themselves.

I am returning your documents to you.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

To:
Court of Appeals of Georgia
47 Trinity Avenue, Suite 501
Atlanta, GA 30334

0110 RECEIVED IN OFFICE
-2 PM 2014 JAN -2 PM 3:32
From:
Ajit Bhat
425 Lakehill Court
Johns Creek, GA 30022
Ph: (770) 751 9305 (res)
(678) 477-6684 (cell)
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Attn: Court Clerk

December 30, 2013

Re: Direct Appeal – Case E59854 of Johns Creek Municipal Court

Dear Sir/Madam:

I am writing to appeal the verdict of Johns Creek Municipal Court related to case E59854. The verdict, pronounced on December 5, 2013, was related to a traffic citation for "improper passing on right" by the Johns Creek Police Department. The trial court has imposed upon me a fine of \$250.00 and probation for six months for the said offence.

I have submitted a *Notice of Appeal* with the court clerk of Johns Creek Municipal Court, as required of me. Copies of the Notice of Appeal and the Certificate of Service are enclosed with this letter.

Please note that I have already made the court ordered payment because there was the possibility that I might not have had the time to pursue this case with the Court of Appeals. However, I honestly believe that the trial court has erred in its application of the Georgia Traffic Code, and I have subsequently decided to proceed with this appeal. I believe that this case will set an important precedent for what can be considered a chargeable traffic violation.

I will follow up with the additional requirements of the appeal process upon notification that my case has been docketed. Thank you, very much, for your kind attention.

Sincerely,



Ajit Bhat
425 Lakehill Court
Johns Creek, GA 30022
770 751-9305 (res)
678 477-6684 (cell)

To:
City of Johns Creek Municipal Court
11445 Johns Creek Parkway
Johns Creek, GA 30097

From:
Ajit Bhat
425 Lakehill Court
Johns Creek, GA 30022

Attn: Court Clerk

December 30, 2013

Re: Notice of Appeal – Case E59854

Dear Sir/Madam:

I am writing to notify you of my intention to appeal the guilty verdict of the trial court related to case E59854. The verdict, pronounced on December 5, 2013, was related to a traffic citation for "improper passing on right" by the Johns Creek Police Department. The trial court has imposed a fine of \$250.00 and probation for six months for the said offence.

I will be submitting my appeal to Court of Appeals of Georgia, 47 Trinity Avenue, Suite 501, Atlanta, GA 30334. Additional details related to my case are included in a copy of the *Notice of Appeal* form enclosed with this letter.

Thank you for your attention to this matter.

Sincerely,



Ajit Bhat
425 Lakehill Court
Johns Creek, GA 30022

FORM 1 - NOTICE OF APPEAL (CIVIL or CRIMINAL CASE)

NOTICE OF APPEAL
JOHNS CREEK MUNICIPAL
IN THE _____ (SUPERIOR, STATE, ETC.) COURT
OF FULTON COUNTY

STATE OF GEORGIA

PLAINTIFF * CASE NUMBER
CITY OF JOHNS CREEK POLICE DEPARTMENT* E 59854
vs. *
DEFENDANT *
AJIT BHAT *

NOTICE OF APPEAL

Notice is given that DEFENDANT (Plaintiff/Defendant) in the above matter hereby appeals to the Court of Appeals of Georgia from the judgment of the trial court entered on the 5th day of DECEMBER, 2013.

The clerk shall omit nothing (omit nothing from the record on appeal/will omit from the record on appeal the following: _____.)

A transcript of evidence and proceedings will (will/will not) be filed for inclusion in the record on appeal.

The Court of Appeals, rather than the Supreme Court, has jurisdiction of this appeal because the issue involved is a traffic citation and appeals of such cases are not reserved to the Supreme Court of Georgia pursuant to Article VI, Section VI, Paragraphs II and III of the Constitution of the State of Georgia.

CERTIFICATE OF SERVICE

I certify that I have this day served opposing party (opposing party or attorney) with a copy of this Notice of Appeal by mailing (hand delivery/ mailing a copy first class mail postage prepaid) to him/her at: 11445 JOHNS CREEK PARKWAY, JOHNS CREEK (complete address of party served).

GA 30097
This the 30th day of DECEMBER, 2013.

AJBhat (Sign your name.)
(AJIT BHAT)

To:
Court of Appeals of Georgia
47 Trinity Avenue, Suite 501
Atlanta, GA 30334

From:
Ajit Bhat
425 Lakehill Court
Johns Creek, GA 30022
Ph: (770) 751 9305 (res)
(678) 477-6684 (cell)

Attn: Court Clerk

December 30, 2013

Re: Direct Appeal – Case E59854 of Johns Creek Municipal Court

Dear Sir/Madam:

I am writing to appeal the verdict of Johns Creek Municipal Court related to case E59854. The verdict, pronounced on December 5, 2013, was related to a traffic citation for "improper passing on right" by the Johns Creek Police Department. The trial court has imposed upon me a fine of \$250.00 and probation for six months for the said offence.

I have submitted a *Notice of Appeal* with the court clerk of Johns Creek Municipal Court, as required of me. Copies of the Notice of Appeal and the Certificate of Service are enclosed with this letter.

Please note that I have already made the court ordered payment because there was the possibility that I might not have had the time to pursue this case with the Court of Appeals. However, I honestly believe that the trial court has erred in its application of the Georgia Traffic Code, and I have subsequently decided to proceed with this appeal. I believe that this case will set an important precedent for what can be considered a chargeable traffic violation.

I will follow up with the additional requirements of the appeal process upon notification that my case has been docketed. Thank you, very much, for your kind attention.

Sincerely,



Ajit Bhat
425 Lakehill Court
Johns Creek, GA 30022
770 751-9305 (res)
678 477-6684 (cell)

To:
City of Johns Creek Municipal Court
11445 Johns Creek Parkway
Johns Creek, GA 30097

From:
Ajit Bhat
425 Lakehill Court
Johns Creek, GA 30022

Attn: Court Clerk

December 30, 2013

Re: Notice of Appeal – Case E59854

Dear Sir/Madam:

I am writing to notify you of my intention to appeal the guilty verdict of the trial court related to case E59854. The verdict, pronounced on December 5, 2013, was related to a traffic citation for "improper passing on right" by the Johns Creek Police Department. The trial court has imposed a fine of \$250.00 and probation for six months for the said offence.

I will be submitting my appeal to Court of Appeals of Georgia, 47 Trinity Avenue, Suite 501, Atlanta, GA 30334. Additional details related to my case are included in a copy of the *Notice of Appeal* form enclosed with this letter.

Thank you for your attention to this matter.

Sincerely,



Ajit Bhat
425 Lakehill Court
Johns Creek, GA 30022

FORM 1 - NOTICE OF APPEAL (CIVIL or CRIMINAL CASE)

NOTICE OF APPEAL
JOHNS CREEK MUNICIPAL
IN THE _____ (SUPERIOR, STATE, ETC.) COURT
OF FULTON COUNTY

STATE OF GEORGIA

PLAINTIFF * CASE NUMBER
CITY OF JOHNS CREEK POLICE DEPARTMENT * E 59854
vs. *
DEFENDANT *
AJIT BHAT *

NOTICE OF APPEAL

Notice is given that DEFENDANT (Plaintiff/Defendant) in the above matter hereby appeals to the Court of Appeals of Georgia from the judgment of the trial court entered on the 5th day of DECEMBER, 2013.

The clerk shall omit nothing (omit nothing from the record on appeal/will omit from the record on appeal the following: _____.)

A transcript of evidence and proceedings will (will/will not) be filed for inclusion in the record on appeal.

The Court of Appeals, rather than the Supreme Court, has jurisdiction of this appeal because the issue involved is a traffic citation and appeals of such cases are not reserved to the Supreme Court of Georgia pursuant to Article VI, Section VI, Paragraphs II and III of the Constitution of the State of Georgia.

CERTIFICATE OF SERVICE

I certify that I have this day served opposing party (opposing party or attorney) with a copy of this Notice of Appeal by mailing (hand delivery/ mailing a copy first class mail postage prepaid) to him/her at: 11445 JOHNS CREEK PARKWAY, JOHNS CREEK GA 30097 (complete address of party served).

This the 30th day of DECEMBER, 2013.

AJBhat (Sign your name.)
(AJIT BHAT)

COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR BRIEFS OR MOTIONS

Date: January 3, 2014

To: Mr. Dennis Gordon, GDC1000724379, Wheeler Correctional Facility, Post Office Box 466, Alamo, Georgia 30411

Docket Number: A14A0664 **Style:** Dennis Gordon v. The State

Your document(s) is (are) being returned for the following reason(s).

1. Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 **Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4. **No Certificate of Service accompanied your document(s). Rule 6**
5. Your Certificate of Service did not include the complete name and mailing address of each opposing counsel and pro se party. Rules 1(a) and 6. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
6. There were an insufficient number of copies of your document. Rule 6.
7. Your document exceeds page limits. Rules 24 (f) and 27 (a)
8. Your document was submitted without permission to file (supplemental brief or second motion for reconsideration). Rules 27 (a) and 37 (d)
9. Letter briefs and letter cites are not permitted. Rule 27 (b)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12. Type was on both sides of the paper; type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17. The Motion to Supplement has not been granted.
18. Other

RECEIVED IN OFFICE
2013 DEC 26 PM 4: 03
CLERK/SECURITY ADMINISTRATION
COURT OF APPEALS OF GA

Dennis Gordon
GDC: 1000724379
Wheeler Correctional
Facility
P.O. Box 466 200-R
Alamo, Georgia 30411

Date of Docket - Dec. 6, 2013
Date Received - Dec. 12, 2013

Dennis Gordon
Appellant Pro Se

With Much Respect,
Dennis Gordon

I am Dennis Gordon, GDC # 1000724379, 22 years old, and currently incarcerated at Wheeler Correctional Facility. The reason I am writing is to ask this Honorable court for a time extension for turning in my appellate brief. I am noting that it is complete, but there are difficulties when it comes to getting out of the dorms in this institution. I respect the procedures knowing that you require motions to be written for time extensions, but in order for me to comply with those rules I must also get that document notarized. They only do notary here Wednsday and Fridays from 10-12 during that time we go to lunch at the same time there is mass movement and they don't do notary when there is mass movement. My docket # was also sent to Macon State first I received it December 12, 2013. I pray this honorable court show compassion to grant me this extension I am a young father just trying to get home to his children and fiancée, thank you for your time and may GOD bless

Georgia Court of Appeals,

Al14AD664

Dec, 20, 2013

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 3, 2014

Mr. Daniel Eric Cobble
GDC758572
Baldwin State Prison
Post Office Box 218
Hardwick, Georgia 31034

RE: A12D0030. Daniel Eric Cobble v. Clay Tatum

Dear Mr. Cobble:

We are in receipt of your Motion to Recall the Remittitur in the above referenced Discretionary Application. I am returning your documents to you as there was no remittitur issued in that case. The Court denied your application for Discretionary Appeal on September 25, 2013.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

RECEIVED IN OFFICE

2019 DEC 30 PM 3:50

CLERK/DOCKET ADMINISTRATOR
COURT OF APPEALS OF GA

Patricia Perkins
Patricia Perkins

besides the 5 file wanted 3 other
human state worker paper approval was 3/27/18
filing the answer to original suit # 2011 CA 57968
with 30 days of service since she state answer
was in a different case # ~~2011 CA 57968~~ 2011 CA 57968
why it's not same at # 2011 CA 57968 so state
do not have access to all of that info. supervisor
and there's denied access to us. supervisor should Georgia
Court Reportly file to provide a judgment
means to a bid by both Georgia state appeal rules
can we spread below
see a federal order case (change for grant)

motion to recall Remittitur
to Georgia Court of Appeals 12-4-13 Rules
5th circuit not served till 12-23-13 so I
will not lose my right to access to court
appeal from 12-4-13 Rules next court
enclosed entire paper

Patricia Perkins
Patricia Perkins
c (attorney)
Defendant

can
A 14 20050
appeals 12-4-13

In the Georgia Court of Appeals
State of Georgia

Certificate of Service

This is to certify that I have this day served
opposed counsel papers by hand delivery through
mail to wardens office to hand to

The Attorney General of Georgia
Samuel J. Ovens
Dept of Law
40 Capitol Square
S.W. Atlanta Georgia
30334-1300

This 23rd day of Dec. 2013 by Daniel Eutelle
petitioner

[Logout](#)

Case Management

General Docket	Lower Court	Party/Attorney	Filings	Judgment	Certiorari	Remittitur	Notes	Case History
----------------	-------------	----------------	---------	----------	------------	------------	-------	--------------

Edit Filings and Actions Transfers Mailing Labels

[Tracking](#)

[Return to Search](#)

Case Style	DANIEL ERIC COBBLE v. CLAY TATUM
Short Style	DANIEL ERIC COBBLE v. CLAY TATUM
Case Number	A14D0030
Assigned Judge: P. J. Sara L. Doyle	Assigned Division: 4 Short Number: 97-003 Assignment Type: System
Panel: P. J. Sara L. Doyle, J. M. Yvette Miller, J. Stephen Louis A. Dillard	Opinion Status: C
Docket Date: 09/05/2013	Term: J14 Docket Calendar: 0114 Status: J Notes: No

Filings and Actions	Court Initiated Actions
---------------------	-------------------------

[View Returned Filings](#)

04-033 - MFR/NT
Filing Date and Time: 10/04/2013 12:00 AM EDT Category: Motion for Reconsideration Party Type: NT Replace Filing Document
Reference Number: 148672 Filing Method: Paper Filed View Filing
Primary Action: 05-038 - MFR/DENIED Order Date: 12/04/2013 View Order
Replace Order Document Vacate Order

[Return to Search](#)

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The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 6, 2014

Ms. Christine Brown
900 Newton Circle, #312
Atlanta, Georgia 30315

RE: A14A0496. Christine Brown v. Career USA, et al.

Dear Ms. Brown:

The above referenced appeal was disposed by order on December 3, 2013. The Court of Appeals dismissed the appeal. The remittitur issued on December 17, 2013, divesting this Court of any further jurisdiction of your case. The case is therefore, final.

I am returning the Motion for Reconsideration to you.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure

COURT OF APPEALS OF GEORGIA
STATE OF GEORGIA

Christine Brown
Appellant / Employee

CIVIL ACTION NUMBER 13-2012-1241
A14A0496

VS
CAREERS USA/
WAUSIA INSURANCE
COMPANY

Appellee

MOTION FOR RECONSIDERATION

FILED IN OFFICE

DEC 26 2013

CLERK/COURT OF APPEALS OF GEORGIA

RECEIVED IN OFFICE

2013 DEC 26 PM 3:10

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Christine Brown
Appellant Pro Se
900 Newtown Circle #312
Atlanta, GA 30315
12-18-2013

COURT OF APPEALS OF GEORGIA
STATE OF GEORGIA

Christine Brown
Appellant/Employee

CIVIL ACTION FILE NO # 2012CV001241

A14A0496

v/s
CAREERS USA/WAUSUA
Insurance
Company

Appellee

MOTION FOR RECONSIDERATION

Comes now Christine Brown, appellant Pro SE, in the above-case action, and moves this Court for reconsideration of its December 3, 2013 order, by stating and showing the court as follows:

1.
I made an error in filing the proper appellate procedure and I am correcting my error by filing a discretionary order.

Christine Brown

12-18-2013

COURT OF APPEALS OF GEORGIA
STATE OF GEORGIA

CIVIL ACTION FILE NO. 2012CV001171

A14A0496

Justine Brown
Appellate / Employee
vs
SHAREERS USA/INSURANCE
company
Appellee

CERTIFICATE OF SERVICE

This is to certify that I have this day served
counsel of record in the foregoing matter with
a copy of the APPELLANT'S MOTION FOR RECONSIDERATION
by electronic mail and by sending a copy of same
via overnight mail addressed as follows:

Mr. Winston Briggs
1005 C Howell Mill Rd.
Atlanta GA 30318

Justine Brown
12-2013

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 6, 2014

Mr. Thomas Matthew Brown
GDC1000617238
Augusta State Medical Prison
3001 Gordon Highway
Grovetown, Georgia 30813

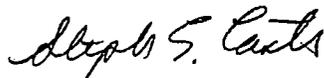
Dear Mr. Brown:

In response to your correspondence received in this office we do not have a case styled in your name pending in this Court.

Until a case is docketed in this Court, all communications and questions regarding a case should be directed to your attorney or to the trial court from which you are appealing.

We are returning your documents as you may wish to use them in any future legal proceedings that you may have.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

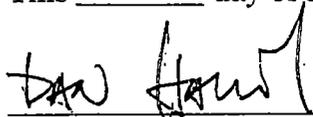
SEC/ld
Enclosure

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has this day served the Petitioner with the foregoing Motion to Dismiss by depositing a copy of same in the United States Mail in a properly addressed envelope with sufficient postage affixed thereto as is required by law to the Petitioner and his counsel:

Thomas Matthew Brown
#1000617238
Augusta State Medical Prison
3001 Gordon Highway
Grovetown, Georgia 30813

This 12th day of June, 2013.



Daniel W. Hamilton
Special Assistant Attorney General

Shepard, Plunkett, Hamilton & Boudreaux, L.L.P.
429 Walker Street, Upper Level
Augusta, Georgia 30901
(706) 722-6200

For Thomas M. Brown NAZ-720

THIS FORM IS TO BE COMPLETED ONLY BY AN AUTHORIZED INDIVIDUAL AT THE INSTITUTION WHERE THE INMATE PLAINTIFF IS PRESENTLY INCARCERATED, OR HIS/HER DESIGNEE.

CERTIFICATION

I hereby certify that the Plaintiff herein, Brown, Thomas M # 1000617238 has an average monthly balance for the last twelve (12) months of \$ 31.67 on account at the Augusta State Medical Prison - 9 months institution where confined. (If not confined for a full twelve (12) months, specify the number of months confined. Then compute the average monthly balance on that number of months.)

I further certify that Plaintiff likewise has the following securities according to the records of said institution: none known

Julie Cox
Authorized Officer of Institution

7-23-13
Date

NOTE: Please attach a copy of the prisoner's inmate account of the last 12 months, or the period of incarceration (whichever is less).

RECEIVED IN OFFICE
2013 DEC 30 PM 3:46
CLERK/COURT ADMINISTRATOR
COUNTY OF ALLEN, GA

Account Statement

BROWN, THOMAS

Printed By:

COX, JULIE

GDC ID: 1000617238

Spendable Amount	Reserved Amount	Receipts On Hold	Funds Balance	Obligations/Court Charges
\$0.00	\$10.00	\$0.00	\$10.00	\$816.66

RECEIPTS

Receipt Date	Transaction ID	Receipt Type	Receipt Details	Receipt Amount
06/01/2013	11688992	TOUCHPAY DEPOSIT RECEIPT	TOUCHPAY - BROWN, PAMELA - 7327346	\$50.00
05/29/2013	11675705	JPAY DEPOSIT RECEIPT	JPAY - LEE, RENALDO - 25891950	\$20.00
05/29/2013	11675539	JPAY DEPOSIT RECEIPT	JPAY - BURGESS, JOHNATHAN - 25889242	\$60.00
04/07/2013	11479257	TOUCHPAY DEPOSIT RECEIPT	TOUCHPAY - BROWN, PAMELA - 7002843	\$40.00
02/24/2013	11305667	TOUCHPAY DEPOSIT RECEIPT	TOUCHPAY - BROWN, PAMELA - 6799309	\$80.00
11/08/2012	10915083	TOUCHPAY DEPOSIT RECEIPT	TOUCHPAY - BROWN, PAMELA - 6342425	\$30.00
11/05/2012	10899857	MAIL ROOM RECEIPT	ROCKDALE CO - 1001	\$4.98

WITHDRAWALS

Date	Location Paid	Withdrawal Type	Payable To	Detail	Amount	Check No
07/01/2013	CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee 07/2013	\$0.34	
06/25/2013	CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	AUGUSTA STATE MED. PRISON	STORE PURCHASE	\$24.25	BOA ACH-2010000052
06/11/2013	CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	AUGUSTA STATE MED. PRISON	STORE PURCHASE	\$33.65	BOA ACH-2010000052
06/07/2013	CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	RECORD ID = 15458168. 6/7/13 - MED COPAY	\$5.00	107762
06/05/2013	CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	AUGUSTA STATE MED. PRISON	RECORD ID = 15449563. 5/22/13 - LEGAL SUPPLIES	\$0.33	107778
06/01/2013	CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee 06/2013	\$1.00	107992
05/31/2013	CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	AUGUSTA STATE MED. PRISON	STORE PURCHASE	\$59.64	BOA ACH-2010000051
05/29/2013	CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	RECORD ID = 15307214. 5/17/13 - MED COPAY	\$5.00	106650
05/29/2013	CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	RECORD ID = 15306420. 5/7/13 - ID CARD REPLACEMENT	\$0.79	106595
05/21/2013	CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	RECORD ID = 15306420. 5/7/13 - ID CARD REPLACEMENT	\$4.21	106595
05/17/2013	CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	AUGUSTA STATE MED. PRISON	STORE PURCHASE	\$6.09	BOA ACH-2010000051
05/07/2013	CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	AUGUSTA STATE MED. PRISON	STORE PURCHASE	\$9.39	BOA ACH-2010000051
05/01/2013	CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee 05/2013	\$1.00	105571
04/16/2013	CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	AUGUSTA STATE MED. PRISON	STORE PURCHASE	\$3.70	BOA ACH-2010000050

Account Statement

Certified Copy of Inmate Account:
Julie Cox Date: 7-23-13

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 6, 2014

Ms. Kritzia Gomez
1090 Joseph E. Boon Boulevard
Atlanta, Georgia 30314

Dear Ms. Gomez:

I am in receipt of your "Motion for an Extension of Time to File Appellant's Brief and to Retain an Attorney" filed in the Court's drop box on Friday, January 3, 2014. Your motion is being returned to you because your Certificate of Service did not include the complete name and mailing address of the opposing counsel. Rules 1(a) and 6. You should provide a copy of your filing to the opposing counsel and include his/her name and address on your Certificate of Service and return your motion to this Court for filing.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure

IN THE COURT OF APPEALS
STATE OF GEORGIA

RECEIVED IN OFFICE

2014 JAN - 8 AM 8: 23

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

KRITZIA GOMEZ,

Appellant

Vs

NAKOREYA MARIE, LLC

Appellee

)
)
)
) CASE NO.: A14a0707
)
)
)
)
)
)

FILED IN OFFICE

JAN 08 2014

CLERK COURT OF
APPEALS OF GEORGIA

Motion for an Extension of Time to File Appellant's Brief and to Retain an Attorney

COMES NOW Appellant Kritzia Gomez (hereafter, "Appellant"), and respectfully move this Honorable Court for an Extension of Time to File Appellant's Brief and to Retain an Attorney and show this court the following:

1.

Appellant are currently representing herself Pro Se.

2.

However, Appellant is currently seeking counsel who is experienced with Court of Appeal matters.

3.

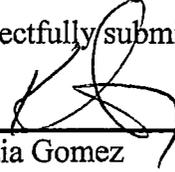
Appellant will need time to retain competent counsel in this matter and respectfully requests the Court for a ninety (90) to one hundred (120) day extension.

WHEREFORE, Appellant prays that this court will grant her Motion for an Extension of Time to File Appellant's Brief and to Retain an Attorney.

FILED IN DROP BOX

This 3rd day of January, 2014

Respectfully submitted,



Kritzia Gomez
Appellant
Pro Se

IN THE NORTERN DISTRICT OF GEORGIA
IN THE COURT OF APPEALS
STATE OF GEORGIA

KRITZIA GOMEZ,)
)
Appellant)
)
Vs) CASE NO.: A14a0707
)
NAKOREYA MARIE, LLC)
)
Appellee)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Motion for an Extension of Time to File Appellant's Brief and to Retain an Attorney upon all parties to this matter by depositing a true copy of same in the U.S. Mail, proper postage prepaid, addressed to the registered agents as follows:

Nakoreya Marie, LLC

This 3rd day of January, 2014

Respectfully submitted,



Kritzia Gomez
Appellant
Pro Se

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 6, 2014

Mr. Jeffery W. Edwards
GDC1130860 L-3-148
Wilcox State Prison
Post Office Box 397
Abbeville, Georgia 31001

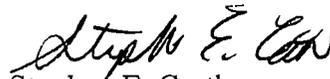
Dear Mr. Edwards:

Your appeal (A04A0756. Jeffery Wayne Edwards v. The State) was disposed by opinion on March 4, 2004. The Court of Appeals affirmed the judgment of the trial court. The remittitur issued on March 23, 2004, divesting this Court of any further jurisdiction of your case. That case is therefore, final.

We do not have a current case styled in your name pending in this Court. Until a case is docketed in this Court, all communications regarding the status of a case should be directed to your attorney of record or to the trial court from which you are appealing.

I am returning your documents to you.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

IN THE COURT OF APPEALS (STATE OF GEORGIA)

# 1130860 LEFFERY W. EDWARDS WILCOX STATE PRISON CLAIMANT ACTION FILE 02-CR-21166-PR-JFL-a	[PROSE]/(RETURNER)/PETITION/USE STATE OF GEORGIA (RESPONDENT)/APPELLEE NOTICE OF APPEALS
RECEIVED IN OFFICE 2008 DEC 30 AM 10:58 CLERK/COURT APPEALS COURT OF APPEALS OF	COMES NOW THE (PETITIONER), LEFFERY W. EDWARDS (ABOVE), SO NAMED (IN CAPTION); ET ALERE GIVES/SERVES NOTICE THAT HE IS HEREBY ENTERING A NOTICE OF APPEALS TO THIS (HURBL) COURT OF APPEALS, THAT HE IS SEEKING A "DISCRETIONARY" REHEAR, FROM THE ADVERSE ORDER DENYING HIS/MY (PROSE) MOTION FOR AN "OUT-OF-TIME" APPEAL. SAID ADVERSE ORDER/LEAVING WAS ISSUED BY THE (HURBL) J. RICHARD BURTHAM, JR., OF (FLOYD) COUNTY, (SUPERIOR) COURT, ON DEC. 10TH 2008. HOWEVER, & RECEIVED BY THIS [PROSE] PETITIONER/RESPONDENT ON DEC. 16TH 2008, (SEE: (PETITIONER'S EXHIBIT - 1)) [SUPERIOR COURT - ORDER] *

RETURNER HAS ALREADY SUBMITTED A 10-Pg. NOTICE OF APPEAL, (ALSO) (ALREADY) TO THE D.A. OFFICE, & TRIML COURT ADVERSE PARTIES, w/ CERTIFICATES OF SERVICE ATTACHED THERETO, IN ORDER TO STAY IN COMPLIANCE WITH O.C.G.A. 5-6-37 * & O.C.G.A. 5-6-32 * ETC

OBEY THIS COURT OF APPEALS RULES-6. (SEE: EXHIBITS-2 & CERTIFICATES OF SERVICES (ATTACHED) THERETO) *
 C.C./O. OF (25)

RETURNER HAS ALREADY SUBMITTED A 10-Pg. NOTICE OF APPEAL, (ALSO) (ALREADY) TO THE D.A. OFFICE, & TRIML COURT ADVERSE PARTIES, w/ CERTIFICATES OF SERVICE ATTACHED THERETO, IN ORDER TO STAY IN COMPLIANCE WITH O.C.G.A. 5-6-37 * & O.C.G.A. 5-6-32 * ETC

OBEY THIS COURT OF APPEALS RULES-6. (SEE: EXHIBITS-2 & CERTIFICATES OF SERVICES (ATTACHED) THERETO) *
 C.C./O. OF (25)

THIS IS (ALSO) TO INFORM THIS (HONORABLE) COURT OF APPEALS, THAT I HAVE FILED FOR THE (SUPERIOR) COURT TO ALLOW ME TO CONTINUE TO PROCEED FORTH (PRO-SE) IN "FORUM-PAUPERIS" AND TO PLEASE APPOINT ME APPELLATE COUNSEL, (SEE:)* EXHIBITS. "A" & "B" ATTACHED (HEREIN)*. DUE TO MY INDIGENT STATE. (SEE:)* EXHIBITS "A" & "B" ATTACHED)*

I HAVE MET THE 30-DAY DEADLINE TO SERVE THIS NOTICE OF APPEAL, TO ALL PARTIES. (SEE:)* APPELLANTS EXHIBIT - #2 PAGE - 2* [*(PUR.) O.C.G.A. 5-6-38(C)].

ALL PARTIES HAVE RECEIVED A NOTICE OF THIS APPEAL (SEE:)* [APPELLANTS EXHIBIT #2, PG. - 2*]. (PURSUANT) 5-6-37, O.C.G.A. * I'VE REQUESTED THE CLERK TO FORWARD ALL MY PROSE MOTIONS & AFFIDAVITS TO THIS COURT, INCLUDING A COPY OF MY INDICTMENT & MY PROBATION REVOCATION, HEARING TRANSCRIPT (TO THIS) COURT. WITH THE OTHER (SPECIFIED) DOCUMENTS, (SEE:)* EXHIBIT - #2 Pgs. 1 & 2). (PUR.) O.C.G.A. 5-6-42 & 5-6-43, ALSO COURT OF APPEALS / RULES: 18 & O.C.G.A. 5-6-41.

I'VE GIVEN THE RESPONDENTS) NOTICE OF THE GROUNDS, ENUMERATION OF ERRORS, & INTENT FOR THIS APPEAL. SEE:)* EXHIBIT #2 Pgs. 4 & 5. WITH CITATION & AUTHORITIES IN SUPPORT.)* APPELLANTS EXHIBIT - #2 PAGES 4 & 5* TO STAY IN COMPLIANCE WITH THIS COURT OF APPEALS RULES (R) 6, & 22 *.

JURISDICTION

THIS COURT WAS CHOSEN RATHER THAN THE SUPREME COURT OF ~~GEORGIA~~ ^{GEORGIA}. BECAUSE, THIS IS NOT A DEATH PENALTY C.C. / (2.) OF (5.) CASE, . . . → . . . →

→ AND THIS COURT HAS AUTHORITY OVER THIS CASE (P.R.) TO
O.C.G.A. 5-6-33(c), O.C.G.A. 5-6-30, O.C.G.A. 5-6-34 * AS ALSO AUTHORIZED BY ARTICLE VI,
SECTIONS 2 & 3 OF THE CONSTITUTION OF THIS STATE.

● ENUMERATION OF ERRORS. (P.R.) O.C.G.A. 5-6-40.

THIS IS TO ADVISE THAT MY ENUMERATION OF
 ERRORS, CONSIST OF THE FOLLOWING, TO WIT:
 (1) INEFFECTIVE ASSISTANCE OF COUNSEL.
 (2) TRIAL COURT (REVERSIBLE) ERROR.

* "DISCRETIONARY" = "ARBITRARY" (JUDICIAL)

My grounds for this appeal. ARE
 (1) My rights to an appeal were violated.
 (2) My sentence is illegal.

My main arguments / complaints for this
 appeal is: (1) why, was I not informed of my right
 to appeal to appeal my probation revocation hearings
 * (KREPS V. GRAY) 234 GA 745 (1975) (GA SUPREME)
 (2) why, was I not advised of my rights to
 appellate counsel? * (HILL V. STATE) ^{Case No 740105} 2007
 MAY 9TH * (3) why, was my request for an
 appointment of appellate counsel never addressed?
 * (BROWN V. STATE) 110A1717 (2013). JAN-16TH

(4) why was my motion denied (FOR MY OUT-OF-STATE
 APPEAL) WITHOUT FIRST CONDUCTING A HEARING?

* (KREPS V. GRAY), 234 GA 745 (1975). (HILL V. STATE), SUPRA. 2007-
 * (BROWN V. STATE), SUPRA. 2013. ... →
 O.C. / (3) OF (5)

→ ALTHOUGH I DID (REQUEST) ONE, IN MY 35-Pg. BRIEF
AND I DID ALSO ENCLOSE A (RULE-NISI) AS WELL, IN MY
35-Pg. BRIEF, (SEE * APPELLANTS EXHIBIT-1)

PETITIONER DECLARES THAT THESE ASSERTIONS ARE
TRUE, ACCURATE, & CONCISE; UNDER OATH, & PENALTY OF
PERJURY. * (SEE:) APPELLANTS' EXHIBIT-6

ALSO, THIS COURT IS FURTHER EMPOWERED
TO ACCEPT THIS APPLICATION FOR A "DISCRETIONARY"
BECAUSE PURSUANT TO COURT OF APPEALS RULE 31(a)
"REVERSIBLE ERROR, APPEARS TO EXIST" IN THIS INSTANT
CASE. (2) I'm FILING UNDER O.C.G.A. 5-6-35(j)
AND (3) DENIAL OF A MOTION FOR AN "OUT-OF-THE-
-APPEAL" IS A (DIRECT) APPEALABLE ORDER.
* (OSBORN V. STATE) CASE NO. A12A0380 [2012] MAY 10

I HAVE MET ALL YOU AISC RULES TO THE BEST (THE
VERY BEST) OF MY ABILITIES. I HAVE SUBMITTED (ALSO)
FORMA PROPERIS AFFIDAVITS TO ALL PARTIES, (SEE
EXHIBITS * A, B, & C (OF THIS APPELLANTS) TO DECLARE MY
INDIGENT STATUS; WITH NOTARIZATION, OR VERIFICATION
FROM AUTHORIZED PRISON PERSONNEL, * TO PROCEED AND
CONTINUE UNDER FORMA-PROPERIS TO STAY IN COMPLIANCE
WITH COURT OF APPEALS RULE - 5

RESPECTFULLY SUBMITTED THIS DATE: 12-23rd [2013]

(SEE) "CERTIFICATE"
OF SERVICE.

d.c. / (4) OF (5.)

X JESTERY W. EDWARDS
(PRO-SE)

Sent (Attached) → COURT OF APPEALS
COPY #1

THIS IS FOR: VERIFICATION
NOTICE OF APPEALS (ALSO) SENT TO / COURT OF APPEALS
CERTIFICATE OF SERVICE

This is to certify that I have this day served a true and correct copy of the within and foregoing document(s) upon the parties listed below by depositing a copy of the same in the United States Mail in a properly addressed envelope with adequate postage thereon to ensure that it reaches its destination.

TO: COURT OF APPEALS
47-TRINITY AVE.
OFFICE OF CLERK / SUITE - 501
ATLANTA, GA. 30334.

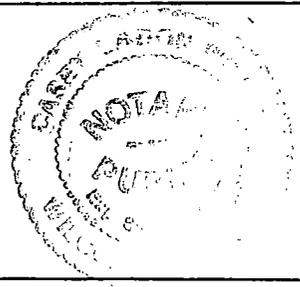
(TEL:) (404) 656-3450.

TO: D.A. OFFICE
FLOYD-COUNTY
3-GOVERNMENT PLAZA
SUITE - 302
ROME GA. 30161

TO: SUPERIOR COURT
(HNB1.) Judge DURHAM, JR.
FLOYD COUNTY COURTHOUSE
3-GOVERNMENT PLAZA
SUITE - 310 / ROME, GA. 30161

IN/CO. CLERK OF SUPERIOR COURT
(FLOYD) COUNTY -
3-GOVERNMENT PLAZA
POST OFFICE BOX-1110
ROME, GA. 30161

This the 23 day of December, 20 13.



JEFFERY EDWARDS
C.D.C. # 1130860
Loc. 1-3 -
Wilcox State Prison
P.O. Box 397
ABBENVILLE, GA. 31001

NOTARIZER Cary L. Burton

INMATEX Jeffery W. Edwards

(5)05 (5)

RECEIVED IN OFFICE

DATE

2014 JAN -7 PM 3:29

~~1-2-2014~~

1-2-2014.

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

To The honorable President
OFFICER MR. STEPHEN E
CASTER. CLERK OFFICE. AT
47 TRINITY AVE SW. SUITE
301 ATLANTA GA. 30334.

dear MR. CASTER Sir Im In COMMUNICATION FOR A RECEIPT
UNTO This LETTER, IN REFERENCE TO ~~THE~~ ONE OF YOUR CLERK
has deliberate AN ~~ERROR~~ CONTINUE Placing The WRONG B.D.C.
NUMBER ON MY LETTERS SO I DONT NOT RECEIVE THEM IN A
TIMELY MANNER. Sir. MY B.D.C. NUMBER IS FIVE. THREE FOUR
~~SIX~~ SIX ~~NINE~~ NINE. SEVEN [534697]. I NOTE THAT ON
ALL MY EXHIBITS COMING FROM YOUR DISPOSITION, IF YOU WILL PLEASE
CORRECT THAT ERROR. FOR ME SIR. AND Im REQUESTING A COPY
OF ORDER IN CASE ALLEN ALPHONZE ADAMS VS. THE STATE A1400133 THAT
WAS ENTRY ON DECEMBER 3, 2013. YOUR ASSISTANCE ~~IS~~ IN THIS
MATTER IS VERY WELL APPRECIATE

Allen A Adams

Allen A. Adams B.D.C. 534697
A-Wing Room 106. B.D.C.P.
P.O. Box 3877. Jackson GA 30233

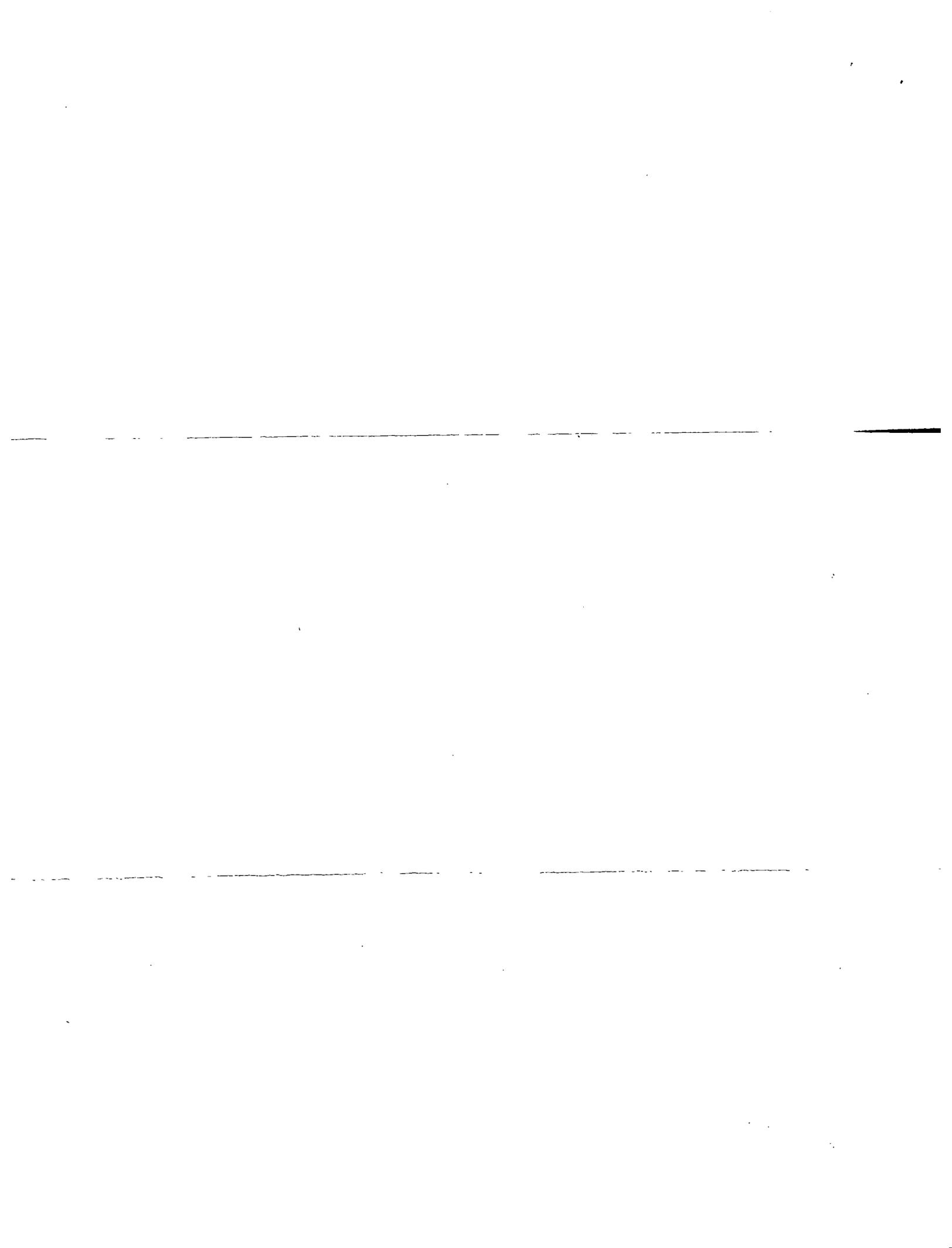
CERTIFICATE OF SERVICE

I Allen A. Adams has & declare ~~an~~ AN SWORN ON THIS 2 DAY OF JAN 2014.
he has PROPERLY ATTACHED A CERTIFICATE OF SERVICE TO THIS LETTER
before PLACED IN US MAIL BOX WITH SUFFICIENT POSTAGE ATTACHED TO
ENVELOPE ADDRESSED FOR DELIVER TO PERSON(S), AS LISTED CLERK OFFICE, MR.
STEPHEN E. CASTER AT 47 TRINITY AVE SW SUITE 301 ATLANTA GA 30334.

Place of SERVICE

Allen A Adams B.D.C.
~~534697~~ 534697 A-Wing
Room 106. Smb. B.D.C.P.
P.O. Box 3877. Jackson GA
30233.

Allen A Adams
[SIGNATURE]



RECEIVED IN OFFICE
2014 JAN - 7 PM 3:30
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

IN THE COURT OF APPEALS FOR GEORGIA
FOR THE FOURTH DIVISION
STATE OF GEORGIA

THE STATE
VS. APPELLEE

APPEAL docket
Number A14A0810.

ALLEN ALPHONZO ADAMS.
APPELLATE

NOTICE REQUESTING ORAL ARGUMENT

APPELLATE is proceeding AS NUNC PRO-TUNC -STATUS.
Herèby moves this COURT FOR A deposition IN ORAL
ARGUMENT, IN REFERENCE TO THE ABOVE FILE NOTE ORDER.
TO BE TAKEN IN CASE A14A0810. AT THE NEXT COURT TERM
OF 2014, MONTH OF APRIL, WHEN A [REDACTED] APPELLEE COUNCIL
HAS MADE [NO] OBJECTION THERETO THIS NOTICE REQUEST-
ING FOR ORAL ARGUMENT, WHICH WILL PRESENT ENACTED
STATUTE AND STATE LAWS FOR THIS CASE THATS BEEN DECLARE
SUCH, DISTINCT IN LAW UNDER WEATHERBED LAW. FOR THIS
ORAL PROCEDURE AT TRIAL, WHEN THE OPPOSITE PARTY COUNCIL
HAS NO OBJECTION FOR GRANTING THIS PROCEDURE IN CASE A A14A0810
LET THIS COURT KNOW IN WRITTEN IF ANY OBJECTIVE THERETO.
FOR THIS NOTICE REQUESTING ORAL ARGUMENT, "SEEKING BRIEF"
FOR CASE A14A0810.?" UPON THIS NOTICE FOR REQUESTING ORAL
ARGUMENT. THIS 2 DAY OF JANUARY 2013.

Respectfully Submitted
Allen A. Adams B.D.C. 334697
A-wing Room 106 Sm. B.D.C.P.
P.O. Box 3577, JACKSON GA 30233.

Allen a. adams
(SIGNATURE)

CERTIFICATE OF SERVICE

I, Allen Alphonzo Adams has declare AN SWORN ON THIS 2 DAY OF JANUARY
2014, he has properly ATTACHED THIS CERTIFICATE OF SERVICE
THERETO THIS NOTICE REQUESTING ORAL ARGUMENT before depositing in
U.S. MAIL Box WITH SUFFICIENT POSTAGE PROPERLY ATTACHED TO ENVELOPE
ADDRESSED FOR DELIVER TO PERSON(S) AS LISTED CLERK OFFICE FOR COURT
OF APPEALS, 47, TRINITY AVE SW, SUITE 501 ATLANTA GA, 30334, DISTRICT
ATTORNEY OFFICE 1065 JEFFERSON AVE STE 102, EATONTON GA, 31024. AS REQUIRE
BY LAW TO SERVE. All PLEADS INVOLVE WITH A COPY OF PETITION.
PLACE OF SERVICE

Allen A Adams B.D.C. 334697, A-wing
ROOM 106, B.D.C.P, P.O. BOX 3577
JACKSON GA 30233

Allen a. adams
(SIGNATURE)

IN THE COURT OF APPEALS FOR GEORGIA
FOR THE FOURTH DIVISION

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 8, 2014

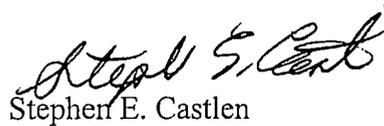
Mr. Allen A. Adams
GDC534697
Georgia Diagnostic and Classification Center
State Prison
Post Office Box 3877
Jackson, Georgia 30233

RE: A14D0133. Allen Alphonzo Adams v. The State

Dear Mr. Adams:

I am in receipt of your letter dated January 2, 2014. Your GDC number has been corrected on our docket. I have enclosed a copy of the order granting the Discretionary Application in the above appeal free of charge to you. Please know that there is a \$1.50 per page copy charge in this Court and a pauper's status does not excuse you from the copy fees. The Court of Appeals of Georgia is not subject to the Open Records Act.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure

Court of Appeals of the State of Georgia

ATLANTA, December 03, 2013

The Court of Appeals hereby passes the following order:

A14D0133. ALLEN ALPHONZO ADAMS v. THE STATE.

Allen Adams pled guilty in 1992 to two counts of sale of cocaine. He filed a pro se out-of-time motion to withdraw his guilty plea. The trial court denied his motion, and Adams filed an application for discretionary appeal with the Supreme Court, which transferred the case to us.

Orders resolving out-of-time motions to withdraw guilty pleas have been treated by our Supreme Court as directly appealable. See *Ellison v. State*, 283 Ga. 461 (660 SE2d 373) (2008); *Smith v. State*, 283 Ga. 376 (659 SE2d 380) (2008). Accordingly, based on the limited information included in this application, it appears that the trial court's order is subject to direct appeal.

We will grant an otherwise timely application for discretionary appeal if the lower court's order is subject to direct appeal. See OCGA § 5-6-35 (j). Accordingly, this application is hereby GRANTED, and Adams shall have ten days from the date of this order to file a notice of appeal with the trial court. If he has already filed a notice of appeal in the trial court, he need not file a second notice. The clerk of the trial court is DIRECTED to include a copy of this order in the record transmitted to the Court of Appeals.

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 8, 2014

Mr. Dwight L. Allen
GDC1054462
Phillips State Prison
2989 West Rock Quarry Road
Buford, Georgia 30519

Dear Mr. Allen:

I am in receipt of your letter dated January 31, 2013. A14A0804. Dwight L. Allen v. The State was docketed in this Court on December 26, 2013. That is the only appeal we have docketed in this Court in your name.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

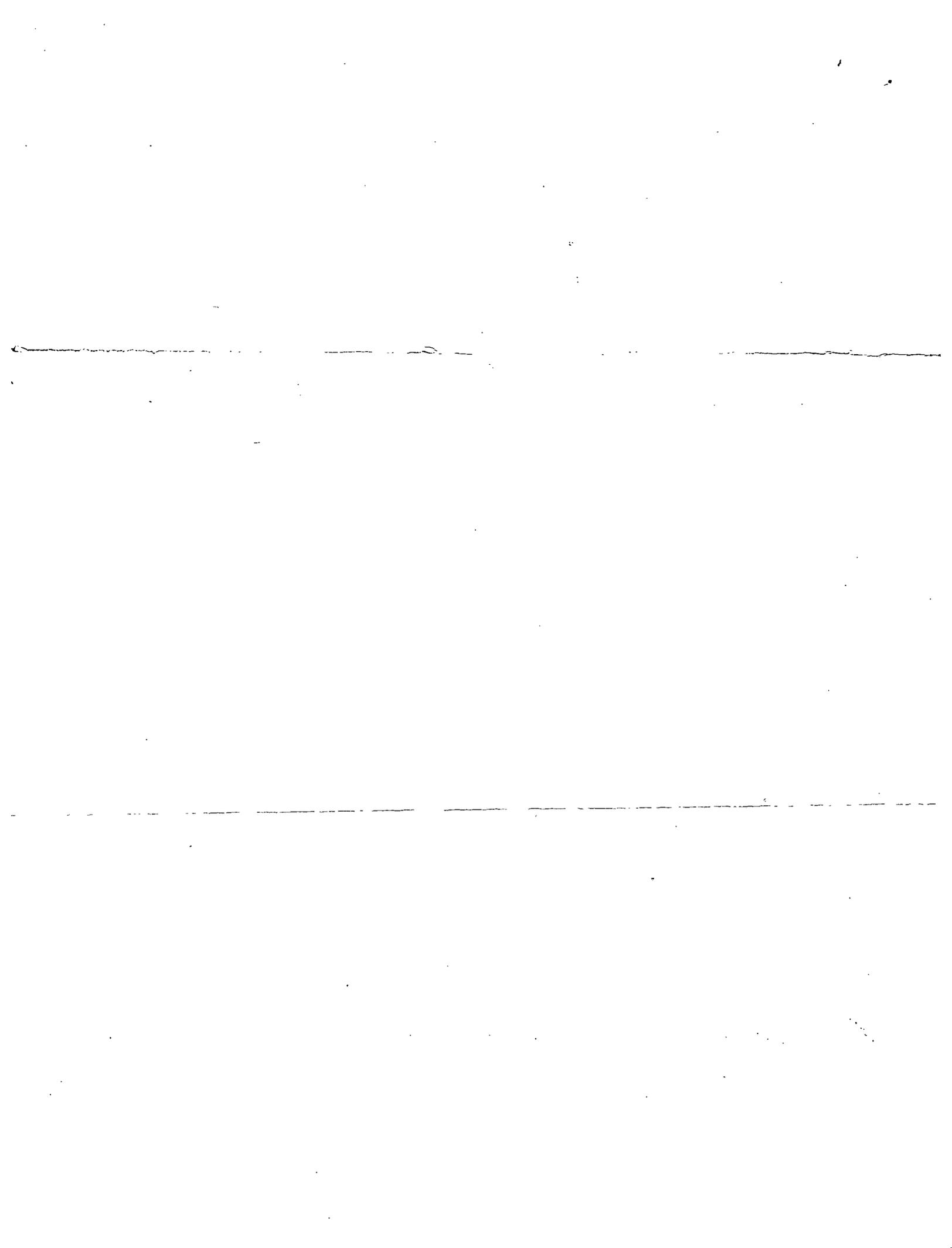
12-31-13

Myraht v. Allen

Myraht v. Allen

Respectfully submitted

Dear Clerk of the Appellate Court,
My name is Myraht v. Allen, I had to request and
changed list of the record forwarded from the Camden
County Superior Court. My purpose in this request is
because of all the violations committed during the crim-
inal justice process, I believe that the lower court is
going to purposely leave out parts of the record out
because these parts of the record will show a clear conspiracy



The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 8, 2014

Mr. Patrick Davis
GDC973611
Georgia Diagnostic and Classification Center
State Prison
Post Office Box 3877
Jackson, Georgia 30233

RE: A14A0632. Patrick Davis v. The State

Dear Mr. Davis:

I am in receipt of a "Motion for Extension of Time to File Brief and Enumeration of Errors" received in this office on January 7, 2014. The Appellant's Brief (consisting of 17 pages) was received in the Georgia Court of Appeals and docketed on December 30, 2013. I am returning the motion to you.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

IN THE COURT OF APPEALS
STATE OF GEORGIA

RECEIVED IN OFFICE
2014 JAN - 7 PM 1:24
LEARN/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Patrick Davis,
Appellant,
v.
State of Georgia,
Appellee.

FILED IN OFFICE
JAN - 3 2014
COURT CLERK
CLERK COURT OF APPEALS OF GA

CASE No.
A14A0632

MOTION FOR EXTENSION OF TIME
TO FILE BRIEF AND ENUMERATION OF ERRORS

Come now, Appellant Patrick Davis, Prose, pursuant to Court of Appeals Rule 23(A), with his Motion for Extension of Time to File Brief and Enumeration of Errors.

Appellant has received Notice of Docketing - Direct Appeal/ Date of Docketing: December 2, 2013 and requested for extension in his motion signed on December 10, 2013 (Appellant is proven to be indigent in the filing of his Applications for Discretionary Appeal in the Georgia Supreme Court State of Georgia - Request to Proceed In Forma Pauperis and Notice of Appeal/Direct Appeal in the Superior Court of Clayton County State of Georgia - Request to Proceed In Forma Pauperis, therefore, must rely on Institution in which he is incarcerated Inmate Benefit Fund Postage Indigent/Indigent Postage to mail his mail which as shown by the File In Office Court Clerk Clerk Court of Appeals of GA stamp that the Institution failed to process requested Indigent Postage approximately 8 days later for the Court Clerk filing date is December 20, 2013) said motion has been returned an improper Certificate of Service.

Patricia Owens

This 8th Day of December 2013.

Appellant has mailed his Brief and Enumeration of Errors and
if too improper as Certificate of Service. Therefore, request for ext-
ensions because he did not receive Document Return Notice for Brief
or Motions Date: December 27, 2013 After he mailed his brief.
Appellant initially requested for extensions because he is currently
incarcerated in Georgia Disruptive and Classification Reasons Special Manage
ment where he is housed in 24 hour lock down and can not attend the In-
stitution's Law Library and must submit a written request through the
Institution's Mail to Receive legal material in which often is delivered
two weeks later. Appellant is only allowed to request two printed items
(Case law, status, etc.) weekly and the Law Librarian only make
one visit to Special Management Unit a week.
Therefore, Appellant motioned for an (30) twenty day extension
to file Brief and Enumeration of Errors. Said extensions would allow
him to litigate and prepare his brief.
As the instant Motion, Appellant requests extensions to file Brief
and Enumeration of Errors as proper.
Appellant Requests an (15) day extensions. Said extensions would
be ample days for the Institution to process his indigent postage for mailing.

**COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR BRIEFS OR MOTIONS**

Date: January 9, 2014

To: Mr. Dwight L. Allen, GDC1054462, Phillips State Prison, 2989 West Rock Quarry Road, Buford, Georgia 30519

Docket Number: A14A0804 **Style:** Dwight L. Allen v. The State

Your document(s) is (are) being returned for the following reason(s).

1. Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 **Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4. **An improper Certificate of Service accompanied your document(s). Rule 6**
5. **Your Certificate of Service did not include the complete name and mailing address of each opposing counsel and pro se party. Rules 1(a) and 6. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.**
6. There were an insufficient number of copies of your document. Rule 6.
7. Your document exceeds page limits. Rules 24 (f) and 27 (a)
8. Your document was submitted without permission to file (supplemental brief or second motion for reconsideration). Rules 27 (a) and 37 (d)
9. Letter briefs and letter cites are not permitted. Rule 27 (b)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12. Type was on both sides of the paper; type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17. The Motion to Supplement has not been granted.
18. Other

In the Court of Appeals of Georgia
STATE OF GEORGIA

Royce H. Allen
Appellant,

v.
STATE OF GEORGIA
Appellee.

Index no:
A14A0804
Case no. below:
2009 CR 326

RECEIVED IN OFFICE
2014 JAN -8 PM 3:04
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Motion requesting extension
of time

Comes now Royce H. Allen, Appellant in this case
to request for an extension of time for reasons as
follow:

(1)

Appellant contends that the date on the notice of Decisions,
is December 26th 2013, Appellant shows that he did not receive
the notice until December 31st 2013 (5 Day Window). (SEE
Enclosed Envelope stamped date 12-31-13)

(2.)

Appellant contends that due to the nature and the complications in this case Appellant is asking for this honorable court to grant at least a 10 day extension of time.

(3.)

Appellant contends that there are critical parts of the record that was not provided Appellant's Bar, the hearing and other trial, those critical parts of the record was denied Appellant at his motion for new trial hearing leaving Appellant to only believe that those transcripts containing Ruffus's order's granted by judges should not be forwarded to this honorable High Court.

WHEREFORE Appellant prays that an extension of time be granted, Appellant be provided with and provided list of the record forwarded by the Superior Court Clerk of Camden County to Appellant and provide his Appa/ not providing this court with documents the court already has.

Respectfully Submitted

Alvin H. Burk
Alvin H. Burk

Certificate of Service

I hereby certify that a copy of this motion has been served upon all concerned parties by U.S. Postal mail:

This 6th Day of January, 2014.

BY: Dwight L. Allen
Dwight L. Allen

COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR BRIEFS OR MOTIONS

Date: January 9, 2014

To: Mr. Marco Crawford, 4595 Washington Road 15, College Park, Georgia 30349

Docket Number: A14A0775 **Style:** Marco Crawford v. Washington Garden Apartments

Your document(s) is (are) being returned for the following reason(s).

1. Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 **Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4. **No Certificate of Service accompanied your document(s). Rule 6**
5. Your Certificate of Service did not include the complete name and mailing address of each opposing counsel and pro se party. Rules 1(a) and 6. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
6. There were an insufficient number of copies of your document. Rule 6.
7. Your document exceeds page limits. Rules 24 (f) and 27 (a)
8. Your document was submitted without permission to file (supplemental brief or second motion for reconsideration). Rules 27 (a) and 37 (d)
9. Letter briefs and letter cites are not permitted. Rule 27 (b)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12. Type was on both sides of the paper; type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17. The Motion to Supplement has not been granted.
18. Other

For Additional information, please go to the Court's website at: www.gaappeals.us

January 6 2014

CASE NUMBER: A14A0775

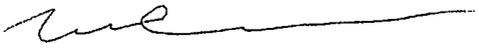
DATE OF DOCKETING: 12/18/13

STYLE: MARCO CRAWFORD v WASHINGTON GARDENS APARTMENTS

MOTION

I, MARCO CRAWFORD, hereby file a motion to extend filing time of appeal. I file this extension because many of the facilities such as law and public libraries notary publics and etc were closed because of the Christmas and New Year holidays. I was unable to use the facilities and I was spending time with family.

Thank you for your cooperation



MARCO CRAWFORD

RECEIVED IN OFFICE
2014 JAN -8 PM 3:04
CLERK/COURT ADMINISTRATOR
DEPT OF APPELLATES OF GA

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 10, 2014

Mr. Le'Damien Baldwin
GDC1000890147
Hays State Prison
Post Office Box 668
Trion, Georgia 30753

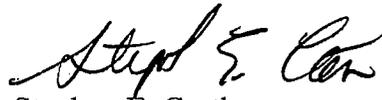
Dear Mr. Baldwin:

In response to your correspondence received in this office, we do not have a case styled in your name pending in this Court. Until a case is docketed in this Court, all communications should be directed to your attorney or to the trial court from which you are appealing.

Please understand that the Court of Appeals does not have the power or authority to appoint counsel for you. Any requests for appointed counsel should be directed to the trial court.

We are returning your document (Final Disposition) and I am also enclosing a copy of the Court's Rules for your review.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

RECEIVED IN OFFICE

2014 JAN -9 PM 3:21

CLERK/COURT REPORTER
COURT OF APPEALS OF GA

TO WHOM IT MAY CONCERN,

I'M WRITTING THIS LETTER TO YOU WITH INTENTIONS OF SEEKING APPROVAL IN OBTAINING AN APPEAL. I WAS SENTENCED ON AUGUST 14, 2012 IN THE CARROLL COUNTY SUPERIOR COURTS CASE NO (12 CR 316) REASONING FOR MY REQUESTED APPEAL IS AS FOLLOVED.

I WAS ARRESTED ON INVALID WARRANTS, AND I'M BASING MY APPEAL ON GROUNDS OF NO SHOWING OF PROBABLE CAUSE IN MY WARRANTS. IN MY WARRANTS THERE IS NO PROBABLE CAUSE STATING I COMMITTED THE CRIME. OR HOW DETECTIVES KNOW I COMMITTED THE CRIME. MY AFF'S FOR ARREST ONLY STATES WHAT ALLEGIDLY HAPPENED, INSTEAD OF INDICATIONS AS TO HOW THE DETECTIVES RECEIVED ANY TIPS OR INFORMATION AS TO HOW THEY KNOW I COMMITTED THE CRIME.

> ACCORDING TO THE CONST. OF GA (CODE 2-116) IT "FORBIDS THE ISSUANCE OF A SEARCH WARRANT UNLESS THERE ARE FACTS CONST. PROBABLE CAUSE SUBMITTED TO THE MAGISTRATE FOR HIS DETERMINATION AND THEY MUST BE SUPPORTED BY OATH OR AFFIRMATION."

> QUOTING THAT LAW, WHOEVER THE ISSUING MAGISTRATE WAS THAT ISSUED THESE WARRANTS. THEY CLEARLY VIOLATED THE ABOVE RIGHT, ALONG WITH MY US CONST. (ARTICLE IV CODE 1-804) RIGHT WHICH STATES. "THE RIGHTS OF PEOPLE TO BE SECURE IN THEIR PERSONS, HOUSES, PAPERS, AND EFFECT. AGAINST UNREASONABLE SEARCHES AND SEIZURES SHALL NOT BE VIOLATED; AND NO WARRANT SHALL NOT BE ISSUED EXCEPT UPON PROBABLE CAUSE SUPPORTED BY OATH OR

AFFIRMATION PARTICULARLY DESCRIBING THE PLACE OR PLACES TO BE SEARCHED AND THE THINGS TO BE SEIZED.

> THE ABOVE RIGHTS WERE VIOLATED BECAUSE, THERE IS NO PROBABLE CAUSE STATED WITHIN ANY OF MY AFF'S FOR ARREST.

NOT ONLY THAT, BUT ON MY AFF'S FOR ARREST. IT NEVER STATES WHAT WAS SUPPOSED TO BE SEIZED IN THE SEARCH.

IT ONLY STATES A BRIEF DESCRIPTION OF THE ACCUSED CRIME COMMITTED, AND THE PROPERTY THAT WAS ALLEGEDLY TAKEN.

> MEANING THE ISSUING MAGISTRATE COULDN'T HAVE PROPERLY DID HIS/OR HER JOB "BY DETERMINING PROBABLE CAUSE" WITHIN THE AFF'S FOR ARREST, BY SIGNING OFF ON THESE UN-CONST WARRANTS. THEREFORE I SHOULDN'T HAVE NEVER BEEN ARRESTED ON THESE UN-CONST WARRANTS. THAT SHOULD'VE BEEN CONSIDERED AS AN "CASUAL RUMOR CIRCULATING IN THE UNDERWORLD" BY THE ISSUING MAGISTRATE.

> IF YOU'D PLEASE TAKE MY GROUNDS IN MY APPEAL INTO CONSIDERATION AS TO GETTING MY SENTENCE OVERTURNED. I'D GLADLY APPRECIATE IT.

THANKYOU IN ADVANCE

LE'DAMIAN BALDWIN
Le'Damien Baldwin

PS: COULD I PLEASE RECIEVE ANY RULE AND PROCEDURE BOOKS IN REFERENCE TO APPEALS?

PLEASE, THANKYOU

FINAL DISPOSITION

OBTS NO. _____
THE SUPERIOR COURT OF CARROLL COUNTY
STATE OF GEORGIA
VS.

CRIMINAL ACTION NO. 12CR316A
OFFENSE(S) Ct. 1-2, 6: Armed Robbery; Ct. 3-5, 7: Agg. Assault; Ct. 8: Giving false info to LEO

Ledamien Jamar Baldwin

PLEA: GUILTY ON COUNT(S) 1, 2, 3 NOLO CONTENDERE ON COUNT(S) _____ TO LESSER INCLUDED OFFENSE(S) _____ ON COUNT(S) _____

JURY NON-JURY VERDICT: GUILTY ON COUNT(S) _____ NOT GUILTY ON COUNT(S) _____ GUILTY OF INCLUDED OFFENSE(S) OF ON COUNT(S) _____

OTHER DISPOSITION: NOLLE PROSEQUI ORDER ON COUNT(S) 4, 5, 7 + 8 + 6 DEAD DOCKET ORDER ON COUNT(S) _____

April Term 2 012

DEFENDANT WAS ADVISED OF HIS/HER RIGHT TO HAVE THIS SENTENCE REVIEWED BY THE SUPERIOR COURTS SENTENCE REVIEW PANEL.

FELONY SENTENCE MISDEMEANOR SENTENCE

The above-named Defendant appearing before the Court for sentencing as indicated above, IT IS HEREBY ORDERED AND ADJUDICATED that said Defendant be sentenced for the following period or periods: Ct 3-5 yrs. to follow Ct 20 yrs. Ct 2-20 yrs.

Credit Back to 2-3-2012

- All said sentence to be served in confinement in the State Penal System as may be directed by the Department of Corrections or the Court, to be computed as provided by law; or
- All said sentence to be served on probation; or
- Upon service of 15 yrs of said sentence in confinement, the balance of 10 yrs. to be served on probation; or
- Said sentence to be suspended upon the following condition(s): _____
- Said sentence suspended upon successful completion of Carroll County Drug Court

If any portion of the above sentence is to be served on probation, said probated sentence shall be subject to all general conditions set forth on the reverse side hereof as well as the special conditions hereafter indicated:

- First Offender Treatment Diversion Center Confinement Forfeit Driver's License
- Intensive Probation Supervision Detention Center Confinement Report to Probation Office within 48 hrs. of release-prison/parole
- _____ Community Service Hours Probation Boot Camp Confinement
- Banishment from Coweta Judicial Circuit State of Georgia except _____

Defendant shall pay the following as a special condition of probation:

Fine _____ Drug Fee _____ POPTF Fee _____ Jail Fee _____
 Ind. Def. _____ Crime Lab Fee 50 _____ Victim's Assistance _____
 DUI Fee _____ Spinal Cord _____

Court Costs _____ Attorney Fee _____ Other _____
 Probation Fee 30 per month to the assigned probation office begins 1st full month
 Restitution: 249.00

Report to the Carroll County Sheriff's Department and pay \$35.00 per day beginning _____, _____ weekends to be served.

The above amount(s) to be paid as follows: _____ per month beginning _____ to the Clerk of Superior Court, P.O. Box 1620, Carrollton, GA 30112.

IT IS FURTHER ORDER of the Court and the defendant is hereby advised that the Court may, at any time, revoke any conditions of this probation and/or discharge the defendant from probation. The probationer shall be subject to arrest for violation of any condition of probation herein granted. If such probation is revoked, the Court may order the execution of the sentence which was originally imposed or any portion thereof in the manner provided by law after deducting therefrom the amount of time the defendant has served on probation. However, if First Offender Treatment granted, see reverse.

The defendant was represented by the Honorable LaZanea Lucas Attorney at Law, Coweta County, by (Employment)(Appointment). Conflict Attorney

So Ordered this 8/14, 20 12
Abney Duffey Judge, Carroll County Superior Court

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this Sentence of Probation has been delivered in person to the defendant and he/she agrees to and acknowledges instructions regarding the rules and conditions as set forth.

L. Dawn Parks Probationer 8-14-12 Date Bodius Probation Officer

FILED IN OPEN COURT THIS 14 DAY OF August, 2012. Darlene O'Neil Clerk DEPUTY CLERK OF COURT



2013

Georgia Court of Appeals

R U L E S

Last Update: December 2, 2013

COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR BRIEFS OR MOTIONS

Date: January 9, 2014

To: LaBarrion Harris, GDC1000689140, Georgia Diagnostic and Classification Center - SMU, Post Office
Box 3877, Jackson, Georgia 30233

Docket Number: A14A0811 **Style:** LaBarrion Harris v. The State

Your document(s) is (are) being returned for the following reason(s).

1. Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 **Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4. No Certificate of Service or an improper Certificate of Service accompanied your document(s). Rule 6
5. Your Certificate of Service did not include the complete name and mailing address of each opposing counsel and pro se party. Rules 1(a) and 6. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
6. There were an insufficient number of copies of your document. Rule 6.
7. Your document exceeds page limits. Rules 24 (f) and 27 (a)
8. Your document was submitted without permission to file (supplemental brief or second motion for reconsideration). Rules 27 (a) and 37 (d)
9. Letter briefs and letter cites are not permitted. Rule 27 (b)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12. Type was on both sides of the paper; type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17. The Motion to Supplement has not been granted.
18. Other: **The filing fee was paid with the application. There is no fee due. Your MoneyGram R205383016773 dated January 7, 2014 is being returned to you.**

Valid Money Order includes: 1. Heat sensitive, red stop sign AND 2. Contains a True Watermark hold up to light to view.



INTERNATIONAL MONEY ORDER 86-186
1031

To Validate: Touch the stop sign,
then watch it fade and reappear



01/07/2014

20538301677
MONEY ORDER

MONEY ORDER NUMBER
R205383016773

CALL 1-800-542-3590 TO VERIFY

PAY TO THE
ORDER OF/
PAGAR A LA
ORDEN DE:

Court of Appeals of Ca

IMPORTANT - SEE BACK BEFORE CASHING

La Barron J. Harris 100289140

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR
PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS:/
DIRECCION: PO Box 3877 Jackson CA 90233

Payable Through
BOKE, NA
Enid, OK

ISSUER/DRAWER:
MONEYGRAM PAYMENT SYSTEMS, INC

A14A0811

PAY EXACTLY

XXXX \$ 800.00
EIGHTY DOLLARS
00 CENTS

60528874520745
0790200007192677

103101864 2053 83016773 90

A14A0811

MAIL ITEMS REJECTION FORM

TO SENDER: Court of Appeals of Georgia Date: JAN. 13, 2014

FROM: Mail Inspector: J. Johnson Facility/Center: GDCP

SUBJECT: Inmate/Probationer: HARRIS, LA BARRION #1000689140

The item(s) of mail is being returned/held for you for the reason(s) indicated:

LC-116

- A. () Contains pornographic/nude pictures.
- B. () Unauthorized currency. We cannot accept personal checks or cash.
- C. () Prior approval has not been issued to inmate for _____
- D. () Stamps/Stamped envelopes are not allowed.
- E. () Other: _____

F. Inmate Appeal for Rejection of Publication (see section VI.J of SOP) [state reason for appeal of rejection]:

(Inmate/Probationer)

J. Johnson
(Mail Inspector)

If items are being held, you have 30 calendar days to do one of the following:

- (1) Pick up the items. You must make prior arrangements with the Mail Room Officer to pick up the materials; or
- (2) Provide \$ _____ for return mail.

If you do not choose either option within 30 days, the items will be destroyed or donated to charity.

Copy: Inmate/Probationer

RETENTION SCHEDULE: Upon completion, this form will be placed in the inmate/probationer Case history file.

INSTRUCTIONS FOR SUBMISSION OF INMATE TRUST FUNDS

There are now two easy ways to submit funds

1. Money Orders- **(WE DO NOT ACCEPT PERSONAL CHECKS)**

Mail to:

Georgia Department of Corrections

P.O. Box 405699

Atlanta, Georgia 30384-5699

2. To make payments using JPay:

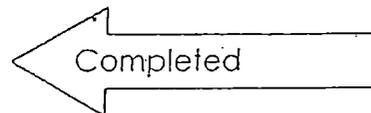
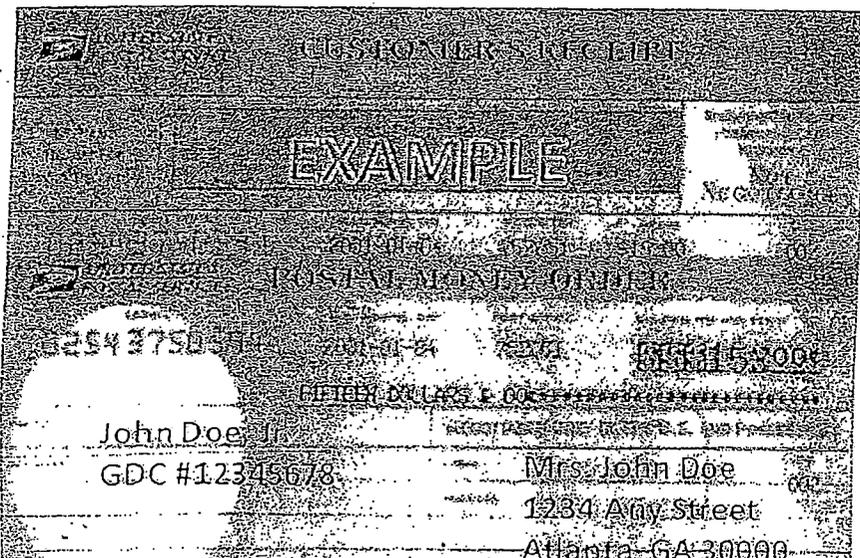
a. Visit the JPay website at www.jpays.com

b. Call 1-800-574-JPAY (5729) for operator assisted payment

c. Visit a MoneyGram or Ace Cash Express location – call 1-800-574-5729 for location nearest you

Things to Remember

1. You must have the GDC number and full name of offender for all forms of payment. It is VERY IMPORTANT to put the name and GDC number ONLY in the "pay to" section of the money order.
2. PRINT LEGIBLY, if we can't read it, timely and accurate posting to the offender's account will be negatively impacted.
3. Do not include bed or dorm information or the EF number.
4. Payment voucher is available on the public website at www.dcor.state.ga.us. Submission of the voucher along with money order is **STRONGLY ENCOURAGED**. This will help ensure timely and accurate processing.
5. This process does not include County Camps, Transitional Centers or Private Prisons. Those money orders must be mailed directly to the facility.
6. Do not mail other correspondence with the money order. All other items will be discarded.



The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 10, 2014

Ms. Pamela B. Coyne
560 Owens Farm Road
Alpharetta, Georgia 30004

RE: A14A0855. Pamela B. Coyne v. EMC Mortgage Corporation, et al.

Dear Ms. Coyne:

We are in receipt of your letter dated January 9, 2014. The above referenced appeal was docketed on January 7, 2014. Please note that the Court may, or may not, await your filing prior to ruling on any motion. The Court will view motions and Briefs and replies, thereto. However, the Court does not accept letter briefs or requests contained in letters to this Court. For more information on our Court Rules, please see our web page at: www.gaappeals.us. It contains our Rules and a Citizen's Guide to Filing Appeals.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

Pamela B. Coyne
560 Owens Farm Road
Alpharetta, Georgia 30004
(678) 393-0983

January 9, 2014

RECEIVED IN OFFICE

2014 JAN -9 PM 1:38

CLERK OF SUPERIOR COURT
FULTON COUNTY, GEORGIA

VIA HAND DELIVERY

Court of Appeals of Georgia
47 Trinity Avenue, SW
Suite 501
Atlanta, Georgia 30334

Re: Pamela B. Coyne vs. EMC Mortgage Corporation, et al.
Case Number: A14A0855
Trial Court Case Number: 2011CV1956488

As of today, you are in receipt of a Motion to Dismiss Appeal for Lack of Jurisdiction in the above referenced case filed by Sean A. Gordon, Esq. of Greenberg Traurig, counsel for Appellee EMC Mortgage Corporation. Counsel in this case purposely omitted in their Motion to Dismiss that my appeal is based on fraud by the Defendants and their Counsel.

I have not yet received any docketing notice regarding my appeal, as the Fulton County Clerk's office stated to me that the file had been transferred to your office on Tuesday, December 31, 2013.

I would request that the Court hold all determinations in this matter to allow me proper time to file my response to Appellee's motion with the Court of Appeals of Georgia and until my appeal has been filed. Also, I am in receipt of an unstamped, unsigned copy of Appellees' Motion to Dismiss Appeal, although it reflects a date of January 7, 2014.

Also, I would like to make your office aware that a Judicial Qualifications Review in this case will soon be initiated, along with the filing of a complaint with the State Bar of Georgia requesting that a Special Master be appointed to investigate this case and the ruling in numerous other cases regarding wrongful foreclosure and fraud.

As a *pro se* litigant, I appreciate your consideration in this matter.

Respectfully,


Pamela B. Coyne

/pbc

Attachment (Letter to Sean Gordon, Esq. regarding Motion to Dismiss)

cc: Sean A. Gordon, Esq.

Pamela B. Coyne
560 Owens Farm Road
Alpharetta, Georgia 30004
(678) 393-0983

January 8, 2014

VIA FACSIMILE (678) 553-2186 and U.S. MAIL

Sean A. Gordon, Esq.
Greenberg Traurig, LLP
Terminus 200
3333 Piedmont Road, NE
Suite 2500
Atlanta, Georgia 30305

Re: Pamela B. Coyne vs. EMC Mortgage Corporation, et al.
Georgia Court of Appeals Case No. A14A0855
Your File No. 041587.039800

Dear Mr. Gordon:

I am just now in receipt of your letter dated January 7, 2014 regarding your Notice of Motion to Dismiss Appeal for Lack of Jurisdiction that you plan to file with the Court of Appeals. With a full reading of your Motion to Dismiss, again you purposely omitted from the Court of Appeals of Georgia the most pertinent words "based" on fraud by the Defendants and their Counsel.

I am also quite surprised that you have kept track of my case with The Roberts Law Firm - Pamela B. Coyne vs. The Roberts Law Firm P.C., which, with both cases the original Notice of Appeal, was overlooked by the Fulton County Superior Clerk when these Motions for Reconsideration were filed in both cases.

It seems relatively strange that you would go this low and stoop to the levels similar to the actions of John Roberts. Through your conversations with me regarding their practices and, after their many removals from cases as counsel of record (where you also were opposing counsel), you showed extreme disregard for them as attorneys and the way in which they handled themselves and their clients. In your Notice of Motion to Dismiss, you also failed to state that they were my attorney of record at the initial filing of the case. Although it was regarding fees from this case, you state that it is unrelated (hogwash).

The facts in this matter, along with my Motion to Set Aside the Court's Judgment Based on Fraud by the Defendants and Their Counsel, are you Mr. Gordon! On behalf of your client, you swore to false statements in your filings with the Court and also in your testimony to the Court whereby representing your client.

Sean A. Gordon, Esq.
Greenberg Traurig, LLP
January 8, 2014
Page 2

A re-reading of that Motion may be best, as you seem unclear about your responsibility to me as the Plaintiff and to the Court. My Notice of Appeal explicitly spells out why it was filed based on fraud regarding the rulings of Judge Adams. You were previously notified that a Request for a Judicial Qualifications Review was forthcoming.

Also as stated in Court on Monday, Judge Adams had ruled in favor of the Plaintiff in several extremely similar cases, also at the same time as this case was proceeding. And as you may remember, I seriously questioned the changes in her ruling from what she said on July 24, 2012 and what was in her Order dated August 28, 2012. Everyone in the courtroom and the courthouse soon knew that the "big banks" and the "big law firms" had lost, and the little lady prevailed!

As you say you're heart felt, in your heart you know this was true. You can't go through life and law using technicalities. Failure to seek and obtain discretionary leave to appeal from the trial courts March 26, 2013 and July 29, 2013 Order, this is not about discretion, it's about the truth. And the truth is you, through your client, are governed by the Agreements you signed. You have the list and the Agreements. I suggest that you read them again in their entirety. Apparently, you and your client preferred to ignore those signatures.

This morning, I sent you an extremely friendly and reasonable Settlement Proposal, only to receive this insult from you which was delivered UPS. You must remember that I have a handicapped son at home who is cared for by my husband and who found this delivery thrown on our back porch.

Respectfully,



Pamela B. Coyne

/pbc

COURT OF APPEALS OF GEORGIA

47 Trinity Avenue, S.W., Suite 501

Atlanta, Georgia 30334

(404)656-3450

Business Hours: Monday - Friday, 8:30 a.m. to 4:30 p.m.

NOTICE OF DOCKETING - DIRECT APPEAL

APPEAL CASE NUMBER: A14A0855

DATE OF DOCKETING: January 07, 2014

STYLE: PAMELA B. COYNE v. EMC MORTGAGE CORPORATION et al.

IMPORTANT RULE REQUIREMENTS AND INFORMATION

Briefs: Appellant's brief (including an Enumeration of Errors as Part II) shall be filed within 20 days of the date on this docketing notice. **No appellant's brief shall be received for filing without the \$300.00 filing fee or sufficient pauper's affidavit.** Appellee's brief shall be filed within 40 days after the docketing date or 20 days after the filing of the appellant's brief whichever is later.

Requests for extensions of time to file briefs should be made by motion. Failure to timely file briefs or to follow any Court rules or orders may cause the appeal to be dismissed or may cause non-consideration of a brief and may subject the offender to contempt.

Filing by US Postal Mail or Delivery Service: The contents of a properly addressed mailing other than a motion for reconsideration shall be deemed filed on the date of the U.S. Postal Service postmark date if it is stamped on the envelope or container. A filing received from an overnight delivery service is deemed filed on the date shown on the envelope or container. If no date appears on the container or envelope of a mailing or delivery, the contents shall be deemed filed on the date of receipt by the court. **Motions for reconsideration are deemed filed on the date the motion is physically received in the Clerk's office.**

Oral Argument: A Request for Oral Argument shall be filed within 20 days of the date on this docketing notice. If oral argument is requested and granted by this Court, the argument is tentatively scheduled for Apr 16 2014 before the Second Division: P. J., Andrews, J., McFadden, J., Ray. A calendar will be sent to counsel of record confirming the exact date of oral argument. If the calendar has not been received at least ten days prior to the tentative oral argument date, please contact the Clerk's office.

Communications: For information, contact the Clerk's office or visit www.gaappeals.us. There shall be no communications relating to pending appeals to any judge or member of the judge's staff.

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 10, 2014

Penelope Edwards-Conrad, M.D.
3338 Country Club Road LPMB112
Valdosta, Georgia 31605

Dear Dr. Edwards-Conrad:

We are returning your documents and the enclosed personal money order number 0-981300468 drawn on a Bank of America account in the amount of \$300.00. It appears that you are appealing an order of the United States District Court. This is the Court of Appeals of the State of Georgia. You may wish to consider whether a Federal appellate court, such as, the Eleventh Circuit Court of Appeals may be the proper forum. A mailing address for the Eleventh Circuit Court of Appeals is: 56 Forsyth Street, N.W., Atlanta, Georgia 30303.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

Bank of America

Personal Money Order

No. 0981300468

Bank of America, N.A.
SAN ANTONIO, TX
Date 01/07/14 10:56:08 AM

Void After 90 Days

30-1/1140
NTX

Pay



BANK OF AMERICA
THREE ZERO ZERO CTSCTS

***\$300.00

To The Order Of

Court of Appeals - State of Georgia

Not Valid Over \$1,000

Signature of Purchaser (Drawer)

Penelope Edwards Conrad M.D.

0002 0206143 0019

VALDOSTA FIVE POINTS

Name of Purchaser (Drawer)

*3318 County Club Rd
Valdosta GA 31605*

Bank of America is not liable for lost or stolen Money Orders. For your protection against loss or theft, sign and complete this Money Order as soon as possible.

Address

City, State, Zip

⑈0981300468⑈ ⑆114000019⑆ 001641002542⑈

THE ORIGINAL DOCUMENT HAS A REFLECTIVE WATERMARK ON THE BACK. HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENTS.

00-53-3364B 11-2010

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FORM 4 - NOTICE OF FILING CERTIORARI

COURT OF APPEALS OF GEORGIA

P. Edwards Conrad M.D.

*

APPELLANT

*

vs.

*

CASE NUMBER

Mass Mutual Insurance

*

7-13-CV-20

APPELLEE

NOTICE OF FILING PETITION OF CERTIORARI

Comes now P. Edwards Conrad M.D. (Appellant/Appellee) in the above appeal and shows he (she) this day filed an application for certiorari with the Supreme Court of Georgia.

This the 7th day of January, 2014

[Signature] (Sign your name.)
P. Edwards Conrad, M.D.
3330 Country Club Rd.
L-PMB 112
Valdosta GA 31605
(Your complete address.)

CERTIFICATE OF SERVICE

I certify that I have this day served Mr. H. Sanders Carter (opposing party or attorney) with a copy of this Notice of Filing Petition of Certiorari by _____ (hand delivery/ mailing a copy first class mail postage prepaid) to him/her at: _____

1180 West Peachtree St, Ste 2300, Atlanta GA 30309

(complete address of party served).

This the 7th day of January, 2014.

[Signature] (Sign your name.)

FORM 3 - NOTICE OF INTENT

COURT OF APPEALS OF GEORGIA

P. Edwards Conrad M.D.

*

APPELLANT

*

vs.

Mass Mutual Insurance

*

CASE NUMBER

*

7:13-CV-20

APPELLEE

NOTICE OF INTENT

Comes now P. Edwards Conrad M.D. (Appellant/Appellee) in the above appeal and files this Notice of Intent to apply for certiorari to the Supreme Court of Georgia.

This the 7th day of January, 2014.

[Signature] (Sign your name.)

MAILING → P. Edwards-Conrad M.D.
3328-L Country Club Rd
LPMB 112
Valdosta, GA 31605
(Your complete address.)

CERTIFICATE OF SERVICE

I certify that I have this day served Mr. H. Sanders Carter (opposing party or attorney) with a copy of this Notice of Intent by _____ (hand delivery/mailing a copy first class mail postage prepaid) to him/her at: _____

1180 West Peachtree St, Suite 2300 Atlanta GA 30309
(complete address of party served).

This the 7th day of January, 2014

[Signature] (Sign your name.)

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA, VALDOSTA DIVISION

PENELOPE EDWARDS-CONRAD M.D.
Claimant and Policy holder
Pro se PLAINTIFF
Re: CLAIM MMFG-10-00467-01-DI

.V.

Mass-mutual life insurance company
DEFENDANT (S)

CIVIL ACTION
File Num: 7:13 cv 20 HL

RECEIVED
CLERK'S OFFICE
2013 MAR 20 PM 2:00
U.S. DISTRICT COURT
MIDDLE DIST. OF GEORGIA
VALDOSTA, GEORGIA

Letter to Clerk of the Court

Date: March 19, 2013

To: US District Court, Office of the Clerk
Mr. Gregory J. Leonard
c/o Arbitration Clerk, Ms. Holly McCarra.
Ph: 478-752-3496 Fax: 478-752-3496

Dear Mr. Leonard and Ms. McCarra,
Thanks for your letter dated 4th March 2013, stating that the above-captioned case has been referred to arbitration. Your letter did not specify if this is binding or non binding arbitration. Please note the following for your records:

- 1) If arbitration is non-binding, we are agreeable to participation.
- 2) If arbitration is binding, we are not able to agree to participation.

Please also note that although the 'case file' was subpoenaed at the inception of this case, the defendant(s) via their attorneys, have not yet provided the requested case file which is basically needed for proper arbitration. The plaintiff therefore asks for your assistance in the procurement of the case file from the defendant as the most urgent, foremost priority. In addition, if you are able, please appoint an ADA coordinator or advocate of this Court to assist the Plaintiff in this case. Thanks.

Plaintiff pro se, P. Edwards-Conrad M.D.
Mailing: 3338 Country Club Rd, L-PMB 112, Valdosta, GA 31605
Email: conservativeneurology@yahoo.com or/and edwconr@yahoo.com.

/cc: Defendant(s) MassMutual c/o H. Sanders Carter Jr. et al,
mailing: 1180 W. Peachtree street, Suite 2300 Atlanta, GA 30309
ph: 404-962-1000 fax. 1200. Email: sanders.carter@smithmoorelaw.com.

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT
OF GEORGIA, VALDOSTA DIVISION

PENELOPE EDWARDS-CONRAD M.D.
Claimant and Policy holder
Pro se PLAINTIFF
Re: CLAIM MMFG-10-00467-01-DI

.V.

Mass-mutual life insurance company
DEFENDANT (S)

CIVIL ACTION
File Num: 7:13 cv 20 HL

RECEIVED
CLERK'S OFFICE
2013 APR -4 AM 10:21
U.S. DISTRICT COURT
MIDDLE DIST. OF GEORGIA
VALDOSTA, GEORGIA

ANSWER TO COUNTERCLAIM AND PETITION FOR RELIEF

Comes now, Plaintiff pro se, to answer counterclaim filed by defendant(s) and received via regular US mail and to petition the Honorable Judge of this Court for relief.

THE TRUTH AND THE FACTS:

- 1) The Plaintiff requested a copy of the 'claims file' from the Defendant on several occasions before filing this matter in Court and was told that the Defendants could not 'release the information without a written subpoena' (Exhibit (1) ONE) A, B, C, D+E
- 2) The Plaintiff requested a copy of the 'claims file' to clarify errors therein, because this claim for benefits is based not only on symptoms arising from spina bifida occulta (displaced) as in the 2006 claim but also based on disabling migraine headaches related to Chiari (brain) malformation which was the reason for medical treatment and the initiation of the claim application in February 2010. (EXHIBIT (2) TWO).
- 3) Correspondence from the Defendant(s) to the Plaintiff, dated March 29th 2012 clearly state the criteria for 'partial disability' which the Plaintiff met/meets:
 - *suffering from current disability (with 'indefinite work restrictions')
 - *working at her occupation or another occupation
 - *has a loss of income of at least 20 percent pre-disability (met this criterion in 2006)
 - *can show a demonstrated relationship between the loss of income and the current disability and,
 - *is under a Doctor's care

AND,

Same correspondence dated March 29th 2012 clearly also states 'massmutual will NOT attempt to recoup the benefits that it has paid to you'.

(EXHIBIT (3) THREE)
- 4) The Defendant's attorney has delayed release of the claim file which would verify to this Honorable Court and Judge the above facts AND nullify the defendant(s) counterclaims one and two listed below:

7, 5

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT
OF GEORGIA, VALDOSTA DIVISION

PENELOPE EDWARDS-CONRAD M.D.)

Claimant and Policy holder)

Pro se PLAINTIFF)

Re: CLAIM MMFG-10-00467-01-DI)

.V.)

) CIVIL ACTION

) File Num: 7:13 cv 20 HL

Mass-mutual life insurance company)

DEFENDANT (S))

Count one: Claim for Unjust Enrichment

There was no 'unjust enrichment'; the benefits filed for and received are by the Plaintiff are rightly owed to the Plaintiff; and are in fact and in truth, only a small part of what is truly owed to the Plaintiff by the Defendant has been paid to the Plaintiff to date and.

Count two: Money had and received: Plaintiff is entitled to benefits under this policy. Migraines were disclosed at the time of application; the nature of the migraines changed over the years, from non-disabling to disabling, from classic to complicated. The medical testing obtained by the Plaintiff to verify the underlying cause of the painful symptoms, including but not limited to imaging studies of the brain and spine were paid 'out of pocket' by the Plaintiff because the disability in 2010 precluded her from obtaining commercial health insurance coverage. Mass mutual is not entitled to receive any repayment from the Plaintiff, and in truth and in fact, the Plaintiff is owed this benefit, back benefits and if this Court sees fit to award to the Plaintiff, relief of all premiums paid by the plaintiff since the initiation of this bona-fide claim in February 2010.

Therefore, Plaintiff Penelope Edwards-Conrad M.D., prays that this esteemed and Honorable Court shall now find, order and decree:

- a) The Defendant has no grounds for filing a counterclaim in response to the action filed by the Plaintiff asking for a copy of the claims file,
- b) The Defendant has no grounds to file a counterclaim before releasing the claim file to the Court and to the Plaintiff,
- c) The Defendant shall no longer collect premiums and also shall refund all premiums paid by the Plaintiff since the initiation of this bona-fide claim for partial disability benefits in February 2010, and
- d) The Defendant shall pay a monthly benefit to the Plaintiff in the amount of \$5750.00 each month, dating back to the initiation of this bona-fide claim in February 2010, with the 90-day exclusion and excluding conditional payments.

716

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT
OF GEORGIA, VALDOSTA DIVISION

PENELOPE EDWARDS-CONRAD M.D.)
Claimant and Policy holder)
Pro se PLAINTIFF)
Re: CLAIM MMFG-10-00467-01-DI)

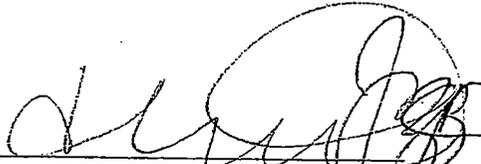
.V.)

) CIVIL ACTION
) File Num: 7:13 cv 20 HL

Mass-mutual life insurance company)
DEFENDANT (S))

e) Any and all other relief to the Plaintiff as this Court and Honorable Judge finds reasonable, in light of the facts revealed in this case,

This 4th day of April in the Year of our Lord Jesus Christ, 2013.



signed, Penelope Edwards-Conrad M.D., pro se Plaintiff
mailing address: 3338 Country Club Rd, L-PMB 112
Valdosta, GA 31605.



October 17, 2012

Penelope B Edwards Conrad
3338-L Country Club Rd
Suite 1 Pmb 112
Valdosta, GA 31605

Re: Claim Number: MMFG-10-00467-01-DI

Dear Dr. Edwards Conrad:

We have received your letter dated October 9, 2012, thank you.

We have reviewed your request for a copy of your claim file. Dr. Edwards-Conrad, Mass Mutual does not release the contents of our claim file as the information in our claim file is proprietary and we are unable to release the information without a written subpoena.

However, if you would like copies of all correspondence that has been sent to you, we will be pleased to send you this information.

Should you have any questions concerning this letter and/or your claim for benefits, please contact me by telephone at 1-800-272-2216, ext.24003, by fax at 1-860-562-6171 or by mail at MassMutual Financial Group, DI Benefits Department M125, 1295 State Street, Springfield, MA 01111-0001.

Sincerely,

Christina Trolio

Christina Trolio
Senior Claim Examiner

Attachment: Department of Insurance contacts

EXHIBIT ONE
Answer to Counterclaim
7:13 cv 2012

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 10, 2014

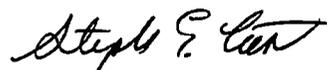
Arturo Corso, Esq.
Corso Law Center, LLC
431 Green Street, N.W.
Gainesville, Georgia 30501

RE: A13A1848. In the Interest of: L.T., a Child

Dear Mr. Corso:

In reference to the payment of the filing fee in the above appeal, a payment of \$95.00 was received on June 10, 2013 via credit card. Your \$80.00 refund check is enclosed. The remaining \$15.00 was the processing fee which is non-refundable.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure

SEE REVERSE SIDE FOR OPENING INSTRUCTIONS

COURT OF APPEALS
47 TRINITY AVE SW
SUITE 501
ATLANTA, GA 30334-9006

432020000001

ARTURO CORSO, ESQ.
431 GREEN STREET, N.W.
GAINESVILLE, GA 30501



Court of Appeals

Memorandum

To: Jan Kelley
From: Steve Castlen *SCC*
Subject: Return of Filing Fee - A13A1848. In the Interest of: L.T., a Child
Date: January 10, 2014

Listed below is the name and address of the attorney who paid a filing fee of \$95.00 via credit card in the above appeal on June 10, 2013. He is due a \$80.00 refund. Please prepare a refund check for the following:

Arturo Corso, Esq.
Corso Law Center, LLC
431 Green Street, N.W.
Gainesville, Georgia 30501

Thank you.

Patty Bender - Re: Request for refund

From: Steve Castlen
To: Lola Diamond
Date: 1/10/2014 10:54 AM
Subject: Re: Request for refund
CC: Jan Kelley; Patty Bender

Lola,

Please send this attorney a letter stating that he credit card will be credited with the amount he paid.. Thanks,

Patty: Please send Lola the required information. Thanks,

Stephen E. Castlen
Clerk/Administrator
Court of Appeals of Georgia
47 Trinity Avenue, S.W.
Suite 501
Atlanta, Georgia 30334

>>> Jan Kelley 1/10/2014 10:52 AM >>>

Patty,

As we discussed when the payment has been made by credit card we do not issue a check but refund through the e-fast system and their credit card is refunded for the filing fee only. We will process this refund as requested via the e-fast system.

Jan

>>> Patty Bender 1/9/2014 4:20 PM >>>

Jan,

Could we issue a refund for the following case:

A13A1848

Paid by Corso, Kennedy & Campbell, LLP

6/10/2013

Amount paid was \$95.00 - I believe we would only refund \$80.00

paid by credit card

If the check could be given to me, Steve is going to return it with a letter to the attorney.

Please let me know if you require any additional information

Patty

Patty Bender - Re: Request for refund

From: Jan Kelley
To: Patty Bender
Date: 1/10/2014 10:52 AM
Subject: Re: Request for refund
CC: Steve Castlen

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Patty

Patty Bender - Request for refund

From: Patty Bender
To: Kelley, Jan
Date: 1/9/2014 4:20 PM
Subject: Request for refund

Jan,

Could we issue a refund for the following case:

A13A1848

Paid by Corso, Kennedy & Campbell, LLP

6/10/2013

Amount paid was \$95.00 - I believe we would only refund \$80.00

paid by credit card

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Please let me know if you require any additional information

Patty

Patty Bender - A13A1848

From: Tiffani Moody
To: Bender, Patty
Date: 1/9/2014 2:47 PM
Subject: A13A1848
CC: Dillard, Stephen

Hi Patty,
The attorney handling this case pro bono filed a motion for leave to proceed in forma pauperis that was never ruled on by our Court. I believe that we did not address it because the same attorney filed a brief and paid the filing fee two days after filing the motion.

After having discussed the issue with Judge Dillard, who strongly wants to encourage attorneys to take pro bono cases, the Judge would like to refund the attorney his filing fee. Based upon our prior discussions, I believe that this can be done without too much trouble. If that is the case, please do so. If it otherwise causes significant problems, please let me know.

Thanks much,
Tiffani

Loc

Case Management



[General Docket](#)
[Lower Court](#)
[Party/Attorney](#)
[Filings](#)
[Judgment](#)
[Certiorari](#)
[Remittitur](#)
[Notes](#)
[Case History](#)

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[Tracking](#)

[Return to Search](#)

This Case Is Sealed

Case Style	IN THE INTEREST OF: L. T., A CHILD
Short Style	IN THE INTEREST OF: L. T., A CHILD
Case Number	A13A1848
Assigned Judge: J. Stephen Louis A. Dillard	Assigned Division: 3
Short Number: 99-069	Assignment Type: System
Panel: P. J. Gary B. Andrews, J. Stephen Louis A. Dillard, J. Carla Wong McMillian	
Opinion Status: D	
Docket Date: 05/10/2013	
Term: S13	
Docket Calendar: 0913	
Status: P	
Notes: No	

Docket Notices

[View Attorney Docket Notice](#)
[View Lower Court Docket Notice](#)
[Regenerate Docket Notices](#)
[Print Case Info Sheet](#)
[Print Attorney Summary Sheet](#)
[Print First Volume Judgment Sheet](#)
[Print Record Summary Sheet](#)
[Print Opinion Tracking Sheet](#)

Criminal or Civil?

Civil Criminal

Classification

CHILD MOLESTATION - 508

Docket Calendar: 0913

Oral Argument Granted:

Costs Paid

Description: Case Filing Fee	Paid By: CORSO, KENNEDY & CAMPBELL, LLP	Refunded: <input type="checkbox"/>
Date: 06/10/2013	Amount: 95.00	Receipt #: <input type="text"/>
Payment Method: Credit Card		

[Send Warden Letter](#)

Pauper's Affidavit Filed

Supreme Court Case Number

Case Associations

This case is a Main case and has no Cross or Companion cases.

This case has no Related (RE) cases.

Application

No application has been selected for this case.

Judge Assignment History

Judge	Short Number	Assignment Type	Date
J. Stephen Louis A. Dillard	99-069	System	05/10/2013

Show Voting Path

Disposed By Central Staff

Drafted Date 01/02/2014

Circulation Started Date

Circulation Ended Date

Central Staff

This case has no Central Staff assignment

Return to Search

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Loc

Case Management



General Docket	Lower Court	Party/Attorney	Filings	Judgment	Certiorari	Remittitur	Notes	Case History
----------------	-------------	----------------	---------	----------	------------	------------	-------	--------------

Edit Filings and Actions Transfers Mailing Labels

[Tracking](#)[Return to Search](#)

This Case Is Sealed

Case Style	IN THE INTEREST OF: L. T., A CHILD
Short Style	IN THE INTEREST OF: L. T., A CHILD
Case Number	A13A1848

Assigned Judge: J. Stephen Louis A. Dillard Assigned Division: 3 Short Number: 99-069 Assignment Type: System

Panel: P. J. Gary B. Andrews, J. Stephen Louis A. Dillard, J. Carla Wong McMillian Opinion Status: D

Docket Date: 05/10/2013 Term: S13 Docket Calendar: 0913 Status: P Notes: No

Filings and Actions	Court Initiated Actions
---------------------	-------------------------

[View Returned Filings](#)

04-001 - FOR EXT TO FILE BRIEF/NT

Filing Date and Time: 05/28/2013 02:34 PM EDT Category: Motion Party Type: NT

Reference Number: 144186 Filing Method: E-Filed

Primary Action: 05-419 - EXT GRANTED (CHECK FILE) Order Date: 05/29/2013

[Replace Filing Document](#)[View Filing](#)[View Order](#)[Replace Order Document](#) [Vacate Order](#)

04-041 - MOTION/S

Filing Date and Time: 06/08/2013 12:00 AM EDT Category: Motion Party Type: NT

Reference Number: 144572 Filing Method: Paper Filed [Mark as Docketed in Error](#)[Replace Filing Document](#)[View Filing](#)

03-008 - EVIDENCE OF INDIGENCY -- Docketed in Error --

Filing Date and Time: 06/08/2013 08:35 PM EDT Category: Evidence of Indigency Party Type: NT

Reference Number: 144565 Filing Method: E-Filed

[Replace Filing Document](#)[View Filing](#)

03-001 - BRIEF OF APPELLANT /NT

Filing Date and Time: 06/10/2013 05:36 PM EDT Category: Brief Party Type: NT

Reference Number: 144615 Filing Method: E-Filed [Mark as Docketed in Error](#)[Replace Filing Document](#)[View Filing](#)

03-003 - BRIEF OF APPELLEE /EE

Filing Date and Time: 07/01/2013 10:13 AM EDT Category: Brief Party Type: EE

Reference Number: 145179 Filing Method: E-Filed [Mark as Docketed in Error](#)[Replace Filing Document](#)[View Filing](#)[Return to Search](#)

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CASE NO. A13A1848

IN THE COURT OF APPEALS OF GEORGIA

STATE OF GEORGIA

In the Interest of

L. T., a Minor Child,
Appellant,

**MOTION FOR LEAVE TO PROCEED
*IN FORMA PAUPERIS***

Attorney for Appellant

Arturo Corso
Georgia State Bar No. 188748
Attorney at Law
Corso, Kennedy & Campbell, LLP
427 GREEN STREET, N.W.
GAINESVILLE, GEORGIA 30501
Telephone: (770) 532-9732
Facsimile: (770) 532-9733

IN THE COURT OF APPEALS OF GEORGIA

STATE OF GEORGIA

In the Interest of

L. T., a Minor Child,

Appellant,

Case No. A13A1848

**MOTION FOR LEAVE TO PROCEED
*IN FORMA PAUPERIS***

COMES NOW the Appellant in the above styled matter, L. T., by and through the undersigned counsel, and files this Motion for Leave to Proceed In Forma Pauperis, and further shows this Court as follows:

1.

Counsel was retained to defend L. T. in the trial of the original matter in Hall County Superior Court.

2.

Following the expenses related to defending the principal matter, the child and his family lost their house to foreclosure. Although lawfully present in the U.S., only the head of household is authorized to work under the Immigration Visa they hold. The family consists of a mother, father and three children.

3.

The Appellant is financially unable to pay the costs of filing this appeal insofar as he is a minor child. His parents are virtually indigent. Counsel is pursuing this appeal *pro bono publico* and has even had to pay out of pocket for the costs of transcript preparation in the approximate amount of One Thousand (\$1,000.00) Dollars.

4.

Appellant respectfully asks that he be permitted to file the Brief of Appellant without payment of costs.

Respectfully submitted this 8th day of June 2013.

/s/ Arturo Corso

Arturo Corso
Georgia State Bar No. 188748
Attorney for Appellant

Certificate of Service

This is to certify that I have this day served a true and correct copy of the foregoing Motion for Leave to Proceed *In Forma Pauperis* upon counsel for the Respondent by United States Mail with sufficient postage affixed thereon and addressed to:

Mr. David West,
Assistant District Attorney
225 Green Street
Gainesville, Georgia 30501.

This 8th day of June 2013.

/s/ Arturo Corso
Arturo Corso
Attorney at Law

Lola Diamond - Re: Request for refund

From: Steve Castlen
To: Lola Diamond
Date: 1/10/2014 10:54 AM
Subject: Re: Request for refund
CC: Jan Kelley; Patty Bender

Lola,

Please send this attorney a letter stating that he credit card will be credited with the amount he paid.. Thanks,

Patty: Please send Lola the required information. Thanks,

Stephen E. Castlen
Clerk/Administrator
Court of Appeals of Georgia
47 Trinity Avenue, S.W.
Suite 501
Atlanta, Georgia 30334
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Please let me know if you require any additional information

Patty

SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001

January 10, 2013

Daniel E. Cobble
#758572 Bldg # K-3 Cell #21 Bottom
Baldwin State Prison
P.O. Box 218
Hardwick, GA 31034

RE: Cobble v. Lockhart

Dear Mr. Cobble:

The above-entitled petition for writ of certiorari was originally postmarked December 4, 2012 and received again on January 9, 2013. The papers are returned for the following reason(s):

They are returned for failure to reflect the changes requested in prior correspondence.

The appendix to the petition does not contain the following documents required by Rule 14.1(i):

The lower court opinion(s) must be appended from the Georgia Court of Appeals Case No. A12D0423 - decision dated prior to September 12, 2012.

A copy of the corrected petition must be served on opposing counsel.

When making the required corrections to a petition, no change to the substance of the petition may be made.

Sincerely,
William K. Suter, Clerk
By: 

M. Blalock
(202) 479-3023

Enclosures

Court of Appeals of the State of Georgia

ATLANTA, July 13, 2012

The Court of Appeals hereby passes the following order:

A12D0423. DANIEL ERIC COBBLE v. STEPHANIE ANNE LOCKHART.

Daniel Eric Cobble, plaintiff in the civil action below, seeks review of the trial court's order of March 7, 2012.¹ In that order, the court denied his "Emergency Motion for Impeachment," which it construed as a motion for recusal.

"Denials of motions to recuse are interlocutory in nature. An appeal of such an order requires compliance with the interlocutory appeal provisions of OCGA § 5-6-34 (b)," including obtaining a certificate of immediate review within ten days of the order sought to be appealed. *Ellis v. Stanford*, 256 Ga. App. 294, 295 (2) (568 SE2d 157) (2002); see also *Warringer v. Warringer*, 204 Ga. App. 86 (418 SE2d 446) (1992). Accordingly, Cobble's failure to comply with the interlocutory appeal procedures and obtain a certificate of immediate review deprives this Court of jurisdiction, and his application is hereby DISMISSED.



Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 07/13/2012

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Hally J. O. Spencer, Clerk.

¹ Cobble filed his application in the Supreme Court, which transferred it here.

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

DANIEL ERIC COBBLE
Plaintiff,

vs.

STEPHANIE ANNE LOCKHART,
Defendant.

Civil Action No. 11-CV-2272

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2012 MAR -7 AM 8:11
PATY BAKER, CLERK

ORDER

The above matter having come before the Court on Defendant's Motions, and the Court having considered the record, the Court finds as follows:

Plaintiff is currently an inmate in Macon State Prison in Oglethorpe, Georgia, and has, to the extent the Court can read his hand-written pleadings, filed an action against Stephanie Anne Lockhart, having to do with her "violation" of his parental rights. On November 16th, 2011 the Court entered an order reserving ruling on certain of Plaintiff's pending motions until he complied with Uniform Superior Court Rule 36.1. Plaintiff has failed to do so, and further, has continued to file multiple hand-written pleadings which are only sporadically legible.

The Plaintiff filed a Rule Nisi on January 17, 2012, setting his case for hearing on February 16, 2012. This Rule Nisi was accompanied by a "Production Motion" asking that he be "brought to court physically" for the February hearing date. The Court did not grant the motion, and on February 17, 2012, Plaintiff filed an "Emergency Motion for Impeachment."

This Court is without jurisdiction to grant such a Motion. To the extent that it might be considered a recusal motion, it fails to meet the procedural requirements for same. The Motion for Impeachment is therefore DENIED.

Plaintiff's production motion cites authority which in no way supports his Motion.

Neither the State nor the Court has any obligation to produce Plaintiff to litigate a civil matter, absent further showing. Said Motion, for the record, is DENIED.

SO ORDERED, this 6 day of March, 2012.



Ellen McElyea, Judge
Superior Court
Blue Ridge Judicial Circuit

Cc: Daniel Eric Cobble
GDC# 758572
Bldg J-1, 212 Cell
Macon State Prison
P.O. Box 426
Oglethorpe, Georgia 31068

Stephanie Anne Lockhart
108 Little Brook Drive
Woodstock, GA 30188

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 10, 2014

Patrick Dollar, Esq.
108 Shefford Court
Greer, South Carolina 29650

To Whom It May Concern:

This letter is to verify that Mr. Patrick O'Neill Dollar, Bar Number: 507088, was an active member in good standing with the Court of Appeals of Georgia until his move to South Carolina whereas he became an inactive member in good standing with the Georgia State Bar due to his residency (he is no longer a resident of the State of Georgia).

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 13, 2014

Mr. Crisincio Franks
GDC1000871118
Hays State Prison
Post Office Box 668
Trion, Georgia 30753

Dear Mr. Franks:

In response to your correspondence received in this office, we do not have a case styled in your name pending in this Court.

Until a case is docketed in this Court, all communications should be directed to your attorney or to the trial court from which you are appealing.

The Court of Appeals of Georgia does not have the power or authority to appoint counsel for you. Any requests for appointed counsel should be directed to the trial court.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

January 6, 2014

RECEIVED IN OFFICE

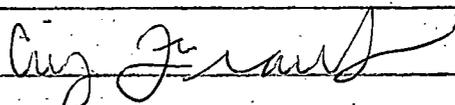
2014 JAN 10 PM 3:21

To Whom It May Concern:

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

My name is Crisincio Timothy Franks, I was notified September 12, 2013 that the Court of Appeals has reversed my DeKalb County Superior Court case (11-cr-1928-6) conviction. It is now January 3, 2014 and I'm inquiring as to why I'm still being housed at HAYS STATE PRISON. I currently do not have an attorney and will not be able to retain one due to my current living conditions* which are hindering me from being able to prepare for my upcoming case/trial in more ways than one. I am simply requesting relief in this situation as soon as possible.

Thank you!


Crisincio Franks

* I made the staff here at HAYS STATE PRISON aware that my conviction has been reversed. I asked to be placed in protective custody until I'm returned to my county, instead I'm being housed in a section of the prison where they poison and beat inmates, a place where they feed you only if they feel like it because there are no cameras.

COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR BRIEFS OR MOTIONS

Date: January 13, 2014

To: Mr. Stanley Babbs, GDC563765, Wheeler Correctional Facility, Post Office Box 466, Alamo, Georgia 30411

Docket Number: A14A0793 **Style:** Stanley Babbs v. The State

Your document(s) is (are) being returned for the following reason(s).

1. Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 **Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4. **An improper Certificate of Service accompanied your document(s). Rule 6**
5. Your Certificate of Service did not include the complete name and mailing address of each opposing counsel and pro se party. Rules 1(a) and 6. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
6. There were an insufficient number of copies of your document. Rule 6.
7. Your document exceeds page limits. Rules 24 (f) and 27 (a)
8. Your document was submitted without permission to file (supplemental brief or second motion for reconsideration). Rules 27 (a) and 37 (d)
9. Letter briefs and letter cites are not permitted. Rule 27 (b)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12. Type was on both sides of the paper; type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17. The Motion to Supplement has not been granted.
18. Other

In The Court Of Appeals
State Of Georgia

Stanley Babbs,
Appellant,

v.

State of Georgia,
Appellee.

Appel Case No.
A14A 0793

RECEIVED IN OFFICE
2014 JAN 10 PM 3:23
CLERK OF COURT
COURT OF APPEALS OF GA

Rule 40 (b) Motion

Pursuant to O.C.G.A. § 5-6-39, the Appellant files this motion for an Extension of Time as he has not been able to gain access to the Wheeler C.F. law library as the library has been closed during the holidays, thus limiting the Appellant's access to the courts.

Pursuant to Rule 16 (a) of the Georgia Court of Appeals Rules for 2013 (March 15, 2013 ed.), the Appellant moves this Honorable Court for a 30 day extension to file his Brief of Appellant.

Respectfully submitted,

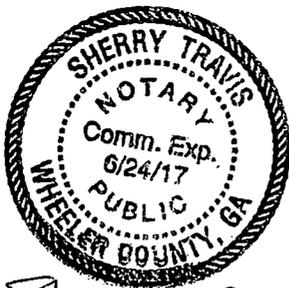
Stanley Babbs, Pro se

Certificate of Service

I hereby certify I have sent true copies of Rule 40 (b) to the Georgia Court of Appeals by U.S. Postal Service, mailed to:

Georgia Court of Appeals
47 Trinity Ave. S.W.
Suite 501
Atlanta, Ga. 30334

Stanley Babbs, Dec SE Stanley Babbs
Wheeler C.F.
P.O. Box 466
Alamo, Ga. 30411



Sherry Travis
01/07/14

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 13, 2014

Ms. Melissa H. Davis
c/o Ms. Judy Hutson
97 Burnt Church Road
Bluffton, South Carolina 29910

RE: A14A0713. Melissa H. Davis v. Glinn H. Spann, et al.

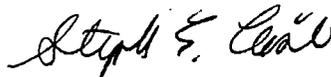
Dear Ms. Davis:

I am in receipt of your "Request for Continuance" received in the above appeal. The Request did not contain a Certificate of Service. A Certificate of Service must include the complete name and mailing address of each opposing counsel and/or pro se party. Rules 1(a) and 6. You will have to provide a copy of your filing to the opposing counsel and include his/her name and address on your Certificate of Service.

This Court can only consider the official record in your case. Exhibits submitted by the parties must be certified by the clerk of the trial court as being part of the appellate record or they cannot be considered by this Court in your appeal. The CD you submitted was not stamped filed by the clerk of the trial court, and therefore, cannot be accepted.

I am returning your documents and CD to you.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

IN THE APPELLATE COURT
STATE OF GEORGIA

RECEIVED IN OFFICE
2014 JAN 10 PM 3:10
CLERK/CLERK ADMINISTRATOR
COURT OF APPEALS OF GA

MELISSA HUTSON DAVIS)

Plaintiff)

Vs.)

GLINN HILLER SPANN and)
BRITTANY MORRIS GARVIN,)

Defendants.)

Civil Action No. 1J12CV065P
Appeals Court Docket #A14A0713

REQUEST FOR CONTINUANCE

Melissa Hutson Davis, Plaintiff, request a continuance for the filing of her Appellant Brief for the following reasons:

On November 21, 2013, I had foot surgery for a number of bone deformities in my left foot. At that time, the doctor placed a metal rod into my foot.

On December 17th I injured my RIGHT foot, which caused me to put weight on my left foot. In doing so, I broke the rod in my left foot.

I went to a small hospital in Georgia and had an X-ray done of my foot on the evening of December 18th, 2013. I'm attaching the C.D which shows this X-ray and you can clearly see that over an inch of the rod broke off across a joint inside my bone.

I went back to my podiatrist on December 19th. She was able to remove the long portion of the rod, which protruded out of my foot, but was unable to do anything about the short, broken piece of rod still stuck in my foot. We were hoping that either this would "work it's way out", or it would not bother me.

Since then the slightest bending of my foot causes the broken edges of the rod to put pressure on the bone joint. I cannot use crutches due to my left shoulder being pinned together. I have been completely unable to walk in over three weeks.

To complicate matters, I live on an island which has no road access; only boat. The docks to get on or off of boats are extremely long and I'm not able to go down them at this time.

I just received my written notice TODAY, January 7th, that my case was docketed on December 13th. This means I should have filed my appeal brief by January 2nd; five days ago.

The mail service on this island is not at all dependable. Bad weather prevents our mail woman from going across to the mainland and collecting the mail. This month everyone is complaining over late mail.

There is no way I am able to go across to make copies, get the needed supplies or finish this project within the next few days.

I go back to my doctor on the 8th of January to find out what can be done to fix my foot where I can walk again.

I am requesting a 30-day continuance, if possible. I am doing this "Pro-Se" and cannot afford an attorney.

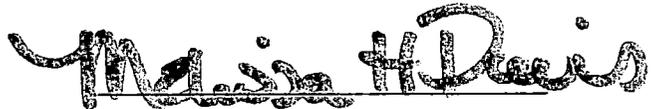
I am changing to the address of my step-mother who lives on the mainland for correspondence to your office, as it takes too long for mail to get here. Her address is:

Melissa Davis/ c/o Judy Hutson

97 Burnt Church Road

Bluffton, S.C 29910

I greatly appreciate any assistance I can get in being given more time to prepare my appeal. Please allow me to do this. Thank you.

A handwritten signature in cursive script that reads "Melissa H. Davis". The signature is written in black ink and is positioned above the printed name.

Melissa Hutson Davis, Appellant

Enclosures:

- (1) Post-op paperwork from Surgery Center
- (2) X-ray of broken rod on foot taken Dec. 18th, 2013

YOU ARE URGED TO FOLLOW THESE INSTRUCTIONS CAREFULLY

PHYSICIAN Dr Blau PHONE 379-9913

- REST AT HOME FOR 24 HOURS, THEN INCREASE ACTIVITY AS YOU CAN TOLERATE.
- BEGIN DIET WITH CLEAR LIQUIDS, SOUP AND CRACKERS. THEN YOU MAY HAVE SOLID FOODS.
- CALL MD IF NAUSEA AND VOMITING OCCUR MORE THAN 2-3 TIMES WITHOUT RELIEF.
- CALL MD IF YOU DO NOT URINATE IN 8 HOURS.
- RESUME MEDICATIONS YOU WERE TAKING PRIOR TO SURGERY.
- DO NOT STAY ALONE FOR 24 HOURS.
- DO NOT TAKE ASPIRIN PRODUCTS WITHOUT APPROVAL OF YOUR SURGEON.
- DO NOT DRINK ALCOHOL FOR 24 HOURS.
- DO NOT DRIVE A CAR FOR 24 HOURS (CHILDREN, NO BIKE RIDING, GYM, SKATEBOARDING, ETC.)
- DO NOT MAKE IMPORTANT DECISIONS FOR 24 HOURS.

*Also while
OKY on*

INSTRUCTIONS FOLLOWING SURGERY: FOLLOW ONLY CHECKED ITEMS

- MAKE AN APPOINTMENT TO SEE YOUR SURGEON ON THIS DATE: Keep as schedule
- TAKE PRESCRIPTION MEDICATIONS AS ORDERED BY YOUR SURGEON.
- IF NO PRESCRIPTION WAS WRITTEN FOR PAIN, TAKE A TYLENOL PRODUCT - NO ASPIRIN.
- AVOID STRESS TO OPERATIVE SITE/SUTURE LINE. (I.E. NO HEAVY LIFTING, PULLING, PUSHING, ETC.)
- CARE FOR SUTURE LINE AS FOLLOWS: _____
- KEEP OPERATIVE SITE ELEVATED FOR 24 HOURS.
- KEEP DRESSING ON AND KEEP IT DRY.
- CHANGE DRESSING AS FOLLOWS: _____
- APPLY ICE TO OPERATIVE AREA FOR 24 HOURS AS DEMONSTRATED.
- KEEP WATER OUT OF EARS. (I.E. USE EAR PLUGS)
- CALL YOUR SURGEON IF YOU NOTICE:
 - SIGNS OF INFECTION (I.E. TEMPERATURE ABOVE 100.5, PAIN, REDNESS, SWELLING, FOUL ODOR, PUS)
 - NERVE OR CIRCULATION PROBLEMS (I.E. NUMBNESS, TINGLING, CHANGE IN COLOR OR TEMPERATURE)
 - EXCESSIVE BLEEDING (I.E. BLOOD SATURATED DRESSINGS, SUTURE LINES WITH LARGE AMOUNTS OF DRAINAGE, OR BRUISED AREAS WHICH ARE EXCESSIVELY SWOLLEN) IF ANY OF THIS IS THE CASE, APPLY PRESSURE TO THE AREA, ELEVATE IF POSSIBLE, AND CALL SURGEON.
- FOR FURTHER QUESTIONS, PLEASE CALL BEAUFORT SURGERY CENTER AT 322-5800 UNTIL 5:00PM. AFTER 5:00PM PLEASE CONTACT YOUR SURGEON.
- DISCHARGED WITH A RESPONSIBLE ADULT.

*✓ Circulation
in toes as
Dr Blau showed
(Pinch toes)
Look for re pinken*

OTHER INSTRUCTIONS: _____

See Podiatry Instructions

PRESCRIPTIONS: DRUG AND DOSE	USE	INSTRUCTIONS	#GIVEN	REFILLS
<i>Already</i>	<i>Given to husband</i>			

ROUTINE DISCHARGE INSTRUCTIONS FOR DOCTOR _____ GIVEN TO PATIENT / PARENT.

Davis, Melissa H Id: 35727
 Dob: 02/16/58 Age: 55 Sex: F
 MR#: Dos: 11/21/13
 Dr: Blau, Jill C
 The Surgery Center of Beaufort

YOUR SIGNATURE INDICATES THAT YOU HAVE RECEIVED
 POST-OP INSTRUCTIONS AND A COPY, AND THAT YOU
 FULLY UNDERSTAND THE INSTRUCTIONS YOU HAVE RECEIVED

x Joel Davis

INSTRUCTIONS BY *Alexandra* RN

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 13, 2014

Ms. Moussa Diarra
GDC1000010759
Hays State Prison
Post Office Box 668
Trion, Georgia 30753

Dear Mr. Diarra:

We received your letter on January 10, 2014. Your Discretionary Application is pending in the Court of Appeals of Georgia. The Court has not decided whether to grant or deny your application. Regarding your request for an attorney, this Court is unable to provide you any assistance in that regard. As you requested, we are enclosing a copy of the Court Rules.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure



2013

Georgia Court of Appeals

RULES

Last Update: December 2, 2013

Georgia Court of Appeals

My name is Mousa Diarra in writing this application in regards of a few matters as follows:

RECEIVED IN OFFICE
2014 JAN 10 PM 4:26
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

ON NOV-27-2013

(check date), I filed a Discretionary Appeal to the supreme court which was approved and transferred to this court.

The issue I wanna raise is due to the holidays the

institution (Hawes state) has not been honoring weekly law

materials which are suppose to be distributed every week.

for a period of 3-weeks from (Dec-18-Jan-1) inmates

in my housing unit has not receive law materials.

For this reason I was unable to file a "notice of

"Appeal" to the lower court in the manner prescribed

I had no opportunity to request the form from the

library I have attempting to ask the paper staff

for any documents to support my claim in attempt to

ask this court for an extension to file an notice of

Appeal to the lower court. I've also filed a grievance

about this matter on prison level and is awaiting

responses from the warden.

I wanted to respectfully ask this court to grant

me an extension to file a notice of appeal to the lower

courts for the reasons stated herein application.

Jan-6-2014
Mousa Diarra

CA Court of Appeals

my name is moussa Diarra ~~am~~ writing this application
in regards of legal Assistance as Follow:

I was approve for a Discretionary Appeal on Dec-18-2024
by the Supreme court and was transfer to this court
case NO. S14D0435 - MOUSSA DIARRA V THE STATE

"There is a serious legal question in the Appeal
which a layman could not hope to raise" *Chumblee v. State*

I am financially unable to afford an Attorney and
I wanted to know if I was eligible to meet the
requirements for an appointed Attorney in the above
case NO.

To the extent authorized by the criminal
justice Act of 1964, 18 U.S.C § 3006A, or by any
other applicable Federal statute.

may this court please send me a court of Appeals RULE
HANDBOOK or any information relating to this court that
may be helpful.

PS: im schedule to appear in DEKALB CO. court for
Hearing on motion(s) for 8th January. so please
check address OR location THANKS!

Moussa Diarra
1an-6-701

CERTIFICATE OF SERVICE

This is to certify that I have this day served a true and correct copy of the within and forgoing document(s) upon the person(s) listed below by depositing a copy of same in the United States Mail in a properly addressed envelope with adequate postage thereon to ensure that it reaches its destination.

This 6th day of January, 20 14.

Respectfully submitted,



Person(s) served:

LRP

COURT OF APPEALS OF GEORGIA

334 State Judicial Bldg

Atlanta, Georgia 30334

The Court of Appeals
47 Trinity Avenue, SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 14, 2014

Mr. Thomas Chase Dobbs
193 Kaolim Heights Road
Dry Branch, Georgia 31020

Dear Mr. Dobbs:

We are in receipt of your letter and documents. I am sorry to inform you that our office is not able to assist you or to provide any legal advice to you. We are prohibited from engaging in the private practice of law at the Court of Appeals. I am returning your documents to you and I hope you are able to locate an attorney who will work with you on resolving the issues you raised in your letter.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

Thomas Chase Dobbs

*193 Kaolin Heights Rd.
Dry Branch, Ga 31020
(478) 775-3263
Javelinj31983@gmail.com*

December 22, 2013

To Whom It May Concern:

I'm enclosing copies of the Last Will and Testament of my grandmother Imogene Dobbs along with copies of Duties and Responsibilities, of the Personal Representatives of Decedents Estate in Georgia. I am in dire need for someone to look at the documents and perhaps share their thoughts on how my uncle, who is an Attorney, in Macon, Ga. can get away with committing fraud? It has been impossible to find and work with an Attorney in Macon, due to his standing in the legal community? I am feeling as though the Macon Justice System is the perfect example of what is called, the "Good Ole Boy System".

My name is Thomas Chase Dobbs. My uncles name is Mike Carpenter. My fraternal Grandmother was Imogene Dobbs and her Last Will and Testament is what I'm in desperate need of legal advice. I will give a brief explanation of what has occurred, to date: My father passed away in a sky diving accident on 8/02/2001. I was very close to my Grandparents. My grandfather always made such a deal out of me being the last of the Dobbs. My father was the only son and I was the only child of my mother Jennie Dobbs and father Andy Dobbs. After his death we remained close. My grandparents were married for over 50 years. One never did anything without the other. My grandmother always made the joke she never even pumped her own gas. They died within 8 months of each other. They were both in their 80s when they passed. Approximately 6 months before my grandfather died, My mother and I went to their house at my grandmother request so they could explain to me what I should expect at their death. I still hear my grandmother saying she wanted me to know exactly what I was to get so noone would tell me any different. It was explained that they were going to leave the Will the way it was showing, which my father, Andrew Dobbs was to receive one-third

share, and explained that in the State of Georgia, One-third share would automatically come to me as his heir since he was deceased. Everything would be split into thirds since at the time both aunts were also named. After the death of both grandparents my grandfather dying first 10/12/2007 then my grandmother 7/06/2008. I was approached by my aunts husband Mike Carpenter, asking me to sign a form so I could receive my inheritance. Naturally, I assumed he was dividing the estate as I trusted him and believed everything would be like my grandparents had explained to me. I signed, as requested. After months of him not responding to any of my calls, I went to an Attorney in Macon where he advised me that he would check on what was taking place? After several days, I received a call from this attorney, requesting I come to his office. It was at this time, I was advised he could not help me, and informed of a second will which was drawn up while my Grandmother was in Hospice, and only 9 days before her death? It was at this time that a second will was shared with me? He gave me a copy of this Will. It was supposedly signed by my grandmother 9 days before her death. She had CANCER, was in Hospice, and was on several different kinds of pain medications. How can this be done??? Guess who the Attorney was on the Will? You are correct, none other than my uncle, Mike Carpenter. I have tried contacting lawyers in Macon and to no avail? I went to Atlanta seeking counsel, but it is just not affordable! The Grandparents estate is sizeable, and I have been given approximately \$48,000. I was then told the estate was broke? That there was no more funds, I had no right to ask for an accounting of any estate matters? DO NOT CONTACT THEM AGAIN. My grandparents in no way were rich, but the estate was sizeable! I have checked, and the house that was owned by my grandparents is still in Imogene Dobbs name. I have been told Mike rents out this home. I know there were Life Insurance Policies, as my grandfather was one of the first All State Insurance Agents in Macon. I'm sure there were IRA accounts, as well as checking and savings accounts. Mike informed me, that in the new Will, he did NOT have to disclose any information to me. I have reason to believe that the will has never been completely Probated?

Please, I would be so grateful if someone could review the enclosed copies and if someone, anyone, could explain to me how he can get away with such transparent fraud! Check dates when supposedly my grandmother signed 9 days before her death.

FACTS:

- The signatures are clearly NOT hers! You can look at the signature and can clearly see my aunt signed fraudulently.
- If Will was going to be changed, I believe it would have happened before my grandfathers death 8 months prior.
- Their Attorney on original Will was Robert Malone on new Will Mike Carpenter

- The witnesses are friends of Rebecca Carpenter and Mike Carpenter. In fact, they are still listed as friends on Facebook Please, I will Hope and Pray to hear from someone soon! Please, I am in dire need of professional advice, regarding this matter.

Sincerely,

Thomas Chase Dobbs

CC: District Attorney Office Macon Judicial Circuit
Attn: Mr. Garrison A. Wood
Prosecuting Attorney K David Cooke
United States Attorneys Office Michael J, Moore
Monroe County District Attorney
Towaliga Judicial Circuit Superior Court
Judicial Qualications Commission
Prosecuting Attorney Council of the Courts
Administrative Office of the Courts
Court of Appeals of Georgia
Chief Deputy Clerk Patty Bender
Supreme Court of Georgia
State Bar Association
Chief Justices Commissions on Professionalism
Georgia Secretary of State Brian Kemp
American Judicature Society Center for Judicial Ethics
US Dept. of Justice Office for Victims of Crime
US Dept. of Justice Report Fraud
Georgia Commission on Dispute Resolution

LAST WILL AND TESTAMENT
OF
IMMOGENE K. DOBBS

GEORGIA, BIBB COUNTY

I, IMMOGENE K. DOBBS, of said State and County, being of sound and disposing mind and memory do hereby make, publish and declare this as my Last Will and Testament, hereby expressly revoking any and all other Wills and Codicils heretofore made by me.

ITEM I.

I desire and direct that my body be buried in a Christian like manner, and a suitable memorial erected, and the costs thereof paid out of my estate.

ITEM II.

Any obligation owed by me on long term installment loans should be handled by my Executor in a manner deemed to be in the best interest of the beneficiaries of my estate. Open account indebtednesses should be paid by my Executor as expeditiously as possible without working a detriment to my estate, and I thereafter desire and direct that my Executor then pay all my remaining just debts and funeral expenses as soon as practicable after my death.

ITEM III.

I give, devise and bequeath all of the rest and residue of my estate unto my Husband, THOMAS W. DOBBS, whether said property shall be real, personal or mixed, and of every nature and description, and wherever situated, tangible or intangible, including, without limitation, any lapsed bequests or devises hereunder, and all

Handwritten notes in left margin:
R. J. M.
Imogene K. Dobbs

property in trust or otherwise, over which I may have power of disposition, by my Will or otherwise, to be his in absolute fee simple forever.

ITEM IV.

In the event my Husband should predecease me, I give, devise and bequeath unto my children REBECCA D. CARPENTER, RAMONA KATHLEEN LATIMER, and ANDREW THOMAS DOBBS, all of the rest and residue of my estate to be divided equally between them, whether said property shall be real, personal or mixed, and of every nature and description and wherever situated, to be theirs in absolute fee simple forever.

ITEM V.

I hereby nominate, constitute and appoint THOMAS W. DOBBS, as the Executor of this my Last Will and Testament. In the event that he should predecease me, die, refuse or otherwise fail to act as such Executor, then I hereby nominate, constitute and appoint my daughter, REBECCA D. CARPENTER, as Alternate and Successor Executor of this my Last Will and Testament.

ITEM VI.

I hereby confer upon my Executor under this Will all of the duties, rights, powers, privileges and immunities provided for in Official Code of Georgia Annotated Sections 53-15-1, et seq, previously provided for in Section 108-1200 et seq of Georgia Code Annotated (Acts of 1973, page 846, 846, as amended by Acts of 1976, page 1586).

Handwritten notes and signatures on the left margin:
A vertical line of text, possibly a name or address, written vertically.
A signature, possibly "R. D. Carpenter", written vertically.
The initials "TWD" written vertically.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal to this my Will, this 5th day of December, 1990.

Imogene K. Dobbs
IMMOGENE K. DOBBS (Testatrix)

Signed, sealed, published and declared by IMMOGENE K. DOBBS, as and for her Last Will and Testament in our presence and we, at her request and in her presence and in the presence of each other, have hereunto subscribed our names as witnesses the day and year above set out.

WITNESSES:

J. Michelle Avery
Robt. Malone

ADDRESSES:

Macon, Ga
Macon, GA

STATE OF GEORGIA
COUNTY OF BIBB

Imogene K. Dobbs

Before me, the undersigned authority, on this day, personally appeared IMMOGENE K. DOBBS, J. Michelle Averyt, and Robert Malone, known to me to be the Testatrix and the Witnesses, respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities; and all of said persons being by me duly sworn, the said IMMOGENE K. DOBBS, Testatrix, declared to me and to the said Witnesses in my presence that said instrument is her Last Will and Testament and that she had willingly made and executed it as her free act and deed for the purposes therein expressed. Upon the said Testatrix having given her oath, each of the Witnesses did then state to me, and in the presence and hearing of the Testatrix, that the Testatrix had declared to them that said instrument was her Last Will and Testament and that she executed same as such and wanted each of them to sign it as a Witness; and upon her said oath each Witness stated further that they did sign the same as a witness in the presence of the Testatrix and at her request; that she was at that time 14 years of age or over and was of sound mind; and that each of said witnesses was then at least 14 years of age and of sound mind.

Imogene K. Dobbs
IMMOGENE K. DOBBS (Testatrix)

J. Michelle Averyt
(Witness)

Robert Malone
(Witness)

Sworn to and subscribed before me by IMMOGENE K. DOBBS, Testatrix, and sworn to and subscribed before me by Witnesses, Robert Malone, and J. Michelle Averyt, this 5th day of December, 1990.

Will D. de la Buziere
Notary Public, Bibb County, GA.
My Commission Expires: MY COMMISSION EXPIRES JUNE 7 1992

search

Monroe County

What is Public Notice?
Public Notice News
Across America
Subscribe

Georgia Legal Organs
About Us
Contact Us
For technical support
please contact
publicnotice@
gapress.org

Legal Organs Sign In
(publishers only)

NOTICEGEORGIA, MONROE COUNTY PROBATE COURTTO:

5 years ago | 1 views | 

All interested partiesThe petition of Imogene Kennedy Dobbs, for a year s support from the estate of Thomas W. Dobbs, deceased, for decedent s surviving spouse, having been duly filed, all interested persons are hereby notified to show cause, if any they have, on or before March 3, 2008 @ 10:00 a.m., why said petition should not be granted.All objections to the petition must be in writing, setting forth the grounds of any such objections, and must be filed on or before the time stated in the preceding sentence. All pleadings/objections must be signed before a notary public or before a probate court clerk, and filing fees must be tendered with your pleadings/objections, unless you qualify to file as an indigent party. Contact probate court personnel at the following address/telephone number for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a alter date. If no objections are filed, the petition may be granted without a hearing./s/Karen H. PitmanPROBATE JUDGEBy: Donna RobinsPROBATE CLERK/DEPUTY CLERKPO Box 187Forsyth, GA 31029478-994-7036

No Comments Yet

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The public notice database on this site is not a substitute for the official publication that is required by law. The legal notices posted on this site are for reference only. Only the legal notices published in the official legal organ newspaper of the county are official per O.C.G.A. § 9-13-140. et seq.

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GFA public notice site is in Atlanta, GA

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 14, 2014

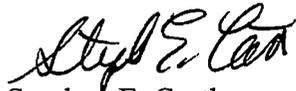
Mr. Sam Buoscio
243-856
670 Marion Williamsport Road, East
Marion, Ohio 43301-1812

Dear Mr. Buoscio:

I am in receipt of your letter dated January 6, 2014 in which you requested a copy of a Civil Docketing Statement used by the Court for civil appeals, this Court does not have the forms you requested.

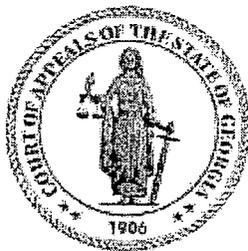
I am enclosing a copy of the Rules of the Court of Appeals of Georgia for your review.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure



2013

Georgia Court of Appeals

R U L E S

Last Update: December 2, 2013

CLERK OF COURT
GEORGIA COURT OF APPEALS
47 TRINITY AVENUE SOUTH WEST
SUITE 501 ATLANTA, GEORGIA 30334

LEGAL MAIL



SAM BUOSCIO 243-856
670 MARION WILLIAMSPORT ROAD EAST
MARION, OHIO 43301-1812

JANUARY 6, 2014

SAM BUOSCIO 243-856
670 MARION WILLIAMSPORT ROAD EAST
MARION, OHIO 43301-1812

CLERK OF COURT
GEORGIA COURT OF APPEALS
47 TRINITY AVENUE SOUTH WEST SUITE 501
ATLANTA, GEORGIA 30334

DEAR CLERK OF COURT,

I AM INCARCERATED AND I CAN NOT GO TO A WEBSITE TO GET THIS INFORMATION, AND I AM NOT ALLOWED TO HAVE EXCESS TO A WEBSITE.

COULD YOU SEND TO ME A COPY OF A CIVIL DOCKETING STATEMENT THAT IS USED BY YOUR COURT FOR CIVIL APPEALS.

I THANK YOU FOR THE FORM, AND I THANK YOU FOR YOUR HELP.

SINCERELY

A handwritten signature in black ink that reads "Sam Buoscio". The signature is written in a cursive, flowing style with a large, prominent "S" at the beginning and a long, sweeping tail that loops back under the name.

SAM BUOSCIO

RECEIVED IN OFFICE
2014 JAN 14 PM 12:51
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 14, 2014

Mr. Daniel E. Cobble
GDC758572
Baldwin State Prison
Post Office Box 218
Hardwick, Georgia 31034

RE: A13A2347. Daniel Eric Cobble v. The State

Dear Mr. Cobble:

I am in receipt of your letter dated January 8, 2014, in which you asked several questions regarding the above referenced appeal. The appeal was docketed in this Court on August 6, 2013. The Court affirmed the judgment of the trial court on January 6, 2014.

If the motions you sent were not returned, they have been filed with your appeal.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

RECEIVED IN OFFICE

2014 JAN 14 PM 12:54

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

To Clerk of Georgia courts Appeals

From Daniel Eric Cade 75857a

Baldwin's safe Prison

P.O. Box 218 Hardwick

Georgia 31034

Today's 1-8-14

regarding direct current appeal of the robbery case

this I do know ending with you court # A13A2347

① Can you tell me names of each and every (including

notar) I've filed in this case from case start to now? because you never verified receipt of same!

② Did you get the evidence I sent you as character

evidence and the back of this case, it was a robbery, but as I'm most concerned of is the state's evidence support

court and found me incompetent to stand trial in 1993?

and the big envelope from which court
District attorneys of the I filed?
Thanks to Daniel Eric Cade

pre defendant

5. Disposition
(for example, was the case dismissed? Was it appealed? Is it still pending?):

6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

8. Were you allowed to proceed in forma pauperis (without prepayment of fees)?
Yes () No ()

B. While incarcerated or detained in any facility, have you brought any lawsuits in federal court which deal with facts other than those involved in this action? Yes () No ()

1. Parties to the previous lawsuit:

Plaintiff(s): _____

Defendant(s): _____

2. Court (If federal court, name the district; if state court, name the county):

3. Docket Number: _____

4. Name the Judge to whom case was assigned: _____

5. Disposition
(for example, was the case dismissed? Was it appealed? Is it still pending?):

6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

8. Were you allowed to proceed in forma pauperis (without prepayment of fees)?
Yes () No ()

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 14, 2014

Mr. Philip A. Gambuti
Post Office Box 196
Hahira, Georgia 31632

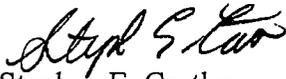
RE: Lower Court Case Number: 2010 SCV 951
A12A0511. Philip A. Gambuti v. Pamela G. Gambuti, et al.

Dear Mr. Gambuti:

Your appeal was dismissed on December 14, 2011. The remittitur issued on December 30, 2011, divesting this Court of any further jurisdiction of your case. The case is therefore, final.

Please note that this Court cannot accept portions of a record from either party to an appeal. All documents must be submitted to our Court from the lower court clerk's office with an attached clerk's certification. I am returning your documents to you.

Sincerely,


Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

January 08, 2014

PHILIP A. GAMBUTI

PO BOX 196
HAHIRA . GEORGIA 31632
PHONE 229 794 9348 CELL 229 415 3357
EMAIL: GAMBUTI@WINDSTREAM.NET

COURT OF APPEALS OF GEORGIA

47 Trinity Avenue , S.W., Suite 501
Atlanta , Georgia 30334

To whom it may concern ;

These documents should have been included in the file sent to you from the Lowndes County Clerk Office, which were included at the time I filed the notice of appeal .

Philip A. Gambuti

RECEIVED IN OFFICE
2014 JAN 10 PM 3:23
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS
985 GA

PHILIP A. GAMBUTI

PO BOX 196
HAHIRA . GEORGIA 31632
PHONE 229 794 9348 CELL 229 415 3357
EMAIL: GAMBUTI@WINDSTREAM.NET

STATE COURT OF LOWNDES COUNTY
HON. JOHN K. EDWARDS , JR. JUDGE

MOTION TO DISMISS COMPLAINT 2010 SCV 951

I move to dismiss the case number 2019 SCV 951 on the grounds tha the Plaintiff (s) were not aware of this action taken by the Ellerbee Law Firm and have provided a notarized and signed statement to this fact .

I also did not receive a court calendar that was returned to your office where no attemp was made to get a court calendar to me.

The amount of the judgement exceeds value of the land as set by the Lowndes County Tax Accessor's office.

Since none of the principles or witnesses were in court , all testimony and allegation are hearsay an without foundation or poof

Philip A. Gambuti.

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 16, 2014

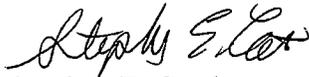
Ms. Pamela Green
GDC29695
Pulaski State Prison
Post Office Box 839
Hawkinsville, Georgia 31036

RE: A14D0124. Pamela Delores Green v. The State

Dear Mr. Green:

Thank you for your letter. As stated in my letter of December 9, 2013, the above appeal was dismissed. Your pro se motion was filed. I am returning my previous letter to you.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure



The Court of Appeals
Office of the Clerk
47 Trinity Avenue • Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK/ COURT ADMINISTRATOR

December 9, 2013

(404) 656-3450
castlens@gaappeals.us

Ms. Pamela D. Green
GDC29695
Pulaski State Prison
Post Office Box 839
Hawkinsville, Georgia 31036

RE: A14D0124. Pamela Delores Green v. The State

Dear Ms. Green:

Thank you for your letter of December 2, 2013. You are absolutely correct in that our office made a mistake in determining that you were represented by an attorney. Your "Amendment Motion to Vacate Void Sentence" will be placed on the docket and submitted to the Court.

In response to your question regarding the status of your initial appeal, on December 5, 2013, the Court dismissed your appeal. The Court order should have been sent to you, however, I am enclosing another copy.

Sincerely,

Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure

Please Send This Back to me. Make Copy

The Court of Appeals
STEPHEN E. CASTEN

RECEIVED IN OFFICE
2014 JAN 16 PM 3: 25
CLERK OF APPELLS
COURT OF APPEALS
55

This letter IS IN response to
your letter dated December 9, 2013
regarding the Amendment Motion to
Vacate Void Sentence" you never sent me
a docket number, I never heard from you,
I have a copy of the letter you wrote me.
I feel that all my work I put into this
have been lost over. I can't afford a
Attorney. So I'm doing my work pro-See
So If you will please let me know
what happen did they grant me my
Motion or did they dismissed it. you had 30 days

Thank you So Much for
your time.
Most Respectfully

Frankie Green 291695
RE: A14D0124

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 24, 2014

Ms. Sandra Foster
Brennan & Wasden, LLC
Attorneys at Law
411 East Liberty Street
Savannah, Georgia 31401

RE: A14A0881. Monette Evans v. John Cope, M.D.

Dear Ms. Foster:

Your check number 33414 in the amount of \$300.00 written on the account of Brennan & Wasden, LLC, for the filing fee in the above referenced appeal is enclosed. This Court is returning your check since the filing fee was already paid when the application was filed, A13I0260, by this Court's receipt #8589.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure

33414

BRENNAN & WARDEN LLC

OPERATING ACCOUNT
P.O. Box 8047 PH. 912-232-6700
SAVANNAH, GA 31412-8047



www.TheSavannahBank.com
Savannah, GA
1-866-722-1035

67-98-532

1/16/2014

\$ **300.00

DOLLARS

PAY TO THE
ORDER OF

CLERK OF COURT OF APPEALS

Three Hundred and 00/100

CLERK OF COURT OF APPEALS

AUTHORIZED SIGNATURE

MEMO

⑈00033414⑈ ⑆053200983⑆ 001016695⑈

Security features. Details on back.

BRENNAN & WARDEN LLC OPERATING ACCOUNT SAVANNAH, GA 31401

CLERK OF COURT OF APPEALS

A14A0881

1/16/2014

300.00

33414

Cash - Sav'h Bk Oper

300.00

BRENNAN & WASDEN, LLC

ATTORNEYS AT LAW

411 EAST LIBERTY STREET
SAVANNAH, GEORGIA 31401
TELEPHONE (912) 232-6700
FAX (912) 232-0799

JOSEPH P. BRENNAN
WILEY A. WASDEN III
MARVIN W. MCGAHEE, (GA & SC)
W. RICHARD DEKLE
TRACIE G. SMITH
J. CURT THOMAS, (GA & SC)
WILLIAM E. DILLARD III
B. NICOLE SMITH
TRAVIS D. WINDSOR
T. DANIEL TUCKER
SALLY HASKELL PERKINS
SANDRA V. FOSTER
ROBERT S.D. PACE

REPLY TO:
P.O. BOX 8047
SAVANNAH, GEORGIA 31412
E-MAIL:
attorneys@brennanandwasden.com

January 20, 2014

VIA CERTIFIED MAIL WITH RETURN RECEIPT

Mr. Stephen E. Castlen
Clerk, Georgia Court of Appeals
47 Trinity Avenue, S.W., Suite 501
Atlanta, GA 30334

RE: Monette Evans v. John Cope, M.D.
In the State Court of Ware County, Georgia
Civil Action No. S08V-321
COA case number A14A0881
File No. 633-16

Dear Mr. Castlen:

Enclosed please find our firm check in the amount of \$300.00 in connection with the above-referenced appeal docketed on January 8, 2014. We will be electronically filing a Brief on our client's behalf within the requisite period of time. If possible, please confirm receipt of the enclosed filing fee.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact us.

Sincerely,



Sandra V. Foster
For the Firm

SVF/scc
Encl.

cc: Ronald W. Hallman, Esq. (w/encl.)
Berrien L. Sutton, Esq. (w/encl.)
Joseph P. Brennan, Esq. (w/o encl.)
W. Richard Dekle, Esq. (w/o encl.)

RECEIVED IN OFFICE
2014 JAN 23 PM 2:54
CLERK/COUNT ADMINISTRATOR
COURT OF APPEALS OF GA

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

January 21, 2014

To: Mr. Alander Crapps, GDC1053671, Jenkins Correctional Center, Post Office Box 948,
Millens, Georgia 30442

Case Number: _____ Lower Court: _____ County Superior Court

Court of Appeals Case Number and Style: _____

Your document(s) is (are) being returned for the following reason(s).

- There is no case pending in the Court of Appeals under your name. Until a case is docketed in the Court of Appeals in your name, you should direct your inquiries to your attorney of record or the clerk of the trial court from which you are appealing.**
- A Notice of Appeal is filed with the clerk of the trial court and not with the Court of Appeals of Georgia.** See OCGA §5-6-37. Once the trial court clerk has received and filed a Notice of Appeal, the trial court clerk will prepare a copy of the record and transcripts as designated by the Notice of Appeal and transmit it to this Court. Once the Notice of Appeal is docketed in the Court of Appeals of Georgia, a Docketing Notice with the briefing schedule and other important information is mailed to counsel for the parties or directly to the parties, if the parties are representing themselves. You do not need to provide this Court with a copy of the Notice of Appeal you filed with the superior court.
- Your Notice of Appeal did not include a Certificate of Service or does not include a proper Certificate of Service.** A Certificate of Service must accompany your Notice of Appeal. It must show service to the opposing counsel and contain the counsel's full name and complete mailing address. The opposing counsel must be actually served with a copy of your filing. In an appeal of a criminal conviction in a superior court, the State is represented by the District Attorney or an Assistant District Attorney.
- An Application for Writ of Habeas Corpus should be filed in the superior court of the county in which you claim you are illegally detained.** An appeal from a denial of an Application for Writ of Habeas Corpus is to the Supreme Court and not the Court of Appeals.
- An Application for Writ of Mandamus should be filed in the superior court of the county official whose conduct you intend to mandate.** An appeal from a denial of an Application for Writ of Mandamus is to the Supreme Court and not the Court of Appeals.
- Your appeal was disposed by opinion (order) on _____.** The Court of Appeals _____
divesting this Court of jurisdiction. The remittitur issued on _____
is therefore final.
- Your mailing/documents indicate that you intended to file your papers in another court rather than the Court of Appeals of Georgia.** The address of the Clerk of the _____ is: _____
- If an attorney has been appointed for you and you are concerned with the representation provided by that attorney, you should address that issue to the trial court.** As long as you are represented by an attorney, you cannot file pleadings on your own behalf. Your attorney must file a Motion to Withdraw as Counsel and it must be granted, before you can file your own pleadings in this Court.

For Additional information, please go to the Court's website at: www.gaappeals.us

RECEIVED IN OFFICE

2014 JAN 16 PM 2:30

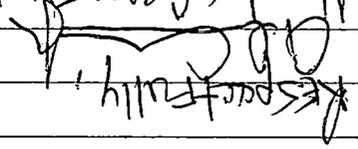
CLERK/COURT ADMINISTRATOR
DEPT. OF APPEALS OF GA

Clark of Courts
Court of Appeals
40 Capitol Sq. Suite 334
State Judicial Bldg.
Atlanta, GA 30334

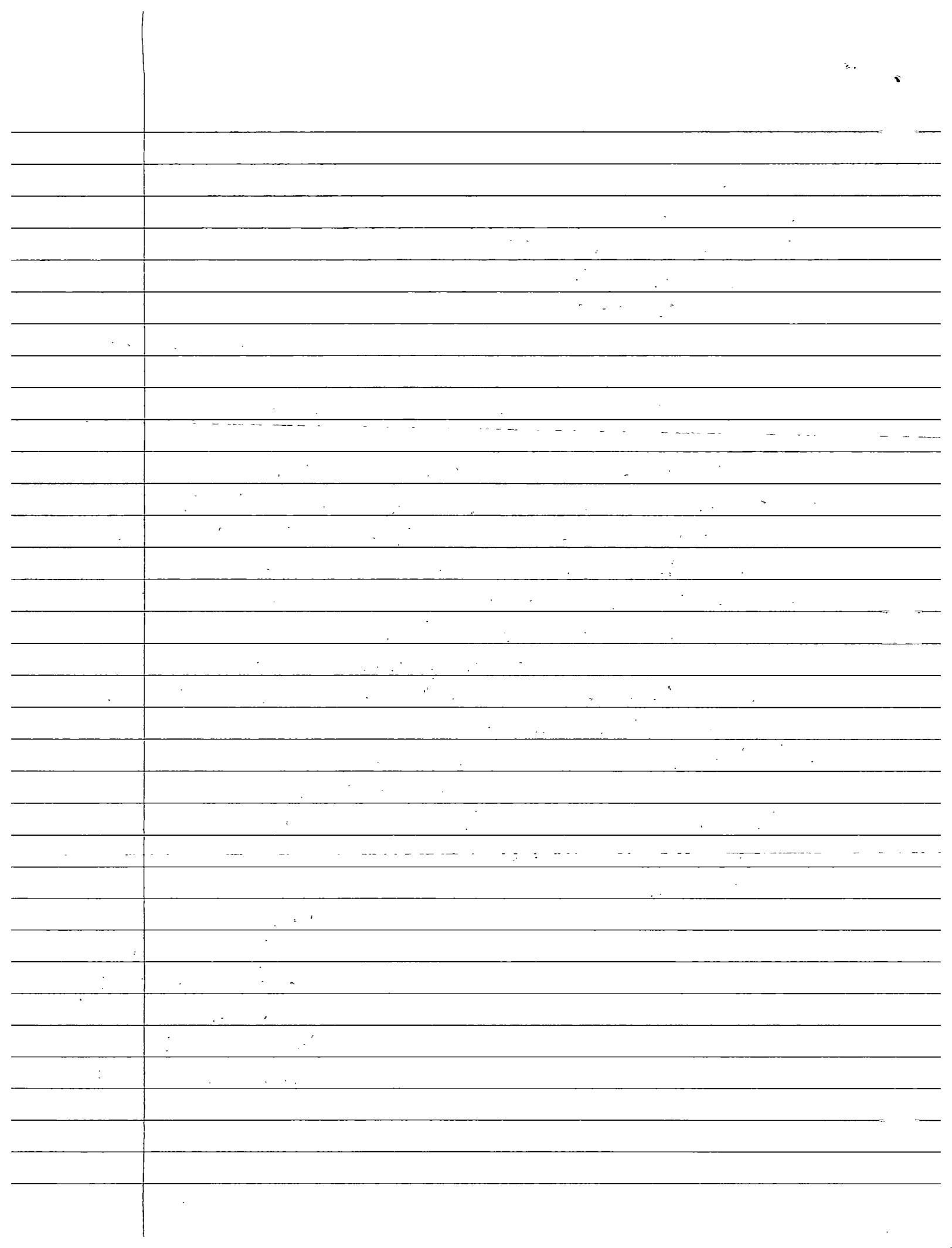
January 8, 2014

RE: The Status of My Appeal # 12-B-88679

With The Utmost Respect This brief letter is concerning
The Status of My Appeal. My Name is Alauder Grapp. I
lost a Jury Trial in The County of
Gwinnett County Superior Court on October 12, 2012,
My Motion for New Trial was Heard by Gwinnett County
Superior Court Judge Mr. Tom Davis Sept. 18, 2013 and
was denied. Case # 12B38679, Warrant # 12W09283. I
Would like to know have my lawyer from both filed my
Appeal with this Court, if so when was my case
checked & heard, this honorable Court for my records
because I haven't heard anything from my Attorney
pertaining to my case. I pray with the utmost that
this honorable Court put me on notice of the Status of
My Appeal...

Respectfully,


Alauder Grapp # 1053671
Jenkins Correctional Center
P.O. Box 948
Milledgeville, GA 30442



The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 21, 2014

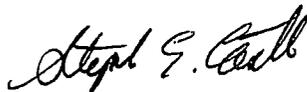
Mr. Waseem Daker
GDC901373
Georgia Diagnostic and Classification Center
State Prison
Post Office Box 3877
Jackson, Georgia 30233

RE: A14D0115. Waseem Daker v. The State
A14D0132. Waseem Daker v. The State

Dear Mr. Daker:

In case # A14D0115, our office filed a Motion for Reconsideration from you on December 4, 2013. The motion is still pending before the Court. Similarly, in case #A14D0132, our office filed a Motion for Reconsideration from you on December 26, 2013 and that motion is pending before the Court.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

JANUARY 13, 2014

WASSEM DAKER

901373

60CP

P.O. BOX 3877

TALLASSEE, GA 30233

COURT OF APPEALS OF GEORGIA

OFFICE OF THE CLERK

97 TRINITY AVE, SW

ATLANTA, GA 30334

RE: WASSEM DAKER v. STATE

CASE NO. A14D0115

WASSEM DAKER v. STATE CASE NO. A14D0132

DETAILS ON MARCH:

I HAVE FINISHED TO YOUR OFFICE MATTERS FOR RECONSTRUCTION AND

BOND OF THE ABOVE-TYLED CASES. PLEASE INFORM ME AT YOUR OFFICE

RECEIVES AND FILES THEM. ALSO PLEASE INFORM ME THE DATE

OF EACH.

TRULY YOURS,

STAN CRAWFORD

[Handwritten Signature]

WASSEM DAKER

FILED IN OFFICE

JAN 16 2014

COURT CLERK
COURT OF APPEALS OF GA

RECEIVED IN OFFICE

2014 JAN 16 PM 1:20

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

(Plaintiff or Petitioner)

v.

APPLICATION TO PROCEED WITHOUT
PREPAYMENT OF FEES

(Defendant(s) or Respondent(s))

I, _____, declare that I am the plaintiff or petitioner in the above-entitled case; that in support of my motion to proceed without being required to prepay fees, costs or give security therefor, I state that because of my poverty I am unable to pay the costs of said proceeding or give security therefor; and that I believe I am entitled to redress.

I make this application with the understanding that I am liable under 28 U.S.C. § 1915 for the full payment of all fees and costs imposed in this action, that such charges will be collected from my prison trust account in installments, and that any unpaid fees and costs will constitute a debt not dischargeable in bankruptcy.

1. Are you presently employed? Yes _____ No _____

a. If the answer is yes, state the amount of your salary or wages per month, and give the name and address of your employer.

b. If the answer is no, state the date of last employment and the amount of the salary and wages per month which you received.

2. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession, or form of self-employment? Yes _____ No _____

b. Rent payments, interest, or dividends? Yes _____ No _____

c. Pensions, annuities, or life insurance payments? Yes _____ No _____

JANUARY 13, 2014
WASEEM DAKER
#901373
GDLP
P.O. BOX 3877
JACKSON, GA 30233

FILED IN OFFICE
JAN 16 2014
COURT CLERK
CLERK COURT OF APPEALS OF GA

RECEIVED IN OFFICE
2014 JAN 16 PM 1:20
CLERK COURT APPEALS OF GA
COURT OF APPEALS OF GA

COURT OF APPEALS OF GEORGIA
OFFICE OF THE CLERK
97 TRINITY AVE, SW,
STE 507
ATLANTA, GA 30334

RE: WASEEM DAKER v. STATE CASE NO. A14D0115
WASEEM DAKER v. STATE CASE NO. A14D0132

DEAR SIR OR MADAM:

I HAVE FILED IN YOUR OFFICE MOTIONS FOR RECONSIDERATION IN BOTH OF THE ABOVE-TITLED CASES. PLEASE INFORM ME IF YOUR OFFICE RECEIVES AND FILES THEM. IF SO, PLEASE INFORM ME THE DATE OF EACH.

THANK YOU.

SINCE YOU,



WASEEM DAKER

- d. Gifts or inheritances? Yes ___ No ___
e. Any other sources? Yes ___ No ___

If the answer to any of the above is yes, describe each source of money and state the amount received from each during the past twelve months. _____

3. Do you own any cash, or do you have any money in a checking, savings, or any other kind of account other than a prison account? Yes ___ No ___
If the answer is yes, describe the account, its location, and the total value of each account.

4. State the present balance of your prison trust account: _____

Provide the total deposits to your prison trust account for the past six months: _____

5. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? Yes ___ No ___
If the answer is yes, describe the property and state its approximate value.

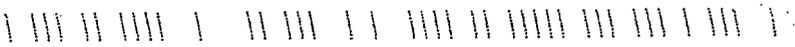
6. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support.

I declare under penalty of perjury that all of the foregoing is true and correct.

Signed this _____ day of _____, 19____.

(Signature of Plaintiff or Petitioner)

Prisoner No. _____



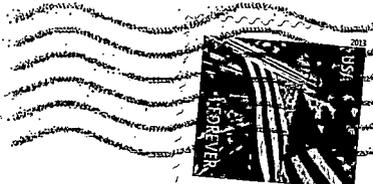
The enclosed letter was processed through special mailing procedures for forwarding to you. The letter has been neither opened nor inspected. If the writer raises a question or problem over which their facility has jurisdiction, you may wish to return the material for further information or clarification. If the writer encloses correspondence for forwarding to another address, please return the enclosure to the above address.

GA. Dist. & Class. Center/State Prison

WASEEM DAKER
901373
6D CP

ATLANTA METRO 300

14 JAN 2014 PM 3 L



RECEIVED IN OFFICE
2014 JAN 16 PM 1:20
CLERK/COURT APPEALS OF GA
COURT OF APPEALS OF GA
JAN 15 2014
PR BOX 3875
JULKS

COURT OF APPEALS OF GEORGIA
OFFICE OF THE CLERK
47 TRINITY AVE
STE 501
ATLANTA, GA 30334

30334900647



The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 21, 2014

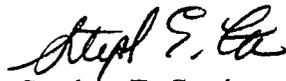
Mr. Jeffery W. Edwards
GDC1130860 L-3-148
Wilcox State Prison
Post Office Box 397
Abbeville, Georgia 31001

Dear Mr. Edwards:

We do not have a current case styled in your name pending in this Court. Until a case is docketed in this Court, all communications regarding the status of a case should be directed to your attorney or to the trial court from which you are appealing.

I am returning your documents to you.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

CERTIFICATE OF SERVICE

This is to certify that I have served the opposing party with a complete and accurate copy of the foregoing documents. Service was made by placing the same in an envelope, and with sufficient postage affixed, placed in the U.S. Mail, and on this day mailed to the party(s) as follows:

TO: COURT OF APPEALS
IN/C/O: CLERK (O.S. COURT) - ADMINSTR.
ATTN: STEPHEN E. CASTLEN - (CLERK)
LOC: SUITE - 501
ADDR: 47 - TRINITY AVENUE, SW.
ATL., GA. 30334
(404) TEL: 656-3450

This the 14th day of JANUARY, 2014

(M.G.) JEFFERY W. EDWARDS PRO SE
2-3-148 (Bim) EDC# 1130860
WILCOX - STATE PRISON
P.O. BOX - 397
ABBEVILLE, GA. 31001

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 6, 2014

*APPELLANTS
EXHIBIT - "G"

Mr. Jeffery W. Edwards
GDC1130860 L-3-148
Wilcox State Prison
Post Office Box 397
Abbeville, Georgia 31001

Dear Mr. Edwards:

222

Your appeal (A04A0756. Jeffery Wayne Edwards v. The State) was disposed by opinion on March 4, 2004. The Court of Appeals affirmed the judgment of the trial court. The remittitur issued on March 23, 2004, divesting this Court of any further jurisdiction of your case. That case is therefore, final.

We do not have a current case styled in your name pending in this Court. Until a case is docketed in this Court, all communications regarding the status of a case should be directed to your attorney of record or to the trial court from which you are appealing.

I am returning your documents to you.

Sincerely,

Stephen E. Castlen
Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

This appeal
is in (RE)
So: A PROBATION - REVOCATION - PROCEEDINGS
(APPELLANTS) RIGHT - VIOLATIONS

IN THE COURT OF APPEALS / STATE OF
GEORGIA

[No-SE] JEFFERY W. EDWARDS
(APPELLANT)

INMATE AT: WILCOX STATE
PRISON

IN RE:

Criminal Action

V.

STATE OF GEORGIA
(RESPONDENT)

FILE NO.

02-CR-21166 TAR-JF
-003

[Prose] / (MOTION FOR)
"RECONSIDERATION"

(PURSUANT TO: RULE 37(b))*

RECEIVED IN OFFICE
2014 JAN 16 PM 3:

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GEORGIA

PETITIONER (APPELLANT) IN THIS INSTANT MATTER, NOW
PRAYS & STRENUOUSLY (URGES) THIS (NOBLE) CLERK OF THE
COURT OF APPEALS, TO RECONSIDER ITS LETTER YOU SENT
ME, ON (JAN. 6TH 2014) & (THAT I RECEIVED (JAN 9TH
2014) AT: WILCOX STATE PRISON; * See: * APPELLANT'S
EXHIBIT - 3 " (i.e., letter from clerk) THE LETTER IS
ERRONEOUS; WHEREAS IT IS BASED UPON MY OLD (ORIGINAL)
JURY-TRIAL APPEAL, WHICH THE COURT OF APPEALS AFFIRMED
THE JUDGMENT OF THE COURT. * See: * APPELLANT'S
EXHIBIT - 5 " * ATTACHED HERETO, HEREIN & REVIEW
CASE NO. A04A0756

FOR SOME REASON, THIS CLERK HAS ERRED INTO
(A) CONFUSED STATE OF BEING; BY EITHER FAILING TO VIEW MY
NOTICE OF APPEAL; OR BY MISCONSTRUING ITS INTENT.
WHEREFORE, TO IMMEDIATELY CLERK THIS MATTER
UP; LET THE RECORD REFLECT THAT THIS (PROSE)
NOTICE OF APPEAL; DERIVES, FROM THE ~~THE~~ →
C.C. (10) OF (5)

NOT THE TERM COMPLAINT, (RE:) 04/10/75 6: Bu.

RATHER, MY COMPLAINT IN THIS INSTANT (RE:) MOTION

FOR AN OUT-OF-TIME HEAR, DERIVES FROM STATE

"PLAN" ERRORS THAT OCCURRED IN (RE:) TO MY:

(RE:) PROBATION - REVOCATION - PROCEEDINGS

WHICH IS THE SOLE (RE:) OF MY COMPLAINT, AND THE

ONLY COMPLAINT I TOLD YOU I WAS SETTING (IN MY 5-

BY NOTICE) IN THIS (HARL.) HEAR HEAR COURT, WAS /AND

THESE THESE; (RE:) WITH COUNSEL FAILED TO ADVISE ME THAT

I HAD A RIGHT TO HEAR, MY PROBATION REVOCATION PROCE-

-DINGS (RE:) (RE:) 234 GA 745 [1975].

(RE:) WITH COUNSEL AND COUNSEL ADVISED ME OF MY

RIGHT TO HAVE THE HEAR HEAR HEAR AS MY HEAR HEAR

COUNSEL, DURING THE PROBATION REVOCATION... PROCEEDINGS

(HEAR) (HILL V. STATE) (CASE NO 707A10105 [2007] MS-974

(3) WITH COUNSEL HEAR TOLD ME DURING MY

PROBATION REVOCATION, HEAR HEAR) I HAD A RIGHT TO HEAR

THIS HEAR HEAR, EVEN AS I PLED GUILTY, (WHAT I DID NOT)

MY REVOCATION. (MARTIN V. US) 81 F. 3d-1083 [1996] -

5TH CIRCUIT)*

(F.) ALSO DURING MY PROBATION REVOCATION PROCEEDINGS

ALL OF THE (STATE) HEAR HEAR HEAR HEAR, AND THEIR

"ALLEGATIONS" WERE DELIVERED TO THE HEAR HEAR COURT, BY A

3rd PARTY, THUS, VIOLATING MY RIGHT TO HEAR MY HEAR HEAR

CROSS-EXAMINE THEM. (CRAWFORD V. WASHINGTON) 541 U.S. 36 [2004]

(DANIS V. STATE) (CASE NO 707A2128 [2008] / (MILLER V. STATE) (CASE

NO 711A0752 [2011] - OCT-17# * SO, WITH COUNSEL I PRO-CLUDED

FROM HEAR MY HEAR HEAR. (AS GUARANTEED) (BY MY 6TH AMENDS

C.O. (2) OF (5)

(5.) Also, I want the court of appeals to find out why my motion was denied, with first conduct a hearing, to find out, who is at fault that I was not informed of these (above) appeal rights at my probation revocation hearings (Gray v Gray) 234 Ga 745, 54 (Osborne State) 11/19/2013, 11/10/14

(6.) Finally (amongst) other things, I want the court of appeals to (please) find out why the revocation (above) court never (responded) to my request for appointment of appellate counsel*, which is deemed as a total "Breach" of representation (in the eyes, of the court). * (Brown v State) 11/17/2013, 11/16/14

Those are ~~the~~ ^{the} errors, (all) can be confirmed by the record. In full support of my assertions, and (all) (plain) errors, can be resolved by the record, thus, I merely desired this honorable court, to grant me my request for you to accept this application & notice for a "Disciplinary Review" (R.C.) O.C.G.A. 5-6-35(j) and Rule 31(a)(1)

• Closing

! If the (trial) court would (find) (prejudicial) or (fully) viewed my 35-19 motion for an out of time appeal, it would have discovered, that I am entitled to relief because no one told me about appeal rights for the probation revocation, if they did I would have been done C.L. (3) of (5) Filed for "discriminatory" ... →

→ And I would file in a timely manner; swiftness

* (Brown v. State) 294 Ga. App. - 130083*

* (Rose v. State) 98-1092282 2010; March-10th*

* (Scott v. State) Case No. 1101171 2010; Aug-18th*

* (Smith v. State) Case No. 1101123 2010; Aug-25th*

(All Rel.) To Reformation Revisions... - - - *

However, I was excluded from receiving this

Constitutional (guaranteed) Right (of Due Process) *

GA. Supreme (Klips v. Gray) 234 Ga. 745 [1975]; Supra.

With these, Admonitionally Move this (Jud.) Clerk to

Reconsider, its (Proc) Letter's Decision. * (Principals) Extra

Further than, waste & tie-up the courts

Time, with unnecessary & needless motions for

'CERTIORARI' (Proc) Rule-38. (a)(1) (to the GA

Supreme Court); I humbly & respectfully pray

that (and) noble-clerk (honor) the procedural authorities

of GA. Supreme & (Klips v. Gray) 234 Ga. 745 [1975]; Supra.

* (Smith v. State) 253 Ga. 169 [1984];

and please submit me a docket no., so that

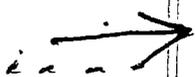
I may prepare my arguments for the Court of Appeals

I will conclude, that it may have been my forgo

of writing, [in its "articulate" manner] that misled &

misguided this clerk, but because the notice was "buried"

timely & denied on Dec. 16th submitted & mailed. (2013) DE 23rd, After I received it Dec. 16th * (2013) *
C.C. (4) OF (5) MOREOVER, IN ... →



* CLOSING

LET ME (RESPECTFULLY) REMIND THIS CLERK; THAT THE ABOVE ERRORS ARE ALL PLAIN-ERRORS; ALL ARE IN VIOLATION OF DUE PROCESS; ALL HAS CAUSED ME SUBSTANTIAL DAMAGE; SUBSTANTIAL PREJUDICE; & ALL ARE IN VIOLATION OF AFFECTING MY RIGHTS TO APPEAL ^(MY) PROSECUTOR REVICATION PROCEEDINGS; ALL ARE HARMFUL ERROR * (CHAPMAN V. CALIFORNIA) 386 U.S. 18 [1967] * (U.S. - SUPREME)

ALL MY ERRORS COMPLAINED OF HAVE CAUSED ME TO SUFFER HARM; ALL MY COMPLAINTS CAN BE RESOLVED BY THE RECORD * (SMITH V. STATE) 253 GA. 169 - [1984] * (GA. - SUPREME) *

WHEREFORE, I MAKE (EMPHATICALLY) AND BESECH THIS (HONORABLE) COURT TO HEREBY GRANT ME RELIEF IN ANY WAY IT DEEMS FIT; TO THE FULLEST EXTENT, AS THE LAW ALLOWS * SUBMITTED THIS DATE: JAN - 14TH - 2014 *

Respectfully
X TERRY W. EDWARDS

See: Certificate attached (HERE TO)

THANK-YOU FOR YOUR PATIENCE, TIME, & EFFORT. MOST OF ALL, THANKS FOR YOUR UNDERSTANDING.

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 21, 2014

Ms. Kimberly Crawford
GDC749459 E-5-D - 175
Pulaski State Prison
Post Office Box 839
Hawkinsville, Georgia 31036

Dear Ms. Crawford:

I am the Clerk of the Georgia Court of Appeals. I received the letter you mailed to The Honorable Dorothy Toth Beasley (Judge, Retired). I regret to inform you that none of our past nor present serving judges may communicate directly with parties that may have action in our Court. Also, all of the judges are prohibited from practicing law. Therefore, Judge Beasley is not able to assist you with the issues you raised in your letter.

I wish you well with your efforts in seeking assistance with your conviction. I am returning your letter to you in case you need it for future proceedings.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure

Ms Crawford,

I am the Clerk of the Court of Appeals. I received the letter that you mailed to Judge Beasley. I regret to inform you that none of our past judges - or presently-serving judges - may communicate directly with parties that may have actions in our Court. Also, all of the judges are prohibited from practicing law. Therefore, Judge Beasley is not able to assist you with the issues you raise. I wish you well with your efforts in seeking assistance with your conviction.

1-6-2014

A12A2434 Crawford V. The State

On February 24th 2009 I was locked up for stabbing my Ex-Fiance David Lee Blaney. I was charge with aggravated assault, aggravated battery, and Criminal attempt murder at Dekalb county Jail. I was having problems with him beating on me all the time and on April 16th 2008 He was locked up simple battery in Dekalb county Jail. they accused him of intentionally causing visible bodily harm to me such harm being demonstrated by a black eye in violation of O.C.G.A. § 16-5-23.1. they gave him 2 days in Jail, 12 weeks anger management program and 12 months of probation. I took my case to trial and they found me guilty only for the charge aggravated battery and not guilty of aggravated assault or Criminal attempt to murder. April 5th 2011 I was I was served to do 20 straight years on aggravated battery Judge Courtney Johnson from Dekalb Superior court sentenced me to the maximum time for my charge. Detective Dodson was my witness and she made two different statement in her report. First she stated that I had two or three visible knots on my forehead, scratches on my face, and disheveled hair a weave pony tail that been pulled off my head. plus I has several witness at my trial who testified on the stand stated how David Blaney use to fight me. then Detective Dodson also state

that she observed a lump to my head near my
eyebrow and my wrist were red and slightly
bruised. then Detective Dodson testified at the
new trial hearing which I knew nothing about and
stated that I didn't have scratches on my face,
my forehead was not swollen and I didn't have
multiple knots on my head. also we was at his
friend's house by the name of Shane and Shan
had to pull David Blaney off of me but of course
when his friend Shane testified at the trial
He wasn't sure what happened but of course
He's gonna take up for Mr. Blaney cause they
are close friends. I don't think that 20 year
was fair that they gave me I had a lot of
witness and evidence on him including paper
work when I had him arrested and the
paper work or in my files right now. they
made a lot of mistakes in my case. I have proof
and paper work on the two different written
statements Detective Dodson mention she witness
and I also have paper work the day I had
David Blaney arrested. also Detective Dodson wasn't
At my trial my attorney Karen Mule said she left
Several E-mails and messages but Detective claim
she never received no E-mails or messages. Plus I
Have a picture of the ponytail Mr. Blaney pulled
out my head and it ended on the floor. I put in

motion for a new trial it was denied on march
27, 2013. It's crazy how I get 20 years for
standing my ground trying to defend myself vs
A woman who's doing 20 years that actually murdered
her boyfriend. So if you all can please do any
thing to help I would really appreciate it.

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

January 21, 2014

To: Mr. Alexander Michael Burbine, Post Office Box 72, Louisville, Georgia 30434

Case Number: _____ Lower Court: _____ County Superior Court

Court of Appeals Case Number and Style: _____

Your document(s) is (are) being returned for the following reason(s).

- There is no case pending in the Court of Appeals under your name. Until a case is docketed in the Court of Appeals in your name, you should direct your inquiries to your attorney or the clerk of the trial court from which you are appealing.**
- A Notice of Appeal is filed with the clerk of the trial court and not with the Court of Appeals of Georgia.** See OCGA §5-6-37. Once the trial court clerk has received and filed a Notice of Appeal, the trial court clerk will prepare a copy of the record and transcripts as designated by the Notice of Appeal and transmit it to this Court. Once the Notice of Appeal is docketed in the Court of Appeals of Georgia, a Docketing Notice with the briefing schedule and other important information is mailed to counsel for the parties or directly to the parties, if the parties are representing themselves. You do not need to provide this Court with a copy of the Notice of Appeal you filed with the superior court.
- Your Notice of Appeal did not include a Certificate of Service or does not include a proper Certificate of Service.** A Certificate of Service must accompany your Notice of Appeal. It must show service to the opposing counsel and contain the counsel's full name and complete mailing address. The opposing counsel must be actually served with a copy of your filing. In an appeal of a criminal conviction in a superior court, the State is represented by the District Attorney or an Assistant District Attorney.
- An Application for Writ of Habeas Corpus should be filed in the superior court of the county in which you claim you are illegally detained.** An appeal from a denial of an Application for Writ of Habeas Corpus is to the Supreme Court and not the Court of Appeals.
- An Application for Writ of Mandamus should be filed in the superior court of the county official whose conduct you intend to mandate.** An appeal from a denial of an Application for Writ of Mandamus is to the Supreme Court and not the Court of Appeals.
- Your appeal was disposed by opinion (order) on _____.** The Court of Appeals _____
divesting this Court of jurisdiction. The case decision is therefore final.
- Your mailing/documents indicate that you intended to file your papers in another court rather than the Court of Appeals of Georgia.** The address of the Clerk of the _____ is: _____
- If an attorney has been appointed for you and you are concerned with the representation provided by that attorney, you should address that issue to the trial court.** As long as you are represented by an attorney, you cannot file pleadings on your own behalf. Your attorney must file a Motion to Withdraw as Counsel and it must be granted, before you can file your own pleadings in this Court.

For Additional information, please go to the Court's website at: www.gaappeals.us

IN THE SUPERIOR COURT OF RICHMOND COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

VS

ALEXANDER MICHAEL
BURBINE

CASE NO # 2008RCCR0137

MOTION TO DISMISS

RECEIVED IN OFFICE
2014 JAN 16 PM 3:37
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

NOW COMES THE NATURAL PERSON ALEXANDER-MICHAEL BURBINE OF

THE BURBINE FAMILY IN MY OWN PROPER PERSON. I MAY HAVE BEEN

MISTAKENLY NAMED AS THE ALLEGED DEFENDANT ALEXANDER MICHAEL BURBINE,

IN DEFENSE OF ALEXANDER MICHAEL BURBINE, I HEREBY COME TO CORRECT

MAJORITY/INDICTMENT OR HAVE IT REMOVED TO A HIGHER COURT UNDER OBVIOUS

BREACH OF DUTY/TRUST/OMIT/IN VIOLATION OF THE LIBERTY CLAUSE/EQUAL PROTECTION

AND IMMUNITIES GUARANTEED BY GEORGIA STATE CONSTITUTION, FEDERAL, INTER-

NATIONAL LAW, TREATIES, ETC. " U.S. CONSTITUTION ARTICLE 4- THE STATES &

EVERY STATE IN THIS UNION A REPUBLICAN FORM OF GOVERNMENT, AND SHALL PROTE

THE EXECUTIVE (WHEN THE LEGISLATIVE CANNOT BE CONVENED) AGAINST DOMESTIC VIOLA

ARE BELIEVED TO HAVE BEEN FRAUDULENTLY WITH A WILLFUL, WANTON, MALICIOUS,

DISREGARD FOR THE LEGAL RIGHTS OF THE ALLEGED DEFENDANT, ALEXANDER MICHAEL

BURBINE, AN CLEAR ATTEMPT TO COMMIT ABANDONED EXTORTION HAS OCCURRED

OF THE USC OF LAW CHAPTER 13 SECTION 241 § 242. THIS MOTION TO DISMISS WILL SERVE

AS JUDICIAL NOTICE OF INTENT TO COUNTER-COUNTER CLAIM. AND POSSIBLY NAME

ANY OTHER OFFICERS OF THIS COURT WHO MAY ALSO ATTEMPT FURTHER EXTORTION ATTEMPTS ON

THE ALLEGED NATURAL PERSON ALEXANDER-MICHAEL BURBINE OF THE BURBINE FAMILY

1 OF 1

AKA ALEXANDER MICHAEL BUCKWIRE, THE "ALLEGED DEFENDANT," THE ALLEGED

DEFENDANT WAS ISSUED A COMPLAINT/WARRANT BY AN ALLEGED OFFICER. THE

ALLEGED DEFENDANT MOTIONS TO DISMISS THIS CASE # 2008RCR001347, PURSUANT TO SEC.

10-32 - WAIVER BASED ON CERTAIN GROUNDS + ANY CLAIM OF LACK OF JURISDICTION OVER

THE PERSON OR IMPROPER VENUE OR INSUFFICIENCY OF PROCESS OR SERVICE

OF PROCESS IS WAIVED IF NOT RAISED BY A MOTION TO DISMISS FILED IN THE SEQUENCE

PROVIDED IN SECTION 10-6 AND 10-7 AND WITHIN THE TIME PROVIDED BY SECTION 10-30

P.B. 1978-1997 SEC. 144)

(CONSTITUTION OF THE STATE OF GEORGIA, SEC. 2 ALL POLITICAL POWER IS

WHEREIN IN THE PEOPLE, AND ALL FREE GOVERNMENTS ARE FOUNDED ON THEIR AUTHORITY,

AND INSTAURED FOR THEIR BENEFIT, AND THEY HAVE AT ALL TIMES AN UNDENIABLE

RIGHT IN DEFENSABLE RIGHT TO ALTER THEIR FORM OF GOVERNMENT IN SUCH MANNER AS

THEY MAY THINK EXPEDIENT. SEC. 6 IN ALL PROSECUTIONS OR JUDGMENTS FOR LIBERTY,

THE TRUTH MAY BE GIVEN IN EVIDENCE, AND THE JURY SHALL HAVE THE RIGHT TO DETERMINE

THE LAW AND THE FACTS UNDER THE DIRECTION OF THE COURT. SEC. 7 THE PEOPLE SHALL BE

SECURE IN THEIR PERSONS, HOUSES, PAPERS, AND POSSESSIONS, FROM UNREASONABLE SEARCHES OR SEIZURES

AND NO WARRANT TO SEARCH ANY PLACE OR TO SEIZE ANY PERSON OR THING SHALL ISSUE WITHOUT

DESCRIBING THEM AS NEARLY AS MAY BE, NOR WITHOUT PROBABLE CAUSE SUPPORTED BY OATH

OR AFFIRMATION, SEC. 8. IN ALL CRIMINAL PROSECUTIONS, THE ACCUSED SHALL HAVE A RIGHT

TO BE HEARD BY HIMSELF AND BY COUNSEL, TO BE INFORMED OF THE NATURE AND CAUSE OF

THE ACCUSATION, TO BE CONFRONTED BY THE WITNESSES AGAINST HIM, TO HAVE COMPULSORY

ACCESS TO OBTAIN WITNESSES IN HIS BEHALF, TO BE RELEASED ON BAIL UPON SUFFICIENT SECURITY,

EXCEPT IN CAPITAL OFFENSES WHERE THE PROOF IS EVIDENT OR THE PRESUMPTION GREAT, AND

IN ALL PROSECUTIONS BY INDICTMENT OR INFORMATION, TO A SPEEDY PUBLIC TRIAL BY AN IMPARTIAL

JURY, NO PERSON SHALL BE COMPELLED TO GIVE EVIDENCE AGAINST HIMSELF, NOR BE DEPRIVED

OF LIFE, LIBERTY, OR PROPERTY WITHOUT DUE PROCESS OF LAW, NOR SHALL EXCESSIVE BAIL

BE REQUIRED, NOR EXCESSIVE FINES IMPOSED. NO PERSON SHALL BE HELD TO ANSWER FOR

ANY CRIME PUNISHABLE BY DEATH OR LIFE IMPRISONMENT, UNLESS ON A PRESENTMENT OR AN

INDICTMENT OF A GRAND JURY, EXCEPT IN THE ARMED FORCES OR IN THE MILITIA WHEN IN

ACTUAL SERVICE IN TIME OF WAR OR PUBLIC DANGER. 2) ALLEGED DEFENDANT HEREIN ALLEGES IMPROPER SERVICE OF PROCESS OF SUMMONS

USED TO GAIN THE ALLEGED DEFENDANT'S SIGNATURE ON THE SUMMONS/INDICTMENT/CHARGE

WARRANT. 2) ALLEGED DEFENDANT ALLEGES HE IS A NATURAL PERSON AND ACCEPTS ALL PUBLIC OFFICIAL

OATHS OF OFFICE. 3) ALLEGED DEFENDANT ALLEGES THAT AT THE TIME OF THE COMPLAINT HE WAS NOT

AN IMMEDIATE THREAT TO THE PUBLIC HEALTH, SAFETY, OR WELFARE.

4.) ALLEGED DEFENDANT ALLEGES HE ~~WAS~~ AN UNALIENABLE RIGHT TO TRAVEL AND LIFE, LIBERTY, AND PROPERTY. THE PLAINT HEREIN ALLEGES IF EVERY ALLEGING IN THE COMPLAINT(S) IS TRUE, SO WHAT. I PLEA DEMURDER BECAUSE THESE CODES AND STATUTES DO NOT APPLY TO THE ALLEGED DEFENDANT IN THE CAPACITY OF A NATURAL PERSON ON THE LAND.

5.) GOVERNMENT IS PUT INTO PLACE TO PROTECT AND TO SECURE THE PREEXISTING, UNALIENABLE RIGHTS OF THE PEOPLE AND THE CITIZENS.

6.) THE ALLEGED DEFENDANT DENIES EVER AT ANYTIME THERE IS OR WAS A LEGALLY BINDING CONTRACT IN WHICH THE FULL AND TOTAL DETAILS WERE DISCLOSED TO LEGALLY OBTAIN A SIGNATURE FROM THE ALLEGED DEFENDANT IN THE ALLEGED CHARGE/CLAIM/WARRANT/INDICTMENT/CASE NO# 2008RCR0132

7.) THE ALLEGED DEFENDANT DENIES EVER AT ANY TIME BEING IN VIOLATION OF ANY PENAL CODE SECTION NUMBER SEC. 16-13-30(H); 16-5-73 (b)(1) ~~AND~~ SPECIFICALLY.

8.) THE ALLEGED DEFENDANT WAS TAKEN TO THE RICHMOND COUNTY SHERIFFS OFFICE TO FACE THE ALLEGED CLAIM(S)/CHARGE(S)/INDICTMENT(S)/CASE # 2008RCR01347

9.) THE ALLEGED DEFENDANT BECAME CONFUSED AND ALERTED AND AFRAID OF SOME POSSIBLY KNOWN THREAT OR DANGER TO HIS LIFE.

10.) THE ALLEGED DEFENDANT HAD NO IDEA OR KNOWLEDGE THAT THE NEW CLAIM(S)/CHARGE(S)/INDICTMENT THAT HAD BEEN BROUGHT ~~AGAINST~~ THE ALLEGED ~~DEFENDANT~~ DEFENDANT BY THE SUPERIOR COURT OF RICHMOND COUNTY, STATE OF GEORGIA WOULD BE A TRIAL BY RESULT OF MILITARY TRIBUNAL.

11.) THE ALLEGED DEFENDANT WAS NOT AWARE THAT HE WAS TRADING A "RIGHT FOR A BENEFIT OR A PRIVILEGE."

12.) PERSON CONDUCTING THE CLAIM WILL BE REFERRED TO THROUGHOUT THIS COMPLAINT AS THE "PLAINTIFF."

13.) THE ALLEGED DEFENDANT MADE IT CLEAR HE WAS AFRAID FOR HIS LIFE BECAUSE THE PLAINTIFF MIGHT HAVE USED A GREATER PUNISHMENT.

14.) THE ALLEGED DEFENDANT RESPONDED BECAUSE HE WAS UNDER THE PRESUMPTION OF THE LAW ENFORCED BY A UNIFORMED OFFICER AND A FALSE JURISDICTION.

15.) ALLEGED DEFENDANT ASKED WHAT IS THE REASON FOR THIS SO CALLED CHARGE/CLAIM.

16.) THE ALLEGED DEFENDANT NEVER ASKED THE PLAINTIFF IF THIS WAS A REQUEST OR A DEMAND.

17.) UNDER DURESS THE ALLEGED DEFENDANT COMPLIED IN FEAR OF EXPERIENCING FURTHER INJURY.

POINTS AND AUTHORITY

WHEREAS THERE IS NO QUESTION THAT A BENCH WARRANT, A DETENTION, "AN ARREST", A TICKET OR CITATION, ISSUED BY A POLICE OFFICER, WHICH CARRIES A FINE OR JAIL TIME IS A PENALTY OR SANCTION; AND IS INDEED "CONVERTING, A RIGHT INTO A CRIME," THUS VIOLATING SUBSTANTIVE RIGHTS, SUCH AS THE RIGHT TO DUE PROCESS. ALSO VIOLATES 28 USC 1602-1611 FOREIGN SOVEREIGN IMMUNITY ACT WHICH ALLOWS THE JURISDICTION TO BE CHALLENGED. IT IS REASONABLE TO ASSUME THAT THE COURTS JUDICIAL DECISIONS ARE STRAIGHT AND TO THE POINT, AND THAT THERE IS NO LAWFUL METHOD FOR GOVERNMENT TO PUT RESTRICTIONS OR LIMITATIONS ON RIGHTS BELONGING TO THE PEOPLE. CONSTITUTION OF THE STATE OF GEORGIA PREAMBLE THE PEOPLE OF GEORGIA ACKNOWLEDGING WITH GRATITUDE, THE GOOD PROVIDENCE OF GOD, IN HAVING PERMITTED THEM TO ENJOY A FREE GOVERNMENT; DO IN ORDER MORE EFFECTUALLY TO DEFINE, SECURE, AND PERPETUATE THE LIBERTIES, RIGHTS AND PRIVILEGES WHICH THEY HAVE DERIVED FROM THEIR ANCESTORS; HEREBY AFTER A CAREFUL CONSIDERATION AND REVISION, ORDAIN AND ESTABLISH THE FOLLOWING CONSTITUTION AND FORM OF CIVIL GOVERNMENT. FOR A CRIME TO EXIST, THERE MUST BE AN INJURED PARTY, CORPUS DELECTI, THERE CAN BE NO SANCTION OR PENALTY IMPOSED ON ONE BECAUSE OF THIS CONSTITUTIONAL RIGHT. SHERER V. CULLEN 481 F. 945 ~~████████████████████~~

THE RIGHT TO PERSONAL PRIVACY, THE RIGHT OF A PERSON TO BE FREE FROM INTRUSION INTO A PUBLICITY CONCERNING MATTERS OF A PERSONAL NATURE IS A ABSOLUTE RIGHT AND THE POLICE CANNOT MAKE VOID THE EXERCISE OF RIGHTS. STATE VS. ARMSTEAD 60 S. 778, 779 AND 781.

PART OF THE LIBERTY OF WHICH THE NATURAL PERSON, CITIZENS CANNOT BE DEPRIVED WITHOUT "DUE PROCESS OF LAW" UNDER THE FIFTH AMENDMENT OF THE UNITED STATES CONSTITUTION. KENT VS. DULLES 357 US 116, 125.

THE ALLEGED DEFENDANT WAS NOT A THREAT TO THE ~~██████~~ PUBLIC SAFETY OR HEALTH AND CONSTITUTED NO HAZARD TO THE PUBLIC AND SUCH ALLEGED DEFENDANT OWED NOTHING MORE THAN "DUE CARE" (AS REGARDS TO TORT FOR NEGLIGENCE) TO THE PUBLIC AND THE OWNER OWED NO OTHER DUTY TO THE PUBLIC. CHRISTY VS. ELLIOT 216 I 131 74 HE 1035 LRA VS 1905-1910; CALIFORNIA VS. FAIRLEY 98 CED RPT 89 20 CA 3d 1032 (1971)

IF ANY TRIBUNAL (COURT) FINDS ABSENCE OF PROOF OF JURISDICTION OVER A PERSON AND SUBJECT MATTER, THE CASE MUST BE DISMISSED. LOUISVILLE VS. MOTLEY 211 US 149 29 S. CT 42.

JUDGEMENTS ENTERED WHERE COURT LACKED EITHER SUBJECT MATTER JURISDICTION OR PERSONAL JURISDICTION OR THAT WHERE OTHERWISE ENTERED IN VIOLATION OF DUE PROCESS OF LAW MUST BE SET ASIDE. JAFFE AND ASHER VS. VANDERBILT

THE PERPETRATOR MATTER IS SETTLED BETWEEN THE PARTIES.
 TO DEMONSTRATE MOTION TO DISMISS OR SUMMARY DEFAULT JUDGMENT UNTIL
 COUNTY, STATE OF GEORGIA. BASED ON THE STATEMENTS WITHIN THIS MOTION
 WAS UNDER DURESS AND INTIMIDATION OF THE "SUPERIOR COURT OF RICHMOND
 AND THE SO-CALLED LEGALLY OBTAINED CONTRACT IS ALSO BEING CHALLENGED.
 THE GROUNDS IN WHICH AS THE JURISDICTION HAS BEEN CHALLENGED,
 YOUR HONOR I MOTION TO DEMONSTRATE TO CASE # 200812C0137, ON

LIKE ATTACHMENT

COUNTRY LAW ENFORCEMENT CENTER, LOUISVILLE, GA.
 THIS DECLARATION WAS EXECUTED ON THE 13 DAY OF JAN 2014 IN SEVERAL
 I CERTIFY UNDER PENALTY OF PERJURY FOREGOING TRUTH AND CORRECT
 RELIEF THIS COURT DEEMS JUST AND FAIR.

SUPERVISED RELEASE TIME, IN A REASONABLE RESPECT AND ANY OTHER
 CASE WITH PREJUDICE. GRANT ALL FINES, FEES, RESTITUTION, REMAINING
 THEREBY THE ALLEGED DEFENDANT MOTIONS THIS COURT TO DISMISS THIS
 SAFETY, HEALTH, WELFARE, ETC. MICHIGAN VS. DUKE 266 US 476 LED AT 479.
 STATE POLICE POWER EXTENDS ONLY TO IMMEDIATE THREATS TO PUBLIC,

PLAYS FOR RELIEF

RIGHTS CANNOT BE CONVERTED INTO A CRIME. MILLER VS. KANSAS 230 F.2D
 186, 489.
 NATIONAL ORIGIN, TIME FOR SERVICE. THE CLAIM AND EXERCISE OF CONSTITUTIONAL
 WILL OR POLITICAL RIGHTS BECAUSE OF RELIGION, RACE, COLOR, ANCESTRY OR
 TO SEGREGATION OR DISCRIMINATION IN THE EXERCISE OR ENJOYMENT OF HIS
 SHALL BE DENIED THE EQUAL PROTECTION OF THE LAW, NOR BE SUSTAINED
 WARRANTED BY LAW. GEORGIA CONSTITUTION ARTICLE 2 SECTION 9 NO PERSON
 SHALL BE ARRESTED, DETAINED OR PUNISHED EXCEPT IN CASES CLEARLY
 OR AFFIRMATION, GEORGIA CONSTITUTION ARTICLE 2 SECTION 9 NO PERSON
 AS NEARLY AS MAY BE NOR WITHOUT PROBABLE CAUSE SUPPORTED BY OATH
 TO SEIZE ANY PERSON OR THINGS SHALL ISSUE WITHOUT DESCRIBING THEM
 SECURE IN THEIR PERSONS, HOUSES, PAPERS AND POSSESSIONS FROM UNREASON-
 SECURE SEARCHES OR SEIZURES; AND NO WARRANT TO SEARCH ANY PLACE OR
 GEORGIA CONSTITUTION ARTICLE 2 SECTION 7: THE PEOPLE SHALL BE
 THE ACCUSER BEARS THE BURDEN OF PROOF BEYOND A REASONABLE DOUBT.

STATE POLICE POWER EXTENDS ONLY TO IMMEDIATE THREATS TO PUBLIC SAFETY, HEALTH, WELFARE, ETC. MICHIGAN VS. DUKE 266 US 476 LED AT 449

ALEXANDER MICHAEL; BURBINE OF THE BURBINE FAMILY
P.O. BOX 72
LOUISVILLE, GA. 30434

Stamp - RECEIVED / RETURN IN PROPER PERSON A FOR ALEX BURBINE.

PRAYER

WHEREFORE PLAINTIFF PRAYS JUDGEMENT AS FOLLOWS:
DISMISSAL, VACATE, AND OR SET ASIDE THE CHARGES/CLAIMS BROUGHT AGAINST THE ALLEGED DEFENDANT ONE ALEXANDER MICHAEL BURBINE...

VERIFICATION

I AM THE PLAINTIFF IN THE ABOVE-ENTITLED ACTION. I HAVE READ THE FOREGOING MOTION AND KNOW THE CONTENTS THEREOF. THE SAME IS TRUE OF MY OWN KNOWLEDGE EXCEPT AS TO THOSE MATTERS WHICH ARE THEREIN STATED ON INFORMATION AND BELIEF AND AS TO THOSE MATTERS, I BELIEVE IT TO BE TRUE. I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF GEORGIA THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: 1/13/14

ALL RIGHTS RESERVED 1-207/308;
1-103

Alexander Michael Burbine

ALLEGED DEFENDANT ALEXANDER MICHAEL BURBINE

PLEASE SEND ME A COPY OF THIS MOTION ~~SHOWING~~ ^{STAMPED} SHOWING IT WAS PUT INTO COURT CASE FILES FOR THE COURT TO REVIEW AND...

IN THE SUPERIOR COURT OF RICHMOND COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

VS

ALEXANDER MICHAEL BURBINE

)

)

)

CASE NO. 2008RCCRO1347

MOTION TO

CHALLENGE SUBJECT MATTER JURISDICTION

NOW COMES THE PETITIONER/DEFENDANT IN ERROR

CASE NO. 2008RCCRO1347 PURSUANT TO STATE OF GEORGIA (TRUSTEE)
VS. ALEXANDER MICHAEL BURBINE (ADMINISTRATOR).

1) IN ~~IN~~ ACCORDANCE WITH "DUE PROCESS OF LAW". THE COURTS
MUST PROVE ON THE RECORD ALL JURISDICTION FACTS RELATED TO THE JURISDICTION
ASSERTED. "LATANA VS HOPPER 102 F.2D 188; CHICAGO VS. NEW YORK 37 F.2D 150

AND I Alexander-Michael; Burbine AFFIRM BEFORE GOD THAT THE COURTS HAVE NOT DONE
SO IN ACCORDANCE WITH LAW.

2) IN ACCORDANCE WITH "DUE PROCESS OF LAW", THE LAW PROVIDES THAT ONCE STATE
AND FEDERAL JURISDICTION HAS BEEN CHALLENGED IT "MUST BE PROVEN." MAIN VS
THIBOUTOT 100 S. CT 2502 (1980) I AFFIRM BEFORE GOD THAT THE STATE

OF GEORGIA COURTS HAVE NOT PROVEN JURISDICTION IN ACCORDANCE WITH LAW.

3) IN ACCORDANCE WITH "DUE PROCESS OF LAW" JURISDICTION CAN BE CHALLENGED
AT ANY TIME, AND "JURISDICTION" ONCE CHALLENGED CANNOT BE ASSUMED AND
"MUST BE DECIDED." BASSO VS. UTAH POWER & LIGHT CO., 495 F.2D 906, 910.

I AFFIRM BEFORE GOD THAT THE STATE OF GEORGIA COURTS HAVE NOT PROVEN
JURISDICTION IN ACCORDANCE WITH THE SET LAW.

4) IN ACCORDANCE WITH "DUE PROCESS OF LAW". IN "DEFENSE OF LACK OF JURISDICTION
OVER THE SUBJECT MATTER "MAY BE RAISED AT ANY TIME" EVEN ON "APPEAL". HIL
TOP DEVELOPERS VS HOLIDAY PINES SERVICE CORP., 478 SO 2D 368 (FLA 2ND DCA 1985)

I AFFIRM BEFORE GOD THAT I Alexander-Michael; Burbine HAVE CHALLENGED THE SUSPECT MATTER JURISDICTION AND THE COURTS HAVE NOT PROVEN SUSPECT MATTER JURISDICTION ON THE RECORD, FOR THE RECORD.

5) IN ACCORDANCE WITH "DUE PROCESS OF LAW" ONCE CHALLENGED "JURISDICTION" CANNOT BE ASSUMED IT "MUST BE PROVEN" TO EXIST. "STUCK U.S. MEDICAL EXAMINERS, 94 CA 2D 751, 211 P2D 389." I Alexander-Michael; Burbine AFFIRM BEFORE GOD THAT THE STATE OF GEORGIA COURTS HAVE NOT PROVEN SUSPECT MATTER JURISDICTION.

6) IN ACCORDANCE WITH "DUE PROCESS OF LAW" THERE IS NO DISCRETION TO IGNORE "THAT LACK OF JURISDICTION." TOYLE US. VS. 474 P2D 215. "I AFFIRM BEFORE GOD THAT THE STATE OF GEORGIA COURTS HAVE NOT PROVEN SUSPECT MATTER JURISDICTION."

COURTS "HAVE IGNORED" ALL CHALLENGES OF SUSPECT MATTER JURISDICTION IN ORDER TO "SECURE A CONVICTION" OF THE DEFENDANT IN ERROR. INSPITE THE "EVIDENCE AND FACTS"

7) IN ACCORDANCE WITH "DUE PROCESS OF LAW" THE BURDEN SHIFTS TO THE COURTS TO PROVE JURISDICTION "ROSEMOND VS. LAMBERT 496 P2D 416."

I Alexander-Michael; Burbine DEFENDANT IN ERROR DEMAND THAT THE COURTS PROVE "SUSPECT MATTER JURISDICTION." ON THE RECORD, FOR THE RECORD.

DISCUSSIONS TO BE HEARD

THE DEFENDANT IN ERROR HAS THE OVERRIDING THAT PER 28 USC § 2072 FEDERAL RULES OF PROCEDURE MAY NOT DEPRIVE ANYONE OF SUBSTANTIVE RIGHTS.

ALSO NOTE THAT IN ACCORDANCE WITH STATE AND FEDERAL LAWS. IF (2) ONE CONSTITUTIONALLY SECURED RIGHTS SO SECURED AND GUARANTEED ARE BYPASSED THE STATE OF GEORGIA COURTS "LACK OR LOSE SUSPECT MATTER JURISDICTION."

2) AS THE COURTS WILL SEE UPON REVIEWING CASE # 2008RCC00134,

STATE OF GEORGIA VS. ALEXANDER MICHAEL BURBINE, THE CURRENT STATE PROSECUTOR PRACTICE FOR ALL PRACTICAL PURPOSES THE STATE OF GEORGIA COURTS HAVE TRADED

THE FOURTH, FIFTH, AND SIXTH AMENDMENTS DUE "PROCESS RIGHTS AND II EMPLOY THE SERVICES OF "COST-JUDICIAL" OFFICERS WHO DON'T I REPEAT "DON'T" MAN- LANDFUL AUTHORITY TO DO WHAT THEY'RE AND HAVE BEEN DOING. IN SUN

CURRENT STATE PROSECUTOR PRACTICES "AMOUNTS TO A CRIMINAL CONSPIRACY" AMONG ADMINISTRATIVE AND JUDICIAL OFFICERS.

3) FOR THE FOREGOING "REASONS AND FACTS" STATED. THE STATE OF GEORGIA COURTS HAVE FORFEITED SUBJECT MATTER JURISDICTION IN THE EVENT THAT THE COURTS "COULD HAVE PROVEN" TO HAVE SUBJECT MATTER JURISDICTION. "NOTE" SEE CASE NO# 2008RCCRO1347, STATE OF GEORGIA VS. ALEXANDER MICHAEL BURBINE FOR EVIDENCE ON THE RECORD THAT HAS BEEN USED FRAUDULENTLY TO ABRIDGE THE CONSTITUTIONAL RIGHTS SO SECURED AND GUARANTEED TO THE DEFENDANT IN ERROR IN ORDER TO SECURE A GUILTY CONVICTION OF THE SAME DEFENDANT IN ERROR (2) ONE ALEXANDER MICHAEL BURBINE, CASE# 2008RCCRO1347 WILL SHOW SUCH ACCUSATION TO BE TRUE AND PROVEN TO BE TRUE ON THE RECORD AND SHOULD BE USED AS EVIDENCE IN THE UPSTANDINGS OF SUCH CLAIMS. THAT HAVE "DEPRIVED" THE DEFENDANT IN ERROR OF HIS RIGHT TO "DUE PROCESS OF LAW" AND "A FAIR TRIAL".

RELIEF SOUGHT

IN THE EVENT THAT THE STATE OF GEORGIA COURTS FAIL TO PROVIDE/ CANNOT PRODUCE AND OR NEGLECT/IGNORE CHALLENGE OF SUBJECT MATTER JURISDICTION THE COURTS WILL HAVE NO AUTHORITY TO REACH MERITS, AND WILL "LACK AND LOOSE SUBJECT MATTER JURISDICTION" AND THE COURTS SHOULD DISMISS THE ACTION. ALSO GRANT THE DEFENDANT IN ERROR AN "ABSOLUTE DISCHARGE" WITH "CAUSE AND PRESUDICE".

THE DEFENDANT IN ERROR IS REQUESTING THAT THE HONORABLE COURTS MOVE IN THIS MATTER PERTAINING TO STATE OF GEORGIA VS ALEXANDER MICHAEL BURBINE CASE # 2008RCCRO1347. AND DEMAND A RESPONSE WITHIN (10) TEN BUSINESS DAYS OF RECEIPT OF THIS MOTION. THE COURTS WILL HAVE "FORFEITED" AND "ADMITTED" TO NOT HAVING SUBJECT MATTER JURISDICTION "VIA" ACQUIESCENCE IF NO RESPONSE IS RECEIVED WITHIN THE ALLOTTED TIME FRAME GIVEN (10) TEN DAYS AND THE RELIEF SOUGHT BY THE DEFENDANT IN ERROR SHALL BE "IMMEDIATELY" "GRANTED" WITHOUT DELAY ANY "OBSTRUCTION" WILL BE "DEEMED FRIVOLOUS" AND MERITLESS "VIA" FAILING TO REPLY AND COMPLY WITH THE (10) TEN DAYS ALLOTTED RESPONSE TIME FRAME. AND THE COURTS WILL ISSUE AN IMMEDIATE ORDER TO "VACATE" ALL CHARGES AND CLAIMS MADE IN CASE NO# 2008RCCRO1347, STATE OF GEORGIA VS. ALEXANDER MICHAEL BURBINE DEFENDANT IN ERROR. PURSUANT TO "RULE 60(B)" THE COURTS CAN GRANT RELIEF FOR WHATEVER REASON THE COURT SEE FIT AND/OR DEEM NECESSARY TO GRANT RELIEF TO THE SAME SAID DEFENDANT IN ERROR ALEXANDER MICHAEL BURBINE IN CASE NO# 2008RCCRO1347

CERTIFICATE OF SERVICE

I ALEXANDER MICHAEL BURBWE HEREBY CERTIFY AND AFFIRM BEFORE GOD THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE PETITION AND/OR MOTION TO CHALLENGE SUSPECT MATTER JURISDICTION AND WAS SERVED REGISTERED MAIL BY THE UNITED STATES POSTAL SERVICE ON THIS 13 DAY OF JAN 2014, TO THE COURT OF APPEALS, 47 TRINITY AVENUE, SUITE 501, ATLANTA, GA. 30334

ALL RIGHTS RESERVED ULL 1-207/308; 1-103

Alexander Michael Burbwe

EX-RATIONALE: ALEXANDER MICHAEL BURBWE

P.O. BOX 72

LOUISVILLE, GA. 30434

Respectfully Submitted

Alexander Michael Burbwe

PLEASE SEND A STAMPED COPY OF THIS DOCUMENT SHOWING THAT THE SAME WAS ENTERED INTO COURT CASE FILING CASE NO # 2008RCCRO1347

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 21, 2014

Georgia Department of Corrections
ATTN: Mail Inspector J. Johnson
Post Office Box 405699
Atlanta, Georgia 30384-5699

RE: LaBarrion J. Harris
GDC1000689140

Dear Mr. Johnson:

Enclosed please find a MoneyGram **money order** # R205383016773 dated January 7, 2014 sent to the Court of Appeals of Georgia in error by Mr. Harris. The filing fee in Mr. Harris' appeal has been paid. A previous attempt was made to return the \$80.00 money order to Mr. Harris. Please see enclosed copy. There is no fee due to the Court of Appeals of Georgia.

Any assistance you can render to see that Mr. Harris' account is credited with the \$80.00 will be appreciated. This Court cannot accept the money order.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 22, 2014

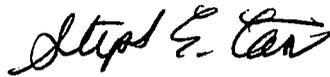
Mr. Timothy Dailey
GDC1000073009
Calhoun State Prison
Post Office Box 249
Morgan, Georgia 39866

RE: A14A0623. Timothy Dailey v. The State

Dear Mr. Dailey:

I am in receipt of your Appellant's Brief dated January 12, 2014. Your Brief is being returned to you because there was no Certificate of Service attached. The Certificate of Service must show service to the opposing counsel (District Attorney, in this instance) and contain the full name and complete mailing address. The opposing counsel must actually be served a copy of your Brief and any other future filings you have with this Court.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure

Brief A14A06823 RECEIVED IN OFFICE

1-12-14

2014 JAN 16 PM 3:36

On 4-2-2008 Gwinnett County Crime Scene

Investigator J. Nicholson processed the Crime Scene
Of a Dollar King located on 6889 Peachtree Industrial
Blvd Norcross, Ga 30093. She claimed to have processed
a colgate toothbrush box, Plastic grocery bag, two bags
of popcorn and a toothbrush package which a latent print
was supposedly obtained from the crime scene. (This
Information comes from the investigator report on page 8)

There were no pictures of these items in my
discovery package. On 6-5-2008 J. Nicholson ^(ID) contacted
Det # J. Richter #766 was advised that
she obtained a match threw the AFIS system and needed
to confirm this info threw the GBI. This was ^(ID) conducted
on 6-13-2007 a year before the crime took
place (Per Investigator report) On 6-18-2008 Both victims
from the incident were giving separate opportunities to
pick the defendant out of a picture line up. AT the time
of the picture line-up neither my public defender or ANYONE
from his office present at the time. Who's to say that
Det. J. Richter didn't point to the defendant picture and
say "I this the suspect who robbed you" or this is
our suspect. Neither one of the victims signed or dated
on the picture line-up that #5 of the line-up is
who they say was at the crime scene. Pg 10 of
^(ID) Investigator report. I have requested this information
there the open records on these items requested above.

(50-18-70 O.C.G.A)

(See Attachments)

O.C.G.A. - 17-7-211^B states for a copy of Any ~~Scientific~~ ^{TD} Scientific report which would be Introduce at trial be presented.

O.C.G.A. ANN 38-801 - requesting that the state furnish the defendant with Five categories of materials (2) results of ANY scientific reports test experiments or studies made in connection to there case. (Notice to Produce)

TIMOTHY A. DAILEY FOR
Timothy A. Dailey
All Rights Reserved

6-24-13
[Signature]



MY NAME IS TIMOTHY A. DAILEY CAS# 68B-4499-3. ON
2-12-13 I REQUESTED INFORMATION PERTAINING TO A
ARMED ROBBERY IN GWINNETT COUNTY. THE EVIDENCE
TECH. ASSISTANT DISTRICT ATTORNEY, [REDACTED] CRIME SCENE
INVESTIGATOR, CRIME SCENE ANALYST AND SCOTT ESTES MY
PUBLIC DEFENDER ALL OF GWINNETT COUNTY WERE ASKED
TO PRODUCE EVIDENCE ABOUT MY CASE. AS YOU CAN SEE THEY
ARE IN VIOLATION OF GEORGIA STATE LAW O.C.G.A. 15-6-21
I HAVE NOTIFIED THEM ALL AND ADVISED THEM THAT THEY
ARE IN VIOLATION. DUE TO THERE CONDUCT I CANNOT
MOVE FORWARD ON FILING MY HABEAS CORPUS.
ENCLOSED ARE THE LETTERS I SENT TO THERE OFFICE.

Timothy A. Dailey #1000573009
CALHOUN STATE PRISON (04-70)
P.O. BOX 244
MORGAN, GA 39866

DEPARTMENT OF LAW
B

IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.
TIMOTHY AARON DAILEY

Defendant

CRIMINAL CASE NO.
08-B-4499-3

RICHARD ALEXANDER, CLERK

2013 JUL 22 AM 9:43

FILED IN OFFICE
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA

**ORDER DENYING DEFENDANT'S PRO SE
MOTION FOR RULING/MOTION TO DEMAND SCIENTIFIC REPORTS**

The foregoing Motion filed *pro se* by the Defendant on May 24, 2013, having been read and considered, said Motion is hereby **DENIED**. The Court notes that the Defendant entered and was sentenced on a Guilty Plea on August 17, 2009. See August 17, 2009 Guilty Plea Transcript filed on September 14, 2009.

SO ORDERED, this 19th day of July 2013.


KATHRYN M. SCHRADER, Judge
Gwinnett Superior Court

Copies to:

District Attorney's Office
Felony Probation Office
Timothy Aaron Dailey
GDC 1000073009
Calhoun State Prison
D4-68
P.O. Box 249
Morgan, Georgia 39866

NOTICE OF APPEAL

**COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR BRIEFS OR MOTIONS**

Date: January 23, 2014

To: Mr. Bernard Arnold, Sr., GDC911061 200-R, Wheeler Correctional Facility, Post Office Box 466,
Alamo, Georgia 30411

Docket Number: A13A1240 **Style:** Bernard Arnold, Sr. v. The State

Your document(s) is (are) being returned for the following reason(s).

1. Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 **Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4. No Certificate of Service or an improper Certificate of Service accompanied your document(s). Rule 6
5. Your Certificate of Service did not include the complete name and mailing address of each opposing counsel and pro se party. Rules 1(a) and 6. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
6. There were an insufficient number of copies of your document. Rule 6.
7. Your document exceeds page limits. Rules 24 (f) and 27 (a)
8. Your document was submitted without permission to file (supplemental brief or second motion for reconsideration). Rules 27 (a) and 37 (d)
9. Letter briefs and letter cites are not permitted. Rule 27 (b)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12. Type was on both sides of the paper; type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17. The Motion to Supplement has not been granted.
18. **Other: The Court of Appeals affirmed the judgment of the trial court. The remittitur issued on October 17, 2013, divesting this Court of any further jurisdiction of your case. The case is therefore, final.**

IN THE COURT OF APPEALS AND SUPREME COURT
State of Georgia

BERNARD ARNOLD SR.

V.

State of Georgia

Appeals # A13A1340

Criminal Case # 98-CR-1314

Case # 314653

Objection to Assistance

District Response

RECEIVED IN OFFICE
2014 JAN 16 PM 3:05
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

ON December 10, 2013 Petitioner filed a motion with the Court of Appeals and the Supreme Court to grant Petitioner an out of time

appeal.

Petitioner was re-tried and found not guilty of all charges except kidnapping. The Court

sentenced Petitioner to 30 years to serve, five (5)

years longer than the original sentence.

Petitioner now challenges his sentence as being

vindictive and illegal. Petitioner believes the appeals

Court of Georgia has erred in their decision

and therefore files for an out of time appeal

to challenge the abusive sentence.

Petitioner's attorney never informed him he had

to comply with Rule 38 within 10 days after

the entry of judgment and 30 days to file

With the Supreme Court,

The concerns here are of great concern, gravity and is important to the public because an illegal sentence should be corrected

Wherefore Petitioner asks this Court to allow the out of time appeal, so the issues at question can be heard.

This 13 day of January 2014

~~Bernard Donald Sr.~~
Bernard Arnold Sr.
6DC 911061 Wheeler C.F.
P.O. Box 446
Alamo Ga. 30411

CERTIFICATE OF SERVICE

This is to certify that I have this day served a true and correct copy of the within and foregoing document(s) upon the party(ies) listed below by depositing a copy of same in the United States mail in a properly addressed envelope with adequate postage thereon to insure that it reaches its destination, properly addressed upon:

Mrs. Tracy Chapman
Jessica Clark

Assistant District Attorney

P.O. Box 99

Valdosta Ga 31603-0099

Atlanta, Ga 30334

47 Trinity St.

1. Appeals Court of Georgia

3 Supreme Court of Georgia

244 Washington St. S.W.

Room 512 Atlanta, Ga 30334

This the 13 day of January 2014

Bernard Arnold Sr.

Bernard Arnold Sr.

G.D.C. 91061 Wheeler C.F.

P.O. Box 466

Alamo, Georgia

BACK DOWN!
Transferred to Court
of Appeals on
January 16, 2014
From GA Court of
Appeals.

Atlanta, January 23, 2014

CASE No. S14D0581
SELENA GOODEN
VS.
ZACHARY ELLIS

**Emergency
Response to the GA Supreme
Court Letter (Atl. Jan. 16 2014).**

Stakeholders: U.S. Chief Justice John Roberts – U.S. Supreme Court; Chief Deputy Clerk – GA State Supreme Court; GA Court of Appeals.

Zachary is in Contempt of Court in two Jurisdictions.
Response
Corrections to the Supreme Court letter (Atlanta, Jan. 16, 2014)

By the Father.
IN The Gwinnett County Courts

The mother has custody. The Father has a corrupt visitation order

Should read: Applicant asked the court to overturn a 2007 visitation order (not custody order). There was never a petition for custody ever presented to the courts. [REDACTED] 2007 had tried to unlawfully dominate the mother's rightful custody with a corrupt temporary visitation order that dominated the mother's rightful custody because she was in a lawsuit and Gwinnett County tried to make the mother commit suicide. However, someone turned that around and instead entrapped the mother's talents (gifted Computer Engineering Management) with Beautiful morals and values. [REDACTED] GWINNETT COUNTY COURT'S LED TO THE RIGHTFUL MOTHER'S UNLAWFULLY ARREST ON NOVEMBER 1, 2013. DESPITE THAT SELENA IS PROTECTIVE OF CHILDREN OF ALL RACES AND HAS RIGHTFUL PHYSICAL; LEGAL CUSTODY OF CALEB. SELENA NEEDS [REDACTED] PHYSICAL CUSTODY CORRECTED BY HAVING CALEB RETURNED TO THE MOTHER. THE CHILD SHE'S CARED FOR HIS ENTIRE LIFE; LEGAL CUSTODY ENFORCED; AND [REDACTED] CORRUPT VISITATION ORDER TEMPORARILY PROVIDED TO THE FATHER IN 2007 BY A CORRUPT JUDGE HAVING TRIED TO USE IT TO DOMINATE THE MOTHER'S CUSTODY. [REDACTED]

pedagogy
Not know his
Civil Rights Lawsuit. pushed into it by militants

the father used that UNLAWFUL order to kidnap Selena's child.
AN HONEST ROOT CAUSE ANALYSIS

The current Judges **IN GA. STATE SUPREME COURT** related to custody SEEM only to be looking at the symptoms and not the original problem (THERE WAS AN ATTEMPT TO CORRUPTLY AVOID PROVIDING DUE PROCESS FOR THE VICTIM SELENA GOODEN in her Civil Rights Case). All Judges should be looking at the root cause of the situation and digging deeper to help define the original problem more clearly so that HONEST [REDACTED] CAN BE MADE INCLUSIVE OF CHILD CUSTODY THAT THE MOTHER HAS ALWAYS MAINTAINED AND GWINNETT COUNTY HAVING TRIED TO CORRUPTLY TAMPER WITH IN 2007 AND THOSE HAVING TRIED TO INVAD E SELENA'S LIFE AGAIN IN 2014 AFTER SELENA'S CIVIL RIGHTS LAWSUIT REMEDY [REDACTED] THAT CORRUPT 2007 GWINNETT COUNTY COURT ORDER HAVING KIDNAPPED A VERY DECENT MOTHER AND VERY DECENT WOMAN'S CHILD, *For what reasons?*

U.S. District Court
Corrections
Northern District of GA.

SELENA'S Original CIVIL RIGHTS Lawsuit: Selena Gooden vs. U.S. Dept. of Health and Human Services that next at the court's guidance turned into Selena Gooden vs. Clinton and Gates, et. al (also that included the United States Government). AND SOMEONE HAD BEEN COVERING UP FOR Michelle and Barrack Obama's AND THE CLINTON'S pedophiles WITH PERVERTED BEHAVIOR AND AIDS).

It appears that Obamas' were using a leadership style (RELYING ON MILITANTS) – Leadership by Punishment HAVING USED RESOURCES IN THE GOVERNMENT THAT HARMED SELENA BECAUSE SELENA IS GOOD HAS MORALS AND VALUES AND IS AGAINST CHILD CRUELTY AND CHILD ENDANGERMENT AND HAS A [REDACTED] HERITAGE THAT'S PROTECTIVE OF CHILDREN.

AND Because Selena is a standard of excellence, ^{I would} ~~SHINE~~

THE Judges IN SELENA'S CIVIL RIGHTS CASE HAD NOT PROVIDED a TRIAL in the original lawsuit or ~~prosecution~~ "ROOT CAUSE" ~~TAINTED~~ matters WHERE WE ARE TODAY RIGHTFUL PHYSICAL CUSTODY OF CALEB. CALEB BELONGS WITH HIS MOTHER WHERE HE'S ALWAYS BEEN I, Selena Gooden am expecting an Honest Response.

(so they

with the Criminal Father.

SO Brightly

ADDRESS BACKTRACKING

IN Selena's life to cause her to

Sending Case No. S14D0581 back to GA Appeals court is a huge gamble, A MIDWAY CHANGE THAT CAUSES A delay in an unlawful and threatening situation because Caleb is with his father and those having coaxed him into kidnapping Selena Gooden's child.

~~ZACHARY HAD NEVER ASKED FOR CUSTODY.~~

~~CORRUPT~~ TRYING TO BUILD TOLERANCE SO THAT SELENA WILL TOLERATE CHILD ABUSE AND CHILD ENDANGERMENT. I WILL NOT AND AGAINST MY NATURE. PEDOPHILIA IS WRONG AND IT'S AGAINST THE LAW AND AGAINST MY MORALS AND VALUES AND MY OATHS AS A FORMER P/T TEACHER AND MORE IMPORTANTLY MY OATH TO MYSELF ABOUT BEING AS MORAL AS POSSIBLE. AN OATH I MADE AT 12 YEARS OLD AND ~~35~~ 35 YEARS. I AM 47. I AM DEVOTED TO MY SON AND I LOVE HIM DEARLY AND I WANT HIM BACK RIGHT NOW AND HE NEEDS ME BACK RIGHT NOW.

PEDOPHILIA IS

appear irres-

ONLY ble

Judges

I maintained

injured

HAVING Impressed

MY SON AND I HAVE A TREMENDOUSLY BEAUTIFUL BOND AND THOSE WHO HAVE ~~THAT~~ CONTINUITY, ~~BY~~. MY DEFENDANTS HAVE INTENTIONALLY TAKEN SELENA, A MOTHER (AN EXTREME STANDARD OF EXCELLENCE IN PARENTING) AND PUT ME AGAINST THE OBAMA AND CLINTON (EXTREME PEVERTEDNESS IN PARENTING) — ADDITIONALLY HAVE TRIED TO BREAK THE BOND I, "SELENA GOODEN" HAVE ESTABLISHED WITH MY SON, MY ONLY CHILD. ADDITIONALLY, ~~CORRUPT~~ PERSONS HAVE

w/ast

~~LIFE~~ A GOOD AND HONEST GOD FATHER, BOBBIE TITSWORTH (DECEASED) AND A GOOD, GOOD, GOD MOTHER TRACY ENGLISH, A NURSE PRACTITIONER, ^{Living, protecting} ~~TAKEN FROM A LITTLE BOYS~~ ^{her children} ~~I, SELENA GOODEN WANT MY SON CALEB GOODEN BACK, RIGHT NOW.~~ ~~THE COURT(S) GA APPEALS COURT (HAVING EARLIER~~ ~~TURNED DOWN THE CASE THAT'S BOTH TIME SENSITIVITY AND HUMAN SENSITIVITY) AND OBLIGATED TO COMPLETE AND~~ ~~PROVIDE CORRECTIONS WITHIN THE 30 DAYS (THE DOCKETING DATE IS DECEMBER 26, 2013) — REGARDLESS OF THE~~ ~~COURT — ADDITIONALLY, THE U.S. SUPREME COURT CHIEF JUSTICE JOHN ROBERTS IS A STAKEHOLDER.~~

HAD

Consent.

Although there now seems to be an appearance of continuous improvement. It's insufficient, and John should stop attempting to belittle me for reasons of disharmony in ~~communicable incompatibility~~ or to cover-up that their had been MARITAL interest in me by him, Clinton, and Obama that I could not reciprocate AND they retaliated to try to gain superiority. Additionally, other world leaders of "communicable incompatibility I have rejected sexually also) on the basis of that communicable incompatibility and I have asked for a better breed and I don't know of any who have rejected me for an attractive ~~conquest~~ and I'd prefer someone thankful to have someone like me. Having searched their lifetime and life for someone like me. Pure Straight; HIV Negative; intelligent; 9 year's celibate/choosy; moral, now a Future Billionaire to put ICING ON CAKE THAT WAS ALREADY REALLY GOOD. So I want my Earthly match and will also be my match made in Heaven someday after we've lived our lives. John knows of my requirements if he chooses to provide a holistic Remedy on a personal level where we are, FRIENDS BEING TRUTHFUL IN ALL MATTERS AND JOHN IS PERSONALLY, WELL FAMILIAR WITH SELENA'S GOOD CHARACTER AND DESIRES TO THE MOST MICROSCOPIC LEVEL.

Either

Court. GA Supreme or

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Completing Justice, my + John's ~~ENCERATE.~~

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that they've TRIED to make Easy.

RISK RESPONSE PLAN (INCLUDES HOWEVER NOT LIMITED TO:)

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- ✓ Adherence to laws and standards to ensure that they are enforced and followed and providing the mother, Selena Gooden with the empathy, compassion, and fairness necessary to provide the same force to correct as those that were used to atrociously violate the law.

IN MANY AREAS, where JOHN trails my whereabouts

Not Fast Enough For Giving me my CHILD NOW. Right Now!!!

2 (Only 1 in 5 are infected with HIV)

MY CHILD IS THE IRREPLACEABLE LOVE OF MY LIFE

Become Threatened

me,

- ✓ To implement stronger ~~corrective actions~~ corrective actions that include and are not limited to: (A physical examination for my child accompanied by the mother); and immediately placement with my child to his mother.
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Caleb Gooden

To mitigate risk the child, Caleb Gooden, must be given to his mother to keep him out of endanger while the father's CRIMES ARE PUNISHED ALONG WITH OTHERS WHO HAVE COMMITTED CRIMES. Current risk mitigation includes the transfer

~~from the father, Zachary Ellis, to the mother and also a requirement of temporary or permanent child support order~~ the father to ~~provide~~ ^{provide} payments

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Chief Justice Roberts

so

me into civil rights embattlement around

AND SAVINGS ACCTS

Additionally, the father has a home that's paid for and should be provided to his son Caleb Gooden immediately. ~~the~~ mother was not married to the father. The father's actions warrant that his home is provided to his son by way of his father to the

the time that

mother and the mother should be allowed to take immediately possession/ ~~to~~ ^{from} sale the home. As well as the father's other

Gunnett County courts

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fraud

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fraud

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THE TRUTH ABOUT MY POSITION ON KIDS PROTECTIONS AND MY LIFETIME DEVOTION, to Goodness + Fighting the Good Fight.

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she had physically cared for his entire life

Despite that the

Good Health, morals, goodness, intelligence.

visitation order, dominated custody.

For

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CC: U.S. SUPREME COURT JOHN ROBERTS

GA APPEALS COURT

without integrity

USED
my
panels
+
Gates
without
Integrity

Rockefeller
provided Sohn
w/ conditions for
growth and his
Health Restoration:
Something I've prayed
about for him (Sohn).
#1 spy + Selena #1
spotlight. Caleb #2
spys.

of God's
Best

VA paid out and
\$80 million dollar
lawsuit. It's not a
money issue because NO
winner ever holds ALL the
money because they can't
spend the #'s in their
accounts at one time.
This was about controlling
a woman/conquest unavailable
to men who are
special, however,
not deserving

4 (Only 1 in 5 are infected with HIV)

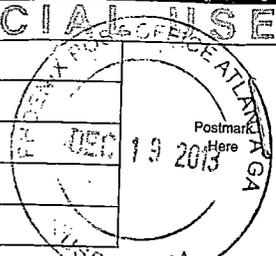
Selena Hood

Case No.
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CASE No. S14D0581

SELENA GOODEN

VS.

ZACHARY ELLIS

Response to the GA Supreme Court Letter (Atlanta, Jan 16, 2014)

Stakeholders: U.S. Chief Justice John Roberts – U.S. Supreme Court; Chief Deputy Clerk – GA State Supreme Court; GA Court of Appeals.

Zachary is in Contempt of Court in two Jurisdictions.

Response
Corrections to the Supreme Court letter (Atlanta, Jan. 16, 2014)

By the Father.

IN The Gwinnett County Courts

The mother has custody. The Father has a corrupt visitation order

Should read: Applicant asked the court to overturn a 2007 visitation order (not custody order). There was never a petition for custody ever presented to the courts.

2007 had tried to unlawfully dominate the mother's rightful custody with a corrupt temporary visitation order that dominated the mother's rightful custody because she was in a lawsuit and Gwinnett County tried to make the mother commit suicide. However, someone turned that around and instead entrapped the mother's talents A (gifted Computer Engineering Management) with Beautiful morals and values.

GWINNETT COUNTY COURT'S LED TO THE RIGHTFUL MOTHER'S UNLAWFULLY ARREST ON NOVEMBER 1, 2013. DESPITE THAT SELENA IS PROTECTIVE OF CHILDREN OF ALL RACES AND HAS RIGHTFUL PHYSICAL; LEGAL CUSTODY OF CALEB. SELENA NEEDS PHYSICAL CUSTODY CORRECTED BY HAVING CALEB RETURNED TO THE MOTHER. THE CHILD SHE'S CARED FOR HIS ENTIRE LIFE; LEGAL CUSTODY ENFORCED; AND CORRUPT VISITATION ORDER TEMPORARILY PROVIDED TO THE FATHER IN 2007 BY A CORRUPT JUDGE HAVING TRIED TO USE IT TO DOMINATE THE MOTHER'S CUSTODY.

Pre degrees

Not knowing this

Civil Rights Lawsuit. pushed into it by militants

the father used that UNLAWFUL order to kidnap Selena's child. AN HONEST ROOT CAUSE ANALYSIS

Corruption Reintroduced

The current Judges IN GA. STATE SUPREME COURT related to custody SEEM only to be looking at the symptoms and not the original problem (THERE WAS AN ATTEMPT TO CORRUPTLY AVOID PROVIDING DUE PROCESS FOR THE VICTIM SELENA GOODEN in her Civil Rights Case). All Judges should be looking at the root cause of the situation and digging deeper to help define the original problem more clearly so that HONEST CAN BE MADE INCLUSIVE OF CHILD CUSTODY THAT THE MOTHER HAS ALWAYS MAINTAINED AND GWINNETT COUNTY HAVING TRIED TO CORRUPTLY TAMPER WITH IN 2007 AND THOSE HAVING TRIED TO INVADE SELENA'S LIFE AGAIN IN 2014 AFTER SELENA'S CIVIL RIGHTS LAWSUIT REMEDY THAT CORRUPT 2007 GWINNETT COUNTY COURT ORDER HAVING KIDNAPPED A VERY DECENT MOTHER AND VERY DECENT WOMAN'S CHILD, For what reasons?

original

SELENA'S (Original CIVIL RIGHTS Lawsuit: Selena Gooden vs. U.S. Dept. of Health and Human Services that next at the court's guidance turned into Selena Gooden vs. Clinton and Gates, et. al (also that included the United States Government). AND SOMEONE HAD BEEN COVERING UP FOR Michelle and Barrack Obama's AND THE CLINTON'S pedophiles WITH PERVERTED BEHAVIOR AND AIDS). Northern District of GA.

U.S. District Court Corrections

It appears that Obamas' were using a leadership style (RELYING ON MILITANTS) – Leadership by Punishment HAVING USED RESOURCES IN THE GOVERNMENT THAT HARMED SELENA BECAUSE SELENA IS GOOD HAS MORALS AND VALUES AND IS AGAINST CHILD CRUELTY AND CHILD ENDANGERMENT AND HAS A HERITAGE THAT'S PROTECTIVE OF CHILDREN.

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I MY CHILD IS THE IRREPLACEABLE LOVE OF MY LIFE

AND Because Selena is a standard of excellence, SITTING THE Judges IN SELENA'S CIVIL RIGHTS CASE HAD NOT PROVIDED a TRIAL in the original lawsuit or "ROOT CAUSE" Tainted matters WHERE WE ARE TODAY RIGHTFUL PHYSICAL CUSTODY OF CALEB. CALEB BELONGS WITH HIS MOTHER WHERE HE'S ALWAYS BEEN I, Selena Gooden am expecting an Honest Response.

so they

with the Criminal Father

SO Brightly

ADDRESS BACKTRACKING

IN Selena's life to cause her to

Sending Case No. S14D0581 back to GA Appeals court is a huge gamble, A MIDWAY CHANGE THAT CAUSES A delay in an unlawful and threatening situation because Caleb is with his father and those having coaxed him into kidnapping Selena Gooden's child. ZACHARY HAD NEVER ASKED for Custody.

CORRUPT TRYING TO BUILD TOLERANCE SO THAT SELENA WILL TOLERATE CHILD ABUSE AND CHILD ENDANGERMENT. I WILL NOT, AND AGAINST MY NATURE. PEDOPHILIA IS WRONG AND IT'S AGAINST THE LAW AND AGAINST MY MORALS AND VALUES AND MY OATHS AS A FORMER P/T TEACHER AND MORE IMPORTANTLY MY OATH TO MYSELF ABOUT BEING AS MORAL AS POSSIBLE. AN OATH I MADE AT 12 YEARS OLD AND 35 YEARS. I AM 47. I AM DEVOTED TO MY SON AND I LOVE HIM DEARLY AND I WANT HIM BACK RIGHT NOW AND HE NEEDS ME BACK RIGHT NOW.

Pedophilia is

appear irres- ble.

Having impregnated

Judges

I maintained injured

MY SON AND I HAVE A TREMENDOUSLY BEAUTIFUL BOND AND THOSE WHO HAVE THAT CONTINUITY, MY DEFENDANTS HAVE INTENTIONALLY TAKEN SELENA, A MOTHER (AN EXTREME STANDARD OF EXCELLENCE IN PARENTING) AND PUT ME AGAINST THE OBAMA AND CLINTON (EXTREME PEVERTEDNESS IN PARENTING) ADDITIONALLY HAVE TRIED TO BREAK THE BOND I, "SELENA GOODEN" HAVE ESTABLISHED WITH MY SON, MY ONLY CHILD. ADDITIONALLY, CORRUPT PERSONS HAVE

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Response

Corrections to the Supreme Court letter (Atlanta, Jan. 16, 2014) by SUPREME COURT OF GEORGIA:

By the Father:

IN The Gwinnett County Courts

The mother has custody. The Father has a corrupt visitation order

Should read: Applicant asked the court to overturn a 2007 visitation order (not custody order). There was never a petition for custody ever presented to the courts. [REDACTED] 2007 had tried to unlawfully dominate the mother's rightful custody with a

corrupt temporary visitation order that dominated the mother's rightful custody because she was in a lawsuit and Gwinnett County tried to make the mother commit suicide. However, someone turned that around and instead entrapped the mother's talents A [REDACTED] (gifted Computer Engineering Management) with Beautiful morals and values.

[REDACTED] GWINNETT COUNTY COURT'S LED TO THE RIGHTFUL MOTHER'S UNLAWFULLY ARREST ON NOVEMBER 1, 2013. DESPITE THAT SELENA IS PROTECTIVE OF CHILDREN OF ALL RACES AND HAS RIGHTFUL PHYSICAL; LEGAL CUSTODY OF CALEB.

SELENA NEEDS [REDACTED] PHYSICAL CUSTODY CORRECTED BY HAVING CALEB RETURNED TO THE MOTHER. THE CHILD SHE'S CARED FOR HIS ENTIRE LIFE; LEGAL CUSTODY ENFORCED; AND [REDACTED] CORRUPT VISITATION ORDER

TEMPORARILY PROVIDED TO THE FATHER IN 2007 BY A CORRUPT JUDGE HAVING TRIED TO USE IT TO DOMINATE THE MOTHER'S CUSTODY [REDACTED]

the father used that AN HONEST ROOT CAUSE ANALYSIS

Corruption Reintroduced

The current Judges IN GA. STATE SUPREME COURT related to custody SEEM only to be looking at the symptoms and not the original problem (THERE WAS AN ATTEMPT TO CORRUPTLY AVOID PROVIDING DUE PROCESS FOR THE VICTIM SELENA GOODEN in her Civil Rights Case). All Judges should be looking at the root cause of the situation and digging deeper to help define the original problem more clearly so that HONEST [REDACTED] CAN BE MADE INCLUSIVE OF CHILD CUSTODY THAT THE MOTHER HAS ALWAYS MAINTAINED AND GWINNETT COUNTY HAVING TRIED TO CORRUPTLY TAMPER WITH IN 2007 AND THOSE HAVING TRIED TO INVADE SELENA'S LIFE AGAIN IN 2014 AFTER SELENA'S CIVIL RIGHTS LAWSUIT REMEDY [REDACTED] THAT CORRUPT 2007 GWINNETT COUNTY COURT ORDER HAVING KIDNAPPED A VERY DECENT MOTHER AND VERY DECENT WOMAN'S CHILD, For what reasons?

original

SELENA'S [REDACTED] U.S. District Court Corrections Northern District of GA.

It appears that Obamas' were using a leadership style (RELYING ON MILITANTS) – Leadership by Punishment HAVING USED RESOURCES IN THE GOVERNMENT THAT HARMED SELENA BECAUSE SELENA IS GOOD HAS MORALS AND VALUES AND IS AGAINST CHILD CRUELTY AND CHILD ENDANGERMENT AND HAS A [REDACTED] HERITAGE THAT'S PROTECTIVE OF CHILDREN.

RECEIVED IN OFFICE
2014 JAN 23 PM 2:03
COURT ADMINISTRATOR
COURT OF APPEALS OF GA

AND Because Selena is a standard of excellence, SITTING

THE Judges IN SELENA'S CIVIL RIGHTS CASE HAD NOT PROVIDED a TRIAL in the original lawsuit or "ROOT CAUSE" TAINTED matters WHERE WE ARE TODAY RIGHTFUL PHYSICAL CUSTODY OF CALEB. CALEB BELONGS WITH HIS MOTHER WHERE HE'S ALWAYS BEEN I, Selena Gooden am expecting an Honest Response.

so they

with the Criminal Father

SO Brightly

ADDRESS BACKTRACKING

IN Selena's life to cause her to

Sending Case No. S14D0581 back to GA Appeals court is a huge gamble, A MIDWAY CHANGE THAT CAUSES A delay in an unlawful and threatening situation because Caleb is with his father and those having coaxed him into kidnapping Selena Gooden's child.

PRIMARY HAD NEVER ASKED for custody.

CORRUPT TRYING TO BUILD TOLERANCE SO THAT SELENA WILL TOLERATE CHILD ABUSE AND CHILD ENDANGERMENT. I WILL NOT, AND AGAINST MY NATURE. PEDOPHILIA IS WRONG AND IT'S AGAINST THE LAW AND AGAINST MY MORALS AND VALUES AND MY OATHS AS A FORMER P/T TEACHER AND MORE IMPORTANTLY MY OATH TO MYSELF ABOUT BEING AS MORAL AS POSSIBLE. AN OATH I MADE AT 12 YEARS OLD AND 35 YEARS. I AM 47. I AM DEVOTED TO MY SON AND I LOVE HIM DEARLY AND I WANT HIM BACK RIGHT NOW AND HE NEEDS ME BACK RIGHT NOW.

PEDOPHILIA IS

appear irres-

ble.

Having misrepresented

Judges

I maintained

INJURED

MY SON AND I HAVE A TREMENDOUSLY BEAUTIFUL BOND AND THOSE WHO HAVE THAT CONTINUITY, MY DEFENDANTS HAVE INTENTIONALLY TAKEN SELENA, A MOTHER (AN EXTREME STANDARD OF EXCELLENCE IN PARENTING) AND PUT ME AGAINST THE OBAMA AND CLINTON (EXTREME PEVERTEDNESS IN PARENTING). ADDITIONALLY HAVE TRIED TO BREAK THE BOND I, "SELENA GOODEN" HAVE ESTABLISHED WITH MY SON, MY ONLY CHILD. ADDITIONALLY, CORRUPT PERSONS HAVE

LIFE A GOOD AND HONEST GOD FATHER, BOBBIE TITSWORTH (DECEASED) AND A GOOD, GOOD, GOD MOTHER TRACY ENGLISH, A NURSE PRACTICER,

I, SELENA GOODEN WANT MY SON CALEB GOODEN BACK, RIGHT NOW. THE COURT(S) GA APPEALS COURT (HAVING EARLIER TURNED DOWN THE CASE THAT'S BOTH TIME SENSITIVITY AND HUMAN SENSITIVITY) AND OBLIGATED TO COMPLETE AND PROVIDE CORRECTIONS WITHIN THE 30 DAYS (THE DOCKETING DATE IS DECEMBER 26, 2013). REGARDLESS OF THE COURT. ADDITIONALLY, THE U.S. SUPREME COURT CHIEF JUSTICE JOHN ROBERTS IS A STAKEHOLDER.

Although there now seems to be an appearance of continuous improvement. It's insufficient, and John should stop attempting to belittle me for reasons of disharmony in communicable incompatibility or to cover-up that their had been MARITAL interest in me by him, Clinton, and Obama that I could not reciprocate AND they retaliated to try to gain superiority. Additionally, other world leaders of "communicable incompatibility I have rejected sexually also) on the basis of that communicable incompatibility and I have asked for a better breed and I don't know of any who have rejected me for an attractive conquest and I'd prefer someone thankful to have someone like me. Having searched their lifetime and life for someone like me. Pure Straight; HIV Negative; intelligent; 9 year's celibate/choosey; moral, now a Future Billionaire to put ICING ON CAKE THAT WAS ALREADY REALLY GOOD.

So I want my Earthly match and will also be my match made in Heaven someday after we've lived our lives. John knows of my requirements if he chooses to provide a holistic Remedy on a personal level where we are, FRIENDS BEING TRUTHFUL IN ALL MATTERS AND JOHN IS PERSONALLY, WELL FAMILIAR WITH SELENA'S GOOD CHARACTER AND DESIRES TO THE MOST MICROSCOPIC LEVEL.

It's critical for the Courts, however to keep their justice in alignment with the objective: To keep Caleb Gooden from harm. Accomplished by returning him to his mother IMMEDIATELY HAVING RIGHTFUL CUSTODY. The plan to keep Caleb Gooden safe should include and not be limited to:

RISK RESPONSE PLAN (INCLUDES HOWEVER NOT LIMITED TO:)

- Meeting safety standards for the child to the mother's satisfaction (This includes Selena Gooden's original request for a physical examination for Caleb Gooden with the mother's PRIMARY involvement).
- Child Welfare Checks that the mother has been staying on top of by way of demanding checks from Rockdale County Sheriff Department.
- Adherence to laws and standards to ensure that they are enforced and followed and providing the mother, Selena Gooden with the empathy, compassion, and fairness necessary to provide the same force to correct as those that were used to atrociously violate the law.

2 (Only 1 in 5 are infected with HIV)

I MY CHILD IS THE IRREPLACEABLE LOVE OF MY LIFE

IN MANY AREAS where JOHN trails my whereabouts

Not Fast Enough For Giving me my CHILD NOW. Right Now!!!

Either Court. GA Supreme or

Court of Appeals

that they've tried to make easy.

HAD consent.

w/parent

Having misrepresented

the

mom

had

consent.

Either

Court. GA

Supreme or

Court

of Appeals

that they've

tried to make

easy.

easy.

For

without integrity

HONORED MY WAR ON TERRORISM INVESTIGATIONS; CONTENT CREATION WORK; AND MY DEALINGS WITH CHILDREN AND MY HERITAGE IS PROTECTIVE OF CHILDREN SO, CATRINA RAVENEL'S (MY SISTER AND FORMAL MILITARY) INTEGRITY IS IN JEOPARDY. HOWEVER MY NEICE AND NEPHEW SHOULD NOT BE IN JEOPARDY AS LONG AS I AM HERE. THEY HAVE AN HONEST SUPPORT SYSTEM AND AUNTS AND FAMILY DEVOTED TO THEIR WELL-BEING.

SENSITIVITY: I AM NOT TOLERANT OF HAVING MY SON AWAY FROM ME AND IT IS UNLAWFUL TO CONTINUE TO TEST ME IN THIS MANNER WHEN I AM A DAMN GOOD MOTHER.

I EXPECT MONETARY VALUE IN MY CIVIL RIGHTS CASE.

EXPECTING DECISIONS ABOUT MY SETTLEMENT AT THE U.S. SUPREME COURT. CHIEF JUSTICE JOHN ROBERTS. I AM HIS CLIENT HAVING APPEALED MY CASE TO THE UNITED STATES SUPREME COURT DIRECTLY TO JOHN.

CC: U.S. SUPREME COURT JOHN ROBERTS

GA APPEALS COURT

USED
my
panels
+
Gates
without
Integrity

Rockefeller provided Sohn w/ conditions for growth and his Health Restoration: something I've prayed about for him (Sohn). #1 spy + Selma #1 spotlight. Caleb #2 spy.

of God's Best.

VA paid out and \$80 million dollar lawsuit. It's not a money issue because no winner ever holds all the money because they can't spend the #'s in their accounts at one time. This was about controlling a woman/conquest unavailable to men who are special, however, most deserving

4 (Only 1 in 5 are infected with HIV)

Selena Gooden

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
CLERK/COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

January 24, 2013

Mr. Daniel Eric Cobble
GDC758572
Baldwin State Prison
Post Office Box 218
Hardwick, Georgia 31034

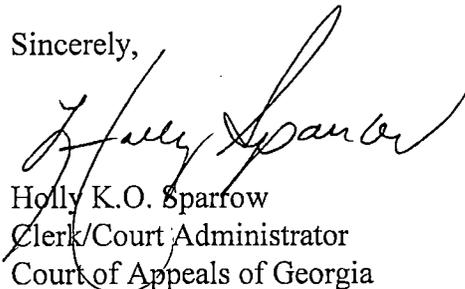
RE: A13D0013. Daniel Eric Cobble v. Stanley Williams, Warden, et al.

Dear Mr. Cobble:

I am in receipt of your correspondence received February 12, 2013, requesting a copy of the decision from the above case.

Please be advised that indigent status does not relieve you from paying copy fees in this Court. As a matter of courtesy, I am providing you another copy of this Court's decision.

Sincerely,



Holly K.O. Sparrow
Clerk/Court Administrator
Court of Appeals of Georgia

HKOS/ld
Enclosure

Court of Appeals of the State of Georgia

ATLANTA, September 12, 2012

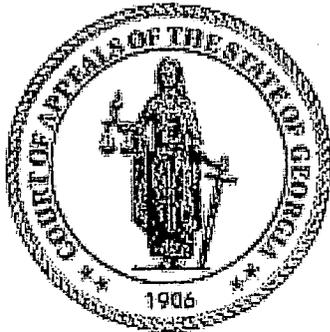
The Court of Appeals hereby passes the following order

A13D0013. DANIEL ERIC COBBLE v. STANLEY WILLIAMS, WARDEN, et al .

Upon consideration of the Application for Discretionary Appeal, it is ordered that it be hereby DENIED.

LC NUMBERS:

2012NH3



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, September 12, 2012.

I certify that the above is a true extract from the minutes of the Court of Appeals of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

Hally K. O. Sparrow

, Clerk.

~~to clerk of Georgia court of appeals~~

to clerk of Georgia court of appeals

From pro se petitioner, Daniel Eric Cobble
758572 Baldwin State Prison P.O. box
218 Hardwick, Georgia 31034

Today is 2-7-13 4:40pm

- ① Please file next as on correct court case #
- ② I sent your original final Ruler to Georgia Supreme but they never returned it to me, so I don't have your final Ruler any more to send it to U.S. Supreme, it's not my fault you & GA courts require me to include final Ruler twice when you'll only supply me once, I'm indigent, I need your final ruler as to civil # A13D0013 so I can have access to U.S. Supreme
- ③ you'll courts require me to file notice of intent to appeal within 10 days but Prison refuses to send out my and anyone indigent mail except 1 day a week only so if I get your courts order 8 days after you'll issue it (which is the norm) And that 8th day is a Friday then Prison makes me wait till next Thursday (another 6) days to let me send your notice of appeal, can you please send warden a letter telling her she is denying me access to appeal your rulers by her deny mail this way

did ~~you~~ send notice of appeal, or time to
civil # A13D0139 by Daniel Estelle

RECEIVED IN OFFICE

2013 FEB 12 PM 3:30

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
CLERK/COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

January 24, 2013

Mr. Daniel Eric Cobble
GDC758572
Baldwin State Prison
Post Office Box 218
Hardwick, Georgia 31034

RE: A12D0423. Daniel Eric Cobble v. Stephanie Anne Lockhart

Dear Mr. Cobble:

I am in receipt of your correspondence of postmark date January 18, 2012 requesting materials from the above case. You have requested another copy of the decision of this Court and a copy of the Superior Court ruling in your case which was attached to your application.

Please be advised that indigent status does not relieve you from paying copy fees in this Court. As a matter of courtesy, I am providing you another copy of this Court's decision and a photocopy of your Superior Court order. These copies were extra copies the Court had made and no longer needs in the file. If these copies were still needed by the Court or were not available, we would have charged you for making the copies.

Sincerely,


Holly K.O. Sparrow
Clerk/Court Administrator
Court of Appeals of Georgia

HKOS/ld
Enclosures

To clerk of the Georgia Court of Appeals

From Daniel Eric Cobble pro se petitioner
#GDC 758572
Baldwin SP - Inmate Legal Mail
PO BOX 218
HARDWICK, GA 31034-0218

RECEIVED
2013 JAN 23 PM 1:48
CLERK OF SUPERIOR COURT
COURT OF APPEALS OF GA

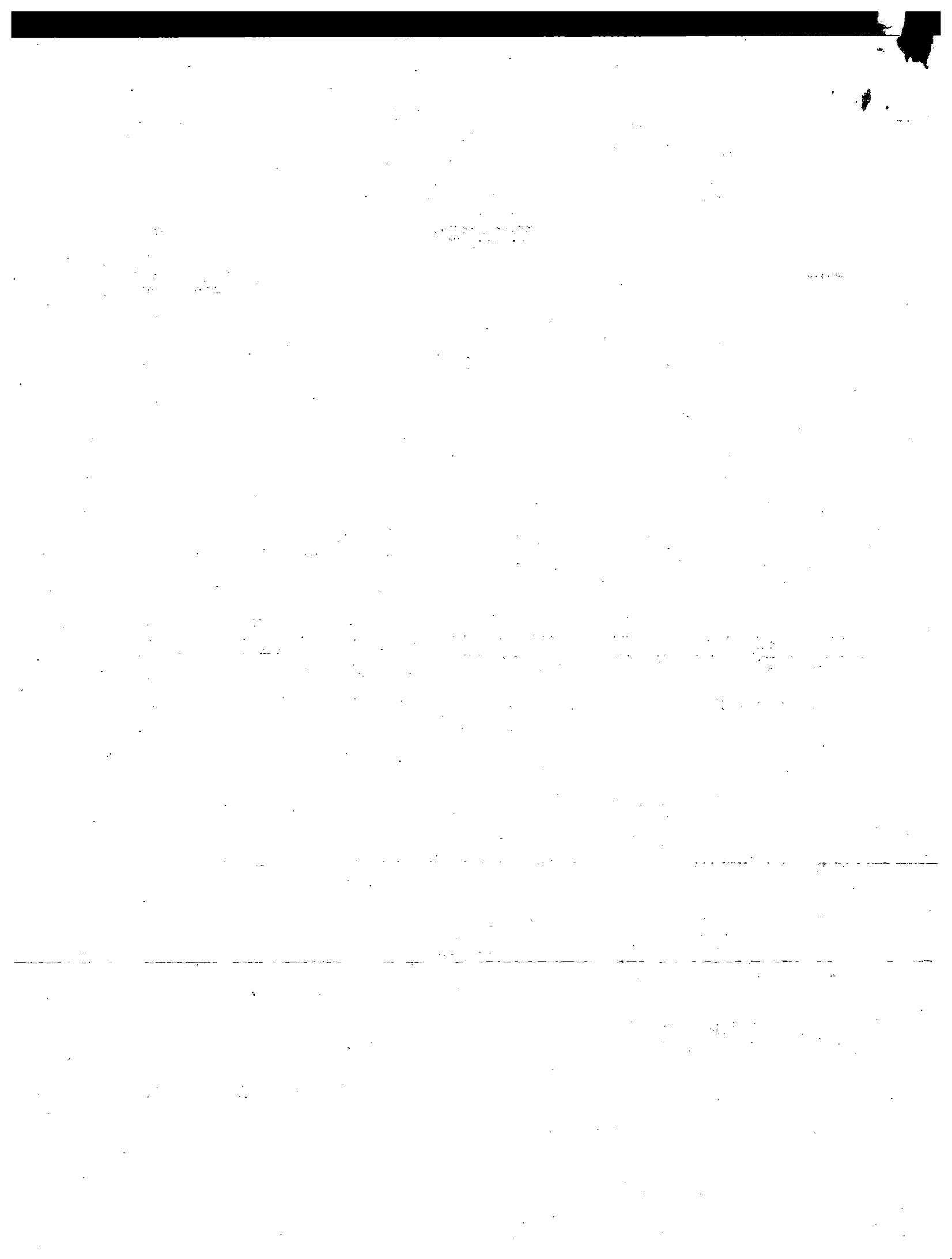
Today is 1-21-13 4pm

① enclosed is proof that I need your original decisions dated prior to 9-12-12 so I can send it to U.S. Supreme Court. I was determined indigent already in that case, original sent me but I had to send it to Georgia Supreme Court but Georgia Supreme never sent it back to me like I asked for it. So please send me a free copy of your rules before 9-12-12 originally on civil # A12 D0423 or I'll be denied access to U.S. Supreme Court

② Same goes for Superior Rules I sent you, I need it back, so I can send it to U.S. Supreme Court

~~Some say I need your original decisions~~

By Daniel Eric Cobble
pro se petitioner



The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 24, 2014

Mr. Robert J. Davis
GDC1000183793
Autry State Prison
Post Office Box 648
Pelham, Georgia 31779

RE: A14D0126. Robert Jay Davis v. The State
Lower Court Case Number: 12-CR-367

Dear Mr. Davis:

The above Discretionary Application was dismissed on December 4, 2013 and finalized,
January 8, 2014.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

RECEIVED IN OFFICE
IN THE
2014 JAN 23 PM 8:01
CLERK/COURT APPEALS DIVISION
COURT OF APPEALS OF GA

SUPERIOR COURT OF PEACH COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

vs.

ROBERT JAY DAVIS

Appeals CASE No #

CASE No # 13-CR-367

NOTICE OF ENTRY OF APPEARANCE

This Defendant in the above style case will be claiming his "Sixth Amendment" right to represent himself, for his appeal to the Georgia Court of Appeals, for his conviction after trial, pursuant to Rule 4.6 of U.R.S.C.

Defendant was found guilty on one count of Aggravated Stalking "Count 6" on January 14, 2014.

Defendant will go "pro se" under Foretta v. California 448 U.S. 806 95 S. Ct. 555, 45 L. Ed. 2d 562 1975

To do his own Appeal

Defendant Also "waives" his motion for new Trial

Respectfully submitted this 20 day of

Robert J. Davis (b)

"Pro Se" A.D.C # 1000183793
Army State Prison, P.O. Box 648
Palham, GA 31749

Certificate of Service

I do hereby certify that I have placed the foregoing by placing it into the U.S. mail, postage paid properly addressed to:

① Georgia Court of Appeals, 47-Trinity Avenue, S.W., Suite-501, Atlanta, Georgia 30334

② Honorable Chief Judge, Tilman E. Self III 310 B.B. County Court house, Macon, Georgia 31201

③ William D. Phillip Apd. Attorney At Law 109 S. Camellia Blvd, Suite-227, Fort Valley, GA 31030

④ District Attorney's Office Fort Valley 31030

⑤ Mr. Joe Wilder, Clerk of Superior Court P.O. Box 389, Fort Valley, GA 31030

Respectfully submitted This 2nd day of January 2011

(by) Robert Jay Davis

GOC# 100183793

Atty State Prison

P.O. Box 648

Palmetto GA 31779

cc/

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 28, 2014

Mr. Harry Lee Boggs, Jr.
GDC100672581
Hays State Prison
Post Office Box 668
Trion, Georgia 30753

Dear Mr. Boggs:

Your correspondence was received in this office on January 21, 2014. We do not have a case styled in your name pending in this Court.

Until a case is docketed in this Court, all communications should be directed to your attorney, if you have one, or to the trial court from which you are appealing.

We are returning your documents.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

In The Superior Court of BIBB County,
State of Georgia

HATTY LEE BOGGS JT

Petitioner, Pro Se

vs.
S. PHILLIP BROWN
HOWARD Z. SIMMS

State of Georgia

In Re:
Criminal Case No.: BOG-50721
AND 12-CF-67840

PETITION FOR REDRESS
(EXTRAORDINARY MOTION FOR AN OUT OF TIME APPEAL)

Now comes, HATTY L BOGGS JT pro-se defendant respectfully moves this
Honorable Superior Court of BIBB County with his "Extraordinary Motion for an
Out of Time Appeal" as provided at law.

Jurisdiction

This Court shall have subjective matter and personal matter jurisdictions to exercise such
power as necessary in aid of its jurisdictions or to protect or effectuate its judgments. Article 3
of USC. Article 6 Sec. 1 Para. 4 GA. Const (2009)

SWORN AFFIDAVIT

STATE OF GEORGIA
LOWNDES COUNTY

Affiant's Name: HARRY LEE BOGGS JR

Address: VALDOSTA STATE PRISON P.O. BOX 310

City: VALDOSTA State: G.A. Zip: 31603

RE: CHARGED UNDER WRONG NAME. BY BIBB COUNTY MACON GEORGIA.

Pursuant to §28 U.S.C. 1746 the above named Affiant hereby certifies, deposes and states under the penalty of perjury that the foregoing facts, set forth herein, are both true and correct, to the best of his/her knowledge.

Affiant further affirms that he/she is "Sui-juris" and competent to testify in this matter. Affiant submits this Affidavit based on his/her personal knowledge of its contents and offers this sworn testimony for use in this, and any lawful proceeding.

ON 10-20-2011 I WAS BROUGHT TO BIBB COUNTY BY THE BIBB COUNTY SHERIFF'S OFFICE AND BOOKED ON A WARRANT THAT HAD THE NAME EARNEST DUVALLE ON IT. THEN THE BIBB COUNTY SHERIFF OFFICE HELD ME THREE DAYS, THEN ISSUED ANOTHER WARRANT THAT STATED THE NAME HENRY NOT MY NAME. OR MY ALIAS. I'VE NEVER WENT BY THE NAME HENRY. SO JUDGE FEELVES PUT THE NAME HENRY DOWN AS MY ALIAS ANY HOW...

THEN WHEN I WAS TAKEN TO COURT MY ATTORNEY SPOKE FOR ME AND DENIED ME THE RIGHT TO SPEAK OF A COPIE OF MY DISCOVERY. I INFORMED HER THAT HENRY WAS NOT MY LEGAL NAME AND THAT THEY HAD THE WRONG PERSON IN JAIL... AND SHE STATED "OH WELL" TODAY YOUR HENRY

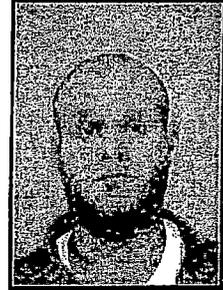
Police Central - Profile Report
BIBB COUNTY SHERIFF'S OFFICE
Macon, GA

Jail ORI: GA0110000

CRN: B09-50721

PERSONAL INFORMATION
HARRY LEE BOGGS

Pln_No: Alias: Height: 602
Race: W Sex: M Weight: 280
Address:
Hair: BRO Eyes: BLU Comp: FAR
Glasses: N Length: S DL#:
Eye Phone: Facial: N DOB: Age: Arrest-28 Now- 30)
Day Phone: FBI: SSN:
SID: Jacket ID: 121742 POB: GA



BIO ALIASES

Alias	DOB	SSN
BOGGS, HARRY LEE, JR MY REAL NAME		
BOGGS, HENRY L - NOT MY NAME		
BOGGS, HENRY LEE - NOT MY NAME		

Total Number of Rows: 3 NOT ALIAS

Nationality: United States BSO Number: MPD Number:
Employer: Occupation: Fingerprint:
Early Release Indicator: False Legacy Aliases:

DISTINGUISHING CHARACTERISTICS

NIST	Location	Description	Characteristic Type

Total Number of Rows: 1

ARREST INFORMATION

Booking #: 294585 Arresting Agency: 51050002 Arresting Officer: 01543 Cse #: B09-50721
Booking Officer: Offense Date/Time: 10/21/2011 14:15 Arrest Date/Time: 2/2/2012 13:18 Release Date/Time: Housed: No housing assignment

CHARGES

#	Charge	Cleared?	Cleared On	Clearance Reason	Bond
001	FORGERY(02502)	True	2/2/2012	Release Order	

Total Number of Rows: 1

HOLDS

Hold Reason	Hold For	Hold Contact	Hold Contact Phone	Hold Status	Expires Date	Expires Time

Total Number of Rows: 1

Total Bond: \$0.00

Comments: 2502=W#177632C/1067 / BD REDUCED \$2400 PER JDG REEVES 102511 / NO FIREARM OR DANGEROUS WEAPONS / MUST STAY AWAY FROM PRTY SM #1972 CH 110811.....BOND SET \$3,000.00 PER JUDGE LESLIE CH 11/08/2011 COMMITMENT HEARING NEEDS TO BE CONTINUED 2502= SENT 10YRS SERVE 3YRS PRISON SUSPENDED SERVE 7YRS PROBATION MDRC JDG SELF 02022012

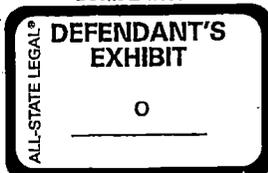
SUPPLEMENTAL INFORMATION

Prosecutor:
Probation Officer:
Release Officer: 01810

Attorney:
Release Reason:
Trial Date:

CLROBERTS
RO
1/1/1900

Superior-1 Non-Prob



**COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR BRIEFS OR MOTIONS**

Date: January 28, 2014

To: Ms. Pamela B. Coyne, 560 Owens Farm Road, Alpharetta, Georgia 30004

Docket Number: A14A0855 **Style:** Pamela B. Coyne v. EMC Mortgage Corp., et al.

Your document(s) is (are) being returned for the following reason(s).

1. Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 **Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4. No Certificate of Service or an improper Certificate of Service accompanied your document(s). Rule 6
5. Your Certificate of Service did not include the complete name and mailing address of each opposing counsel and pro se party. Rules 1(a) and 6. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
6. There were an insufficient number of copies of your document. Rule 6.
7. Your document exceeds page limits. Rules 24 (f) and 27 (a)
8. Your document was submitted without permission to file (supplemental brief or second motion for reconsideration). Rules 27 (a) and 37 (d)
9. Letter briefs and letter cites are not permitted. Rule 27 (b)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12. Type was on both sides of the paper; type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17. The Motion to Supplement has not been granted.
18. **Other: The above appeal was dismissed on January 22, 2014.**

RECEIVED IN OFFICE
2014 JAN 27 PM 2:35
CLERK OF COURT
COURT OF APPEALS OF GEORGIA

IN THE
COURT OF APPEALS OF GEORGIA

APPEAL CASE NO. A14A0855

PAMELA B. COYNE
Appellant,

vs.

EMC MORTGAGE CORPORATION ET AL.
Appellees.

FILED IN OFFICE
JAN 27 2014
CLERK, COURT OF
APPEALS OF GEORGIA

**APPELLANT'S RESPONSE TO APPELLEES
MOTION TO DISMISS APPEAL FOR LACK OF JURISDICTION**

Pamela B. Coyne
560 Owens Farm Road
Alpharetta, GA 30004
Phone: (678) 393-0983

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

January 28, 2014

To: Mr. Jerome Clarke, GDC84959 D2B-201, Johnson State Prison, Post Office Box 344, Wrightsville, Georgia 31096

Case Number: _____ Lower Court: _____ County Superior Court

Court of Appeals Case Number and Style: _____

Your document(s) is (are) being returned for the following reason(s).

- There is no case pending in the Court of Appeals under your name. Until a case is docketed in the Court of Appeals in your name, you should direct your inquiries to your attorney of record or the clerk of the trial court from which you are appealing.**
- A Notice of Appeal is filed with the clerk of the trial court and not with the Court of Appeals of Georgia.** See OCGA §5-6-37. Once the trial court clerk has received and filed a Notice of Appeal, the trial court clerk will prepare a copy of the record and transcripts as designated by the Notice of Appeal and transmit it to this Court. Once the Notice of Appeal is docketed in the Court of Appeals of Georgia, a Docketing Notice with the briefing schedule and other important information is mailed to counsel for the parties or directly to the parties, if the parties are representing themselves. You do not need to provide this Court with a copy of the Notice of Appeal you filed with the superior court.
- Your Notice of Appeal did not include a Certificate of Service or does not include a proper Certificate of Service.** A Certificate of Service must accompany your Notice of Appeal. It must show service to the opposing counsel and contain the counsel's full name and complete mailing address. The opposing counsel must be actually served with a copy of your filing. In an appeal of a criminal conviction in a superior court, the State is represented by the District Attorney or an Assistant District Attorney.
- An Application for Writ of Habeas Corpus should be filed in the superior court of the county in which you claim you are illegally detained.** An appeal from a denial of an Application for Writ of Habeas Corpus is to the Supreme Court and not the Court of Appeals.
- An Application for Writ of Mandamus should be filed in the superior court of the county official whose conduct you intend to mandate.** An appeal from a denial of an Application for Writ of Mandamus is to the Supreme Court and not the Court of Appeals.
- Your appeal was disposed by opinion (order) on _____.** The Court of Appeals divesting this Court of jurisdiction. The remittitur issued on _____
- Your mailing/documents indicate that you intended to file your papers in another court rather than the Court of Appeals of Georgia.** The address of the Clerk of the _____ is: _____
- If an attorney has been appointed for you and you are concerned with the representation provided by that attorney, you should address that issue to the trial court.** As long as you are represented by an attorney, you cannot file pleadings on your own behalf. Your attorney must file a Motion to Withdraw as Counsel and it must be granted, before you can file your own pleadings in this Court.

For Additional information, please go to the Court's website at: www.gaappeals.us

IN THE GEORGIA COURT OF APPEALS

STATE OF GEORGIA

JEROME CLARKE, APPELLANT,

VS.

ATHENS-CLARKE COUNTY DIVISION CENTER, CLARKE ARZAK, SECRETARY OF FINANCE, APPEELES.

DIRECT APPEAL

CIVIL ACTION NO: 2009CV1595

RECEIVED IN OFFICE

2014 JUN 24 PM 3:48

CLERK OF SUPERIOR COURT
COUNTY OF ATHENS, GA

THIS DIRECT APPEAL IS A TIMELY EFFORT TO SECURE APPELLATE REVIEW PURSUANT TO O.C.G.A. § 9-15-203.

I. HISTORY OF PROCEEDINGS

THAT ON OR ABOUT OCTOBER, 2009 APPELLANT FILED A WRIT OFFITRE FACZAS CIVIL ACTION COMPLAINT TO PREVIOUS CIVIL ACTION COMPLAINT FILED ON OR ABOUT APRIL 2000, IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY THAT WAS DENIED WITHIN PRODUCE TO FILE AN AITZ LEAD NOTICE AS REQUESTED BY O.C.G.A. § 50-23-209. ALLEGING COMPLESSION OF TAX RETURN ANNUITY FUNDS. IN WHICH THE WRIT OF FIZZ FACZAS CIVIL ACTION COMPLAINT WAS ULTIMATELY DENIED PURSUANT OF PROSECUTION TO APPEAL AT CALLED FOR HEAL ON THE 9TH DAY OF DECEMBER, 2013. ORDER OF JUDICIAL ENACTION ON DECEMBER 17TH, 2013.

II. JURISDICTION

APPELLANT STATES THAT EXCLUSIVE JURISDICTION LIES WITH THE GEORGIA COURT OF APPEALS FOR APPELLATE PURPOSES PURSUANT TO

"EXECUTION I. NATURE AND ESSENTIALS IN GENERAL. 7. - NATURE AND FORM GA. APP. § 983.

WITHOUT EXPRESS DIRECTION FOR ENTRY OF THE JUDGMENT AS FINAL, IT WAS NOT FINAL AND LACKED RES JUDICATA EFFECT. AN EXECUTION OF THE WRIT OF HABEAS CORPUS UPON IT WOULD BE AT THE APPELLEE'S BEHALF SO LONG AS APPELLANT COULD APPEAL JUDGMENT AT END OF PROCEEDINGS. — NEWTON V. K. B. PROPERTY MANAGEMENT OF GA, INC. 306 S.E. 2D 5, 106 GA. APP. 901. SEE: O.C.G.A. § 24-10-26

SEE: O.C.G.A. § 9-15-2(d). SEE: U.S. V. FRERSON, 208 F.3d 282, 288 (1st Cir 2000).

III. ENUMERATION(S) OF ERRORS

(1)

APPELLANT CONTENDS THAT THE TRIAL COURT JUDGE ERRED OF LAW BY WAY OF FALSE/MISTAKEN CONCEPTION APPLICATION OF THE LAW TO FACTS OF CAUSE TO WRIT OF HABEAS CORPUS (CIVIL ACTION COMPLAINT), WHEN IMPEDING APPELLANT CONCLUSIVE RIGHT TO BE PRESENT AT A NON-JURY TRIAL [CALENDAR] HEARING DATE SET BY THE COURT'S ORDER FOR APPELLANT TO ATTEND AS A PLAINTIFF-WITNESS INFORM. PAPERS INMATE STATUS. WITHOUT THE COURT ENTERING A PRODUCTION ORDER.

SEE: EXHIBITS (A)(1); MEMORANDUM OF LAW (A)(2), (A)(3).

IV. CONCLUSION
WHEREFORE APPELLANT RESPECTFULLY REQUEST THE APPELLATE COURT FOR A FULL AND ADEQUATE APPELLATE REVIEW OF WRIT OF HABEAS CORPUS ACTION COMPLAINT ON THE BASIS OF ANY AND ALL DEFERENCE FOUND ON THE LAW AND ISSUES IN APPELLATE SITUATION.

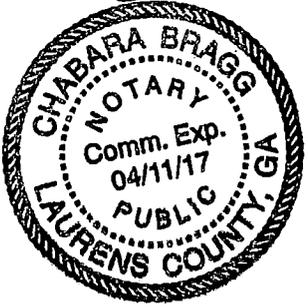
James Clarke
JAMES CLARKE
GC# 84959 02B
JOHNSON STATE PRISON
POST OFFICE BOX 344
290 DONOVAN-HARRISON RD.
WRIGHTSVILLE, GEORGIA 31090

January 24, 2013

SWORN TO AND SUBSCRIBED BEFORE ME THIS
14th DAY of January, 2013.

Chabara Bragg

NOTARY PUBLIC OR OTHER AUTHORIZED TO ADMINISTER OATHS



CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY THAT I HAS THE UNDER-SIGNED DATE SERVED A TRUE AND CORRECT COPY OF THE FOREGOING DIRECT APPEAL, PRODUCE TO FILING THE SAME IN THE U.S. MAIL WITH PROPERLY ADEQUATE AFFIXED POSTAGES UPON ASSISTANCE ATTORNEY GENERAL

RESPECTFULLY SUBMITTED
James Clarke
JAMES CLARKE
GC# 84959 02B
JOHNSON STATE PRISON
POST OFFICE BOX 344
290 DONOVAN-HARRISON RD.
WRIGHTSVILLE, GEORGIA 31090

MS. SHARON P. HORNE
GEORGIA DEPARTMENT OF LAW
40 CAPITAL SQ. S.W.
ATLANTA, GEORGIA 30334

January 24, 2013

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2. JURISDICTION
2. ENUMERATION(S) of ERRORS
3. CONCLUSION

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1. O.C.G.A. § 50-21-20 (9).
2. NEWTON V. K.B. PROPERTY MANAGEMENT OF GA, INC.
306 S.E. 2d 5, 166 GA. APP. 904
2. O.C.G.A. § 24-10-26.
2. O.C.G.A. § 9-15-2 (D).
3. REQUEST FOR DEFERENCE of LAW.

APPENDIX

DEMAND FOR A JURY TRIAL

PRIORITY LETTER

ORDER OF DISMISSAL

(A)(3)



CLERK'S OFFICE
STATE COURT

NOV 21 AM 11:02

Superior Courts
Western Judicial Circuit
Athens-Clarke and Oconee Counties

CLERK
COUNTY, GEORGIA

BUCKET INITIALS
by [signature]

Honorable Lawton E. Stephens
Judge

P.O. Box 8064
Athens, GA. 30603
(706) 613-3175
(706) 613-3179 Fax

November 19, 2013

Mr. Jerome Clarke
GDC# 84959
Johnson State Prison
P.O. Box 344
Wrightsville, Georgia 30096

RE: Jerome Clarke v. Athens Diversion Center
SU-09-CV-1525-S
Superior Court of Athens-Clarke County

Dear Mr. Clarke,

This letter is in regards to your request to be transported for the Non-jury trial calendar on December 9, 2013. Since this case is a civil action and you are the Plaintiff you will be responsible for paying for the Sheriff's Office to transport you to said non-jury trial.

The cost required by Athens-Clarke County Sheriff's Office is \$774.00. This amount must be paid before December 9th or you will not be transported.

Sincerely,

[Handwritten signature of Lawton E. Stephens]

Lawton E. Stephens

LES:ddr

cc: Clerk's file ✓

IN THE SUPREME COURT OF THE STATE OF GEORGIA

CV. ACT. NO. 54-09-CV-1595-S

(A)(1)

JEROME CLARKE
PLAINTIFF,
VS.
ATHENS-CLARKE COUNTY
OVERSEEN CENTER, ET AL,
DEFENDANTS.

DEMAND FOR A JURY TRIAL

COMES NOW JEROME CLARKE, PLAINTIFF IN THE ABOVE-
STATED CAUSE AND REQUEST THE COURT FOR A JURY TRIAL BY
RIGHT PURSUANT TO WILKACE V. MEYER, 260 GA. 253, 394
S.E. 2d 350 (1990).

(1) PLAINTIFF DEMANDS FOR A JURY TRIAL ON ALL ISSUES
TRIABLE BY A JURY.

(2) PLAINTIFF HAS ALREADY REQUESTED FOR A PRETRIAL CONFERENCE.
(3) PLAINTIFF HAS ALREADY FILED INTERROGATORIES &
REQUEST FOR PRODUCTION OF DOCUMENTS "THE SAME QUANTO"
TO A VALED [SUBJECT MATTER] JURISDICTION OF THE COURT.

I. WHEREFORE PLAINTIFF REQUESTS AND THE COURT FOR A
JURY TRIAL OF RIGHT CONFERRED BY THE 7TH AMENDMENT
TO THE UNITED STATES CONSTITUTION.

THIS 29TH DAY OF DECEMBER

2003

JEROME CLARKE
PLAINTIFF
RESPECTFULLY SUBMIT (S)

DATE 12/29/03

CERTIFICATE OF SERVICE

This is to certify that I have served the opposing party with a complete and accurate copy of the foregoing documents. Service was made by placing the same in an envelope, and with sufficient postage affixed, placed in the U.S. Mail, and on this day mailed to the party(s) as follows:

MR. SAMUEL S. OLENS
ATTORNEY GENERAL STATE OF GA.
40 CAPITOL SQ. S.W.
ATLANTA, GEORGIA 30334

This the 29TH day of December, 2013

REPORTILLY SUBMITTED
Jerome Clarke
JEROME CLARKE PRO SE

GDC# 84859-021201

JOHNSON STATE PRISON

P.O. BOX 344

WRIGHTSVILLE, GEORGIA 31096

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 28, 2014

Mr. Deanté Gholston
GDC1000197484
Georgia Diagnostic and Classification Center
State Prison
Post Office Box 3877
Jackson, Georgia 30233

Dear Mr. Gholston:

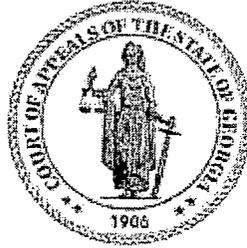
You are required to file an original and two copies of your Brief with this Court. You must also send the opposing counsel, the District Attorney, a copy of your Brief. As requested in your letter, I am enclosing a copy of the Rules of the Court of Appeals of Georgia.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure



2013

Georgia Court of Appeals

R U L E S

Last Update: December 2, 2013

RECEIVED IN OFFICE

2014 JAN 22 PM 3:40

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Deante' Gholston #1000197484

GOCF(SMO)

P.O. BOX 3877

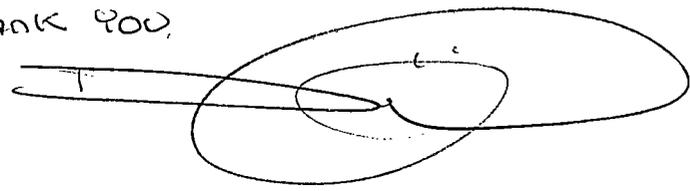
JACKSON, GA 30233

January 20 2014

DEAC, CLERK OF COURT

When sending my Brief to this court can I send this court just the original copy?, and do I send the D.A. a copy?, and if you don't mind, please send me one of those booklets on the procedures.

Please ? Thank you,

A handwritten signature in black ink, consisting of a horizontal line that loops back and underlines itself, with a small 'c' above the loop.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
CLERK/COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

January 29, 2013

Department of Corrections
Investigations Department
2 Martin Luther King, Jr. Drive
Atlanta, Georgia 30334

RE: Daniel Eric Cobble, GDC758572
Baldwin State Prison

Dear Sir or Madam:

I am alerting you to the enclosed pleading from the above referenced inmate in Baldwin State Prison which can be construed as threatening to the Supreme Court Justices and Judges of the Court of Appeals of Georgia. Please note the language, "because warning I'm telling Georgia Supreme also applies to Georgia Appeals Court Judges and their families too, so read it, if you'll get killed it only because you'll sat on your butts and you lied..." and "...unless your scared of truth? you'll piece of crap!"

Mr. Cobble's appeal was dismissed by the Court on January 18, 2013. His document is notice that he intends to seek review of this Court's decision by the Supreme Court of Georgia.

Sincerely,



Holly K. O. Sparrow
Clerk/Court Administrator
Court of Appeals of Georgia

HKOS/ld
Enclosure

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

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CLERK/COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

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Sincerely,



Holly K.O. Sparrow
Clerk/Court Administrator
Court of Appeals of Georgia

HKOS/ld
Enclosure

bcc: Presiding Judge Herbert E. Phipps
Chief Judge John J. Ellington
Judge Elizabeth Branch 92-019

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
CLERK/COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

January 29, 2013

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Sincerely,



Holly K.O. Sparrow
Clerk/Court Administrator
Court of Appeals of Georgia

HKOS/ld
Enclosure

bcc: Ms. Tee Barnes
Clerk, Supreme Court of Georgia

In the Georgia Court of Appeals
State of Georgia

Daniel Earl Cobb
758572

pro se petitioner

v.

Stanley Williams,
warden of Smith S.P., et al.

Defendants

FILED IN OFFICE

JAN 25 2013

COURT CLERK
CLERK COURT OF APPEALS OF GA

civil

A13A0415

direct appeal

notice of intent to appeal

Petitioner notifies Georgia Court of Appeals my intent to appeal Georgia Court of Appeals 1-18-13 case to the Georgia Supreme Court

be aware warning I'm telling Georgia Supreme also applies to Georgia appeals court Judges and their families too, so read it, if you'll get killed its only because you'll sit on your butt and you'll lied, because everything I sued for is JUSTIFIED ISSUE'S of LAW'S and of FACTS and because I never did anything I'm in prison for and you'll had power to do something and failed too

question me under drug influence hypothesis about my complete 100% literal innocence unless you question of truth? you'll piece of crap!

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2013 JAN 28 PM 4: 16

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Daniel Earl Cobb

pro se petitioner

706215 1-24-13 et al

Final day of January 2013
David Lee
prof de perfumes

certificate of service
This is to certify that I have this day
served relevant copies of the above described
in other certificate of service in other courts, so see after
details, party file, to oppose counsel to
the attorney General of Georgia
Samuel S. O'Leary
Dept. of Law
40 Capital Square
S.W. Atlanta, Georgia 30334-1500

**COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR APPLICATIONS**

January 31, 2014

To: Mr. Angelo Bernard Banks, GDC402710 J1-146T, Washington State Prison, Post Office Box 206,
Davisboro, Georgia 31018

Docket Number: **Style: Angelo Bernard Banks v. Brian Owens, Commissioner**

Your document(s) is (are) being returned for the following reason(s).

1. Your Application was not accompanied by the statutory filing fee, \$300.00 civil; \$80.00 criminal, or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 Please be advised that your pauper's affidavit should be notarized by a notary public.
2. Portions of the record included were not tabbed and indexed. Rules 30 (e) and 31 (c).
3. A stamped "filed" copy of the trial court's order to be appealed was not attached to your Application. Rules 30 (b) and 31 (e)
4. A stamped "filed" copy of the Certificate of Immediate Review was not attached to your Interlocutory Application. Rule 30(b)
5. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
6. There were an insufficient number of copies of your document. Rule 6
7. No Certificate of Service accompanied your document(s). Rule 6 You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
8. Your Certificate of Service did not include the complete name and /or mailing address of each opposing counsel and pro se party. Rule 1(a) and 6
9. Your document exceeds page limits. Rules 24(f) , 30(e) and 31(c)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. No extension of time for filing an interlocutory application will be granted . Rule 30 (g) . No extension of time will be granted for filing a discretionary application unless the motion for extension is filed on or before the due date of the discretionary application.
12. The type font was smaller than 10 characters per inch; type was not double-spaced or/and type was on both sides of the paper. Rules 1(c), 24(b), 37(a) and 41(b).
13. Your motions were submitted in an improper form (joint, compound, or alternative motions in one document). Rule 41 (b)
14. Margins were too small or paper size was incorrect. Rules 1(c), 24(c), 30(e), 31(c) and 41(b).
15. **Your document was submitted for filing more than 30 days after the date of the order granting, denying or dismissing the application or the order granting, denying or dismissing the Motion for Reconsideration. Rules 30(j) and 31(j).**
16. Other:

For Additional information, please go to the Court's website at: www.gaappeals.us

ORIGINAL

COURT OF APPEALS OF GEORGIA

STATE OF GEORGIA

C.A. NO: _____, Sup. Ct. NO: 2013CU231225

C.A. APPLICATION NO: AHDC078

ANGELO BERNARD BANKS, APPELLANT/PETITIONER

VERSUS

BRIAN OWENS, COMMISSIONER, APPELLEE/RESPONDENTS,
ET AL.,

RECEIVED IN OFFICE
2014 JAN 27 PM 3:24
CLERK OF SUPERIOR COURT
COUNTY OF MARIETTA, GA

BRIEF OF THE APPELLANT

THE JURISDICTION OF THE COURT OF APPEALS, RATHER THAN THE
SUPREME COURT, IS CONFERRED BY §5-6-35, O.C.G.A.

PLEASE SERVE:

GDC #402710, JI-146T
WASHINGTON STATE PRISON
P.O. BOX 206
DAVISBORO, GEORGIA 31018

ANGELO BERNARD BANKS, PRO SE

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PART ONE

STATEMENT OF JURISDICTION

THE JURISDICTION OF THE COURT OF APPEALS OF GEORGIA IS CONFERRED BY §5-6-35. O.C.G.A.

STATEMENT OF THE PROCEEDINGS

THIS IS A PETITION FOR DECLARATORY JUDGEMENT ACTION UNDER §50-13-10. O.C.G.A. BROUGHT BY A STATE PRISON OFFENDER, WHO ALLEGES THAT, IN RELEVANT PART, THE RESPONDENTS POLICIES AND PRACTICES VIOLATES THE CONSTITUTION AND VARIOUS GEORGIA STATUTORY LAWS, AND THAT THE RESPONDENTS COMMIT SUCH VIOLATES WANTONLY IN ADDITION TO THE SENTENCE IMPOSED.

THE SUPERIOR COURT FOR FULTON COUNTY GRANTED RESPONDENTS' MOTION TO DISMISS ON THE GROUND THAT THE PLAINTIFF IS NOT PERMITTED TO HAVE ACCESS TO HIS CONFIDENTIAL PAROLE FILES, HE CANNOT CLAIM THAT THE INFORMATION IN HIS FILE IS INCOMPLETE, AND HE IS NOT ENTITLED TO PAROLE, THEREFORE, PLAINTIFF HAS FAILED TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED.

ON AUGUST 30, 2013, THE PETITIONER INITIATED THE FILING OF HIS APPLICATION FOR DISCRETIONARY APPEAL IN THE SUPREME COURT OF GEORGIA, HOWEVER, ON SEPTEMBER 19, 2013, THAT COURT TRANSFERRED THE APPLICATION TO THIS COURT OF APPEALS FOR FULL CONSIDERATION, AND ON NOVEMBER 12, 2013, THIS COURT, SUPRA, GRANTED PETITIONER'S APPLICATION AND LEAVE TO FILE AN APPEAL.

ON NOVEMBER 18, 2013, PETITIONER GAIN RECEIPT OF THIS COURT OF APPEALS DECISION AND ORDER, AND THE EVENING OF NOVEMBER 18, 2013, PETITIONER DELIVERED HIS NOTICE OF APPEAL, THIS COURT'S ORDER, HIS ENVELOPE STAMPED RECEIVED BY PRISON, AND CERTIFICATE OF SERVICE, WITH HIS INDIGENT POSTAGE REQUEST FORM TO POST TO THIS COURT OF APPEALS AND TO THE SUPERIOR COURT FOR FULTON COUNTY, TO THE MAILROOM OFFICER, AT WASHINGTON STATE PRISON.

ON DECEMBER 30, 2013, PETITIONER DELIVERED HIS "AMENDMENT TO THE NOTICE OF APPEAL" WITH HIS INDIGENT POSTAGE REQUEST FORM TO THE PRISON MAILROOM OFFICER FOR POSTING.

STATEMENT OF THE FACTS

THE PETITIONER ALLEGED IN HIS PETITION FOR DECLARATORY JUDGEMENT UNDER PENALTY OF PERJURY, THAT, IN PERTINENT PART, ON SEPTEMBER 11, 1990, HE WAS SENTENCED TO LIFE IMPRISONMENT. AND AT THAT TIME, THE MEMBERS, THEMSELVES, OF THE STATE BOARD OF PARDON AND PAROLES, PURSUANT TO GEORGIA CONST. 1983, ART. IV, SEC. 11, PARA. IV, AND § 42-9-49(b), WAS IMPOSED WITH THE OFFICIAL DUTY, AFTER HE MET THE SEVEN YEAR ELIGIBILITY REQUIREMENT, EFFECTIVE DECEMBER, 1995, AND ON EVERY RESCHEDULED DATE THEREAFTER, TO CONSIDER HIM FOR PAROLE IN ACCORDANCE WITH THE POLICY AND PROCEDURES ENACTED UNDER THE 42 OF O.C.G.A.

IN 1995; 2003; AND 2011, NO MEMBER OR EMPLOYEE OF THE BOARD CONDUCTED AN INTERVIEW OR INVESTIGATION RELATING TO HIS ELIGIBILITY CONSIDERATIONS, IN ACCORDANCE WITH § 42-9-41 AND § 42-9-43, O.C.G.A.

INSTEAD, HE WAS INTERVIEWED BY DEMENTED NEGRO PRISON COUNSELLORS, AS, DE FACTO TRUSTEE, WHO INFORMED PETITIONER THAT THEY WERE DIRECTED BY THE PAROLE BOARD TO CONDUCT PAROLE SUMMARIES REPORTS ON HIM AND, TO FAX THE INFORMATION BACK TO THE BOARD. PETITIONER WAS THEN NOTIFIED OF EACH DECISION FROM THURMAN L. HENDERSON, DIRECTOR OF CLEMENCY BOARD, ACTING AS EX OFFICIO MEMBER, VIA THE HANDS OF PRISON COUNSELLORS.

PRISON LOCAL OPERATING PRACTICE (LOP) PERMITS PRISON MAILROOM OFFICERS TO ENROUTE ALL LETTERS FROM THE PAROLE BOARD IN POSTAGE PAID ENVELOPES ADDRESSED TO PETITIONER, TO MS GLENN FLEMING, WHO OPENS AND PHOTOCOPIES ITS CONTENTS OUTSIDE OF HIS PRESENCE AND THEN APPEARS BEFORE HIM AND OPTAINS HIM TO SIGN IT OR WAIVER HIS RECEIPT. PER, GLENN FLEMING, BECAUSE PETITIONER IS VERY LITIGIOUS, AS STATED IN THE RESPONDENT'S MOTION TO DISMISS. (V. ARGUMENT AND CRITICISM OF AUTHORITY.) ON JUNE 07, 2011, GLENN FLEMING, (INAPPROPRIATELY) ADVISED AND MISLEAD PETITIONER UNDER THE PRETEXT THAT SOMEONE AT THE PAROLE BOARD DIRECTED HER TO CONDUCT A PAROLE INVESTIGATION AND SUMMARY REPORT ON HIM AND TO FAX THE INFORMATION BACK TO THEM. HOWEVER, BY DECEMBER 2011, HIS SCHEDULED ELIGIBILITY DATE, NO MEMBER OR EMPLOYEE OF THE PAROLE BOARD OR THE DEPT. OF CORRECTIONS, CONSULTED WITH PETITIONER OR CONDUCTED A PAROLE CONSIDERATION.

PURSUANT TO THE 1999 AMENDMENT OF § 42-9-1, EFFECTIVE JULY 01, 1999, DELETED THE SUBSECTION (A) DESIGNATION AND THE DELETED FORMER SUBSECTIONS (B) AND (C) WHICH READ:

(b) THE BOARD IS ASSIGNED TO THE DEPT. OF CORRECTIONS FOR ADMINISTRATIVE PURPOSES ONLY, AS PRESCRIBED IN CODE SECTION 56-4-3, OCGA.

(c) THE MEMBERS OF BOARD SHALL SERVE EX OFFICIO IN AN ADVISORY CAPACITY TO THE BOARD OF CORRECTIONS.

IN MARCH, 2012, PETITIONER PROMPTED AN APPOINTMENT WITH COUNSELOR KIMBERLY SIMPSON, WHO ACCESSED THE PAROLE BOARD BY EMAIL TO INQUIRE ABOUT HIS ELIGIBILITY CONSIDERATION SCHEDULED DECEMBER 2011. WITHIN A WEEK LATER HE WAS ADVISED BY COUNSELOR KIMBERLY SIMPSON, THAT THE BOARD OFFICIALS SAID THEY INTEND TO VISIT WITH HIM IN THE COMING MONTHS.

BY DECEMBER, 2012, PETITIONER HAD NOT RECEIVED NOTIFICATION OF THE BOARD'S DECISION. AT THIS POINT, HE PROMPTED A VISIT WITH COUNSELOR KIMBERLY SIMPSON, WHO ACCESSED THE PAROLE BOARD AND READ TO HIM "IT SHOWS YOUR NEXT CONSIDERATION DATE IS JULY 2014. HOWEVER HE HAS NOT RECEIVED NOTIFICATION FROM THE BOARD MEMBERS OF THE REASONS FOR PAROLE DENIAL, TO DATE, INFRA.

STATEMENTS OF ISSUES OF LAW

1.

WHETHER THE SUPERIOR COURT IN GRANTING RESPONDENT'S MOTION TO DISMISS, WITHOUT GIVING CONSIDERATION TO PETITIONER'S REQUEST FOR A HEARING AND OR OPPORTUNITY TO COMPLETE DISCOVERY, ABROGATED HIS DUE PROCESS OF LAW RIGHTS, APPELLANT ANSWERS YES.

2.

WHETHER THE SUPERIOR COURT IN GRANTING RESPONDENT'S MOTION TO DISMISS, IMPROPERLY DECIDED DEFERRED FACTUAL ISSUES AND OR THE PETITIONER'S FACTUAL ALLEGATIONS RAISE A MATERIAL ISSUE UNDER THE STATE CONSTITUTION AND STATUTORY PROVISION, APPELLANT ANSWERS YES.

3.

WHETHER THE SUPERIOR COURT IN GRANTING RESPONDENT'S MOTION TO DISMISS, USED THE WRONG LEGAL STANDARDS OF LAWS OR HIS DECISION WAS SO EXTREME AS TO CONSTITUTE AN ABUSE OF DISCRETION, APPELLANT ANSWERS YES.

4.

WHETHER THE SUPERIOR COURT IN GRANTING RESPONDENT'S MOTION TO DISMISS, ABUSED HIS DISCRETION IN DENYING PETITIONER ACCESS TO THE COURTS, APPELLANT ANSWERS YES.

ENUMERATIONS OF ERRORS

1. THE SUPERIOR COURT ERRONEOUSLY ERRED IN DISMISSING THE PETITION WITHOUT CONSIDERING THE REQUEST FOR ORAL HEARING (RULE 15B1) OR AN OPPORTUNITY TO COMPLETE DISCOVERY. (POINT ONE)

2. THE SUPERIOR COURT ERRONEOUSLY ERRED IN DISMISSING THE PETITION WHERE IT IMPROPERLY DECIDED DISPUTED FACTUAL ISSUES AND OR PETITIONERS FACTUAL ALLEGATIONS RAISED A MATERIAL ISSUE UNDER THE CONSTITUTION. (POINT TWO)

3. THE SUPERIOR COURT ERRONEOUSLY ERRED IN DISMISSING THE PETITION WHERE IT USED THE WRONG LEGAL STANDARD OF LAWS AND OR ITS DECISION IS SO EXTREME AS TO CONSTITUTE AN ABUSE OF DISCRETION. (POINT THREE)

4. THE SUPERIOR COURT ERRONEOUSLY ERRED IN DISMISSING THE PETITION WHERE IT DEIVED PETITIONER ACCESS TO THE COURTS. (POINT FOUR)

ARGUMENT AND CITATIONS OF AUTHORITIES

THE SUPERIOR COURT SHOULD NOT HAVE GRANTED RESPONDENTS' MOTION TO DISMISS, BECAUSE IN DECIDING A MOTION TO DISMISS, THE COURT MUST ASSUME THAT ALL OF THE ALLEGED FACTS IN THE COMPLAINT ARE TRUE, AND MUST CONSTRUCT THE FACTUAL ALLEGATIONS IN THE LIGHT MOST FAVORABLE TO THE PLAINTIFF. SEE SCHLIER V. RHOLES, 416 U.S. 232, 236, 94 S.Ct. 1683 (1974). THE COURT CONSIDERS ONLY THE ALLEGATIONS IN THE COMPLAINT, AND IT SHOULD DISMISS THE COMPLAINT ONLY IF IT APPEARS BEYOND DOUBT THAT THE PLAINTIFF CAN PROVE NO SET OF FACTS IN SUPPORT OF HIS CLAIMS WHICH WOULD ENTITLE HIM TO RELIEF. SEE CONLEY V. GIBSON, 355 U.S. 41, 45-46, 78 S.Ct. 99 (1957).

POINT ONE

THE SUPERIOR COURT ERRONEOUSLY ERRED IN DISMISSING THE PETITION WITHOUT HONORING THE FORMAL REQUEST FOR ORAL HEARING OR AN OPPORTUNITY TO COMPLETE DISCOVERY. (ENUNCIATION OF ERROR) ONE

THE CASE RECORD REFLECTS THAT ON ABOUT JULY/AUGUST, 2013, THE PETITIONER INITIATED HIS NOTICE OF DISCOVERY AND DISCOVERY REQUESTS, AND HIS MOTION IN OPPOSITION AND MOTION TO STRIKE INSUFFICIENT DEFENSE AND, HABEAS CORPUS AD TESTIFICANDUM, WITH THE CLERK OF COURT AS WELL AS OPPOSING COUNSEL. SUCH MOTIONS WERE PENDING BEFORE THAT COURT WHEN JUDGEMENT WAS ENTERED ON AUGUST 19, 2013. THEY WERE RECEIVED ON THE 16TH OF AUGUST, 2013, BUT NOT FILED UNTIL THE 26TH OF AUGUST, 2013. SEE PHOTOCOPY OF LETTER ATTACHED TO PETITIONER'S INTERROGATORIES AND PRODUCTION OF DOCUMENTS DATED AUGUST 21, 2013, AND PENDING THE RESPONDENTS' RESPONSE WHEN THE COURT RULED ON THE RESPONDENTS' MOTION TO DISMISS. PETITIONERS' RULE NISI AND TRIAL BY JURY REQUESTS WERE FILED.

PURSUANT TO U.S.C.R. RULE 6.3 HEARING, ORAL ARGUMENT IS NOT AT THE COURT'S DISCRETION, WHETHER ORAL ARGUMENT IS HEARD IS WITHIN THE POWER OF THE PARTIES AND NOT LEFT TO THE DISCRETION OF THE COURT. SEE DIXON V. MCCAIN, 204 GA. APP. 531 (1992). A TRIAL COURT ERRORS IN FAILING TO HOLD A HEARING PRIOR TO THE DENIAL OF THE COMPLAINT. SEE GREEN V. MCCART, 273 GA. 812 (2001). PETITIONER'S ENTITLEMENT TO THE PAROLE BOARD INFORMATION IS CONFERRED BY §42-9-19, O.C.G.A. KNOWN AS THE "DISCLOSURE PROVISION" A COURT SHOULD NOT GRANT JUDGEMENT AGAINST A PARTY WHO HAS NOT HAD AN OPPORTUNITY TO PURSUE DISCOVERY OR WHOSE DISCOVERY REQUESTS HAVE NOT BEEN ANSWERED. WSB-TV V. LEE, 842 F.2d 1266, 1269 (11th Cir. 1988). THE TRIAL COURT'S RELEVANCY DETERMINATION OF THE PARTIES OPPOSING CLAIMS TO THE STATUTORY PRIVILEGES OF §§42-9-19 AND 42-9-53, IS BIASLY IN FAVOR OF THE RESPONDENTS TO DENY PETITIONER ACCESS TO THE COURTS.

POINT TWO

A. THE SUPERIOR COURT IMPROPERLY RESOLVED FACTUAL DISPUTES
IN GRANTING RESPONDENTS' MOTION TO DISMISS, ERRO
ENUMERATION OF ERROR TWO

THE PLAINTIFF'S SWORN COMPLAINT AND OR §42-9-19, OCGA, SQUARELY CONTRADICTS THE RESPONDENTS' CONJECTURE CONCERNING WHETHER PETITIONER CAN CLAIM INFORMATION USED FOR ELIGIBILITY CONSIDERATIONS ARE INCOMPLETE OR NOT UP TO DATE, OR WHETHER HE COULD POSSIBLY INTRODUCE EVIDENCE WITHIN THE FRAMEWORK OF THE COMPLAINT SUFFICIENT TO WARRANT A GRANT OF THE RELIEF SOUGHT, IF IT IS INCOMPLETE, AND WHY PROOF IS NOT ACCESSIBLE. THE SUPERIOR COURT ORDER STATES THAT PLAINTIFF IS NOT PERMITTED TO ACCESS TO HIS CONFIDENTIAL PAROLE FILES, AND PLAINTIFF CANNOT CLAIM INFORMATION IN HIS FILE IS INCOMPLETE. AMOUNTS TO A JUDGEMENT ABOUT THE CREDIBILITY OF THE PLAINTIFF'S FACTUAL ALLEGATIONS. THE SUPERIOR COURT MAY NOT MAKE CREDIBILITY DETERMINATIONS OR OTHERWISE RESOLVE DISPUTED FACTUAL ALLEGATIONS OR ISSUES, ON A MOTION TO DISMISS, SEE CHAFFER V. EDGE, 118 GA. APP. 750 (1968).

B. THE DISPUTED FACTUAL ISSUES ARE MATERIAL UNDER THE STATE CONSTITUTION AND STATUTORY PROVISION.

A MATERIAL FACT IS ONE THAT MIGHT AFFECT THE OUTCOME OF THE SUIT UNDER THE GOVERNING LAWS. ANDERSON V. LIBERTY LOBBY, INC., 471 U.S. 248 (1985). THE DISPUTED FACTS ALLEGED BY THE PLAINTIFF ARE MATERIAL. HIS SWORN COMPLAINT, MOTION IN OPPOSITION AND AMENDED MOTION TO STRIKE RESPONDENTS INSUFFICIENT DEFENSE, PORTRAYS A LEGAL CHALLENGE TO THE UNSCRUPULOUS PRISON PRACTICES THAT ABRIDGE PAROLE OPPORTUNITIES VIA INTERFERENCE WITH OR IMPAIRMENT OF HIS LEGAL RIGHTS, E. G. STATUTORY PROHIBITION AGAINST EX OFFICIO MAJOR DE FACTO OFFICER AND CONSTITUTIONAL AND STATUTORY ENTITLEMENTS TO TIMELY TO PAROLE CONSIDERATIONS, AND WRITTEN NOTICE OF THE REASONS FOR DENIAL, PURSUANT TO GA. CONST. 1983, ART. IV, SEC. 11, PARA. 11.

WHETHER THE PETITIONER HAS PRIVY TO THE "DISCLOSURE PROVISION" OF §42-9-19, OCGA, ON WHICH TO VALIDATE HIS CLAIMS THAT PRISON OFFICIALS ARE ABUSING HIS ACCESS TO PAROLE OPPORTUNITIES AND THAT HIS PAROLE REVIEWS ARE CONDUCTED IN A FLAGRANT, UNWARRANTED, AND UNAUTHORIZED MANNER, THAT ABRIDGES OR ABOLISHES HIS CONSTITUTIONAL ENTITLEMENTS AND STATUTORY PROHIBITIONS, DEPENDS ON WHETHER THE FRAMEWORK OF THE COMPLAINT IS DISCLOSURABLE INFORMATION ACCESSIBLE TO THE GENERAL ASSEMBLY, AND THE TRIAL COURT IMPROPER DETERMINATION OF DISPUTED ISSUES OR LACK OF RELEVANCY APPLICATION

- AMOUNTS TO AN ABUSE OF DISCRETION.

POINT THREE

THE SUPERIOR COURT SHOULD NOT HAVE GRANTED RESPONDENT'S MOTION TO DISMISS, UPON HIS OWN ERRONEOUS FAILURE TO EXERCISE DISCRETION FAIRLY.
ENUMERATION OF ERROR THREE

THE STATUTORY PRIVILEGE OF SECRECY AFFORDED RESPONDENTS DOES NOT COVER EVERYTHING THAT OFFICIALS MAY WANT TO KEEP SECRET; IT IS DESIGNATED TO PROTECT DELIBERATIVE AND DECISIONMAKING PROCESSES OF PAROLE BOARD OFFICIALS AND INVESTIGATIVE REPORTS OF AN ADMINISTRATIVE AGENCY TO THE EXTENT THAT THEY REFLECT ADVISORY RATHER THAN FACTUAL MATERIAL. MORRIS V. STATE, 246 GA. 510 (1980).

A. THE SUPERIOR COURT ABUSED IS DISCRETION IN GRANTING RESPONDENT'S MOTION TO DISMISS.

EVEN IF PAROLE BOARD OFFICIALS CAN KEEP THEIR DECISIONMAKING POSSESSIONS SECRET THEY MUST DISCLOSE PURELY FACTUAL MATTER RELATING TO THEIR DECISION. SEE §42-9-19 OCGA. MOREOVER, A LITIGANT CAN OBTAIN "DELIBERATIVE OR ADVISORY" MATERIALS WHEN THE LITIGANT'S NEED FOR THE MATERIAL OUTWEIGHS THE POLICIES FAVORING SECRECY. SEE POPE V. STATE, 256 GA. 195 (1984). (ON REQUEST A TRIAL JUDGE SHOULD REVIEW PAROLE FILES). ALSO SEE ENVIRONMENTAL PROTECTION AGENCY V. MINK, 410 U.S. 72, 87-89, 93 S. CT. 827 (1971) (PRISONER WAS ENTITLED TO DISCOVER FACTUAL PORTIONS OF INCIDENT REPORTS).

THE PAROLE BOARD SECRECY PRIVILEGE IS ALSO SUBJECT TO PROCEDURAL REQUIREMENTS; IT MUST BE FORMALLY ASSERTED AND SUPPORTED WITH SPECIFIC FACTUAL ALLEGATIONS. SEE U.S. V. REYNOLDS, 345 U.S. AT 4-8 (1953). AN IMPROPERLY ASSERTED CLAIM OF PRIVILEGE IS NO CLAIM OF PRIVILEGE.

JUDGE CAMPBELL'S DUTY TO BE IMPARTIAL IN DECIDING DISPUTED ISSUES WAS IGNORED IN THIS CASE, BECAUSE A FAIR APPLICATION OF THE RELEVANCY DETERMINATION TO THE FRAMEWORK OF THE COMPLAINT REFUTES THE FINAL ORDER OF THE COURT. IN THAT, THE APPLICABLE LAW IS ANALOGOUS AUTHORITY TO THE FRAMEWORK OF THE COMPLAINT. WHEREIN, IN THE CASE OF MONROE V. THIGDEN, 932 F.2D 1440, 1 (11th CIR. 1991), THE CIRCUIT COURT NEGATES THE FINDINGS OR FACTUAL ALLEGATION, I.E. HE CANNOT CLAIM INFORMATION IN HIS FILES IS INCOMPLETE; AND IN THE OF POPE V. STATE, 256 GA. 195 (1984) THE SUPREME COURT NEGATES THE FINDINGS OR FACTUAL ALLEGATION, I.E. PLAINTIFF IS NOT PERMITTED TO HAVE ACCESS TO HIS PAROLE FILES. SEE §42-9-19, OCGA.

POINT FOUR

JUDGE CAMPBELL'S FAILURE TO CONSIDER OTHER CLAIMS AND OR RESPONDENTS' DENIED PETITIONER ACCESS TO THE COURTS AND OR DUE PROCESS OF LAWS.
ENUMERATION OF ERROR FOUR

IN THE INSTANT CASE, IT CANNOT BE SAID WITH ASSURANCE THAT THE ALLEGATIONS OF THE COMPLAINT DEMONSTRATE BEYOND DOUBT THAT THE PETITIONER CAN PROVE NO SET OF FACTS WHICH WOULD ENTITLE HIM TO RELIEF AGAINST RESPONDENTS DEPT. OF CORRECTIONS. SEE JOHNSON V. JONES, 173 GA. APP. 346 (1986). A LIBERAL READING OF THE COMPLAINT REVEALS A POTENTIALLY VALID CAUSE OF ACTION AGAINST RESPONDENT BRAIN OWENS AND JAMES DONALD UNDER §50-13-10, OCGA. SEE CLARK V. STATE OF GA. PARDONS AND PAROLE Bd., 915 F.2d 636 11th Cir. 1990. ALSO SEE CHARRON V. STATE Bd. OF PARDONS AND PAROLE, 253 GA. 274 (1984), AND PARISE V. MORRIS, 873 F. SUPP. 1560, (ND. GA. 1995).

CLEARLY THE PLAINTIFF IS ENTITLED TO CHALLENGE DEFENDANTS' UNSCRUPULOUS PRACTICES, PROCEDURES AND APPLICATION OF POLICY, THAT ABOLISH OR ABRIDGE THE PROTECTIONS OF HIS STATE CONSTITUTIONAL AND STATUTORY ENTITLEMENTS, UPON PETITION FOR DECLARATORY JUDGMENT, IN THE SUPERIOR COURT FOR FULTON COUNTY, PURSUANT TO §50-13-10, OCGA, AND THAT COURT CANNOT SAY THAT THE INFORMATION ACCESSIBLE TO THE GENERAL ASSEMBLY WITHIN THE FRAMEWORK OF THE COMPLAINT, SUCH AS PAROLE ELIGIBILITY AND NOTIFICATION OF DECISION DATES, PRISON COUNSELORS' SUMMARY AND INVESTIGATION REPORTS, THE ACTUAL FACTUAL BASIS FOR THE DECISIONS, AND COURT OPINIONS, ARE NOT ASCERTAINABLE UNDER §42-9-19 AND OR §9-11-45(b) IN CAMERA INSPECTION, AND OR THAT THE DEFENDANTS' PROCEDURES, PRACTICES AND POLICIES ARE NOT ASCERTAINABLE UNDER §9-11-34, OCGA. AT THIS POINT, THE JUDGMENT OF THAT COURT SERIOUSLY QUESTIONS HIS INTEGRITY.

WHEREUPON, IT WAS NOT WITHIN THE INTEREST OF JUSTICE TO DISMISS PETITIONERS COMPLAINT. "A PRO SE COMPLAINT IS NOT HELD TO [THE] SAME STRINGENT STANDARDS OF FORMAL PLEADINGS, HAINES V. KENER, 404 U.S. 519, 92 S. CT. 594 (1974). AND THE COMPLAINT SHOULD NOT HAVE BEEN DISMISSED FOR FAILURE TO STATE A CLAIM UNLESS IT APPEARED FROM AN UNBIAS RELEVANT DETERMINATION THAT THE FRAMEWORK OF THE COMPLAINT IS NOT WITHIN THE MEANING OF §42-9-19, OCGA. SEE GA. CONST. 1983, ART. IV, SEC. 11, PARA. 1, 11, AND 111.

CONCLUSION

FOR THE FOREGOING REASONS, THE GRANT OF MOTION TO DISMISS SHOULD BE REVERSED AND THE CASE SHOULD BE REMANDED BACK TO THE SUPERIOR COURT OF FULTON COUNTY.

ANGEL BERNARD BANKS
ANGEL BERNARD BANKS, PRO SE,

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

February 4, 2014

Lawrence W. Daniel, LLC
1079 Northcliff Drive, N.W.
Atlanta, Georgia 30318

RE: A13A1832. Doniel Favors v. The State

Dear Mr. Daniel:

The above referenced case is still pending before the Court. The case was docketed in the 2013 September Term and a decision must be rendered by the Court by the end of the 2014 January Term which ends on March 28, 2014.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

L. W. Daniel, LLC
1079 Northcliffe Dr., NW
Atlanta, GA 30318
404.876.4744
404.835.2369 fax
lwdaniel66@gmail.com

RECEIVED IN OFFICE
4 JAN 31 PM 2:26
CLERK OF APPEALS
COURT OF APPEALS
STATE OF GEORGIA

27 January 2014
Clerk, GA Court of Appeals
47 Trinity Avenue, SW
Suite 501
Atlanta, GA 30334

RE: Doniel Favors v. The State
A13A1832

Dear Clerk's Office:

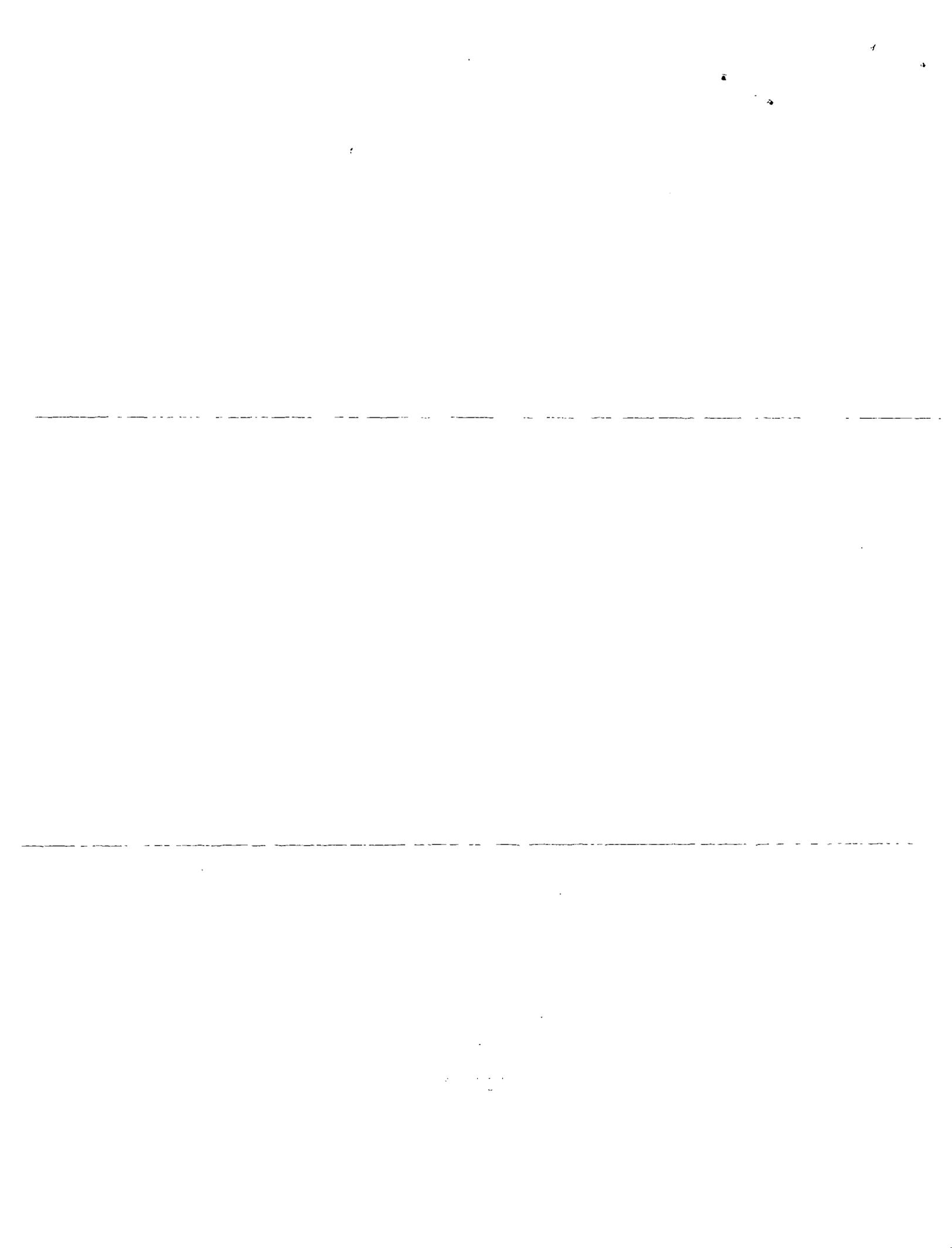
This letter serves to inquire if a decision has been published in this case.
I trust you find the foregoing in order.

Sincerely,



Lawrence W. Daniel

dfavors11



COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR BRIEFS OR MOTIONS

Date: February 5, 2014

To: Mr. Timothy A. Dailey, GDC1000073009, Calhoun State Prison, Post Office Box 249, Morgan, Georgia 39866

Docket Number: A14A0623 **Style:** Timothy A. Dailey v. The State

Your document(s) is (are) being returned for the following reason(s).

1. Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 **Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4. No Certificate of Service or an improper Certificate of Service accompanied your document(s). Rule 6
5. Your Certificate of Service did not include the complete name and mailing address of each opposing counsel and pro se party. Rules 1(a) and 6. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
6. There were an insufficient number of copies of your document. Rule 6.
7. Your document exceeds page limits. Rules 24 (f) and 27 (a)
8. Your document was submitted without permission to file (supplemental brief or second motion for reconsideration). Rules 27 (a) and 37 (d)
9. Letter briefs and letter cites are not permitted. Rule 27 (b)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12. Type was on both sides of the paper; type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17. The Motion to Supplement has not been granted.
18. **Other: The Court of Appeals dismissed the above referenced appeal on December 13, 2013. The remittitur issued on January 3, 2014, divesting this Court of any further jurisdiction of your case. The case is therefore, final.**

A1440623

BRIEF

1-29-14

On 4-2-2008 Guinn County Crime scene

Investigator J. Nicholson processed the crime scene of a

Dollar King located on 6829 Peachtree Industrial Blvd

Norcross Ga 30093. She claimed to have processed a

colgate toothbrush box, plastic grocery bag, two bags

of popcorn and a toothbrush package which a latent print was

supposedly obtained from the crime scene (this information

comes from the investigator report on page 8) There were no

pictures of these items in my Discovery package. On 06-5-2008

J. Nicholson contacted Det # J. Richter # 760 who advised

that she obtained a match thru the AFIS system and

needed to confirm this info thru the GBI. This was

conducted on 06-13-2007 a year before the crime took

place (Per Investigator report) On 06-18-2008 Both victims from

the incident were giving separate opportunities to pick the

defendant out of a line-up. At the time of the picture line-up

neither my public defender or anyone from his office present.

at the time. who's to say that Det. Richter didn't point

to the defendant picture and say "Is this the suspect who

robbed you" or this is our suspect. Neither one of the victims

signed or dated on the picture line-up that # 5 of the line-up

is who they say was at the crime scene. Pg 10 of the Investigator

report. I would like to request the fingerprint obtained from

the scene also with the fingerprints matched from the

GBI. Picture of all the evidence that was tested and

processed thru the Guinn County Crime scene Analyst.

(See Attachments)

O.C.G.A. 17-7-211B states for a copy of Any scientific report which would be introduced at trial be presented.

O.C.G.A. ANN - 38-801 - requesting that the state furnish the defendant with five categories of ~~the~~ materials (2) results of ANY scientific reports test experiments or studies made in connection to there case. (Notice to produce)

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2014 FEB -4 AM 11:19

CLERK/COUNT ADMINISTRATOR
COURT OF APPEALS OF GA

CERIFICATE OF SERVICE

I Here BY CERTIFY THAT I HAVE SUBMITTED COMPLETE CORRECT COPIES OF THE FOREGOING DOCUMENTS UPON THE PARTIES LISTED BELOW BY PLACING THE SAME IN THE UNITED STATES MAIL WITH SUFFICIENT POSTAGE AFFIXED.

PARTIES SERVED

MARGARET B. BENSON
75 LAUGLEY DR.
Lawrenceville, GA 30045
(AST. DISTRICT ATTORNEY)

DANIEL J. PORTER
75 LAUGLEY DR
Lawrenceville, GA 30045
(DISTRICT ATTORNEY)

PHIL WILY
75 LAUGLEY DR
Lawrenceville, GA 30045
(Chief Assistant District Attorney)

ALL RIGHTS Reserved
Timothy Aaron Daley
Timothy Aaron Daley

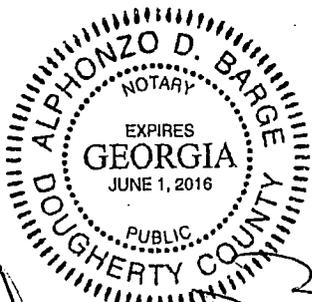
DATE - 1-29-14

DEPARTMENT OF LAW

B

Timothy A. Dailey #1000073009
CALHOUN STATE PRISON (04-70)
P.O. BOX 249
MORGAN, GA 39866

MY NAME IS TIMOTHY A. DAILEY CASE# 08B-4499-3. ON
2-12-13 I REQUESTED INFORMATION PERTAINING TO A
ARMED ROBBERY IN GWINNETT COUNTY. THE EVIDENCE
TECH. ASSISTANT DISTRICT ATTORNEY, CRIME SCENE
INVESTIGATOR, CRIME SCENE ANALYST AND SCOTT ESTES MY
PUBLIC DEFENDER ALL OF GWINNETT COUNTY WERE ASKED
TO PRODUCE EVIDENCE ABOUT MY CASE. AS YOU CAN SEE THEY
ARE IN VIOLATION OF GEORGIA STATE LAW O.C.G.A. 15-6-21
I HAVE NOTIFIED THEM ALL AND ADVISED THEM THAT THEY
ARE IN VIOLATION. DUE TO THERE CONDUCT I CANNOT
MOVE FORWARD ON FILING MY HABEAS CORPUS.
ENCLOSED ARE THE LETTERS I SENT TO THERE OFFICE.



Alphonzo D. Barge
6-24-13

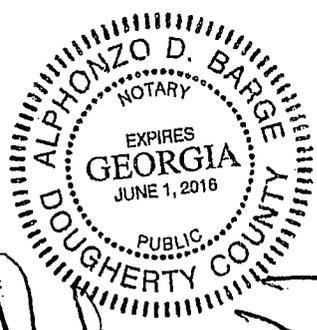
TIMOTHY A. DAILEY FOR
Timothy A. Dailey
All Rights Reserved

A

TO: LISA HARRIS SPECIAL AGENT IN CHARGE
AND
DEPUTY DIRECTOR OF FORENSIC SCIENCE

From: TIMOTHY A. DAILEY # DBB-4499-3 GDC # 1000073009

DEAR MS. HARRIS AND DIRECTOR OF FORENSIC SCIENCE
I WOULD LIKE TO KNOW DID J. NICHOLSON OF THE GWINNETT
COUNTY CRIME SCENE INVESTIGATOR REQUEST A FINGERPRINT CARD
FROM THE GBI OF FORENSIC ~~SCIENCE~~ SCIENCE DIVISION TO
COMPARE AND CONFIRM A MATCH TO MY FINGERPRINT?
THEY CLAIM THAT THEY RETRIEVED MY FINGERPRINT FROM SOME
ITEMS THAT WAS TESTED BY THEIR OFFICE. COULD YOU EXPLAIN
THE PROCEDURE OF FINGER PRINTS WHEN THEY ARE LIFTED
FROM A CRIME SCENE? ARE THEY TO BE TESTED AND CONFIRMED
BY YOUR OFFICE ~~AND~~ AM I ALLOWED TO HAVE A
PICTURE OF THIS ITEM WITH THE PRINT ON IT AND COULD
YOU PLEASE SEND ME A COPY OF MY FINGER PRINT CARD.



Alphonzo D. Barge
6-12-13

TIMOTHY A. DAILEY
P.O. BOX 249 (D4-70)
MORGAN, GA 30866
CALHOUN STATE PRISON

TIMOTHY A. DAILEY FOI
Timothy A. Dailey
ALL RIGHTS RESERVED

DATE: 6-10-13



GEORGIA BUREAU OF INVESTIGATION

3121 Panthersville Road
P.O. Box 370808
Decatur, Georgia 30037-0808

Vernon M. Keenan
Director

March 8, 2013

Mr. Timothy Dailey #1000073009
Calhoun State Prison
D4-68
P.O. Box 249
Morgan, GA 39866

Reference: Kapinga Salumu and Shabani Salumu

Dear Mr. Dailey #1000073009,

On March 7, 2013, the Georgia Bureau of Investigation received your letter requesting GBI records relating to: Kapinga Salumu and Shabani Salumu. A search for the requested records was conducted.

Therefore, in accordance with O.C.G.A. 50-18-70(f) of the Open Records Act, you are hereby notified that based upon the information you have provided, we are unable to locate any records that are responsive to your request.

If you have additional information related to the incident, such as the name of the victim(s), GBI criminal case numbers or Crime Lab case numbers, or other specific identifying data, please send it to us for further research.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Harris".

Lisa Harris
Special Agent in Charge
GBI-Legal Services



GEORGIA BUREAU OF INVESTIGATION

3121 Panthersville Road
P.O. Box 370808
Decatur, Georgia 30037-0808

Vernon M. Keenan
Director

June 18, 2013

Mr. Timothy A. Dailey #1000073009
Calhoun State Prison
P.O. Box 249
D4-68
Morgan, GA 39866

Reference: Timothy A. Dailey

Dear Mr. Dailey #1000073009,

On June 17, 2013, the Georgia Bureau of Investigation received your follow up letter requesting GBI records relating to: Timothy A. Dailey. A search for the requested records was conducted.

Therefore, in accordance with O.C.G.A. 50-18-70(f) of the Open Records Act, you are hereby notified that based upon the information you have provided, we are **still** unable to locate any records that are responsive to your request.

If you have additional information related to the incident, such as the name of the victim(s), GBI criminal case numbers or Crime Lab case numbers, or other specific identifying data, please send it to us for further research.

Sincerely,

A handwritten signature in cursive script that reads "Lisa B. Harris".

Lisa Harris
Special Agent in Charge
GBI-Legal Services

IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.
TIMOTHY AARON DAILEY

Defendant

CRIMINAL CASE NO.
08-B-4499-3

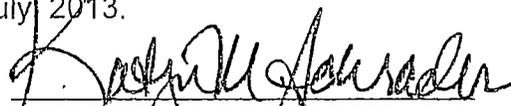
2013 JUL 22 AM 9:43
RICHARD ALEXANDER, CLERK

FILED IN OFFICE
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA

**ORDER DENYING DEFENDANT'S PRO SE
MOTION FOR RULING/MOTION TO DEMAND SCIENTIFIC REPORTS**

The foregoing Motion filed *pro se* by the Defendant on May 24, 2013, having been read and considered, said Motion is hereby **DENIED**. The Court notes that the Defendant entered and was sentenced on a Guilty Plea on August 17, 2009. See August 17, 2009 Guilty Plea Transcript filed on September 14, 2009.

SO ORDERED, this 19th day of July 2013.


KATHRYN M. SCHRADER, Judge
Gwinnett Superior Court

Copies to:

District Attorney's Office
Felony Probation Office
Timothy Aaron Dailey
GDC 1000073009
Calhoun State Prison
D4-68
P.O. Box 249
Morgan, Georgia 39866

NOTICE OF APPEAL

GWINNETT COUNTY POLICE DEPARTMENT
CRIME SCENE INVESTIGATIONS
SUPPLEMENTAL REPORT

CASE NUMBER: 08-034021
VICTIM: Dollar King
SCENE ADDRESS: 6889 Peachtree Industrial Blvd. Suite "N"
INCIDENT DATE: 04-02-08
REPORT DATE: 04-24-08
INVESTIGATOR: J. Richter #766
SUPPLEMENT BY: J. Nicholson CSS II
DISPATCHED: 1503
ARRIVED: 1556
IN-SERVICE: 1648
INCIDENT: Armed Robbery

On Wednesday, April, 02, 2008, I received a call from Communications in reference to an armed robbery. Upon arrival at the scene I met with Officer N. H. Boney #1037 who advised that the business was robbed by two perpetrators and that they took the cash register drawer with them.

The scene was the "Dollar King" store which was located in the middle of a shopping center. The front entrance door was propped open. I was advised that the store clerk had pushed one of the perpetrators into the front entrance door as she was fleeing the business.

I processed the following items that were placed on the counter top by the perpetrators with black fingerprint powder:

- * • Toothbrush package – obtained a latent print from the exterior side
- Two bags of popcorn that were inside a black back pack – negative results for latent prints
- "Colgate" toothpaste box – negative results for latent prints
- Plastic grocery bag – negative results for latent prints.

I processed a blanket in a plastic zipper case that was hanging on the wall (handled by one of the perpetrators) for latent prints with negative results. The front entrance door, counter top, and disc drive behind the counter were processed for latent prints with negative results. Elimination prints were obtained from Kapinga W. Salumu (store clerk) at the scene.

One (1) latent print lift card of value is on file in Crime Scene Investigations.

Why was the counter top tested

ew

08 X 00 4 71

received a hit on the print for Timothy Dailey, DOB 06-29-1990, and Social Security #~~000000~~

~~000000~~. Nicholson obtained the fingerprint card for Dailey from the Georgia Bureau of Investigation and compared the print obtained from the scene to Dailey's fingerprint card.

Nicholson advised the print was a positive match for Dailey's fingerprint.

On 06-18-08, I met with the victims of the armed robbery, Kapinga and Shabani, and showed each of them separately, a photo line-up with a photo of Timothy Dailey included.

Shabani Kapinga positively identified Timothy Dailey as the perpetrator of the armed robbery. *Identified* *ME*

I obtained Timothy Dailey's drivers license information and as of 05-29-08, the listed address for Dailey is 5493 #A Bishops Circle, Norcross, and Gwinnett County, Georgia. It is reasonable to believe a black handgun as described by the victims will be located in the residence of Timothy Dailey.

enter a small gray car.

The listed witness, Cal Rice, advised he saw two young black males hold up the Dollar King store, and point a pistol (38 revolver) at the victims. Rice said he called 911 and watched as the males entered a gray passenger vehicle with Florida tag 051.

Officer Boney obtained signed witnesses statements from the victims, Kapinga and Salumu Shabani, and the witnesses, Andre Wea and Cal Rice. The statements were provided with the incident report. Included with this report are copies of the incident report and the detailed call history, call #P080931255.

Gwinnett County Crime Scene Investigator J. Nicholson responded and processed the scene for possible evidence. Nicholson processed several items placed on the store counter top by the perpetrators prior to the robbery. Those items included a toothbrush package, two bags of popcorn, a Colgate toothbrush box, and a plastic grocery bag. Nicholson obtained a single latent print from the toothbrush package. Nicholson obtained elimination prints from Kapinga Salumu. Included in this report is a copy of the Gwinnett County Crime Scene Supplemental Report completed by Nicholson.

WHERE IS
PICTURE OF
THIS STUFF

On 04-07-08, I Detective J. Richter #766 was assigned the case for further investigation. I contacted the victims and confirmed the facts of the case. There was no video available of the incident and no unauthorized use of the stolen credit cards. I confirmed the description of the suspects as provided in the initial report. I created a Gwinnett County Police Bolo including descriptions of the suspects and the vehicle described by the witnesses. The bolo was distributed to

*

GWINNETT COUNTY POLICE DEPARTMENT INVESTIGATOR'S REPORT
CASE # 08-034021
PAGE # 9

local police agencies. Included in this report is a copy of the bolo.

On 05-29-08, I contacted Crime Scene Investigator J. Nicholson and requested the fingerprint obtained at the robbery scene be run through the Automated Fingerprint Identification System (AFIS). Nicholson confirmed the print was AFIS quality and she advised she would contact me with the results of the inquiry.

On 06-05-08, I was contacted by Nicholson and she advised she received a match on the print through the AFIS system. Nicholson advised the print recovered at the robbery was matched in the AFIS system to a subject listed as Timothy Dailey, DOB 06-29-1990. Nicholson said she needed to obtain the fingerprint card on file with GBI for Dailey and confirm a positive identification.

On 06-13-07, I was contacted by Nicholson and she advised she received the fingerprint card for Dailey from the GBI and confirmed a positive match with Dailey's print to the print obtained from the robbery. A second Crime Scene Analyst, C. E. Nicholson, confirmed the positive print match. Included in this report are copies of the comparison report and print card on file for Dailey.

On 06-17-08, I located a photo of Timothy Dailey on the Gwinnett County Detention Center Jail Track system from a previous arrest on 04-29-08. I noted Dailey was listed as a black male, 6'3", 165 lbs, with braided spiked hair as described by the victims. I submitted a photo line-up request for Dailey with the Gwinnett County Police Crime Scene Unit. I ran Dailey's name and date of birth on NCIC and received a return for a Georgia Drivers License, issued to Dailey on 05-09-08. The listed address for Dailey was 5493 #A Bishops Circle, Norcross,

GWINNETT COUNTY POLICE DEPARTMENT INVESTIGATOR'S REPORT

CASE # 08-034021

PAGE # 11

Police Headquarters in regards to an interview. Prior to the interview, I read Dailey his Miranda Rights and he agreed to speak with us. When I questioned Dailey in regards to the Dollar King, he denied knowledge of the store or ever being inside the store for any reason. I told Dailey the location of the store and gave him directions from his current residence but he continued to deny being in the store. When I confronted Dailey with the fingerprint evidence, he offered no explanation of how his fingerprint was found inside the Dollar King at the time of an armed robbery, on an item brought to the counter by the suspects. Dailey denied any knowledge or involvement in the robbery but never offered an explanation of why his fingerprint was recovered from the scene, or why the victim positively identified him as one of the perpetrators. During the interview, I was unable to obtain any additional information from Dailey concerning additional suspects. The interview was audio and video taped and I included a copy with this report, property sheet control #F48310.

about the toothbrush

On 07-02-08, I executed a search warrant at the residence of Timothy Dailey, warrant #08X00471. Present at the residence was Annie Cockrell, the mother of Dailey. I obtained no property from the residence and a copy of the search warrant was left with Annie Cockrell. Included in this report is a copy of the search warrant.

On 07-16-08, I contacted the witness, Andrea Wea, via the telephone number provided in the initial report. Wea advised he witnessed the robbery, however, he said he did not see the faces of the suspects and said he would not be able to identify them from a photo line-up.

**COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR APPLICATIONS**

February 5, 2014

To: Mr. Robert Calloway, GDC557229, Wheeler Correctional Facility, Post Office Box 466, Alamo, Georgia 30411

Docket Number: **Style:** **Robert Calloway v. The State**

Your document(s) is (are) being returned for the following reason(s).

1. **Your Application was not accompanied by the statutory filing fee, \$300.00 civil; \$80.00 criminal, or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. Portions of the record included were not tabbed and indexed. Rules 30 (e) and 31 (c).
3. **A stamped "filed" copy of the trial court's order to be appealed was not attached to your Application. Rules 30 (b) and 31 (e)**
4. A stamped "filed" copy of the Certificate of Immediate Review was not attached to your Interlocutory Application. Rule 30(b)
5. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
6. **There were an insufficient number of copies of your document. Rule 6**
7. **No Certificate of Service accompanied your document(s). Rule 6 You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.**
8. Your Certificate of Service did not include the complete name and /or mailing address of each opposing counsel and pro se party. Rule 1(a) and 6
9. Your document exceeds page limits. Rules 24(f) , 30(e) and 31(c)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. No extension of time for filing an interlocutory application will be granted . Rule 30 (g) . No extension of time will be granted for filing a discretionary application unless the motion for extension is filed on or before the due date of the discretionary application.
12. The type font was smaller than 10 characters per inch; type was not double-spaced or/and type was on both sides of the paper. Rules 1(c), 24(b), 37(a) and 41(b).
13. Your motions were submitted in an improper form (joint, compound, or alternative motions in one document). Rule 41 (b)
14. Margins were too small or paper size was incorrect. Rules 1(c), 24(c), 30(e), 31(c) and 41(b).
15. Your document was submitted for filing more than 30 days after the date of the order granting, denying or dismissing the application or the order granting, denying or dismissing the Motion for Reconsideration. Rules 30(j) and 31(j).
16. Other:

For Additional information, please go to the Court's website at: www.gaappeals.us

THE COURT OF APPEALS OF THE STATE OF GEORGIA

Your Name Robert Callooney *

V *

State of Georgia *

CASE NO. (Insert No. of case you are attempting to appeal) *

Superior Court of Sumter County

Docket No. 02-R8

RECEIVED IN OFFICE
2014 JAN 31 PM 3:54
CLERK OF SUPERIOR COURT
COURT OF APPEALS OF GEORGIA

APPLICATION FOR DISCRETIONARY APPEAL

Jurisdiction

§ 42-12-8. Appeals

Appeals of all actions filed by prisoners shall be as provided in Code Section

5-6-35 Jurisdiction

17-9-401

In The Court Below

Here: Write a brief history of the events in the sentencing court which led to this application.

Argument and Citation of Law

Here: Write your argument and cite the case law that supports it.

Relief Requested

Here: Tell the court what you believe you are entitled to in the form of relief.

IMMEDIATE RELEASE, OUTRIGHT RELEASE

Respectfully submitted this 25, day of JAN, 2014.

Robert Callooney
Your Name No. SS7229 Pro Se

Signed, Robert Callooney

Your Address: Robert Callooney
SS7229
WHEELER CORRECTIONAL FACILITY
P.O. Box 466
Alamo, Pa 20111

THE COURT OF APPEALS OF THE STATE OF GEORGIA

In the Superior Court of Sumter County CASE NO. 02R83
02R83
CALLOWAY V. STATE. I the defendant was found guilty of
KIDNAPPING, ASS. ASSAULT, ASS. BATTERY AND FALSE IMPRISONMENT.
THIS CASE WAS HELD BEFORE THE COURT JUNE 2002. THE
DEFENDANT APPEALED HIS CASE JULY 2002. THIS CASE WAS
FINALLY APPEALED TO THE COURT OF APPEALS IN 2011. AFTER
A NINE (9) YEAR DELAY IN MY APPEAL PROCESS; WHICH I
ASKED MY COUNSEL ROBERT PERRINE TO RAISE. SEE MOTION FOR
NEW TRIAL HEARINGS TRANSCRIPT MARCH 27, 2009 PAGES 1-8.
I ASKED MR. PERRINE TO RAISE AN THEN (7) YEAR DELAY. HE DID
NOT. I HAD A 2254 PETITION PENDING IN THE COURTS WHEN
MY APPEAL WAS FILED IN 2011. SEE CALLOWAY V. BURNETTE
1:08-CV-146. AT THE AUGUST 3RD HEARINGS IN 2011, THE
ATTORNEY GENERAL CONCEDED TO THE TWO ISSUES TO BE RAISED.

(1) THE REASON FOR THE DELAY (2) THE LACK OF JUSTIFICATION.
SEE TRANSCRIPT OF AUG 3RD 2011 FEDERAL 2254 HABEAS HEARINGS.
ON YOUR RULING IN CALLOWAY V. STATE 722, S.E. 2D, 422,
313 GA. APP. 2012) YOU STATED: CALLOWAY CASE FALLS
UNDER THE GARZA PIPELINE; BUT HE HAS NOT MADE A GARZA
CHALLENGE; I ASKED MR. PERRINE TO RAISE IT; HE USED ONLY
O.C.G.A. I AM MAKING A GARZA CHALLENGE THIS DAY
CHALLENGING THE VOID INDICTMENT FOR KIDNAPPING AND FALSE-
IMPRISONMENT. AS YOU STATED THE INDICTMENT DID NOT
DETAIL THE UNDERLYING FACTS GIVING RISE TO THE CHARGES
OF KIDNAPPING AND FALSE IMPRISONMENT. O.C.G.A. 17-9-4
17-9-4 (1) STATING THAT THE JUDGEMENT OF A COURT
HAVING NO JURISDICTION OF THE PERSON OR SUBJECT MATTER,
OR VOID FOR ANY OTHER CAUSE IS A MERE NULLITY AND MAY

SEE PAGE 13 CALLOWAY V. STATE 722, S.E. 2D, 422 313 GA. APP 2012

(2)

be so held in any Court when it becomes matter as to the interest of parties to consider it.

This case is a Due Process violation due to the inordinate and unjustified delay, conceded to by the Attorney General, through the Superior Courts of Sumter County. It is a 5th, 14th, 6th and 9th Amendment violation. Both because my trial counsel and (2) Appellant counsel let my appeal be procedurally defaulted and the Superior Court and the Sumter County Indigent Defense did not sanction the attorney and did not monitor their court dockets as required under the Uniform Superior Court Rules, State Bar Rules, the Judges Canons; in violation of United States Constitution, the Federal Constitution and the State of Georgia Constitution violated the Equal Protection of the Law; and the Special Immunities Clause. The Defendant prays for this Honorable Court to dismiss the kidnappings and false imprisonment and also to dismiss the indictment in its entirety for the 9 (nine) year delay, which the Attorney General conceded to on the record at Aug 3rd 2011 2254 Habeas hearings and order the defendant released immediately without any further delay. This is what our Founding Father's based the United States Constitution on! Fairness and Equality for all; and the Justice System wins when Justice is served, but loses when Justice is not served. Thank you sincerely.

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY THAT I HAVE THIS DAY SERVED A TRUE AND CORRECT COPY OF THE WITHIN AND FOREGOING DOCUMENTS UPON THE PARTY LISTED BELOW BY DEPOSITING A COPY OF THE SAME IN THE UNITED STATES MAIL IN A PROPERLY ADDRESSED ENVELOPE WITH ADEQUATE POSTAGE THEREON TO INSURE THAT IT REACHES ITS DESTINATION PROPERLY ADDRESSED UPON:

~~Robert T. Calloway~~

~~Robert T. Calloway~~
Georgia Court of Appeals
CLERK OF COURT
47 TRINITY AVENUE
SUITE 501
ATLANTA, GEORGIA 30334

THIS IS DAY OF JAN 2014

Robert T. Calloway
#557229
WHEELER CORRECTIONAL FACILITY
P.O. Box 466
Alamo, Georgia 30411

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

February 5, 2014

William L. Colvin, P.C.
11080 Old Roswell Road
Suite 103E
Alpharetta, Georgia 30009

RE: A14A0893. David McClure, et al. v. Riverstone Village, LLC, et al.

Dear Mr. Colvin:

I am in receipt of your check number 1032, payable to the Georgia Court of Appeals in the amount of \$300.00. Please be advised that the filing fee was already paid with the application. There is no fee due. Your check is being returned to you.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure

WILLIAM L COLVIN ATTORNEY PC
IOLTA ACCOUNT
11080 OLD ROSWELL RD STE-103E
ALPHARETTA GA 30009

1032

64-240/611

DATE 1-30-14

PAY
TO THE
ORDER OF

GA Ct of Appeals

\$ 300.00

Three-hundred & no/100

DOLLARS



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Details on
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BANK**
Atlanta, GA
www.fidelitybank.com

FOR

McClure Appeal fee

[Signature]

MP

⑈001032⑈ ⑆061102400⑆ 04 02501 6⑈

WILLIAM L. COLVIN, P.C.

ATTORNEY & COUNSELOR AT LAW

11080 OLD ROSWELL ROAD

SUITE 103E

ALPHARETTA, GEORGIA 30009

(770) 642-0009

(770) 642-0635/FACSIMILE

William L. Colvin

E-Mail: will@colvin.com

January 31, 2014

Clerk, Ga. Ct. of Appeals

Re: McClure vs. McCurry, et al.; Appeal No. A14A0893

Dear Assistant Clerk:

Please see enclosed Mr. McClure's Brief in Support of the above-referenced appeal along with 2 copies; Motion to Allow Extension of Time to File Brief with 2 copies and Enumerations of Errors with 2 copies. Also, included herein is my firm's check for the filing fee in the amount of \$ 300.00.

I appreciate your assistance in regard to the above-referenced matter.

Sincerely,



William L. Colvin

Enclosures

Cc: David McClure
Douglas Flint

FILED IN OFFICE

JAN 31 2014

COURT CLERK
CLERK COURT OF APPEALS OF GA

RECEIVED IN OFFICE
2014 FEB -4 AM 11:28
CLERK COURT OF APPEALS OF GA

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

February 5, 2014

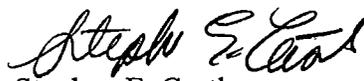
Mr. Thomas Matthew Brown
GDC1000617238
Augusta State Medical Prison
3001 Gordon Highway
Grovetown, Georgia 30813

Dear Mr. Brown:

We received your letter on February 4, 2014. This office is the Georgia Court of Appeals and our office does not perform any of the services you are requesting. It could be you have confused this Court with another agency.

I wish you well.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

RECEIVED IN OFFICE
2014 FEB -4 AM 11:22
CLERK/CLERK ADMINISTRATOR
COURT OF APPEALS OF CA

Administration

I am needing to parole as I am ready to once again
Enlist into onto the Social Security Disability program. Will I need to
prove to courts I am able to parole out? I want to parole from here
on February, 23, 2014. Be on my schedule time limit. I have a couple
of business documents enclosed on to as my parole status. As of
January, 23, That relief can I will be assured now. Contact the Department
of pardons and parole. Have them escort me to the bus station for
a transport. February 23, is my first available release
after Raskdale Probation will be transferred here. And I have
a secure place of residence at a work home in Richmond.
Hope to be released on time.

Chomera

A.S.M.P.

PRESIDENT ADMINISTRATOR
CLERK

RECEIVED IN OFFICE

DATE ~~February~~

MR. STEPHEN E. CASTLE

2014 FEB 28 PM 0:00

FEBRUARY 24 2014

47 TRINITY AVE SW SUITE 302. ATLANTA GA 30334.
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

DEAR MR. CASTLE I'm IN COMMUNICATION FOR A
RECEIPT UNTO THIS LETTER SIR, CONSIST OF MY BRIEF WAS
SUBMITTED TO YOUR DEPOSITION ON JAN 13TH 2014.
INVOLVED CASE THE STATE VS ALLEN ALPHONZO ADAMS A14A0810
FOR THE FOURTH DIVISION ~~AND~~ ALSO MY ORAL ARGUMENT
REQUEST THAT WAS SUBMITTED TO YOUR DEPOSITION ON
JANUARY 2, 2014 AS NOTICE REQUESTING ORAL ARGUMENT
IN CASE A14A0810. I NEVER RECEIVE ACKNOWLEDGMENT
WITH A RECEIPT FROM YOUR DEPOSITION AS CLERK DOCKET
AN PLACE ON FILE FOR CASE A14A0810, THAT WAS SUBMITTED
IN A TIMELY MANNER SIR, MR. CASTLE YOUR ASSISTANCE
WILL BE VERY WELL APPRECIATE IN THIS MATTER INVOLVED
OUR ~~DISCUSSION~~ DISCUSSION FOR THIS LETTER AS A RECEIPT
IN YOUR RESPONSE. SIR.

Allen A Adams
Allen ALPHONZO Adams
6.D.C. 534697. A-wing
Room 106. Smu. 6.D.C.P.
P.O. BOX 3877. JACKSON
GA 30233

CERTIFICATE OF SERVICE

I Allen A Adams HAS DECLARE AN SWORN ON THIS 24. DAY OF FEBRUARY 2014.
THAT HE HAS ATTACHED THIS CERTIFICATE OF SERVICE THERE TO
THIS LETTER BEFORE DEPOSITING IN U.S. MAIL BOX WITH SUFFICIENT POSTAGE
PROPERLY ATTACHED TO ENVELOPE ADDRESSED FOR DELIVER TO LISTED PERSONS

95, PRESIDENT ADMINISTRATOR CLERK MR. STEPHEN E. CASTLE 47. TRINITY AVE SW.

SUITE 302. ATLANTA GA 30334 AS REQUIR ~~ED~~ BY LAW TO SERVE PLEADS
A COPY OF THAT LETTER, ~~TO THE ADMINISTRATOR~~

PLACE OF SERVICE
Allen A. Adams 6.D.C. 534697. A-wing
Room 106. Smu. 6.D.C.P. P.O. BOX
3877. JACKSON GA. 30233.

Allen A Adams
(SIGNATURE)

Handwritten notes in the top right corner, including the number "10" and some illegible scribbles.

**COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR APPLICATIONS**

February 6, 2014

To: Ms. Selena Gooden, 201 Washington Avenue, Atlanta, Georgia 30303

Docket Number: **Style** Selena Gooden v. Zachary Ellis

Your document(s) is (are) being returned for the following reason(s).

1. Your Application was not accompanied by the statutory filing fee, \$300.00 civil; \$80.00 criminal, or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 Please be advised that your pauper's affidavit should be notarized by a notary public.
2. Portions of the record included were not tabbed and indexed. Rules 30 (e) and 31 (c).
3. A stamped "filed" copy of the trial court's order to be appealed was not attached to your Application. Rules 30 (b) and 31 (e)
4. A stamped "filed" copy of the Certificate of Immediate Review was not attached to your Interlocutory Application. Rule 30(b)
5. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
6. There were an insufficient number of copies of your document. Rule 6
7. **No Certificate of Service accompanied your document(s). Rule 6 You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.**
8. Your Certificate of Service did not include the complete name and /or mailing address of each opposing counsel and pro se party. Rule 1(a) and 6
9. Your document exceeds page limits. Rules 24(f) , 30(e) and 31(c)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. No extension of time for filing an interlocutory application will be granted . Rule 30 (g) . No extension of time will be granted for filing a discretionary application unless the motion for extension is filed on or before the due date of the discretionary application.
12. The type font was smaller than 10 characters per inch; type was not double-spaced or/and type was on both sides of the paper. Rules 1(c), 24(b), 37(a) and 41(b).
13. Your motions were submitted in an improper form (joint, compound, or alternative motions in one document). Rule 41 (b)
14. Margins were too small or paper size was incorrect. Rules 1(c), 24(c), 30(e), 31(c) and 41(b).
15. Your document was submitted for filing more than 30 days after the date of the order granting, denying or dismissing the application or the order granting, denying or dismissing the Motion for Reconsideration. Rules 30(j) and 31(j).
16. Other:

For Additional information, please go to the Court's website at: www.gaappeals.us

Supreme Court of Georgia Case Transfer Form

RECEIVED IN OFFICE
2014 FEB - 10 PM 4:07
CLERK OF SUPREME COURT
COURT OF APPEALS

Date: 02/04/2014

Case Number: S14D0581

Date of Transfer: 01/16/2014

Briefs/Motions Filed Before Transfer:

<u>Filing Date</u>	<u>Description</u>	<u>Attached?</u>
12/26/2013	Discretionary Application	<input checked="" type="checkbox"/>
01/23/2014	Letter	<input checked="" type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

Briefs/Motions Filed After Transfer:

<u>Filing Date</u>	<u>Description</u>	<u>Attached?</u>
		<input type="checkbox"/>
		<input type="checkbox"/>

Costs:

Cost Paid Date:

Payer:

Payment Type: Credit Card Check Cash

Transaction Number (if applicable):

Receipt Number:

Costs Not Paid: Indigent

APPLICATION FOR
DISCRETIONARY APPEAL

D4-011

Case No. S14D0581

D4-011

SELENA GOODEN v. ZACHARY ELLIS

Trial Court Order: November 20, 2007

Filed: December 26, 2013

Response by: January 6, 2014

Final order due by: January 27, 2014

RECEIVED IN OFFICE
2014 FEB -4 PM 4:07
CLERK OF SUPREME COURT
ATLANTA, GEORGIA

Grant: _____

Deny: _____

Dismiss: _____

Transfer: _____

Other: _____

RECEIVED BY HAND DELIVERY
AND FILED:

DEC 26 2013

London Lehberg

SUPREME COURT OF GEORGIA



SUPREME COURT OF GEORGIA
Case No. S14D0581

RECEIVED CLERK'S OFFICE
2014 FEB -14 PM 4:07
Supreme Court of Georgia

Atlanta, January 16, 2014

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed.

SELENA GOODEN v. ZACHARY ELLIS

From the Juvenile Court of Gwinnett County.

Applicant asks that this Court overturn a 2007 custody order. Because this Court lacks jurisdiction over matters involving custody unless the appeal also involves a judgment for divorce and alimony, see Carter v. Foster, 247 Ga. 26 (273 SE2d 614)(1981), the Court hereby transfers the application to the Court of Appeals.

All the Justices concur.

SUPREME COURT OF THE STATE OF GEORGIA

Clerk 's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

Suzanne C. Pulston, Chief Deputy Clerk

BA



SUPREME COURT OF GEORGIA

Selena Gooden
APPELLANT

vs.

Zachary Ellis
APPELLEE

*
*
*
*
*
*
*

CASE NUMBER

PAUPER'S AFFIDAVIT

Comes now Selena Gooden
(Appellant/Applicant/Petitioner Name)

and first being duly sworn, states that because of my indigence I am financially unable to pay the required filing costs in the Supreme Court of Georgia, and I request that I be permitted to file without having to pay filing fees.

This 26 day of DEC, 2013

Selena Gooden
(Your name typed or printed)

Selena Gooden
(Signature)

201 Washington Ave.

NY, GA 30003

770 744 8525
(Print complete address and telephone number.)

Sworn to and subscribed before me,
this 26 day of December, 2013

Octavia M. Jacobs Notary Public
SEAL



SELENA GOODEN'S APPEAL (Judge - State Supreme Court of GA),

12/23/2013.

Emergency Hearing / Discretionary Appeal / Review

WOULD LIKE THE STATE SUPREME COURT OF GEORGIA TO VACATE AND SET ASIDE GWINNETT COUNTY GEORGIA'S UNLAWFUL COURT ORDER HAVING TRIED TO ROB A MOTHER IN A CIVIL RIGHTS LAWSUIT OF HER CUSTODY RIGHTS. THE CIVIL RIGHTS LAWSUIT BEGAN IN 2007 AND SELENA IS CURRENTLY A CLIENT OF U.S. SUPREME COURT JUSTICE JOHN ROBERTS. *Im also demanding zachary Ellis' arrest + conviction*
THE REASON THAT SELENA GOODEN DID NOT ADDRESS THE ISSUE OF UNLAWFUL CUSTODY IN THE VERY BEGINNING IS BECAUSE SHE WAS OVERWHELMED WITH THE ASSAULT SHE WAS ENDURING DURING HER CIVIL RIGHTS LAWSUIT. MR. ELLIS THE FATHER HAD ONLY HELD CUSTODY FOR FIVE MONTHS AND RETURNED THE CHILD CALEB GOODEN BACK TO HIS MOTHER. SELENA HAS ALWAYS MAINTAINED CUSTODY; HAS ALWAYS CARED FOR THE CALEB. THIS CURRENT CUSTODY ISSUE ONLY BECAME A PROBLEM WHEN THE FATHER CAME TO DETROIT, MICHIGAN IN JULY 22, 2013 AND KIDNAPPED THE CHILD, CALEB GOODEN USING THE "CORRUPT 2007 CUSTODY ORDER".

Timelines of appeal / motion

HAD THE FOLLOWING COURTS: U.S. DISTRICT COURT NORTHERN DISTRICT OF GEORGIA; 11TH CIRCUIT FEDERAL APPEALS COURTS; FULTON COUNTY SUPERIOR COURT, AND U.S. DISTRICT COURT EASTERN DISTRICT OF MICHIGAN OPENED THE DOORS TO SELENA GOODEN'S CIVIL RIGHTS CASE, THE ISSUES RELATED TO HER CHILD CUSTODY CASE WOULD HAVE BEEN ~~RAISED~~ IN THOSE COURTS.

FACTS

A MILITIA GROUP UNDER FORMER DEFENSE SECRETARY LEON PANETTA HAD DESTROYED SELENA GOODEN'S ECONOMIC SELF-SUFFICIENCY WHILE THEY TRIED TO FORCE SELENA INTO DATING IN FOREIGN AND DIPLOMATIC AFFAIRS AND/OR WORK AS LEADERSHIP OR INTELLECTUAL LABOR. SELENA, HIV NEGATIVE HAD CHOSEN TO WORK AND HAS EARNED THE MONEY IN HER U.S. CIVIL RIGHTS LAWSUITS. THE LAWSUIT CURRENTLY ~~IS~~ WITH U.S. CHIEF JUSTICE JOHN ROBERTS - U.S. SUPREME COURT.

Presented, discovered through the exercise of due process

JOHN HAD PROPOSED TO SELENA GOODEN ON HER JOURNEY AND SELENA DIDN'T WANT JOHN'S PROPOSAL BECAUSE JOHN IS ILL. HOWEVER, JOHN ROCKEFELLER PUT A LOVE SPELL ON BOTH SELENA AND JOHN AND JOHN ROBERT'S HEALTH/HEALING IS IN SELENA'S HANDS AND SELENA'S LAWSUIT IS IN JOHN'S HANDS TO SETTLE AND HE'S SETTLING HER CASE. SELENA HAD BEEN CELIBATE 9 YEAR'S ON THIS JOURNEY AND SHE'S JOHN ROBERT'S SOPHISTICATED "VIRGIN". BOTH HAVING GROWN TO KNOW ONE ANOTHER AND HOPING FOR THE BEST FOR ONE ANOTHER. BOTH HAVING BOWED TOGETHER TO JOHN D. ROCKEFELLER'S WISHES FOR THEM....ALL IN HIS HANDS.

The lack of due process impedes Selena's custody

GWINNETT COUNTY COURTS CARTEL IS NOT THE APPROPRIATE VENUE FOR HEARING SELENA'S CUSTODY CASE AS THE CARTEL IN GWINNETT COUNTY TRIED TO INCITE A VERY GOOD MOTHER TO SUICIDE ~~IN 2007~~ IN 2007. And they followed that corruption with other actions that were WICKED AND NOT REMORSEFUL. SELENA IS DIRECTED TO GEORGIA COURT OF APPEALS FOR CORRECTIONS.

was all created by harassers - ~~Government~~

Selena Gooden Contact

770 744-8528

Active violation of Constitutional Rights + the laws of the U.S.

GA State Supreme Court
GEORGIA COURT OF APPEALS-12/23/13

SELENA GOODEN

VS.

ZACHARY ELLIS

I want my only child back.
I love him.

MOTION TO OFFER FURTHER DISCOVERY / Emergency Hearing

THE DEFENDANT ZACHARY ELLIS BY LAW SHOULD BE IS IN CONTEMPT OF COURT IN TWO COUNTIES HAVING HAD AN OPPORTUNITY TWICE TO APPEAR IN COURT TO BE HEARD BY A JUDGE IN TWO DIFFERENT STATES (JUDGES BEHAVING FELONIOUSLY HAVING ENDANGERED MY CHILD – ONE VERY UNATTRACTIVE FEMALE JUDGE). ZACHARY ELLIS CHOSE NOT TO PARTICIPATE IN THE JUDICIAL PROCESS PLACING HIM IN CONTEMPT OF COURT. ZACHARY HABIITUALLY VIOLATES THE LAW AND THE COURT’S AUTHORITY AND JUDICIAL PROCESS WHILE SELENA GOODEN (LAWFUL) PLAINTIFF APPEARED PRO PAR IN BOTH CASES (A MOTHER VERY MUCH DEVOTED TO HER CHILD). THE CASE CAME BEFORE THE COURT IN MICHIGAN ON 10/10/2013 WITH THE U.S. SUPREME COURT (CHIEF JUDGE JOHN ROBERTS SCRUTIZING THE OUTCOME).

SELENA IS AN EXISTING CLIENT OF U.S. SUPREME COURT AND HAS A CIVIL RIGHTS CASE WITH U.S. SUPREME COURT JUSTICE JOHN ROBERTS. JOHN ROBERTS MAKING NO DENIALS THAT HE’D PROPOSED TO SELENA GOODEN DURING SELENA’S JOURNEY TO HER CIVIL RIGHTS LAWSUIT AND ALSO EXPRESSED TO HER THAT BOTH SELENA AND JOHN’S FATHER ARE KNOWN BY THE NAME “JACK” AND BOTH OF THEIR GRANDFATHERS ARE KNOWN BY THE NAME “JOHN”. BOTH FATHER JACKS AND BOTH GRANDFATHER JOHNS ARE DECEASED. ONE JACK KNOWING THAT ZACHARY IS A ROTTEN MAN OR ZACHARY ELLIS IS INSANE AND HIS BEHAVIOR ENDANGERS SELENA’S CHILD. SELENA’S “A GABRIELLE UNION TYPE” AT HER BEST AND DIDN’T NEED ZACHARY....THE CIVIL RIGHTS JOURNEY FORCED A VERY PROMISING WOMAN “STANDARD OF EXCELLENCE” INTO CRUELTY AND ABUSE.

ZACHARY ELLIS HAS ISSUES OF ALCOHOL AND ISSUES OF DRIVING WHILE INTOXICATED AND WITH CALEB IN THE CAR AFTER SELENA’S CIVIL RIGHTS JOURNEY.

INITIAL DATE ^{late} ~~DATE~~ OF THE MOTHER – (CALEB’S CONCEPTION – SELENA DIDN’T WANT ZACHARY AND HAD TO GO THROUGH A SERIES OF AIDS TESTS). DESPITE CALEB’S GRANDFATHER’S ARE BOTH JACK AND JOHN; CALEB’S NAME IS BIBLICAL #2 SPY IN THE BIBLE (CALEB’S STORY REFERENCES FOUND IN THE BOOK OF JUDGES); CALEB’S MIDDLE NAME “NATHANIEL” PROPHETIC FOR GOD’S GIFT – LIKewise NATHAN DEELE’S MIDDLE NAME AND CALEB’S GOODEN’S NAME GOOD NATURALLY HAS GOOD IN IT AND CALEB IS VERY DISCIPLINED; COURAGEOUS AND SMART...AND WITH HIS MOTHER’S TEACHING COULD BE A JUDGE HIMSELF SOMEDAY. CALEB MAINTAINED HONORS IN HIGH PERFORMANCE SCHOOL’S DURING HIS MOTHER’S CIVIL RIGHTS CATASTROPHE. LIKewise CALEB WAS EVALUATED AND ACCEPTED INTO A PROMINENT PRVIATE SCHOOL IN MICHIGAN.

while pregnant John Roberts #1 SPY
Name prophetic for moon #1 spotlight

ZACHARY ELLIS FORCED CALEB TO DEAL WITH LOSSES – CAUSED HIM TO BEREAVE HIS MOTHER’S DEATH ON HIS (CALEB’S) BIRTHDAY. BECAUSE SOMEONE PLANNED THE MOTHER’S ENTRAPMENT IN ROCKADALE COUNTY JAIL AROUND CALEB’S BIRTHDAY. Zachary Ellis ruined Christmas for Caleb likewise no

ZACHARY ELLIS WAS BEHAVING PSYCHOLOGICALLY VIOLENTLY AND ATTEMPTED TO BEHAVE PHYSICALLY VIOLENT TO OF SELENA WHILE SELENA WAS EXPERIENCING FINANCIAL JOB LOSS AND WAS BEING BULLIED DURING HER CIVIL RIGHTS ACCES JOURNEY YET WAS WORKING VALIANTLY FOR THE COUNCIL ON FOREIGN AFFAIRS/TRILATERAL COMMISSION EARNING FOR BILLIONS. SELENA’S NOT THE TYPE THAT WOULD ALLOW ZACHARY TO HIT HER WITHOUT KNOCKING HIM OUT. Caleb

L of women
"not passive" also intolerant of abuse. Didn't grow up w/ abuse.

to his mom for Christmas

ZACHARY ELLIS' STUPIDITY AND BEHAVIOR DURING SELENA'S CIVIL RIGHTS JOURNEY MADE CALEB VULNERABLE TO ABDUCTION, STRESS, AND SEXUAL ABUSE.

LIKewise, CALEB'S AUNT CATRINA RAVENEL (DRUNK, LOW SELF-ESTEEM, STUPID, UNATTRACTIVE, PLUS SIZE, BRONZE MEDAL STEALING, SORRY EXCUSE FOR AN AUNT MADE CALEB VULNERABLE IN ALL THESE SAME AREAS LIKEWISE.

Selena's nine years of
celibacy belongs to John
Roberts. Rockefeller said
he'd head him.

Selena Woods

12/23/15

Emergency Hearing

Immoral-

Gastek Court

IN ORDER TO ELIMINATE THE JUDGES CONFLICT OF INTEREST (TRAFFICKING CARTEL) THAT EXISTS IN GWINNETT COUNTY SUPERIOR COURTS, PLAINTIFF HAS TO PROCEED TO APPELLATE COURT. PLAINTIFF IS A VICTIM OF THE PRACTICES IN GWINNETT COUNTY COURT WHICH INCLUDES CRIMES OF UNLAWFUL AND HIGHLY UMMORAL CUSTODY STEALING DONE TO INCITE MODEL PARENTS TO SUICIDE. FOR THE REASON THAT THE JUDGES CRIMES IN GWINNETT COUNTY ARE SO REPREHENSIBLE AND THE COVER-UP OF THE JUDGES ACTIONS NEARLY CAUSED THE DEATH OF THE PLAINTIFF (NOW A QUALIFIED WAR ON TERRORISM INVESTIGATOR) AND HAS AN INVESTIGATION IN U.S. DISTRICT COURT NOTHERN DISTRICT OF GEORGIA EXTOLLING THE VALUE OF GOOD PARENTING PRACTICES AS GOD HAS INTENDED THEM TO BE. HAVING PLACED A SPOTLIGHT TO EXPOSE EVIL PRACTICES.

Selena

THE AFFECTS OF THOSE JUDGES PRACTICES LINGER TODAY, IN THAT THE PLAINTIFF WAS EXPLOITED IN UNETHICAL HEALTH RESEARCH AND THE PLAINTIFF'S CHILD IS CURRENTLY BEING HELD HOSTAGE AS A RESULT OF GWINNETT COUNTY COURT JUDGES INITIAL CRIMES.

exposing
vil
ted

ADDITIONALLY, FULTON COUNTY SUPERIOR COURT, JUDGE GAIL TUSAN'S CHILD SUPPORT ORDER UNETHICALLY APPLIED ADDITIONAL PRESSURE ON SELENA GOODEN'S HEALTH WHEN SHE'D NEEDED CHILD SUPPORT AND SUPPORT THE MOST.

become my
obby +
job, I

CAROL SHOOP, SELENA GOODEN'S CURRENT JUDGE AT FULTON COUNTY SUPERIOR COURT HAD AN OBLIGATION TO ISSUE A BENCH WARRANT ON ZACHARY ELLIS (THE CHILD'S FATHER) WHO'D NEVER APPEARED IN COURT TO RESOLVE ISSUES OF CHILD CUSTODY, AND OTHER VULNERABILITIESEXPLOITATION OF SELENA NOR HER CHILD CALEB GOODEN.

lonit

WHEN PLAINTIFF WAS INITIALLY TARGETED BY GWINNETT COUNTY SHE WAS:

was a
disguise

I never

was the

job. I

got a

one point

rep to

stop

your

life

from

entrap

- > PURE STRAIGHT
- > HIV NEGATIVE
- > 3 YEAR'S CELIBATE
- > 4-5 MILE RUNNER
- > VEGETARIAN
- > ACHIEVED A MASTERS DEGREE IN COMPUTER INFORMATION SYSTEMS
- > NON DRINKING
- > NON SMOKING
- > NON DRUGS
- > HOMEOWNER WITH EQUITY IN A TOP RATED SCHOOL DISTRICT
- > TWO CAREERS, NOT JUST JOBS

AN EXEMPLARY PARENT

THE CURRENT UNETHICAL VISITATION DOMINATION ORDER DESIGNED TO STEAL THE CUSTODIAL MOTHER'S RIGHTS WAS PUT IN PLACE BY JUDGE FRANZEN-GWINNETT COUNTY AND HAD GROWN FROM SELENA GOODEN'S CIVIL RIGHTS CASE. SELENA HAD BEEN FIGHTING FOR SIX YEARS TO GET INTO U.S. DISTRICT COURT NORTHERN DISTRICT OF GEORGIA SO THAT ALL THESE COULD BE HEARD BEFORE A GRAND JURY.... THIS BEGAN IN 2007.

so many men want my case, my phones & computers are tapped, I'm good.

HAD BEEN NO RELIEF

AS there ~~was~~ complaint for custody ~~order~~ NOR AN ORDER FOR CHANGE OF CUSTODY, PLEASE VACATE

I'd like the Rockdale County Sheriff to have Zachary Ellis transfer Caleb Gooden to me in the Lobby of Hugh Spalding Children in Atlanta, Georgia with the deed to his home. 2013 Before New Year's Eve w/ \$750 check for child support. I'd like two things to occur at this time: I'd like to have Zachary Ellis' assets seized to include the deed to his home and provided that to me and my son Caleb. This includes his bank accounts; cash; home, automobiles, etc. Next I'd like to have a warrant issued for Zachary Ellis' arrest and to have him charged with the crimes: aided and abetting the endangerment of a child and mother; cruelty to children; child abuse; rape; kidnapping; and hostage taking.

Set ASIDE FINAL ORDER OSA1466 That USED A Request For visitation to try to steal Custody from the mother Custodial Rights

I'd like to charge ^{this} my sister Catrina Gooden with Child Abuse and Neglect for failing to support my son Caleb during a tragedy. Also, Catrina Gooden had breastfed Caleb without the mother's (Selena's) permission when Caleb was 3 and during that time Catrina wasn't aware of what her HIV status was. Catrina Ravenel has 3 children and a Grandchild and not only allowed Selena to sit in jail grieving her only child and Catrina did nothing to help. Catrina Ravenel's character. Aligns with her character overall. Catrina had been fired from the Pennsylvania House of Representatives for stealing in her 30's and moved on to work for the U.S. Olympics where she'd stolen a Bronze Olympic Medal and sold it. Catrina had also stolen the money that Selena's and Catrina's Grandfather had given to his daughter (our mother - when he'd died years ago). Catrina only confessed this year to my mother that she'd stolen the money that (my mother's father had willed to her). ~~She had allowed Selena to~~

Money Bills

Child Support \$750 per (every two weeks)

Former Defense Secretary Panetta has spent a lot of time supporting Selena's sister of low degree and morals while he assaulted Selena Gooden having tried to knock down the true cornerstone that was being established in Selena for her family with character traits of integrity, honor, strength and education.

I'd also like Billie Howick - Gwinnett County Fired. I'd like Judge Frenzel Fired.

I'd like Carol Shoop Sanctioned.

Gail Tuskan Sanctioned. The case was originally transferred ~~to~~ ^{from} Gwinnett County to Fulton County Superior Court.

I've gone through a lot of inquiry + harm to include vision loss ~~to~~ AS Gwinnett County + their MOB tried to cover up the original crime of kidnapping, and they'd done that to a standard of excellence in parenting, etc. ~~But~~ This corruption also harmed the child. Judges

FINDING OF FACTS

- a) There is one child that is subject of this action: Caleb Nathaniel Gooden
- c) The father failed to appear in an Emergency Hearing with Judge Gail Tusan in Fulton County Superior Court, Atlanta GA in the summer of 2012 regarding custody and related issues.

NO B

- d) Recently, the father failed to appear in case management conference on 10/10/13 at 9 a.m. in front of Judge Lynn Pierce in Wayne County 3RD Judicial Court Detroit, MI. (Was a second attempt at a hearing for these issues). Judge Lynn Pierce did not issue a contempt order, having not wanted to. SHE WAS/IS COWARDICE.
- e) ~~The home state of the child Caleb N. Gooden is Detroit Michigan, where Caleb and his mother have resided for 1 entire school year therefore; Michigan is the child's proper jurisdiction by law. Additionally Michigan is the mother's hometown.~~ *Set aside/vacate visitation under the should have Dominates mother's Custody.*
- f) Michigan also ~~has~~ jurisdiction Under the Uniform Child Custody Jurisdiction and enforcement Act and Michigan is the child's homestate.

A visitation order that steals custody

g) The best interest of the child is that he is with his natural mother, Selena Gooden. Selena is an excellent mother and had been and is also a caring caregiver and advocate of children and citizens of all races and her advocacy scaled to congressional level advocacy for children and citizens.

h) The father had unlawfully been given ~~Temporary Custody~~ in 2007 and SERIOUSLY abandoned the child on two occasions and did not provide reasonable and necessary care and supervision of a blameless and innocent child. *The father harmed both child + mother.*

i) The father also deliberately doesn't communicate with the mother and in the past 7 years he's not said greater than 200 words to the mother and his actions as a parent makes his child (10) vulnerable to abduction and other endangerment. The father having kidnapped the child and taken his out of State on July 22, 2013 and controlling communication from child to mother and mother to child. The father is allowing the child one 10 MINUTE PHONE CALL PER WEEK to the protective mother. *He's not allowing any calls now, including on Caleb's Birthday. Caleb because*

j) The initial 2007 ~~custody~~ determination by the Gwinnett County Judge was unethical and unlawfully granted to an abusive and mentally ill father, who hadn't asked for custody despite that the Gwinnett County judges order in 2007 was temporary and done to spite a mother who'd been and is a standard of excellence in parenting, health and in her capabilities and was a plaintiff in a Civil Rights Lawsuit. *His mom on his Birthday because of the father's actions*

Visitation
Expansion
+
Takeover
Domination

k) The original 2007 ~~custody~~ *visitation* change by the Judge in Gwinnett County to the father was/is unlawful and highly unethical violates the most basic Custody Laws and the laws in Georgia. *Not greater than 2-day visitation.*

Domination order.

l) A petition for visitation modified to take Custody from an Excellent Custodial mother, is what occurred in 2007 in the Gwinnett County Courts and is unlawful. The facts (indicate that THE GWINNETT COUNTY JUDGE WAS INVOLVED IN A KIDNAPPING SCHEME FROM THE START).

Visitation
Domination

m) ~~Custody~~ *UNDERMINES* was stolen to spite an independent, highly educated mother (having completed a Masters Degree in the computer sciences who'd completed her Masters Degree so she could overwhelmingly and successfully take care of her baby's life who was 3 years old at that time she'd completed her Masters Degree. Selena was a middle class single mother, who was/is a standard of excellence in Technology. The Gwinnett County Judge (Guardian Ad Litem Billie Howick) had an obligation to keep custody with the mother and for some reason was spiting her.

n) The father had never petitioned the court for custody change. THERE WAS NO SUCH PETITION FOR CUSTODY EVER REQUESTED IN THE GWINNETT COUNTY COURTS by the father in 2007 or any other year or in any other

courts ever. Gwinnett County tried to steal custody from a mother who'd been an is a standard of excellence, by using visitation to

Dominant Custody ~~to try~~ that stole her Custody. Custody Charges ARE serious.

- o) Gwinnett County Courts had unlawfully ~~given Temporary Custody~~ to an insane father and abusive father. (Dominated the mother's custody rights to give full ACCESS of A child to an INSANE Father
- p) The Gwinnett County GA 2007 unethical custody order to the father is ^{must} unlawful and ~~can~~ be ~~stricken from record.~~ VACATED + set aside
- q) The natural mother Selena Gooden's custodial rights as an unwed mother, supercedes any custody order. Additionally, the mother has had physical custody 92% of the time of the child, Caleb Gooden, his entire life while the mentally ill father held 8% of the custody and did not deserve that.

+ then kidnappers Caleb AND ENDANGERED Him. Sacrificed His Health + Harmed mom's Health.

Selena Gooden is ^{Now} in constant contact with U.S. Supreme Court Chief Justice John Roberts. HAS acknowledged liking, reading + receiving Selena's letters. John Roberts staff has also widened the gateway for Selena's concerns at the U.S. Supreme Court with U.S. Chief Justice John Roberts, John to Selena. Selena able to refer to him by first name. John is settling Selena's Civil Rights lawsuit. His staff is processing through Selena's requests and John is protector of her assets. Also there is a request being reviewed to provide Selena Gooden Honor. ^{+ Building} The naming of a school in Inkster MI in my Honor // Both the Rockdale County Police + U.S. Supreme Court acknowledges + Directed Selena to the GA ~~courts~~ ^{GA State Court} to certify a Court order.

scale set as 0.4

while in prison
more than takes
care of her
Baby, Gladly.

STATE OF GEORGIA

ZACHARY ELLIS,
Plaintiff

vs.

SELENA GOODEN,
Defendant.

*
*
*
*
*
*
*

CIVIL ACTION FILE NO.: 05-A-1466-1
05-A-1302-1
JUVENILE DOCKET NO.: 07-1545-2
07-1546-2

The
Father
Defendant
to
I.S.D.

FINAL ORDER
The above-styled case came before the Court on November 8, 2007 for a determination of
Modification Of Child Support And Contempt and a Counterclaim For Modification For Visitation.

Present were the following: the Plaintiff/Father, ZACHARY ELLIS; the Defendant/Mother, SELENA GOODEN; and the Guardian ad Litem for the minor child, BILLIE HOWICK. The parties both appeared pro se.

After having heard evidence in the case and reviewing the documents, the Court makes the following findings of fact and conclusions of law:

FINDING OF FACT

- A) There is one child that is the subject of this action: Caleb Gooden, DOB November 5, 2002, age five (5);
- B) The Court granted temporary custody to the Plaintiff/Father on June 11, 2007 because the Father was able to provide the minor child with a more stable environment.
- C) The mother acknowledged she is unable to care for the minor child at the present time on a full time basis due to conflictual circumstances in her life.

IT IS THEREFORE THE ORDER OF THIS COURT that:

The Mother and Father will have joint legal custody of the minor child. The Father will have primary physical custody subject to the Mother's visitation.

Does not motion to vacate AND set aside Complaint for change of custody. Does not exist

Where is the petition for change of custody?

Visitation
Having
Control
A result
of this
Court
order.
Mother's
socio-
economic
status
was
destiny
by
way
of
this
assault

CLERK'S INITIALS: MD
SHELA WILLIAMS, CLERK
2007 NOV 20 PM 1:00
FILED IN OFFICE
JUVENILE COURT
GWINNETT COUNTY GA

Kidnapping

- a. Both parties together shall make decisions concerning major educational, health care and religious training issues affecting the child; and both parents shall consider the desires of the minor child in making those decisions. Both parents shall attempt to work together to avoid disputes; however, should any dispute arise which they cannot resolve, the Father shall have the right to make the final decision regarding the minor child. In the event of a medical emergency, the parent who has actual physical custody of the minor child shall make emergency medical decisions and shall immediately inform the other parent of the medical emergency. The Father shall maintain medical insurance for the child and shall provide the Mother with a copy of the child's insurance card.
- b. Each party shall be entitled to complete, detailed information from any general medical, dental, or psychological professional service or treatment to the minor child for any reason whatsoever and shall be furnished with copies of any reports or documents given by the professional to either parent. Both parties shall be allowed to contact the child's doctors on an as needed basis. Both parents have equal rights as the natural parents of said child to obtain any document, or information regarding the health and best interest of the minor child at the party's expense that is requesting such information. Neither party shall do anything to obstruct the other party from obtaining such information or document.
- c. Both parties shall provide the other party with access to the minor child's school, medical, dental and other records relating to their health, education and welfare. Both parties shall make the other party aware of any extra curricular activities wherein the minor child is are involved and of parent-teacher conferences, graduation, demonstrations of skill (recitals, athletic events, etc.), weddings and award ceremonies so that he may have the opportunity to participate if possible. Each party shall provide the other copies of school reports, National and State standardized test scores, notices of school programs, and schedules, as they become available. Both parties shall be entitled to attend parent/teacher conferences. Both

parties shall be permitted to attend all extra-curricular activities of the child. Each party shall be entitled to direct access to school records of the child. The parties shall consult in any decisions regarding the education of the minor child. Each party shall advise the other of school, extra-curricular or sports activities in which the child is involved.

Zack Violated

d. The parties shall refrain from making any derogatory or disparaging remarks against the other party in the presence of the minor child and shall not malign the other party to the child. Each parent is to promote in the minor child feelings of love, respect and affection for the other parent. It is the intent of this Agreement that it is in the best interest of the minor child that she maintain as close of a relationship with each party as possible and to that end each party shall foster and encourage a free, liberal and reasonable exercise of communication and visitation as provided herein.

Zack Violated

e. Each parent shall always keep the other parent advised of his or her current address, employment and phone number. Each party shall give the other 60 days prior notice of a change in residence of either party.

f. Neither parent shall abuse alcohol or consume any illegal controlled substance while the minor child is in his or her care and custody.

Zack Violated

g. Each party shall have liberal telephone visitation with the minor child.

h. The child shall always have the right to communicate with both parents, either in writing or by phone. Neither parent shall prevent or restrict the exercise of this right and shall encourage such communication.

i. Both parties shall encourage and facilitate the sharing of information and events concerning the child by the child to both parents. Specifically, the child shall be encouraged to notify both parents as to activities, performances, and participation in public events such as performances at school, in church, athletic events, plays or drama productions, dance recitals, piano recitals, and any and every public performance or activity in which the child

Zack Violated

will be involved.

PHYSICAL CUSTODY

The Father will have primary physical custody. The Mother will have visitation with the child every Friday afternoon, Saturday and Sunday for a minimum of four (4) hours each of those days. The father shall provide transportation for all visitation, including holidays.

Illegal Act to Dominate Custody - Right

Kidnapping Child from mother

- (a) **Christmas** - The mother shall be entitled to a minimum of eight (8) hours of visitation with the child.
- (b) **Thanksgiving** - The mother shall be entitled to a minimum of eight (8) hours of visitation with the child.

IT IS FURTHER ORDERED that the mother shall continue under care of mental health professionals to enable her to stabilize and provide a proper environment for the minor child.

The Father shall be responsible for maintaining medical insurance on the minor child.

The Court further finds that due to special circumstances, there shall be no award of child support at this time. The mother has no income and is not capable of meeting a child support obligation. It appears that it may be some time before she will be capable of working due to her current mental state. At such time as the Mother is employed, the Father may file a petition to modify child support.

SO ORDERED, this 20 day of November 2007.

[Signature]
STEPHEN E. FRANZEN, Judge
Gwinnett County Juvenile Court

Prepared by:
Billie Howick
State Bar 372758
115 Stone Mountain Street
Lawrenceville, GA 30045
(770) 619-6069

Lack of evidence of a current mental state at the time that affected mother's capabilities. Having just arrived in GA musters in computer science.

A certified true copy of the original on file in this office.

[Signature]
Juvenile Court of Gwinnett County, GA

9-26-13

mother worked in military intelligence Division of Counsel for Foreign Affairs. The lateral. Advance work 6 years Basis of lawsuit. Labor claim

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

February 6, 2014

Mr. Don Faircloth
GDC577853
Johnson State Prison
Post Office Box 344
Wrightsville, Georgia 31096

RE: A13A2389. Don Robert Faircloth v. The State

Dear Mr. Faircloth:

The Court of Appeals affirmed the decision of the trial court in the above appeal on January 15, 2014. The remittitur issued on February 3, 2014, divesting this Court of any further jurisdiction of your case. The case is therefore, final. I am returning your documents to you.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

RECEIVED IN OFFICE

IN THE COURT OF APPEALS OF GEORGIA

2014 FEB 14 AM 11:21

STATE OF GEORGIA

CLERK OF SUPERIOR COURT
ADMINISTRATOR
COURT OF APPEALS OF GA

DON ROBERT FARCLOTH,

APPELLANT,

v.

APPEAL CASE NO. A13A2389

THE STATE,

APPELEE,

LOWER COURT CASE NO. 99-SPCR-76

APPELLANT'S SUPPLEMENTAL BRIEF AND MOTION FOR RECONSIDERATION

APPELLANT, ON THE 14TH DAY OF JANUARY, 2014, FILED HIS
MOTION TO SUPPLEMENT BRIEF, BY PLACING A COPY OF THE
SAME IN THE PRISON'S MAIL BOX. THE COURT, ON THE 15TH
DAY OF JANUARY, 2014, AFFIRMED APPELLANT'S CONVICTION
AND FOR THE REASONS STATED, APPELLANT FILES HIS
SUPPLEMENTAL BRIEF AND MOTION FOR RECONSIDERATION.

v.

APPELLANT, ON THE 23RD DAY OF APRIL, 1999, WAS ARRESTED
FOR THE OFFENSE, AS STATED IN HIS BRIEF OF APPELLANT TO
THIS COURT, ON THE 19TH DAY OF AUGUST, 2013.

v.

APPELLANT, ON THE 21ST DAY OF MAY, 1999, WAS TAKEN BEFORE
THE COURT, WITHOUT COUNSEL, CONVICTED, AND SENTENCED.

v.

3.

APPELLANT, AS THE COURT STATED, WAS SENTENCED TO THREE (3) YEARS INTENSIVE PROBATION.

STATEMENT OF CLAIM

1.

APPELLANT WAS TAKEN BEFORE THE COURT ON MAY 21, 1999, THREATENED BY EMANUEL COUNTY SHERIFF, J. TYSON STEPHENS, AND PROSECUTOR, (NOW DISTRICT ATTORNEY) SAMUEL HARWARD ALTMAN, INTO ENTERING A GUILTY PLEA THAT WAS NEITHER INTELLIGENT, KNOWING, OR VOLUNTARY, AND WITHOUT THE ASSISTANCE OF COUNSEL. SIRICKLAND V. WASHINGTON, 466 U.S. 668 (1984), BOYKIN V. ALABAMA, 395 U.S. 238 (1969), AND FOSKEY V. BATTLE, 277 GA. 480 (2004).

2.

APPELLANT, AS PART OF HIS CONVICTION, IN VIOLATION OF SEPARATION OF CHURCH AND STATE WAS SENTENCED TO THREE (3) MONTHS AT CHRISTIAN FAMILY CENTER, SOPERTON, GEORGIA, F.K.A. (COVENANT CRISIS CENTER).

STATEMENT OF FACTS

THIS COURT CORRECTLY NOTED IN ITS DECISION, THE SUPREME COURT OF GEORGIA'S HOLDINGS IN KEMP V. STATE, 292 GA. 795 (741 SE2d 652 (2013), AND; OWENS V. STATE, 321 GA. APP. 722, 723 (742 SE2d 752) (2013).

2.

HOWEVER, APPELLANT, IN HIS BRIEF OF APPELLANT, PLAINLY STATED, HE WAS DENIED THE ASSISTANCE OF COUNSEL, IN VIOLATION OF HIS SIXTH AMENDMENT RIGHTS, AND THE SUPREME COURTS HOLDINGS IN STRICKLAND V. WASHINGTON, 466 U.S. 668 (1984).

APPELLANT, WAS DENIED THE ASSISTANCE OF COUNSEL ON APPEAL IN VIOLATION OF HIS FOURTEENTH AMENDMENT RIGHTS.
EVITT V. LUSBY, 469 U.S. 387, 396 (1985).

THE TRIAL COURT CLEARLY VIOLATED APPELLANT'S FIRST AMENDMENT RIGHTS, ART. I, SECT. PAR. I, II, AND III, OF THE CONSTITUTION OF THE STATE OF GEORGIA, AND ARTICLE I, SECTION II, PAR. III, THE SEPARATION OF CHURCH AND STATE.

APPELLANT, IN THE PREPARATION OF HIS APPEAL, WAS DENIED ACCESS TO ADEQUATE PRISON LAW LIBRARIES, OR PERSONS TRAINED IN THE LAW, IN VIOLATION OF THE FIRST AMENDMENT, AND THE SUPREME COURTS HOLDINGS IN BRUNDS V. SMITH, 430 U.S. 817 (1977), AND LEWIS V. CASEY, 518 U.S. 343 (1996).

THE TRIAL COURT USED APPELLANT'S GUILTY PLEA CONVICTION TO ENHANCE PUNISHMENT IN CASE NO: 10-CR-109, AND PURSUANT TO O.C.G.A. § 17-10-7 (C), WHICH WAS IMPROPER, BURGESS V. TEXAS, 389 U.S. 109, 115 (1967); PARHAM V. STATE, 12 A1875, 739 S.E. 2d

135,138 (GA. APP. 2013) (QUOTING CLENEY V. STATE, 229 GA. 561, 564, 192 S.E. 2d 907 (1972)); SEE ALSO THOMPSON V. STATE, 276 GA. 701, 703-04, 583 S.E. 2d 14, 16 (2003).

THE STATE (APPELEE) CANNOT OVERCOME APPELLANT'S CLAIM THAT HE WAS DENIED COUNSEL AT GUILTY PLEA AND ON APPEAL, AND THAT HE (APPELLANT) WAS FORCED TO ENTER THE GUILTY PLEA.

CONCLUSION

THEREFORE, FOR THE REASONS STATED, THIS COURT HAS AN IMPOSED DUTY TO GRANT APPELLANT'S SUPPLEMENTAL BRIEF AND MOTION FOR RECONSIDERATION.

RESPECTFULLY SUBMITTED, THIS 20TH DAY OF JANUARY, 2014.

DOV FAINGOLD

ATTACHMENT

APPELLANT RECEIVED THIS COURT'S DECISION ON THE 22ND DAY OF JANUARY, 2014, WITHIN THE TIME LIMITS FOR THE COURT'S RECONSIDERATION.

DOV FAINGOLD

CERTIFICATE OF SERVICE

This is to certify that I have served the opposing party with a complete and accurate copy of the foregoing documents. Service was made by placing the same in an envelope, and with sufficient postage affixed, placed in the U.S. Mail, and on this day mailed to the party(s) as follows:

CLERK; COURT OF APPEALS OF GEORGIA

SUITE 501

47 TRINITY AVE.

ATLANTA, GA 30334

S. HAYWARD ALTMAN,

DIST. ATTY.

P.O. DRAWER 590

SWAINSBORO, GA 30401

This the 29TH day of JANUARY, 2014

DON FAIRCLOTH PRO SE'

DON FAIRCLOTH GDC# 577853

JOHNSON STATE PRISON

P.O. BOX 344

WRIGHTSVILLE, GEORGIA 31096

Sworn to and subscribed before me this
day of _____, 20____

Notary Public or Other Person Authorized to Administer Oaths

7-10-14

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

February 7, 2014

Mr. Gene Davis
186 Elderberry Circle
Athens, Georgia 30605

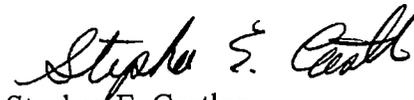
Dear Mr. Davis:

The enclosed correspondence is being returned to you because no Certificate of Service accompanied your document(s). A Certificate of Service must include the complete name and mailing address of each opposing counsel.

Also, there were an insufficient number of copies of your document (s). Your filing must contain an original and two (2) copies.

Also enclosed, please find your check number 1116, payable to the Georgia Court of Appeals in the amount of \$300.00.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

GENE DAVIS
186 ELDERBERRY CIR.
ATHENS, GA 30605

64-7116/2611
1200000009946

No. 1116

DATE 2-5-14

Pay to the order of Georgia Court at Appeals \$300.00
Three hundred ⁰⁰/₁₀₀

MP



Security Features
Included.
Details on Back.

APCU ATLANTA
POSTAL
CREDIT UNION
3900 Crown Rd., Atlanta, Georgia 30380-0001

Gene Davis

MP

© DELIVER WALLET OR DUPLICATE

MP

⑆ 261171163⑆ 1200000009946⑆ 1116

ANTIQUE

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA

FILED IN
CLERK'S OFFICE
SUPERIOR STATE COURT

2014 JAN -7 PM 2: 56

GENE DAVIS,
Plaintiff,

vs.

ATHENS-CLARKE COUNTY
BOARD OF TAX ASSESSORS,
Defendant.

ANGELICA LUGAN, CLERK
ATHENS-CLARKE COUNTY, GEORGIA

Civil Action No. SU-11-CV-0790 S

ORDER ON TAX VALUATION APPEAL

The Court having conducted a bench trial in the above-styled case on December 9, 2014 issues the following order:

FACTS

The above-styled action is an appeal from the 2008 tax valuation of property located at 186 Elderberry Circle in Athens-Clarke County (Parcel 244C3 C013). The property consists of a subdivision lot and single family residence situated thereon. The house is approximately 2353 square feet with an attached carport and garage structure. The Plaintiff purchased the property at issue on April 27, 2007, and a Warranty Deed to that effect was filed with the Clerk of Superior Court on May 11, 2007. The purchase price for the property was \$207,500.00. In 2008, the Board of Tax Assessors valued the property at \$208,677.00. The Plaintiff appeals that valuation.

LAW AND ANALYSIS

A taxpayer may appeal the valuation finding of the board of equalization, and when such appeal comes before the Court it is a de novo action. The board of tax assessors bears the burden of proving its opinion of value and validity of the proposed assessment by a preponderance of the evidence. O.C.G.A. § 48-5-311(g)(3). The Court in the instant case heard evidence regarding the property valuation on December 9, 2013.

The Board of Tax Assessors valued the property at issue at \$208, 677.00 in 2008. In support of its valuation finding, the Board of Assessors offered the testimony of its Chief Appraiser. The Chief Appraiser testified that the valuation of the property at issue is based on several factors. One factor examined by the Board of Tax Assessors was the purchase price of the property. The Petitioner purchased the property located at 186 Elderberry Circle for \$207,500.00 in 2007 as shown on Exhibit 3. With this information, the Chief Appraiser testified

that his office looks at trends occurring in the neighborhood such as comparable sales and past valuations. Exhibit 5 is a sales ratio analysis that looks at the current assessed value of the property versus the sales value of the property. Exhibit 6 is a spreadsheet which takes the valuation information along with some other variables about the house and calculates an allocated assessment per square foot for the individual properties on the sheet. Using the information gathered, the Board of Assessors calculated a value of \$208,677.00 for the property at issue in this case.

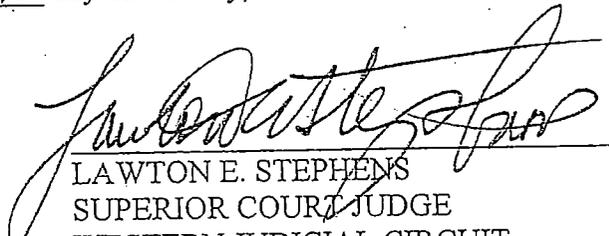
The Petitioner offered some rebuttal evidence through his own testimony regarding the age of his house versus some of the comparable homes sold. Also, the Petitioner contended that the materials used for his house are markedly different than on some of the comparable homes which (in his opinion) should lead to a lower valuation. Furthermore, the Petitioner did take some issue with the determination of square footage and the size of his garage as calculated.

CONCLUSION

The Court finds that the Board of Tax Assessors met its burden of proving its opinion of valuation. The sales price of the property coupled with the sales ratio analysis supports the Board's finding that the property was properly assessed at \$208,677.00 in 2008.

Let a copy of this Order be mailed to Mr. Gene Davis, Petitioner pro se, and Mr. William C. Berryman, Jr., Athens-Clarke County Attorney.

SO ORDERED this 7th day of January, 2014.


LAWTON E. STEPHENS
SUPERIOR COURT JUDGE
WESTERN JUDICIAL CIRCUIT

Gene Davis
186 Elderberry Circle
Athens, GA 30605
February 5, 2014

EINVOICING OFFICE
4 FEB -7 PM 3:10
CLERK OF SUPERIOR COURT
PART OF ATHENS, GA

Court of Appeals of Georgia
47 Trinity Avenue S.W., Suite 501
Atlanta, GA 30334

To whom it may concern:

I would like to ask for an extension of time to apply for an appeal of the following case:

Superior Court of Athens-Clarke County
State of Georgia

Gene Davis, Plaintiff
Athens-Clarke County Board of Tax Assessors, Defendant
Civil Action No. SU-11-CV-0790 S

My request for an extension is due to the time required by the reporting company to prepare the transcript. I have contacted Carrol Mallory at Speedy Reporting, Inc. and the transcript preparation will take approximately two weeks for completion. I am enclosing copies of the court order and the reporting invoice as well as a check for the filing cost.

Sincerely,



Gene Davis

SPEEDY REPORTING, INC.

1056

P.O. Box 1942
Athens, GA 30603

PHONE: (706) 353-2049
FAX: (706) 353-3848

110 Kara Drive
Athens, Georgia 30606

INVOICE

TO:

Gene Davis

=====

DATE: _____

TAX ID NO: 58-2436259

REPORTER: _____

Superior Court of _____ County, Georgia

Case name: _____

\$ 3.98
page

Case No: _____

Takedown - 1 hour(s) @ \$ 43.31

\$ 21.66

*Paid
Cash*

Terms: Payable in full upon receipt.

Thank you for your business! ☺

*Carol
Mallory
12/9/13*

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

February 7, 2014

Mr. Gene Davis
186 Elderberry Circle
Athens, Georgia 30605

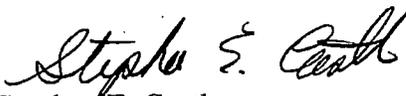
Dear Mr. Davis:

The enclosed correspondence is being returned to you because no Certificate of Service accompanied your document(s). A Certificate of Service must include the complete name and mailing address of each opposing counsel.

Also, there were an insufficient number of copies of your document (s). Your filing must contain an original and two (2) copies.

Also enclosed, please find your check number 1116, payable to the Georgia Court of Appeals in the amount of \$300.00.

Sincerely,


Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

Gene Davis
186 Elderberry Circle
Athens, GA 30605
February 5, 2014

Court of Appeals of Georgia
47 Trinity Avenue S.W., Suite 501
Atlanta, GA 30334

To whom it may concern:

I would like to ask for an extension of time to apply for an appeal of the following case:

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Civil Action No. SU-11-CV-0790 S

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Sincerely,



Gene Davis



2014

Georgia Court of Appeals

R U L E S

Last Update: February 19, 2014



Court of Appeals of Georgia

February 10, 2014

TO: Mr. Anthony L. Estes, GDC380923, Hays State Prison, Post Office Box 668, Trion, Georgia 30753

REQUEST FOR COPIES

- We received your request for copies. Copies are \$1.50 per page in this Court. Your pauper status does not excuse you from the copy fees in this Court. **The Court of Appeals of Georgia is not subject to the Open Records Act.**

The appellant's Brief contains _____ pages.

The appellee's Brief contains _____ pages.

The opinion contains _____ pages.

Other:

The copies you requested are a total of _____ pages totaling \$_____.

Please send your check or money order to the following address specifying what copies you wish be sent to you. Your request will be processed and sent to you by return mail.

Court of Appeals of Georgia
47 Trinity Avenue, S.W. • Suite 550
Atlanta, Georgia 30334

REQUEST FOR FORMS

- This Court does not have the forms you requested.

COURT RULES

- At your request, a copy of the Rules of the Court of Appeals of Georgia has been enclosed for your review.

~~THIS COURT CANNOT ASSIST YOU~~

- You should continue to direct your inquiries to the Superior Court of Paulding County. This Court cannot assist you.**

For Additional information, please go to the Court's website at: www.gaappeals.us

Court of Appeals of Georgia
47 Trinity Avenue
Suite 501
Atlanta, Ga. 30334

RECEIVED IN OFFICE
FEB 7 11 AM 3:28
COURT OF APPEALS OF GEORGIA

Dear Clerk's Office;

I'm writing you this letter in the hope that this office may assist me in getting the Superior Court of Paulding to forward the record to this Court in order for me to continue with my appeals.

I have enclosed a letter (copy) I mailed to the Paulding County Clerk's office trying to gain some information as to the process of my appeal. I don't know if you can or will advise me of my steps to have the courts to mail my appeal to this court or should I send a copy as to when it was filed.

As I've stated, I don't know what I should do but, I have to seek advice so that I may go forward. I would like to thank you for your time.

Respectfully,
Anthony L. Estes Pro-S
#380923

2014 FEB -7 PM 3:28

RECEIVED IN OFFICE
CLERK/COUNT ADMINISTRATOR
COURT OF APPEALS OF GA

Court of Appeals of Georgia

47 Trinity Avenue

Suite 501

Atlanta Ga. 30334

Dear Clerk's Office;

I'm writing you this letter in the hope that this office may assist me in getting the Superior Court of Paulding to forward the record to this Court in order for me to continue with my appeals.

I have enclosed a letter (cep) I mailed to the Paulding County Clerk's office trying to gain some information as to the process of my appeal. I don't know if you can or will advise me of my steps to have the courts to mail my appeal to this court or should I send a copy as to when it was filed.

As I've stated, I don't know what I should do but, I have to seek advice so that I may go forward. I would like to thank you for your time.

Respectfully,

Anthony L. Estes Pro-Su

380923

1-26-14

Treva W. Shelton (Clerk)
Paulding County Superior Court
280 Constitution Blvd.
Room 1023
Dallas, Ga. 30132

Dear Ms. Shelton,

How are you doing today? I'm writing you this letter in reference to my Notice of Appeal filed in the Superior Court of Paulding County on 11-15-12. I've waited patiently for the record to be mailed to the Court of Appeals of Georgia Well over a year now.

I have not received any information as to when it was sent or even being sent to the Appeals court. Please advise me of the status on my Appeal.

Respectfully,
Anthony L. Estes Pro-s.
#380923

c/c

Court of Appeals
State of Georgia

In the Georgia Court of Appeals
State of Georgia

Daniel Cobble

petitioner

v.

So handling

defendant

RECEIVED IN OFFICE

2014 FEB 14 PM 2:07

CLERK/COUNT ADMINISTRATOR
COURT OF APPEALS OF GA

chr

A13D0465

FILED IN OFFICE

FEB - 7 2014

COURT CLERK
CLERK COURT OF APPEALS OF GA

Notice of Intent to Appeal

petitioner hereby notifies Georgia Court of Appeals of my intent to appeal to U.S. Supreme Court Georgia Supreme Rules on 1-29-14 on Petition # ~~_____~~
H 513C18070

certificate of service

This is to certify that I have this day served upon counsel prior files by hand delivery through hand mail to undersigned of

The Attorney General of Georgia
Samuel S. O'Car
Dept of Law
40 Capital Square
S.W. Atlanta, Georgia

30354-1300

this 30th day of January 2014 by Daniel Cobble
per Daniel Cobble

~~Daniel Lee Cobble~~

~~GDC# 758572~~

~~Baldwin State Prison~~

~~P.O. Box 218~~

~~Hardwick, Georgia 31039~~

~~81301820~~

In the Georgia Court of Appeals
State of Georgia

Daniel Cobble

petitioner

v.

Karen Darlene Castleberry

defendant

Civil

A 13D0957

FILED IN OFFICE

FEB -7 2014

COURT CLERK
CLERK COURT OF APPEALS OF GA

CLERK OF APPEALS OFFICE
COURT OF APPEALS OF GA

2014 FEB 14 PM 2:07

RECEIVED IN OFFICE

Notice of Intent to Appeal

petitioner hereby notifies Georgia court
of appeals of my intent to appeal to the Supreme
Court of Georgia Supreme Rule on 12/27/13 as
Per # 5713C1820

Certificate of Service

This is to certify ~~that~~ that I have served
opponent counsel prior to filing by hand, mail
adequately posted to

Karen Darlene Castleberry
pro se defendant
a citizen
1909 Harmony Rd
Powder Springs Georgia 30127

This 30th day of January 2014 by Daniel Cobble
pro se petitioner

~~Daniel Eric Cobble~~
~~GDC # 758572~~
~~Baldwin State Prison~~
~~P.O. Box 218~~
~~Hardwick, Georgia 31039~~

~~SECRET 1870~~

Please call Prison?

to clerk of Georgia court of appeals

758572

David Beckett

Georgia Prison

today is 1-31-14

① yesterday 1-30-14 at 8am I handed in decision appeals
mailings to prison & the body mail smth (the smth to ms-smth)

RECEIVED IN OFFICE

20 FEB 14 PM 2:07

~~_____~~

but about 4pm on 1-30-14 she handed it all back home
without writing letter why, but letter handed to me from her
he is often mr. Some he verbally told me it was because I put
my return address on letter of envelope instead of

top left envelope, so I put All this mail in to mail box
on 1-30-14 ~~at 5pm~~ but at 11am 1-31-14 prison mail only

gave it back to me again she is miss sinners, she did it from
Mr. I accept, she said I can't find a handout mail from mail box
but can only find in (indigent mail) the spot ladies on Thursdays only,

so prison is making me wait till next Thursday to be able to
send out this mail to you. So its going to be late, not on handout

appeal and the Georgia Supreme's certiorari to an unusual case
inside, please call prison to verify at phone # 478445 5218

and let me see if there is considered online as if a tiny fault,

and there is well wanted security camera inside old in a that

Record 2/17 onto hospital records on the songs and my all right

close the Crellan got #120036 is written and there are fees

letting me send out that way for marks now can't send out of the certiorari

~~_____~~

to Clerk of Georgia Court of Appeals

13 125 125 14

From DANIEL COBBLE
758572
BALDWIN STATE PRISON
P.O. BOX 218
HARDWICK, GA 31034

by Daniel Cobble
pro se defendant

A13A2347
2004CRW073

~~13 125 125 14~~

Today is 1-28-14 @ please enclose file separately,

- ① Prison refuses to let me put this in mail until soon 1-30-14 so if this is late it's my fault
- ② I did not get your 1-22-14 order until 1-28-14
- ③ your court's judgement failed to abide by laws that requires you'll to list legal reasons for your violating disc. appeal. app. ~~of~~ granted Rules
- ④ Like I told GBT on 1-24-14 to hit face if he don't investigate my claims of innocent I'll kill him and I say to all Georgia Court of Appeals Agents if you'll don't do something to get major investigation into my claims of innocence you'll are all dead
- ⑤ My ~~the~~ intent on writing this is to let you'll know why I'm gonna kill you (and) to get you'll & your out,

In the Georgia court of appeals
State of Georgia

State of Georgia

Daniel Eric Cobb

Defendant

extraordinary new
trial motion appeal
due to new evidence

Case # 13A2347

Notice of intent to appeal Georgia Court

of appeals 1-22-14 Ricken Topt on 1-28-14
to the Georgia Supreme Court for next appeals

~~defendant~~ does Ricken

1

Riken violates Reality, since 1-6-14

original Riken has lied when court said of appeals
said I did not list Reason why I did not bring
up my claims before, because I say I did

Leaving appeal in 2014 for proof, I can't bring up
fact my appeal attorney filed a general plea of
innocent by insanity motion in 2008 when I did

not know he filed that until 2014 since I did
not get my final transcripts till after 2008 fall

also they had a proper book appeal in 1st place
2) call Superior Judge in 2002 on courthouse #1015017

2) called Superior Judge to sentence me to prison or evas
to prison over my case since he was supposed for
in prison as per O.C.G. 15-6-21 (d) when he had
not given my attorney a 2nd insanity motion motion of
all even still in 2014 when O.C.G. 15-6-21 says go
days back to ensure all motion
of Daniel Eric Cobb
1-28-14

ps 2

2 continents so my original Cobb prison sentence was illegal, therefore Wilcox County lacked Jurisdiction to prosecute me at all since I was illegally held in their prison from Cobb sentence

③ I was not given 20th appeal Rules until more than 21 days after appeal Rules, so I could not abide by appeals courts 10 day notice & appeal Rule

④ I was illegally convicted of going to Stephanie Biggers house on July 15, 2001 on her many Rd 1898 Powder Springs in Cobb County since it was not her house then, she lived in a home with a old lady renting a Room near city Shiram in Paulding County on July 15, 2001 and she did not live in Cobb County on July 15, 2001 either

⑤ you upheld my felonistic threats charge in violation of youll's own case law that says I can not be convicted unless I knew cops a cop but since I was in hospital for 2 people peppers spraying me and my prescription eyeglasses were broken, then I could not see street clothes cops badge

⑥ I never was charged with any domestic violence in my life against Stephanie Bissers, since I never hit her in my life and I never threatened her until after I was put in prison for years, therefore she did not qualify to get T.P.O. so I can not violate illegal TPO orders

⑦ I was at my my own legal meeting in my own car at 1909 Hermany Rd Powder Springs Georgia which was at my own mothers home on July 25, 2017 therefore my right to send and be contacted 6 days a week and my right to visit my mom and my right to travel supersedes my TPO

⑧ my 2nd arrest was gender prejudice since Stephanie Bissers violated a different TPO a year before my arrest 12 times by her violating visitation part of TPO and nobody ever arrests her despite my calling cops 12 times and my mom violated a 6 month TPO when she came to my house on 7-17-97 when cops arrested me for supposedly cutting Felicia Gonzalez hair while she was asleep, which was exonerated by Felicia, yet my mom was never arrested

9) 1 day after TPO was ordered in 2007, another order telling me to pay Stephanie Biggers (his person) or I stand 15th each month child support. During July 10, 2007 legit matter hearing I filed for in April 2007, (there fore you'll idk if put me in prison for paying child support?)

There was gonna give child support money to my man to give Stephanie on July 15, 2007

10) nobody ever investigated and a cert from claims against me

11) no pre-trial psychological evaluation was ever done on me at all by witcox county despite 93 and 2007 Cobb insanity Rules therefore my witcox convictions are illegal

12) There is almost 100 inmates witnesses, sh oldly I was in a witcox prison in may 2007 but nobody ever talked to them, fact is withholding favorable evidence and you still doing it

13) my Right to Resist illegal arrest was violated in 2007 since cops illegally taking my car and my checkbook from bank of America out bag cops and I tried to stop that as is my Right

14) your OBI visitor to me on Feb 14 did not show me any id or badge, so how do I know he wasn't really a prison guard posing as a OBI?

certificate of service

This is to certify that I have this day served
opposed counsel process as (US-mail) adequately
performed to ↓

The District attorney of Forsyth county
Debbie D. Fackler
P.O. Box 5510
Cohoke, Georgia 31010

This 28th day of January 2014 by Daniel E. Tucker
pro se defendant

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

404-656-3450

February 10, 2014

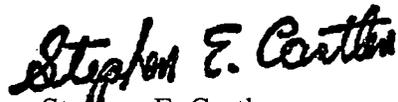
Mr. Cedric D. Arrington
GDC1121182
Coastal State Prison
Post Office Box 7150
Garden City, Georgia 31418

RE: A14D0147. Cedric D. Arrington v. The State

Dear Mr. Arrington:

The Motion for Reconsideration was filed in the above appeal on December 13, 2013. It was denied on February 6, 2014. I have enclosed a copy of the order for your review.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure

Court of Appeals of the State of Georgia

ATLANTA, February 06, 2014

The Court of Appeals hereby passes the following order:

A14D0147. CEDRIC D. ARRINGTON v. THE STATE.

Upon consideration of the APPELLANT'S Motion's for Reconsideration in the above-styled case, it is ordered that the motion is hereby DENIED. The APPELLANT'S second motion for Reconsideration is DISMISSED as untimely filed.

APPELLANT'S request for an extension of time to file a brief in support of his Motion for Reconsideration is MOOT.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 02/06/2014

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Stephen E. Carlton

, Clerk.

Dear Clerk of Courts

Would you please Advise me of the
Disposition of my motion for reconsideration
IN CASE NO. A14D0147. IT has been over
30 days from the filing of that motion

Thank you in Advance for your time in this
MATTER

Respectfully

Cecilia Perryman

PO Box 7150
Garden City, GA
31411

RECEIVED IN OFFICE

2014 FEB -7 AM 11:10

CLERK OF COURT
COUNTY OF APPEALS OF GA

Court of Appeals of the State of Georgia

ATLANTA, December 10, 2013

The Court of Appeals hereby passes the following order:

A14D0147. CEDRIC D. ARRINGTON v. THE STATE.

Cedric Arrington, who is proceeding pro se, filed this discretionary application seeking review of the trial court's denial of his motion for an out-of-time appeal. The order was entered on September 6, 2013, but Arrington did not file a proper application for discretionary appeal until November 25, 2013.¹ The denial of a motion for an out-of-time appeal is directly appealable, *Lunsford v. State*, 237 Ga. App. 696 (515 SE2d 198) (1999), and when a party applies for discretionary review of a directly appealable order, this Court will ordinarily grant the application under OCGA § 5-6-35 (j). To fall within this general rule, however, the application must be filed within 30 days of entry of the order or judgment to be appealed. See OCGA § 5-6-35 (d); *Hill v. State*, 204 Ga. App. 582 (420 SE2d 393) (1992). Because Arrington filed his application for discretionary appeal 80 days after entry of the order he seeks to challenge, his application is untimely, and it is hereby DISMISSED for lack of jurisdiction.

¹ Arrington attempted to file his application for discretionary appeal earlier, but his application was not accepted for filing at that time because it did not include a stamped, "filed" copy of the trial court's order as required by Court of Appeals Rules 30 (b) and 31 (e).



*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 12/10/2013*

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Stephen E. Castle _____, Clerk.

COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR BRIEFS OR MOTIONS

Date: February 14, 2014

To: Roy W. Copeland, Esq., Copeland Haugabrook & Walker, 104 East Adair Street, Post Office Box 1933, Valdosta, Georgia 31603

Docket Number: A14A0877 **Style:** Henry Moore, et al. v. Richard J. Denning, Jr.

Your document(s) is (are) being returned for the following reason(s).

1. **Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5**
2. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4. No Certificate of Service or an improper Certificate of Service accompanied your document(s). Rule 6
5. Your Certificate of Service did not include the complete name and mailing address of each opposing counsel and pro se party. Rules 1(a) and 6. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
6. There were an insufficient number of copies of your document. Rule 6.
7. Your document exceeds page limits. Rules 24 (f) and 27 (a)
8. Your document was submitted without permission to file (supplemental brief or second motion for reconsideration). Rules 27 (a) and 37 (d)
9. Letter briefs and letter cites are not permitted. Rule 27 (b)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12. Type was on both sides of the paper; type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17. The Motion to Supplement has not been granted.
18. Other

COPELAND, HAUGABROOK & WALKER

ATTORNEYS AT LAW
104 EAST ADAIR STREET
POST OFFICE BOX 1933
VALDOSTA, GEORGIA 31603
E-MAIL: cwlaw02@bellsouth.net

ROY W. COPELAND
NATHANIEL HAUGABROOK, II
KARLA WALKER

TELEPHONE NUMBER
(229) 247-4617
FAX (229) 242-0109

January 28, 2014

Clerk
Court of Appeals of Georgia
Suite 501, 47 Trinity Avenue, S.W.
Atlanta, Georgia 30334.

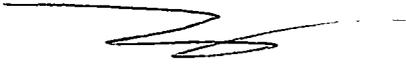
RE: Henry Moore, et al. vs. Richard J. Denning, Jr.
Court of Appeals of Georgia
Docket No: A14A0877

FILED IN OFFICE
JAN 28 2014
COURT CLERK
CLERK COURT OF APPEALS OF GA

Dear Sir/Madam:

Enclosed please find the original and three copies of the Brief of Appellant in connection with the above-referenced matter. Please return one stamped copy to my office in the enclosed self addressed stamped envelope. If you should have any questions, please contact me.

With best regards,


Roy W. Copeland
RWC/sw

Enclosures

Cc: Mr. Ben B. Mills, Jr. Esq.

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2014 FEB -3 PM 2:11
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

FILED IN OFFICE

JAN 28 2014

COURT CLERK
CLERK COURT OF APPEALS OF GA

IN THE COURT OF APPEALS FOR THE STATE OF GEORGIA

HENRY MOORE, GEORGE CLARK,)
 WILLIE WILLIAMS, ELSWORTH SWANSON,)
 SR., ELSWORTH SWANSON, JR., AND)
 ELTON REESE, BOARD OF DEACONS OF SHILOH)
 MISSIONARY BAPTIST CHURCH, Appellants,)
)
 vs.)
)
 RICHARD J DENNING, JR.,)
 Appellee.)
)
)
)

A14A0877

Civil Action File
No. ~~2013S05-0446~~

RECEIVED IN OFFICE
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 CLERK COURT OF APPEALS OF GA

BRIEF OF APPELLANT
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Procedural History and Statement of the Facts

This is an appeal concerning a temporary and permanent injunction concerning the removal of Henry Moore, George Clark, Willie Williams, Elsworth Swanson, SR., Elsworth Swanson, JR., and Elton Reese (Appellants), Board of Deacons of Shiloh Missionary Baptist Church. (R-4,5). The Appellants filed a temporary and permanent injunction with the Superior Court of Coffee County, on May 31, 2013 with Jerome Adams. (R-4).

The Appellants alleged in their complaint that they met and, by majority vote, decided to dismiss the pastor, who is Richard J. Denning, Jr. (R-4). The Board of Directors was authorized and had the authority under the bylaws of the Church, to dismiss the Appellee Pastor Richard J Denning, Jr. (R-4). Proper

Notice was given to the Appellee and the Appellants followed the guidelines laid out in the bylaws of the church. (R-4).

Due to the illegality of his actions, Appellee refused to abide by the decision of the majority of the Board of Deacons and purports to continue in the role as pastor. The Appellee responded to the Board of Director's dismissal by arguing that the Appellants are no longer deacons at the church. (R-5). The Appellee argues that the Deacons were removed by a congregational action at a time subsequent to the deacons' meeting and dismissing the pastor. (R-5). Pastor Denning alleged that the Appellants no longer have authority to act as deacons and that a congregational meeting of the church, June 10th, 2013, a new Board of Deacons was elected. (R-5). Appellee argues that the newly elected Board of Deacons had the power to determine the hiring and firing of pastors, not the Appellants. (R-5).

The main contention presented to this Honorable Court revolves around who had the authority, at the time of removal to make decisions as it pertains to the hiring and firing of Pastors. Whether St. Johns Missionary Baptist Church

Association's bylaws are mandatory for the church to follow? There's no dispute that Shiloh Missionary Baptist Church is a congregational form of a church government and that the congregation has control of the church activities, including appointment and removal of deacons.

On June 10, 2013, proceedings were held before the Honorable Michael D. Devane concerning the matter at issue. Representative for the Appellants argued the veracity of their complaint as well as the Representative for the Appellee. The Court ruled to deny the Appellants request for Temporary and Permanent Injunction.

ENUMERATION OF ERRORS

1. The trial court erred in accepting the Appellee rationale for not abiding by the St. Johns Missionary Baptist Association bylaws and constitution.

Shiloh Missionary Baptist Church is a member of the St. Johns Missionary Baptist Association and the congregation adheres to the association's constitution and bylaws.

ARGUMENTS

I. The bylaws and constitution of St. Johns Missionary Baptist Church should hold priority over any other bylaws.

It is beyond cavil that the constitutional guarantee of freedom of religion includes the authority of religious bodies to make their own decisions, free from state interference, in matters of church government, faith and doctrine. *Anderson v. Dowd*, 268 Ga. 146, 147(1), 485 S.E.2d 764 (1997); *First Born Church of the Living God v. Hill*, 267 Ga. 633, 634(1), 481 S.E.2d 221 (1997). "Thus, civil courts have no jurisdiction to inquire into and to control the acts of the governing authority of a religious organization undertaken with reference to its internal affairs." *Anderson v. Dowd* at 147(1), 485 S.E.2d 764.

During the hearing for a temporary and permanent injunction, neither lawyer argued whether or not Shiloh Missionary Baptist Church is considered a congregational or a hierarchical church. (R-5-8). The discussion centered on whose bylaws and power structure does the church follow. The Appellants argue that Shiloh Missionary Baptist Church, is a member of the St. Johns Missionary Baptist Association and the church abides by their constitution and bylaws. (R5-

55). The Appellee does not dispute this fact, presented to the Court during the hearing.

Article 3 of the St. John Missionary Baptist Church bylaws, Section F states:

This association is organized exclusively for charitable, religious, educational, and benevolent purposes. These purposes include:

Section 1: The purpose of this association shall be to “provide support and guidance” to its member churches in the following areas:

F: The important task of selecting a Pastor.

The bylaws and constitution presented to the trial court clearly articulates the specific guidelines in which the church must follow. These same deacons (Appellants), with the church, voted to hire the Appellee in 2010. (R-20). Deacon Henry Lee Moore, a faithful member of the congregation since 1971, stated in his testimony that the church is a part of the St. Johns Missionary Baptist Church Association. (R-20). The church became part of the association back in the 1970's, so the Appellee's argument concerning whether or not the bylaws and constitution hold priority is flawed.

The Appellee did not follow the guidelines specifically laid out in the bylaws, and the trial court erred in denying the Appellant's temporary and permanent injunction. Mr. James Deen (Mr. Deen), an officer for the St. Johns Missionary Baptist Association testified at the hearing. Mr. Deen explained to the court that there are eight members of the association, including Shiloh Missionary Baptist Church. (R-45). The testimony goes further into how those members of the association handle disputes among pastors, deacons, and members. "Tell the Court how that works when a church has a dispute with their pastor." "Well, it's not just when they have a dispute with the pastor but also if the pastor also has a dispute maybe with the deacons or other members." (R-45). "They contact the association and then we come on invitation." (R-45). Mr. Deen specifically states the order in which disputes are handled within members of the association. Mr. Deen goes further in explaining the process: "And who contacted the association? The deacons". (R-46). Was the meeting scheduled to discuss this with Mr. Denning?" "Yes, sir." (R-46-47). "Did Mr. Denning attend that meeting?" "I believe he was there." (R-47). I'm pretty sure he was there." Was a second meeting scheduled? Yes, sir. "And as a result of the second meeting, did the

deacons attend that second meeting.” “Some of the deacons did.” (R-47). And did Mr. Denning attend that meeting?” “No, sir” (R-47).

The importance of Mr. Deen’s testimony proves that the proper procedures were taken within the context of the bylaws. The deacons used St. Johns bylaws and constitution. Mr. Deen’s testimony continues: “Did y’all attempt to schedule another meeting? The association didn’t, but Reverend Denning called me.” (R-47). So Pastor Denning reached out to the association? Yes sir. (R-47).

The deacons followed the procedures set forth in the bylaws and for the Appellee to argue to the contrary is flawed. Not only were the proper procedures followed, but the Appellee followed those protocols as well. For the Appellee to place a phone call to Mr. Deen, refutes any argument that the bylaws and constitution of the association aren’t followed. “And he acknowledged by his reaching out to the association that he was bound by the St. Johns Missionary Baptist Association bylaws”? “Yes”. (R-47). There is prior precedent for the church to follow the bylaws and constitutions when hiring or firing pastors, deacons, and members of a congregation. The business of the church in a

congregational church is operated by the pastor and the deacons. Based on the information given by Mr. Deen, an officer of the association, an appeal is justified under the law.

A. Prior judicial precedent from the Georgia Appeals should apply for in this instance.

Here, it is undisputed that Shiloh Missionary Baptist Church is a congregational church, that is, a church that is "strictly independent of other ecclesiastical associations." *Kidist Mariam*, 219 Ga.App. at 473(1), 465 S.E.2d 491. And the trial court was presented with a property dispute, with the pastor and the group of deacons both claiming control over church property and funds. Thus, the sole issue before the trial court was to determine whether the pastor or the deacons represented the majority of church members. See *Gervin*, 246 Ga. at 58 (5), 268 S.E.2d 657.

In *First Born Church of the Living God v. Bank South, N. A.*, 221 Ga.App. 739, 472 S.E.2d 469 (1996):

The Court held that the dispute concerned control of church property and whether the Board complied with the provisions of its written constitution. Therefore the issue was secular and not ecclesiastical in nature. And, **because the Board had failed to follow the procedural requirements of the church constitution when it changed the administration of the church's accounts with the bank and when it removed Senior Bishop Hill, those actions were invalid.** This Court concluded: "Therefore, the actions at issue here, taken in violation of the express legislative procedures required by the Church's constitution were not validly enacted." *Id.* at 741-742, 472 S.E.2d 469. On November 6, 1996, the trial court "ordered that the judgment of the Court of Appeals be and is hereby made the Judgment of this Court." *Id.*

However, the trial court did not enter a final judgment. Instead, it apparently retained jurisdiction of the case and eventually had a second bench trial held on September 8 and November 18, 1999, reconsidering whether Hill had been properly removed by the Board

in 1994 or later expelled and excommunicated in either 1995 or in 1997/1998. Neither party had amended the pleadings. Rather, it would appear that the Board simply desired another hearing, over four years after the initial hearing, in an attempt to get the court to ratify at least one of the Board's two subsequent attempts to oust Senior Bishop Hill. Indeed, at the bench trial, the court asked the Board, "Your intention is to submit evidence as to what has taken place since the Court of Appeals sent its decision down and then ask for another order of the Court ... either for or against?" Counsel for the Board replied, "That's correct with the exception that some of the events that would be in the evidence occurred while the case was pending on appeal." After a bench trial, the court again held in favor of the Board.

The Deacons followed the bylaws and constitution and are entitled to another hearing as a matter of law.

B. There's no basis by which the trial court could determine that a majority of the members voted for the expulsion or termination of the Appellee's role as deacons of the church.

It is well established that the principles embodied in the First Amendment to the United States Constitution and its counterpart provisions in the Georgia Constitution preclude our courts from “deciding questions involving a church's internal affairs in matters of theology, church discipline, or church governance.” *Presbyterian Church in the United States v. Mary Elizabeth Blue Hull Memorial Presbyterian Church*, 393 U.S. 440, 449, 89 S.Ct. 601, 21 L.Ed.2d 658 (1969). Specifically, courts may not inquire into a controversy relating to matters of faith, teaching, doctrine, and discipline of a church, “such as expulsion from membership, internal procedures, quorums, or determination of membership in the church.” *Kidist Mariam Ethiopian Orthodox Tawahedo Church v. Kidist Mariam Ethiopian Orthodox Tawahedo Church*, 219 Ga.App. 470, 472(1), 465 S.E.2d 491 (1995).

However, this sacrosanct principle, which prevents a court from exercising jurisdiction over ecclesiastical matters, is not violated when “a court is called upon to decide a civil dispute over control of church property.” Indeed, civil courts do not inhibit free exercise of religion “merely by opening their doors to disputes involving church property.” In fact, our Supreme Court has acknowledged that in

disputes involving congregational churches, courts of equity will take jurisdiction over disputes involving churches “when property rights are involved and when the suit is brought on behalf of a majority of the congregation.” Consequently, while as a general rule courts are precluded from inquiring into determinations of church membership, a trier of fact is “not forbidden to consider the composition of the church membership for the limited purpose of determining standing to bring a claim on behalf of the church membership.”

It’s undisputed that Shiloh Missionary Baptist Church is a congregational church. The question posed to this Honorable Appeals Court is whether a majority ruled in favor of the pastor over the deacons. Such an examination first requires us to review the church's bylaws governing membership, which we must construe according to the principles specified. The St. John’s Missionary Association bylaws and constitution was used by Shiloh Missionary Baptist Church since the 1970s. (R-20). So for the Appellee to argue to the contrary is dishonest and flawed. The Deacons followed proper protocol specifically laid out in the bylaws, which the Appellee preceded to forgo. So the trial court erred in denying the Appellant’s permanent and temporary injunction.

CONCLUSION

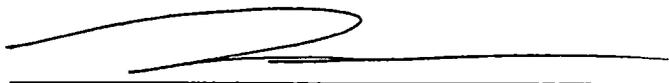
The Appellants understand the precarious position that their request places this Honorable Court. The duties and obligations of a congregational church are usually settled by the deacons and pastors. Any disagreements rarely result in a legal hearing or suit. That is why we respectfully request that this Court will hear this disagreement. There is clear precedent, not only legally, but how the church operates since the 1970's. To allow a pastor whom only been present at Shiloh Missionary Baptist Church for 3 years, to make changes that runs counter to prior conduct is unjust. The deacons followed the proper protocol in dealing with the hiring or firing of a pastor; and the actions perpetrated by the pastor was unwarranted. The Appellant's respectfully ask this Honorable Court to allow an appeal to occur.

This 28th day of January, 2014.

[Signature appears on following page]

Respectfully submitted,

Copeland, Haugabrook & Walker



ROY W. COPELAND

State Bar No. 186830

104 East Adair Street

Valdosta Ga 31601

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the attached **BRIEF OF APPELLANT** was this day served either by mailing a copy thereof in an envelope carrying sufficient postage to insure delivery and properly addressed to:

Mr. Ben B. Mills, Jr., Esq.
Attorney at Law
315 South Main Street
P. O. Box 408
Fitzgerald, GA 31750

This 28th day of January, 2014.

Copeland, Haugabrook & Walker



ROY W. COPELAND
State Bar No. 186830
104 East Adair Street
Valdosta Ga 31601

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

February 17, 2014

Ms. Stephaine Y. Chatman
5029 Pumping Station Road
Sparta, Georgia 31087

Dear Ms. Chatman:

In response to your "Motion to Stay Notice of Appeal Pursuant OCGA17-7-170" received in this office, we do not have a case styled in your name pending in this Court.

Until a case is docketed in this Court in your name, all communications and questions regarding the status of a case should be directed to your attorney or to the trial court from which you are appealing.

Your documents are being returned to you.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure

WHEREFORE, defendant prays that this Honorable Court Stay the Notice of Appeal pursuant the above styled matter until such time that if or when it is timely and legally filed.

Aretha C. Hill

Sworn this 21st day of February before a person authorized to render the

NOTARY PUBLIC

Oath. **Hancock County, GEORGIA**

Norary

Aretha C. Hill

My Commission Expires on

4/16/2016

Stephaine Chatman

[Signature]

FILED IN OFFICE
TIME 4:50pm
FEB 05 2014

CLERK SUPERIOR COURT
HANCOCK COUNTY, GA

CERTIFICATE OF SERVICE

I, Stephaine Chatman, hereby certify that I have served upon the State of Georgia a true and correct copy of same, Motion to Stay Appeal Notice pursuant O.C.G.A 17-7-170 filed on January 27, 2014 in the Hancock County Superior Court prior to trial in which was scheduled to be held absent of the hearing of the pre trial motion being heard and is properly before the court. Appeal was filed premature because trial was set prior to hearing the motion of plea in bar for Speedy Trial Demand, The motion was filed before trial and which is a pretrial motion and proceeding and have served motion by placing in the United States mail on February 5, 2014 with sufficient postage affixed to the address as follows:

The Honorable Fredric D. Bright
Ocmulgee Judicial District Attorney
100 S. Jefferson Street, #122
Eatonton, Georgia 31024

Reginald Bellury
Ocumulgee Judicial Assistant District Attorney
100 S. Jefferson Street, #122
Eatonton, Georgia 31024

Georgia Courts of Appeal
47 Trinity Avenue., S.W., Suite 501
Atlanta, Georgia 30334



CHAMPION LAW GROUP, LLC

4721 CHAMBLEE-DUNWOODY RD., BLDG. 100, SUITE 200, ATLANTA, GEORGIA 30338
☎ 470.299.1371 📠 888.414.8084

CHAMPION
LAW GROUP LLC

VIA CERTIFIED MAIL/ RETURN RECEIPT 7012 2920 0000 8491 8287

Clerk's Office, Court of Appeals
47 Trinity Ave SW #501
Atlanta, GA 30334

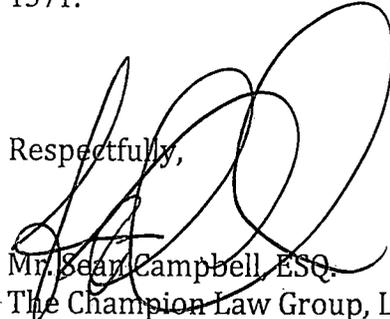
February 18, 2014

Mr. Stephen E. Castlen:

This letter is regarding Civil Action File number 2013-CV-01975-5. This Notice of Appeal is regarding the Order on Petitioners' Motion for Summary Judgment. The Notice of Appeal has already been filed in Clayton County Superior Court.

If you have any other concerns, please call The Champion Law Group, LLC at (470) 299-1371.

Respectfully,


Mr. Sean Campbell, ESQ.
The Champion Law Group, LLC.
10 Glenlake Pkwy, Suite 130
Atlanta, GA 30338
Phone: 470-299-1371
Fax: 888-414-8084

RECEIVED IN OFFICE
2014 FEB 20 AM 10:34
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

IN THE SUPERIOR COURT OF CLAYTON COUNTY
STATE OF GEORGIA

BEVERLY A. GANTT on behalf of
DALE A. ALLISON and
ENCOMPASS INSURANCE COMPANY

Plaintiff,

v.

JEFFERY C. CARTER,

Defendant.

CIVIL ACTION

FILE NO.: 2013-CV-01975-5

RECEIVED IN OFFICE
2014 FEB 20 AM 10:34
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

NOTICE OF APPEAL

Notice is hereby given that JEFFERY C. CARTER, defendant above-named hereby appeal to the Georgia Court of Appeals from the ORDER ON PETITIONERS' MOTION FOR SUMMARY JUDGMENT entered in this action on January 15, 2014.

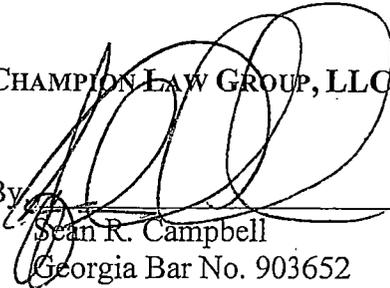
The clerk will please refrain from making any omissions from the record on appeal.

Transcript of evidence will be filed for inclusion in the record on appeal.

The court appealed to rather than other appellate courts has jurisdiction over the above styled case pursuant to O.C.G.A. §5-6-33(a)(2) in addition to Ga. Const. 1983, Art. VI, Sec. V, Par. III.

{Signatures on following page}

CHAMPION LAW GROUP, LLC

By 

Sean R. Campbell

Georgia Bar No. 903652

Attorney for Appellant

10 Glenlake Pkwy, Suite 130
Atlanta, GA 30328
Phone 470-299-1371
Fax: 888-414-8084

IN THE SUPERIOR COURT OF CLAYTON COUNTY
STATE OF GEORGIA

BEVERLY A. GANTT on behalf of
DALE A. ALLISON and
ENCOMPASS INSURANCE COMPANY

Plaintiff,

v.

JEFFERY C. CARTER,

Defendant.

CIVIL ACTION

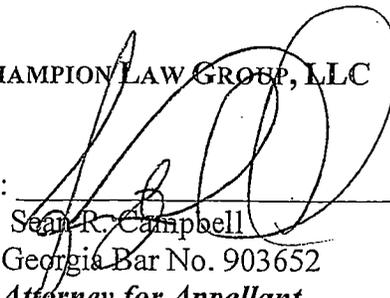
FILE NO.: 2013-CV-01975-5

ENUMERATION OF ERRORS

1. The court erred in finding the act of Jeffery Carter depositing a check which on its face presented no indication that its amount was for full and or final payment of any or all claims constituted an accord and satisfaction that entitled Beverly A. Gantt on behalf of Dale A. Allison and Encompass Insurance Company to a general release of all claims.
2. The court erred in finding that no genuine issue of material fact existed as to whether a settlement agreement had been reached between Jeffery Carter and Dale Allison.

{Signature on Following page}

CHAMPION LAW GROUP, LLC

By: 

Sean R. Campbell
Georgia Bar No. 903652
Attorney for Appellant

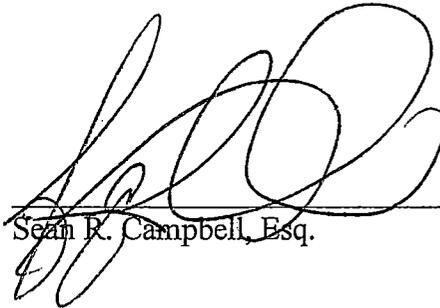
10 Glenlake Pkwy, Suite 130
Atlanta, GA 30328
Phone: 470-299-1371
Fax: 888-414-8084

CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the foregoing *APPELLANT'S NOTICE OF APPEAL & ENUMERATION OF ERRORS* upon counsel of record for the *APPELLEE* in this action by depositing same via United States Certified Mail return receipt requested in a properly addressed envelope with adequate postage thereon to:

J. Colby Jones
Downey & Cleveland LLP
288 Washington Ave, N.E.
Marietta, GA 30060

This 18th day of February, 2014.


Sean R. Campbell, Esq.

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

February 19, 2014

Mr. Anthony B. Cochran
GDC600779 B-120
Effingham County Prison
Post Office Box 299
Springfield, Georgia 31329

RE: A11A1601. Anthony Brian Cochran v. The State

Dear Mr. Cochran:

I am in receipt of your letter dated February 12, 2014. You mentioned your concern that the Remittitur in the above appeal instructed to remand with direction and to date, no action has been taken. Please understand, there is no specific time set by this Court for the Superior Court to act. You should contact the Superior Court concerning your inquiry.

Sincerely,



Stephen E. Castlen

Clerk/Court Administrator

Court of Appeals of Georgia

SEC/ld

TO: GEORGIA COURT OF APPEALS, CLERK

FROM: ANTHONY COCHRAN

RECEIVED IN OFFICE
2-12-2014
2014 FEB 18 PM 2:41
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

IN RE: CASE NO. A11A1601

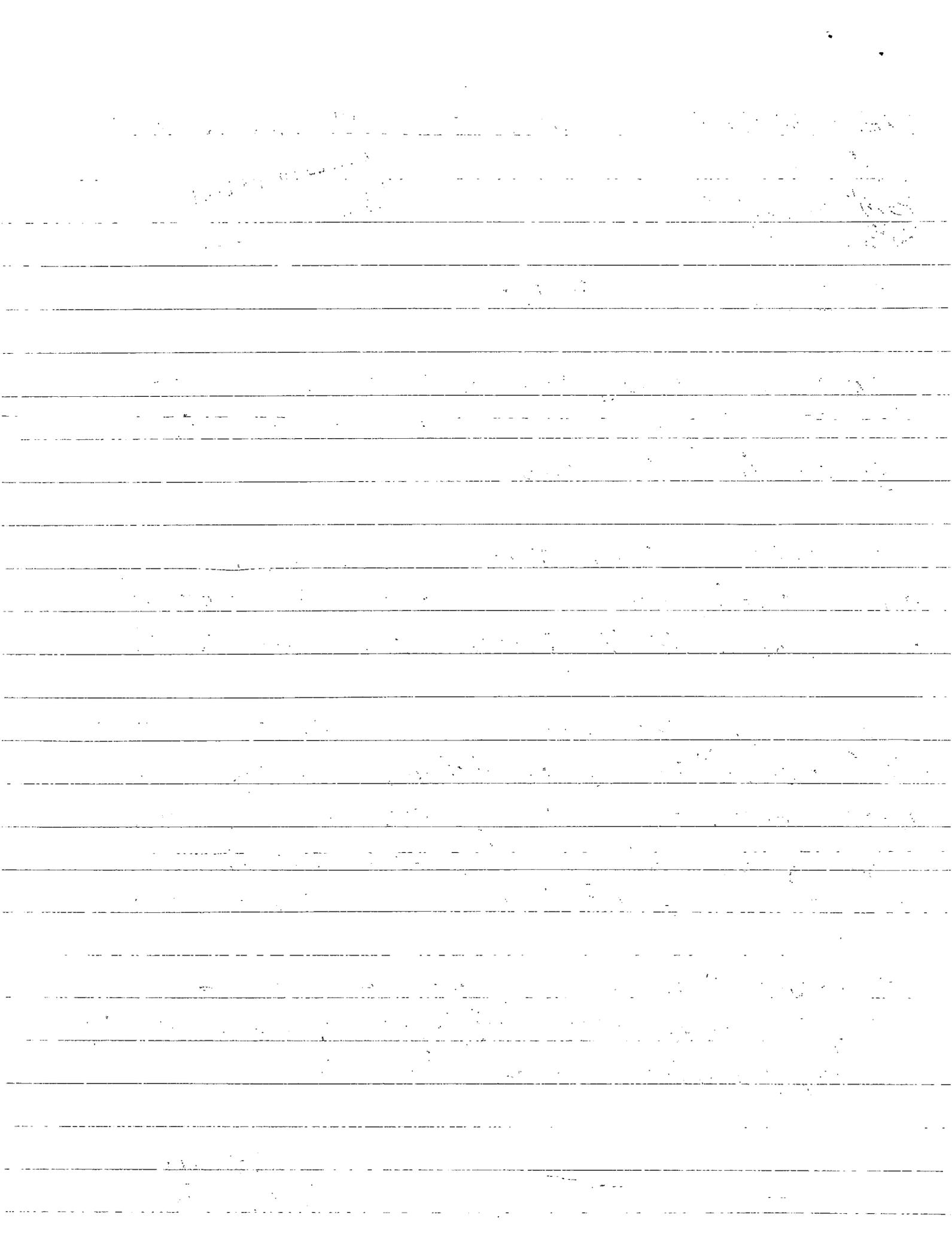
ON FEBRUARY 11, 2013, THIS COURT SENT A REMITTITUR WITH DIRECTION, TO COBB COUNTY SUPERIOR COURT, IN REGARDS TO THIS CASE.

ON FEBRUARY 15, 2013, JUDGE MARY E. STALEY, SIGNED PAPERS STATING THAT THE RULING OF THE COURT OF APPEALS BE MADE THE JUDGEMENT OF HER COURT.

HOWEVER, A YEAR LATER, SHE HAS FAILED TO FOLLOW THE "DIRECTION" IN THE REMITTITUR. I BELIEVE WHEN JUDGE STALEY, SIGNED THE PAPERS ON FEBRUARY 15, 2013, SHE SHOULD HAVE FOLLOWED THE DIRECT IN THE REMITTITUR THAT SAME DAY.

I WOULD LIKE FOR THIS COURT TO SEE IF, JUDGE STALEY, IS VIOLATING "RULE 7," CONTEMPT. SHE IS FAILING TO COMPLY WITH AN ORDER FROM THIS COURT.

SINCERELY,
ANTHONY COCHRAN



The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

February 20, 2014

Mr. Gene Davis
186 Elderberry Circle
Athens, Georgia 30605

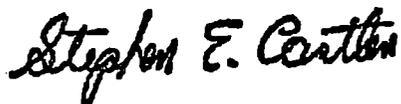
Dear Mr. Davis:

Again, the enclosed "Extension of Time to Apply for an Appeal" is being returned to you because no Certificate of Service accompanied your document. A Certificate of Service must include the complete name and mailing address of each opposing counsel and you must actually serve the opposing counsel with a copy of your filing. Please add a Certificate of Service to your request for an extension.

You will need to send an original and two (2) copies of the request for an extension.

I have enclosed a copy of the Rules of the Court of Appeals of Georgia for your review.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

Gene Davis
186 Elderberry Circle
Athens, GA 30605
February 15, 2014

RECEIVED IN OFFICE
2014 FEB 19 PM 4:29
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Mr. Stephen E. Castlen
Court of Appeals of Georgia
47 Trinity Avenue S.W., Suite 501
Atlanta, GA 30334

Dear Mr. Castlen:

You returned my request for an extension of time to apply for an appeal. I am enclosing copies of my letter and your response. I would like for you to read my letter again. I was not applying for an appeal. I was only asking for an extension of time and the reason for my request was stated in my letter.

Sincerely,



Gene Davis

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

February 18, 2014

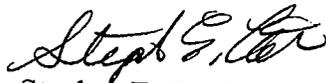
Mr. Leo Fuller
446 West Plum Street
Jesup, Georgia 31545

Dear Mr. Fuller:

There is no case pending in the Court of Appeals under your name. Until a case is docketed in the Court of Appeals in your name, you should direct your inquiries to your attorney or the clerk of the trial court from which you are appealing.

A Notice of Appeal is filed with the clerk of the trial court and not with the Court of Appeals of Georgia. See OCGA §5-6-37. Once the trial court clerk has received and filed a Notice of Appeal, the trial court clerk will prepare a copy of the record and transcripts as designated by the Notice of Appeal and transmit them to this Court. Once the Notice of Appeal is docketed in the Court of Appeals of Georgia, a Docketing Notice with the briefing schedule and other important information is mailed to counsel for the parties or directly to the parties, if the parties are representing themselves. You do not need to provide this Court with a copy of the Notice of Appeal you filed with the superior court. I am returning your correspondence to you.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

RECEIVED IN OFFICE
2013 FEB 17 AM 11:39
CLERK/30001 ADMINISTRATOR
COURT OF APPEALS STATE GA

IN THE LOWNDES COUNTY SUPERIOR COURT
VALDOSTA, GEORGIA 31601

LEO FULLER
APPELLANT

VS.

CIVIL ACTION NO.
2013-CV-2312

MARK BUTLER
COMMISSIONER
APPELLEES

"NOTICE OF APPEAL"

COME NOW LEO FULLER, THE APPELLANT IN THE ABOVE STYLED CASE, WHEREAS THE BELOW LISTED APPELLEES HAS WRONGLY INTERPERTED IN THE LAW AT ISSUE; UNDER SECTION 34-8-194(1) OF THE UNEMPLOYMENT SECURITY LAW AS FOR GOOD CAUSE SHOWN THE APPELLANT BRING FORTH THHE FACTS BEFORE THIS COURT.

(1.)

YOU ARE REQUESTED TO SEND THE ENTITE RECORD TO THE GEORGIA COURT OF APPEALS: CLERK OF COURT

334 STATE JUDICIAL BLDG.
ATLANTA, GA. 30334

(2.)

YOU ARE ALSO RESPECTFULLY ASKED TO SEND ALL
APPELLEES COPIES OF THE NOTICE OF APPEAL TO ALL
INTERESTED PARTIES.

(3.)

PLEASE BE SURE THAT ALL NECESSARY PARTIES HAVE A COPY
OF THIS NOTICE OF APPEAL.

THIS THE 10th DAY OF Feb. 2014.

RESPECTFULLY,

Leo Fullere

"CERTIFICATE OF SERVICE"

THIS IS TO CERTIFY THAT I, LEO FULLER; THE APPELLANT IN THE ABOVE ENTITLED NOTICE OF APPEAL HAS BEEN SERVED TO THE BELOW LISTED PARTIES WITH A COPY OF THE SAME IN THE U.S. MAIL WITH ADEQUATE POSTAGE THEREON TO ENSURE IT REACHES ITS DESTINATION.

THIS THE 10th DAY OF Feb. 2014.

Leo Fuller

PARTIES SERVED:

BETH C. GREENE
CLERK OF COURTS LOWNDES COUNTY
SUPERIOR, STATE AND JUVENILE
P.O. BOX 1349
VALDOSTA, GA. 31603

CLERK OF COURT
COURT OF APPEALS
OF GEORGIA
334 STATE JUDICIAL
ATLANTA, GA. 30334

KIMBERLY LEWIS
ATTORNEY GENERAL
GA. DEPT. OF LAW
40 CAPITOL SQUARE, S.W.
ATLANTA, GA. 30334-1300

COLEMAN/TALLEY
910 N. PATTERSON ST.
VALDOSTA, GA. 31601

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

February 18, 2014

Ms. Pamela Green
GDC29695
Pulaski State Prison
Post Office Box 839
Hawkinsville, Georgia 31036

RE: A14D0124. Pamela Delores Green v. The State

Dear Mr. Green:

The above appeal was dismissed.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR
Feb, 11th 2014

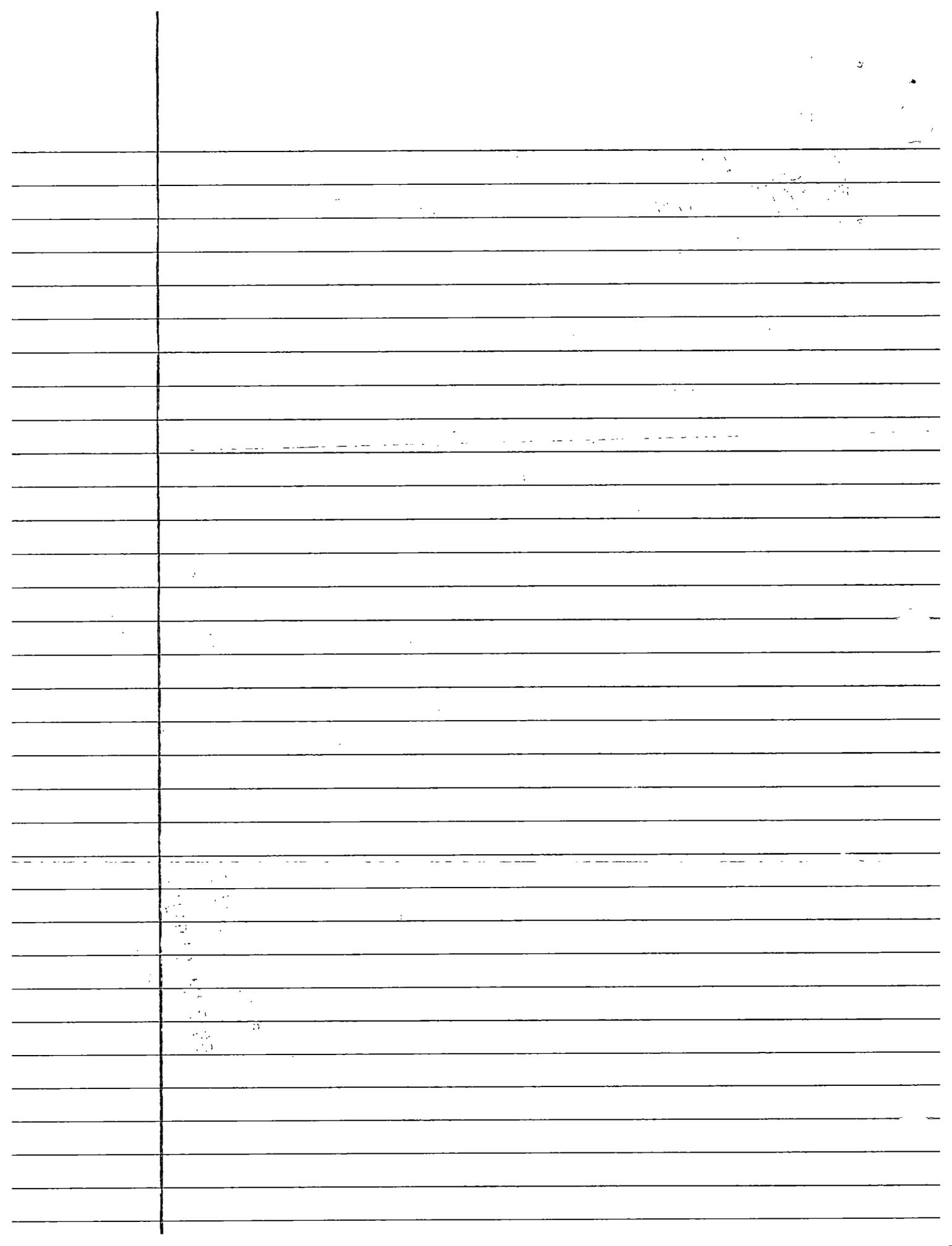
Dear Mr. CASTLEN:

Thank's you for writing. I'm
writing to ASK' The STATUES of my
pro se motion I filed. I look Forward
of hearing from you.

Sincerely,

Pamela Green
Pamela Green
pro se.

RECEIVED IN OFFICE
2014 FEB 18 PM 2:40
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA





Court of Appeals of Georgia

February 18, 2014

TO: Mr. Michael D. Grant, GDC407229, Wheeler Correctional Facility, Post Office Box 466,
Alamo, Georgia 30411

RE: **A13A1794. Michael Grant v. The State**

CHECK RETURN

- Your check number _____ in the amount of _____ written on the account of your firm for the filing fee in _____ is enclosed. Please be advised that this Court is returning your check since the filing fee was already paid by _____.

CASE STATUS - DISPOSED

- Your appeal was disposed by opinion (order) on _____. The Court of Appeals _____, divesting this Court of any further jurisdiction of your case. The case is therefore, final.

CASE STATUS - PENDING

- Your case is still pending before the Court. Your case was docketed in the 2013 September Term and a decision must be rendered by the Court by the end of March, 2014.**

APPLICATION FOR PERMISSION TO APPEAL A PROBATION REVOCATION

- To appeal a probation revocation, you will need to file a Discretionary Application with this Court. Rule 31 of the Rules of the Court of Appeals of Georgia describes a Discretionary Application and the items you would need to include with your application.

A Discretionary Application must be filed within 30 days of the stamped filed date on the order that you are appealing and the application must be accompanied by a proper Certificate of Service and a pauper's affidavit or the \$80.00 filing fee. You must also comply with all the other applicable rules of Court regarding filing with the Court of Appeals of Georgia.

Enclosed, please find a copy of the Rules of the Court of Appeals for your review.

In The Georgia Court of Appeals
State of Georgia

THE STATE OF GEORGIA
vs.

A13A1794

MICHAEL DENVERIS GRANT

G.R.C0000407209

RE: DIRECT NOTIFICATION TO APPELLANT OF THE DECISION OF THE COURT.

Re: MR. STEPHEN E. CASTLE, Clerk/Court Administrator

THE COURT OF APPEALS

47 TRINITY AVENUE, SUITE 501
ATLANTA, GEORGIA 30334

FEBRUARY 11, 2014

DEAR MR. CASTLE:

In lieu of the rigid time constraints by filing notices
requesting decisions, I submit this request to be notified
at the following address as soon as possible.

* MICHAEL P. GRANT, G.R.C.0000407209

WHEELER C.F. 100L

P.O. Box 466

ALAMO, GEORGIA 30411

Respectfully Requested
Michael P. Grant

RECEIVED IN OFFICE
2014 FEB 18 PM 2:39
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

RECEIVED IN OFFICE
2014 FEB 27 PM 3:14
CLERK/CLERK ADMINISTRATOR
COURT OF APPEALS OF GA

Penelope D. Green

Respectfully,

what about my AMENDED Motion to
vacate void sentence. pro-se.
Motion, was it dismissed also.
Sorry for the misunderstanding of myself.
Please Respond.

and you said my appeal was dismissed.

Dear Sir,
I receive your letter dated Feb 18th

Re: A1400134.
Feb 24, 2014

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

January 16, 2014

Ms. Pamela Green
GDC29695
Pulaski State Prison
Post Office Box 839
Hawkinsville, Georgia 31036

RE: A14D0124. Pamela Delores Green v. The State

Dear Mr. Green:

Thank you for your letter. As stated in my letter of December 9, 2013, the above appeal was dismissed. Your pro se motion was filed. I am returning my previous letter to you.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

February 18, 2014

Ms. Pamela Green
GDC29695
Pulaski State Prison
Post Office Box 839
Hawkinsville, Georgia 31036

RE: A14D0124. Pamela Delores Green v. The State

Dear Mr. Green:

The above appeal was dismissed.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

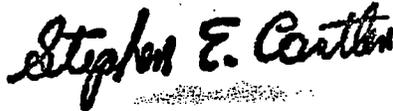
February 25, 2014

Mr. Glenn Chandler
GDC1044229
Central State Prison
4600 Fulton Mill Road
Macon, Georgia 31208

Dear Mr. Chandler:

In response to your correspondence received in this office, we do not have a case styled in your name pending in this Court. We are returning your documents to you.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

Glenn Chandler

In The Court of Appeals Of Georgia State Of Georgia

GLENN CHANDLER, #1044229

Petitioner,

vs.

The State Of Georgia,

Respondent.

Appeal Case #

Criminal Case Number: #SI-99-22-01

MOTION TO ENTER SUPPORTING EXHIBIT

Petitioner respectfully requests to enter his Exhibit No. ONE IN SUPPORT OF HIS PETITION FOR APPEAL. Entered into The Court of Appeals of Georgia.

No. 1. Petitioner's Exhibit Number One, is Judge Arthur L. Smith, The 3rd. Judge of The Muscogee County Superior Court. Order of Denial. - dated on 11th, JANUARY, 2014.

Submitted on 14th day of Feb. 2014. and have COPIES ARE SERVED BY THE U.S. MAIL AND DELIVERED BY POSTAL EMPLOYEE, AND PLACE IN SIDE THE SAME ENVELOPE IN WHICH THE APPEAL PETITION IS RIDING IN AND PROPERLY SERVED TO:

Served To:

The Clerk of The Court of Appeals
State of Georgia
47 TRINITY AVE. Suite #501
Atlanta, Georgia, 30334.

Office of District Attorney
Mr. George Lombard
P.O. Box - 1340,
Columbus, Georgia, 31901

PERSONAL COPY
GLENN CHANDLER #1044229
Submitted Respectfully by: *[Signature]*
#1044229
Att'ng Pro-Se.

RECEIVED IN OFFICE

2014 FEB 21 PM 3:25

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GEORGIA

Clay's Copy

IN THE COURT OF APPEALS OF GEORGIA STATE OF
GEORGIA

GLENN CHANDLER, PETITIONER,
C.D.C. # 104429,

vs.

THE STATE OF GEORGIA, RESPONDENT.

Appeal Case No.:
No. _____
Criminal Case Number: SN-99-CR-521

PETITION ENTERED TO APPEAL JUDGE'S ORDER OF DENIAL

Comes now, Petitioner, in the above styled Action re-
specially enters his motion to appeal the Honorable Arthur
L. Smith, 3rd, Judge of the Muscogee County Superior Court
in Columbus, Georgia, and the order dated 11th January 2014,
and filed in the Clerk's Office on 13th January, 2014 at 4:33
P.M., said order is the Denial of Petitioner's Motion in Arrest
of Judgment filed on 17th May, 2013 under the O.C.G.A.
State Law Code Number 17-9-61...

Issue One:

Judge Arthur Smith, 3rd, has ruled upon the wrong O.C.G.A.
State Code of 17-6-61 as being a basis for seeking relief in the
Petition entered under O.C.G.A. 17-9-61. Judge Smith states
in Paragraph #5 of his order of denial dated the 11th of Jan, 2014,
that the "extent of Petitioner's motion could be considered as
one to void sentence" and that "[The] first eight enumerations
of error... are not [Cognizable]... in a motion to void sentence.

Clerk's Copy
of Copied's Motion

COURT OF APPEALS of Georgia, state of
~~IN THE SUPREME COURT FOR THE STATE OF GEORGIA~~
Georgia

GLENN CHANDLER, #1044229,
PETITIONER,

vs.
THE STATE OF GEORGIA,
RESPONDENT.

APPEAL ACTION NUMBER:

CRIMINAL CASE No. SU-99-
CA-521.

REQUESTED APPEAL ON FILED WRIT OF MANDAMUS
AGAINST JUDGE'S DELAY IN DENIALED MOTION
FOR ARREST IN JUDGMENT FILED MAY 17,
2013

COMES NOW, PETITIONER IN ABOVE STYLED CASE ENTERS HIS APPEAL ON A WRIT OF MANDAMUS.. FILED IN NOVEMBER/DECEMBER, 2013.. TO GET THE TRIAL COURT TO RULE ON HIS MOTION PETITION OF ARREST IN JUDGMENT.. FILED INTO THE SUPERIOR COURT OF MUSCOGEE COUNTY ON MAY 17TH, 2013 ON NINE ENUMERATIONS OF ERROR.. COMMITTED IN FEBRUARY, 2000 OF HIS CRIMINAL CASE.. AND CHARGES OF TWO COUNTS OF... .. ACCRAVATED CHILD MOLESTATION.. AND SENTENCE ILLEGALLY TO COUNT 1.. THIRTY YEARS [30] IN CONFINEMENT AND ON COUNT 2.. AN ADDITIONAL THIRTY YEARS [30] TO SERVE AS CONCURRENT [SUPERVISED PROBATION].. IN WHICH IS ILLEGAL TO SERVE WHILE IN A PENAL SYSTEM THAT DOES NOT HAVE A SUPERVISED PROBATION PROGRAM... "THE TERM CONCURRENT MEANS.. "WITH"⁹³ NOT AFTER AS IN CONSECUTIVE..."

PETITIONER'S ORDER OF DENIAL WAS SIGNED BY JUDGE ARTHUR SMITH, 3RD.. ON 11TH, JAN. 2014 AND FILED BY CLERK LINDA PIERCE ON 13TH, JAN. 2014 AND SERVED BY LAW CLERK MS. MARTHA DICKS, CHATTAHOOCHEE JUDICIAL CIRCUIT.

Court of Appeals of Georgia
IN THE

STATE OF GEORGIA

Criminal Case Number: SU-99-CR-581

Glenn Chandler
GDC No. 104439 - Pethioner,

vs.

The State of Georgia,
Respondent.

Request For Production of Documents For Appeal

Pethioner, comes now with his request of production of documents.. entered into this honorable Superior Court of Muscogee County.. on May 19, 2013.. said document being Pethioner's Motion For Arrest of Judgment.. and ans and all documents filed.. including copies of exhibits and work and etc.. To be ordered by the Court Judge Arthur L. Smith, III. To give orders to his Court Clerk.. To Make Copies, and package said copies and mail to The Georgia Court of Appeals at Suite 501, 49 Trinity Ave, Atlanta, Georgia, 30334.. as so Pethioner, will be able to enter his appeal of the Court Order of Denial, within the allotted time frame of 30 days of the order date of 11th January, 2014.

Respectfully submitted on 14th day of Feb. month of 2014.
Submitted by  #104439.

Glenn Chandler #104439
Central State Prison
4600 Fulton Mill Road
Macon, Georgia 31208
Attorne: Pro-SE.

RECEIVED IN OFFICE
FEB 21 PM 3:24
COURT ADMINISTRATOR
COURT OF APPEALS OF GA

IN THE COURT OF APPEALS OF GEORGIA FOR THE
IN THE SUPERIOR COURT OF
STATE OF GEORGIA

GLENN CHANDLER,
Petitioner
G.D.C.# 1044229,
Inmate Number

APPEAL No. _____
Civil Action No. _____

THE STATE OF GEORGIA, vs.
Warren
Respondent
(Name of Institution where you are now located)

CRIMINAL CASE NUMBER:
SU-99-CR-521
Habeas Corpus

REQUEST TO PROCEED IN FORMA PAUPERIS

I, GLENN CHANDLER, #1044229, depose and say that I am the plaintiff in the above entitled case; that in support of my request to proceed without being required to prepay fees, costs, or give security therefor, I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor; that I believe I am entitled to redress.
I further swear that the responses which I have made to questions and instructions below are true.

1. List any and all aliases by which you are known: GLENN CHANDLER

2. Are you presently employed? Yes No
If the answer is "Yes," state the amount of your salary or wages per month, and name and address of your employer: _____

NONE
If the answer is "No," state the date of last employment and the wages per month which you received: UNKNOWN

2. Have you received within the past twelve months any money from:
Business, profession, or firm of self-employment
Pensions, annuities, or life insurance payments
Rent payments, interest or dividends?

COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR BRIEFS OR MOTIONS

Date: February 27, 2014

To: Mr. Bruce M. Greer, GDC823740 D-1, Rutledge State Prison, 7175 Manor Road, Columbus, Georgia 31907

Docket Number: A14A1029

Style: Bruce M. Greer v. The State

Your document(s) is (are) being returned for the following reason(s).

1. Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 **Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4. **No Certificate of Service accompanied your document(s). Rule 6**
5. Your Certificate of Service did not include the complete name and mailing address of each opposing counsel and pro se party. Rules 1(a) and 6. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
6. There were an insufficient number of copies of your document. Rule 6.
7. Your document exceeds page limits. Rules 24 (f) and 27 (a)
8. Your document was submitted without permission to file (supplemental brief or second motion for reconsideration). Rules 27 (a) and 37 (d)
9. Letter briefs and letter cites are not permitted. Rule 27 (b)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12. Type was on both sides of the paper; type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17. The Motion to Supplement has not been granted.
18. Other

FEB 18 2014

COURT CLERK
CLERK COURT OF APPEALS OF GA

IN THE COURT OF APPEALS OF GEORGIA

BRUCE M. GREER, *
v. *
STATE OF GEORGIA, *
*

APPEAL No. A-14A-10
RE: SU00 CR-324

RECEIVED IN OFFICE
2014 FEB 26 PM 3:10
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

MOTION TO CORRECT A MISQUOTE

COMES NOW BRUCE M. GREER, (APPELLANT) TO MOVE THIS COURT FOR AN ORDER TO CORRECT A MISQUOTE PURSUANT O.C.G.A. § 5-6-48 (d) THAT PROVIDES:

" AT ANY STAGE OF THE PROCEEDINGS, EITHER BEFORE OR AFTER ARGUMENT, THE COURT SHALL BY ORDER, EITHER WITH OR WITHOUT MOTION, PROVIDE FOR ALL NECESSARY AMENDMENT... OR TAKE ANY OTHER ACTION TO PERFECT THE APPEAL AND RECORD SO THAT THE APPELLATE COURT CAN AND WILL PASS UPON THE APPEAL AND NOT DISMISS IT. "

ON APRIL 11TH, 2013 APPELLANT FILED A " MOTION TO VACATE AND /OR SET ASIDE " HIS CONVICTION FOR ARMED ROBBERY, ET. AL., PURSUANT PERJURY § 17-1-4 OR " THE KNOWING USE OF PERJURED TESTIMONY. " AFTER A HEARING AND DENIAL APPELLANT TIMELY FILED A " NOTICE OF APPEAL " ON JANUARY 16TH, 2014.

AT TRIAL A DET. PLOCK TESTIFIED HE DID NOT " KNOW ABOUT ANOTHER WITNESS IN THIS CASE, A WHITE MALE WHO DROVE THIS VAN? " HOWEVER, PURSUANT THE DISCOVERY OF POLICE REPORT # 00006434 ON NOVEMBER 2ND, 2007 - HE DID KNOW. SEE ATTACHED POLICE REPORT AND PAGE 57, LIT-25 OF APPELLANTS TRIAL TRANSCRIPTS.

But Appellant misquoted said question in his brief to the trial court as follows: "Q, Do you know about another state witness in this case driving the van, a white male who drove this van?" The word "state" is not part of the question that led to Det. Plack's perjury.

This misquote happens twice in Appellant's brief, 1) at the bottom of pg. 7, and 2) at the top of pg. 8. Although

said question is correctly quoted at the top of pg. 5, and a copy of transcript (pg. 57, L17-25) was provided in ExB.

D pg. 4 - the state based their entire defense on the

pretense that the white male, in a highly exculpatory

back photo, was not a "state" witness. Submitting that

Det. Plack's testimony was factually true.

Cases where § 5-6-48(d) supplementation has been

allowed are those where the evidence at issue has been

relied upon by both sides. Scott v. Alurate Ins. Co., 190

GA. App. 135, 378 S.E. 2d 332 (1989). It should be noted

that Appellant filed to correct said statement pursuant

§ 5-6-41 (f) with no response from the trial court.

Accordingly Appellant prays the court to issue an order

correcting the word "state" or have another hearing.

THIS IS THE DAY OF FEBRUARY, 2014.

Respectfully Submitted,
Bruce H. Gaer

Bruce H. Gaer # 823740

Rutledge State Prison / 0-1
715 Harbor Road
Columbus, GA 31907



SUPPLEMENT REPORT COLUMBUS POLICE DEPT.		1. Victim's Name (L-F-M) and Location of Occurrence COLUMBUS BANK AND TRUST 1148 BROADWAY		2. Complaint # 00006434	
3. Original Offense Title FORGERY 1ST DEGREE			Changed? No	4. New Offense Title	
5. <input checked="" type="checkbox"/> Follow Up Continued Report		6. Multiple Offenses Cleared Yes _____ No _____ If Yes, List All Complaint No's In Report			
<input type="checkbox"/> Cleared By Arrest - 18 or Over <input type="checkbox"/> Cleared By Arrest - Under 18 <input checked="" type="checkbox"/> Not Cleared <input type="checkbox"/> Unfounded <input type="checkbox"/> Missing Person Located <input type="checkbox"/> Exceptionally Cleared - 18 or Over <input type="checkbox"/> Exceptionally Cleared - Under 18 <input type="checkbox"/> Not Prosecutable DOR <u>031500</u> DCA <u>031500</u>		ADDITIONAL PROPERTY STOLEN Circle Property Type - Itemize in Narrative A. Veh. B. Currency C. Jewelry D. Fur E. Clothes F. Office Equip. G. Radio, TV, Etc. H. Household Goods I. Firearms J. Cons. Goods H. Computer L. Other M. Sm. Appl. N. Sports Equip P. Cameras, Etc. R. VCR TOTAL: ADDITIONAL PROPERTY RECOVERED Circle Property Type - Itemize in Narrative A. Veh. B. Currency C. Jewelry D. Fur E. Clothes F. Office Equip. G. Radio, TV, Etc. H. Household Goods I. Firearms J. Cons. Goods H. Computer L. Other M. Sm. Appl. N. Sports Equip P. Cameras, Etc. R. VCR TOTAL: STATUS OF RECOVERED PROPERTY/VEH. 1. Stolen Local --- Recovered Local REC. LOCATION ZONE 2. Stolen Local --- Recovered Other Jurisdiction 3. Stolen Other Jurisdiction --- Recovered Local			
8. Has The Total Amount Of Stolen / Recovered Property In This Case Been Reduced From The Amount In The Initial Report?			Yes _____ No _____	Stolen Amt. Diff	Recovered Amt. Diff
9. Report Made By - Name Det. Carl E. Akin		Serial Number 19215	Date 032100	Time 1000	Approved By <i>[Signature]</i> Reviewed By <i>[Signature]</i>

Date Cleared: _____

Date Closed: _____

FOLLOW UP INVESTIGATION: SUSPECT IDENTIFIED/WARRANTS OBTAINED

SUSPECT: WOODS, DOUGLAS W. W/M/44, DOB: 55, SSN: --

ADDRESS: 1035 17TH ST., COLUMBUS, GA.

CHARGE: FORGERY 1ST DEGREE (2 COUNTS)

On 032100, Det. T. Plock positively identified Douglas Woods as the person in the photograph from Columbus Bank and Trust. The photograph was taken when checks 10168 and 10169 were cashed in the drive through. The checks were stolen from Florence Clowdus during a robbery on the same date they were cashed. Bruce Greer was arrested for the Robbery and other charges. He viewed the photograph but stated that he did not know the individuals in the photograph. According to Det. Plock, on 012600 Greer and Woods were together during the day.

Based on the identification by Det. Plock, warrants for 2 counts of Forgery 1st Degree will be issued for Douglas Woods.

CASE IS UNDER INVESTIGATION

I certify that *[Signature]* am a person responsible for retrieving records for the Columbus Police Department and that this copy is a true and correct copy maintained in the usual course of business.

1 Q. Listening to the evidence?
2 A. Yes, sir, I guess. He's sitting right there.
3 Q. And he told you about where you could find Mr.
4 Greer?
5 A. He told us the guy's name was Bruce Monroe.
6 Q. Now, what was the relationship as far as you knew
7 between Mr. Woods and Mr. Whitlock?
8 A. Apparently they went off together or Whitlock had
9 been to Woods' house.
10 Q. Had they been off together in this van?
11 A. Not according to either one of them.
12 Q. Did either one of them tell you about the van being
13 left for an entire day at Peabody Apartments?
14 A. No, sir, not that I recall.
15 Q. You don't know anything about that?
16 A. I don't recall that, no, sir.
17 Q. Do you know about another witness in this case
18 driving the van, a white male who drove this van?
19 A. On the night of the --
20 Q. Do you know anything about that?
21 A. I didn't know anything about that at the time, no,
22 sir.
23 Q. Do you know anything about it today?
24 A. No, sir, not right off hand, I mean -- I don't
25 know.

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

February 27, 2014

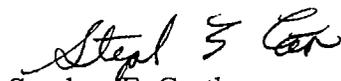
Mr. Sherome Gordon
GDC1136147
Hall County Correctional Institution
1694 Barber Road
Gainesville, Georgia 30507

Dear Mr. Gordon:

A Notice of Appeal is filed with the clerk of the trial court and not with the Court of Appeals of Georgia. See OCGA §5-6-37. Once the trial court clerk has received and filed a Notice of Appeal, the trial court clerk will prepare a copy of the record and transcripts as designated by the Notice of Appeal and transmit it to this Court. Once the Notice of Appeal is docketed in the Court of Appeals of Georgia, a Docketing Notice with the Briefing Schedule and other important information is mailed to counsel for the parties or directly to the parties, if the parties are representing themselves. You do not need to provide this Court with a copy of the Notice of Appeal you filed with the superior court. Therefore, I am returning your documents to you.

A Certificate of Service must accompany your Notice of Appeal. It must show service to the opposing counsel and contain the counsel's full name and complete mailing address. The opposing counsel must be actually served with a copy of your filing. In an appeal of a criminal conviction in a superior court, the State is represented by the District Attorney or an Assistant District Attorney.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosure

§ 27:4 Notice of appeal

RECEIVED IN OFFICE
2014 FEB 26 PM 8:15
CLERK/COURT APPEALS
STATE OF GEORGIA

IN THE Georgia COURT OF Appeals
STATE OF GEORGIA

State of Georgia

vs
Sherome Gordon
Respondent

NOTICE OF APPEAL

Notice is hereby given that Sherome Gordon, above named, hereby
appeals to the Court of Appeals of Georgia, from the judgment entered herein on Sept 25,
2013.

The offense for which Movant was sentenced was contempt of Court and the sentence
imposed is as follows: guilty

The offense for which movant was sentenced occurred in the case of Case no. 2012-3501

The clerk will omit no documentary evidence and will not omit any motions filed in this
case or from the case during which contempt occurred from the record on appeal and will
transmit the record in its entirety including the court reporter's transcript, tape recordings and
notes of all proceedings in the case during which the adjudication of the contempt occurred,
and all proceedings in the contempt case.

Transcript of evidence and proceedings will be filed for inclusion in the record on appeal.

The Court of Appeals has jurisdiction of this appeal as it involves a subject upon which
jurisdiction is not conferred upon the Supreme Court of Georgia by the 1983 Constitution of
Georgia, Article VI, Section VI, Paragraph III and involves the correction of errors of law.

This 24 day of Feb, 2014.

(See certificate of service)


Sherome Gordon

Sherome Gordon
Hall County Correctional Institution
1694 Barber RD
Gainesville GA 30507

Georgia Court of Appeals

State of Georgia
vs
Sherome Gordon
Defendant

Case No. 2012-3501
Notice of Appeal

COMES NOW the Defendant, Sherome Gordon, Tra Se,
and hereby gives notice of appeal from the judgment and sentence
imposed by this Court of Sept 25, 2013. I also request a new appointed
counsel please and a different judge.
Respectfully Submitted this 29th day of Feb, 2014.

Sherome Gordon
Sherome Gordon
2/24/14

Katrina L. Adams
Notary Public, Hall County, Georgia
My Commission Expires June 8, 2015

Feb 24, 2014

Feb 24, 2014

Sherome Gordon

Hol County Correctional Institution

1699 Barber Rd

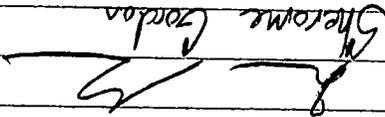
Gainesville GA 30507

Attention: Clerk of the Court

to whom it may concern

Hello My name is Sherome Gordon and this is my notice of appeal from the judgement and sentence imposed by the Superior Court of Bullard County, Georgia Judicial Circuit on date Sept 25, 2013. With all respect to the Georgia Court of Appeals I ask for a new appointed counsel to settle my appeal. In regards to this matter that I am approved for a new appointed counsel. The case no. is 2013-3501. This is my notice of appeal the sentence and judgement. Thank you for your time.

Respectfully Submitted this 24th day of Feb, 2014



Sherome Gordon

Katrina L. Adams
My Commission Expires June 8, 2015

Notary Public, Hall County, Georgia

T.O. This is the form they had of the prison. My Commission Expires June 8, 2015

Also for the court reporter transcript, tape record, all level evidence to be omitted. I had a bench trial in front of the judge. The court transcripts will prove my innocence. Thank you for your time. I appreciate it. Sorry if it wrong I had no help and I had to do it on my own. This is why I'm asking for help. My original court appointed lawyer is not helping me and did not help me at all. Thank you.

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

February 27, 2014

Jon A. Gottlieb, P.C.
Flynn & Gottlieb, P.A.
800 Johnson Ferry Road, N.E.
Atlanta, Georgia 30342-1417

RE: A14A0251 and A14A0252. Herrera v. Leavenworth, et al.

Dear Mr. Gottlieb:

I am in receipt of your letter dated February 25, 2014. As you imply, I cannot provide any additional insight or guidance to you and, as you know, the remittiturs in the referenced appeals have been issued by our Court, thereby, divesting this Court of further jurisdiction.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

LAW OFFICES
FLYNN & GOTTLIEB, P.A.
A PROFESSIONAL ASSOCIATION COMPRISED OF PROFESSIONAL CORPORATIONS
800 Johnson Ferry Road, N.E.
ATLANTA, GEORGIA 30342-1417
TELEPHONE (404) 497-8000
TELECOPIER (404) 845-0888

February 25, 2014

EDWARD D. FLYNN, III, P.C.*
JON A. GOTTLIEB, P.C.

* ALSO ADMITTED IN SC, FL AND
THE DISTRICT OF COLUMBIA

WRITER'S E-MAIL
jong@lawfg.com

WRITER'S DIRECT DIAL
(404) 497-8001

WRITER'S DIRECT FAX
(404) 497-8009

VIA FEDEX

Mr. Steve Castlen
Clerk, Court of Appeals of Georgia
47 Trinity Avenue S.W.
Suite 501
Atlanta, GA 30334

Re: *Herrera v. Leavenworth et al.*
Case Nos. A14A0251 and A14A0252

Dear Mr. Castlen:

As you may know, I represent appellees Robert W. Leavenworth and David Sherman Leavenworth. Today, I received a copy of Paul R. Koehler's February 25, 2014 letter to you. To the extent a response is necessary or appropriate, it is the position of the appellees that the attorney fee award mentioned in Mr. Koehler's letter is in the aggregate amount of \$10,000. From our reading of the rulings issued in both cases on December 31, 2013, an award in the amount of \$2,500 was issued in favor of Robert W. Leavenworth in each case and an award in the amount of \$2,500 was issued in favor of David Sherman Leavenworth in each case. On January 8, 2014, Ann J. Herrera, Esq. filed a motion for reconsideration in each case, inquiring in part the exact same request made by Mr. Koehler in his February 25, 2014 letter to you. The Court of Appeals denied Ms. Herrera's request on January 24, 2014.

Thank you.

Very truly yours,

FLYNN & GOTTLIEB, P.A.

Jon A. Gottlieb



RECEIVED IN OFFICE
2014 FEB 26 PM 1:03
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA.

JAG:sc

cc: David Sherman Leavenworth
Robert W. Leavenworth
Paul R. Koehler, Esq.
Ann J. Herrera, Esq.

{00092578 1 }

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

February 27, 2014

Mr. Lonnie L. Dawson
GDC743632
Macon State Prison
Post Office Box 426
Oglethorpe, Georgia 31068

Dear Mr. Dawson:

In response to your letter dated February 24, 2014, we do not have a case styled in your name pending in this Court.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

IN THE NAME OF WITH THE MOST GRACIOUS MOST MERCIFUL

Court of Appeals

2-24-13

To: whom it may concern my name is inmate

Louvie L. Dawson - 743632, I was sentenced out of

Clayton County Jonesboro, GA. 30236 I was convicted

on 3-22-2006 for Murder and sentenced on 4-7-2006

an appeal was filed Jan-19-2011 my case number

is (2009 CR02031-5) I haven't been able to

contact anyone to find out the status of

my appeal. Is it possible to get a update and

disposition copy of my case? I was illegally

convicted and I need anything about my

case that will help me get this time off

me. Please help me with the document, I

need your assistance would be deeply appreciated.

Sincerely Yours

Louvie L. Dawson

Louvie Dawson

Louvie L. Dawson

Macon State Prison

P.O. Box 426

Gale Thorpe, GA. 31068

RECEIVED IN OFFICE
2014 FEB 26 PM 3:14
CLERK/DEPUTY ADMINISTRATOR
COURT OF APPEALS OF GA

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

February 28, 2014

Mr. Gene Davis
186 Elderberry Circle
Athens, Georgia 30605

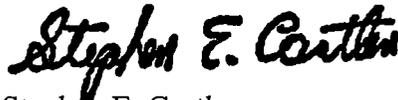
Dear Mr. Davis:

In response to your correspondence, we do not have a case styled in your name pending in this Court.

Once the trial court clerk has received and filed a Notice of Appeal, the trial court clerk will prepare a copy of the record and transcripts as designated by the Notice of Appeal and transmit it to this Court. Once the Notice of Appeal is docketed in the Court of Appeals of Georgia, a Docketing Notice with the Briefing Schedule and other important information is mailed to counsel for the parties or directly to the parties, if the parties are representing themselves. You do not need to provide this Court with a copy of the Notice of Appeal you filed with the superior court.

Your motion requesting an extension should be directed to the trial court. I am returning it to you.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

Gene Davis
186 Elderberry Circle
Athens, GA 30605
February 26, 2014

RECEIVED IN OFFICE
2014 FEB 27 PM 3:15
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Mr. Stephen E. Castlen
Court of Appeals of Georgia
47 Trinity Avenue S.W., Suite 501
Atlanta, GA 30334

Dear Mr. Castlen:

I would like to ask for an extension of time to apply for an appeal of the following case:

Superior Court of Athens-Clarke County
State of Georgia

Gene Davis, Plaintiff
Athens-Clarke County Board of Tax Assessors, Defendant
Civil Action No. SU-11-CV-0790 S

My request for an extension is due to the time required by the reporting company to prepare the transcript. I have contacted Carrol Mallory at Speedy Reporting, Inc. and the transcript preparation will take approximately two weeks for completion.

Sincerely,



Gene Davis

Enclosures(5)

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a copy of my Request for
Extension of Time to Apply for an Appeal to:

Mr. William C. Berryman Jr.

Athens-Clarke County Attorney

P.O. Box 427

Athens, GA 30603

on February 26th, 2014

A handwritten signature in cursive script, appearing to read "Gene Davis".

Gene Davis