

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

Date: May 2, 2014

To: Mr. Daniel J. Ortiz, II, Post Office Box 191545, Atlanta, Georgia 31119

Docket Number: A14A00006 **Style:** Lauren Taylor Baker 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 **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 attached information is being returned to you. All documents must come from the lower court with the clerk's certification. You can, however, file a Motion to Supplement the Record.**

IN THE COURT OF APPEALS
FOR THE STATE OF GEORGIA

RECEIVED IN OFFICE

2014 APR 30 PM 4:27

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

LAUREN TAYLOR BAKER,)

Petitioner,)

v.)

STATE OF GEORGIA,)

Respondent.)

Appeal Docket Number

A14A0006

FILED IN OFFICE

APR 30 2014

CLERK, COURT OF
APPEALS OF GEORGIA

SUPPLEMENTAL EVIDENCE IN SUPPORT OF APPEAL

COMES NOW LAUREN TAYLOR BAKER, by and through the undersigned counsel DANIEL J. ORTIZ, II, files this her SUPPLEMENTAL EVIDENCE IN SUPPORT OF APPEAL, and submits the attached pages as evidence in support of her medical state at the time of the incident resulting in the DUI charge, and in order to demonstrate that she was therefore NOT "under the influence" of alcohol to the extent that it was less safe to drive. Petitioner may augment this supplemental evidence with case law in support.

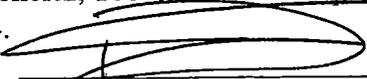
Respectfully submitted, this the 30th day of April, 2014.


Daniel J. Ortiz, II
Georgia Bar Number 562540
Attorney for the Petitioner

LAW OFFICES OF DANIEL J. ORTIZ, LLC
P.O. Box 191545
Atlanta, Georgia 31119-1545
Telephone: (404) 343-0091
Facsimile: (404) 835-2509
DanOrtizLaw@gmail.com

CERTIFICATE OF SERVICE

I have served a copy of said SUPPLEMENTAL EVIDENCE IN SUPPORT OF APPEAL on Respondent STATE OF GEORGIA to Forsyth Solicitor General, 100 Courthouse Square, Ste 120, Cumming, GA 30040, this the 30th day of April, 2014.


Daniel J. Ortiz, II
Georgia Bar Number 562540

Sign in time: 2:30

North Atlanta Dermatology Progress Notes

Patient Name: Lauren Baker Physician: MTA Date: JUL 21 2010

Paternal Age: 25 M F NP RF Consultation Ref

Allergies:	Problems/Complaints	Location	Duration	Severity	Treatment	Other
<u>NKOA</u>	<u>#1 Flu AU</u>	<u>face</u>				
<u>Loestrin</u>	<u>#2</u>	<u>back</u>				
<u>Accutane</u>						
Fract. (fracture, operation, injunct):						
Fract:						
Medications:						
Side EA:						
Other:						
Sex HA:						
Photoprotect T/A:						

Skin Inspection Findings of Abnormal (See diagram for biopsy locations)

- face
- neck
- chest
- abdomen
- back
- arms
- legs
- hands
- feet
- scalp
- genitalia
- mucous memb.
- histology

I PLEDGE
 Date Rec: 7 27 10
 Rx Called in: MAJALIA
 Rx Expires: 1 year
 Initials: [Signature]

✓ re-feeding
CNS

Assessment and Plan

#1 Flu AU - face chest back
Improved
Continue Rx Accutane
40 mg
7 PLEDGE
#30
Call into
Pharmacy
after 10
hours

Accutane patients:

On Accutane x	Weeks	Yes	No
Headaches	<u>20</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Muscle or Joint	<u>50</u>	<input type="checkbox"/>	<input type="checkbox"/>
Aches or Pains		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Visual Changes		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mood Changes		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Nose Bleeds		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Dry Lips		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Bowel Changes		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Last Menstrual Cycle		<input type="checkbox"/>	<input checked="" type="checkbox"/>

Provider Signature:

[Signature]

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

To: *Lauren Taylor Baker*
Docket Number: *A14A0006*

Style: *Lauren J. Baker 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)
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17. The Motion to Supplement has not been granted.
18. Other *You cannot file evidence in this case. All documents must come from the lower court. You ~~must~~ ^{could} file a Motion to Supplement the record.*

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

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

Date: May 2, 2014

To: Jeffrey S. Leeper, Esq., Busch Reed & Jones, P.C., 701 Whitlock Avenue • K-47, Marietta, GEorgia 30064

Docket Number: A14A1457 **Style:** ADCS Cablelink, LLC v. LM-Atlanta Airport, Inc.

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 **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)
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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: Motion(s) shall be filed whenever counsel wish the Court to take any action. You must file a Motion to Withdraw Appeal in the above referenced appeal. Please see Court of Appeals Rule 41(g).**

BUSCH, REED & JONES, P.C.

A PROFESSIONAL CORPORATION

Attorneys at Law

701 Whitlock Avenue, K-47

Marietta, Georgia 30064

TEL: (770) 424-1934

FAX: (770) 424-5205

James C. Busch

Chad K. Reed (*also admitted in NC and TN*)

M. Boyd Jones (*also admitted in AL*)

Jeffrey S. Leeper (*also admitted in FL*)

Nicole A. Burgess

Bradley G. Proctor

Cory C. Close

Robert D. Adamson, Jr.

Diane M. Busch (*Of Counsel*)

April 30, 2014

Dunwoody Office

6160 Peachtree Dunwoody Road

Suite B-220

Atlanta, Georgia 30328

Reply to: Jeffrey S. Leeper

Marietta Office

jleeper@buschreed.com

Court of Appeals of Georgia

47 Trinity Avenue, S.W.

Suite 501

Atlanta, Georgia 30334

**Re: ADCS Cablelink, LLC vs. LM-Atlanta Airport, Inc.
Court of Appeals of Georgia; Appeal Case Number: A14A1457**

Dear Sir or Madam:

Pursuant to Rule 6 of the Court of Appeals of the State of Georgia I have enclosed an original and two (2) copies of the **Dismissal** regarding the above-referenced matter.

I have also enclosed an additional copy to be conformed with the file date and returned in the self-addressed, stamped envelope.

Should you have any questions, please feel free to contact me. Thank you in advance for your cooperation and assistance in this regard.

Sincerely,

BUSCH, REED & JONES, P.C.



Amanda Francissen

Legal Assistant to Jeffrey S. Leeper

Enclosure

cc: Irene B. Vander Els, Esq.

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COURT OF APPEALS OF GA

FILED IN OFFICE
MAY 2 2014
COURT CLERK
CLERK COURT OF APPEALS OF GA

IN THE COURT OF APPEALS
STATE OF GEORGIA

ADCS CABLELINK, LLC,

Appellant,

v.

LM-ATLANTA AIRPORT, INC.,

Appellee.

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APPEAL CASE
No. A14A1457

DISMISSAL

Jeffrey S. Leeper
Georgia State Bar No. 216106
Attorney for Appellant

BUSCH, REED & JONES, P.C.
701 Whitlock Ave., K-47
Marietta, GA 30064
jleeper@buschreed.com
T: 770.424.1934
F: 770.424.5205

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2014 MAY -2 PM 1:02
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

DISMISSAL

COMES NOW, ADCS Cablelink, LLC, Appellant in the above-styled case and dismisses this action with prejudice.

Respectfully submitted this 30th day of April 2014.

BUSCH, REED & JONES, P.C.



Jeffrey S. Leeper
Georgia State Bar No. 216106
Counsel for Appellant

701 Whitlock Avenue, SW, Suite K-47
Marietta, Georgia 30064
Tel: 770-424-1934
Fax: 770-424-5205

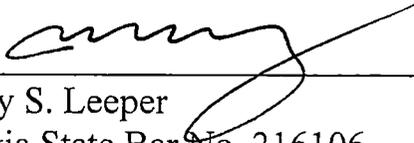
CERTIFICATE OF SERVICE

This is to certify that I have this day served the foregoing *DISMISSAL* upon counsel of record for Appellee by serving a copy of same by United States Mail, postage prepaid, in a properly addressed envelope, to:

Irene B. Vander Els, Esq.
Hartman Simons & Wood, LLC
6400 Powers Ferry Road, N.W., Suite 400
Atlanta, Georgia 30339

This 30th day of April, 2014.

BUSCH, REED & JONES, P.C.



Jeffrey S. Leeper
Georgia State Bar No. 216106
Counsel for Appellant

701 Whitlock Avenue, SW, Suite K-47
Marietta, Georgia 30064
Tel: 770-424-1934
Fax: 770-424-5205

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

May 2, 2014

To: Mr. Shelton R. Thomas, GDC1000444546, Macon State Prison, Post Office Box 426, Oglethorpe, Georgia 31068

Docket Number: **Style:** **Shelton R. Thomas v. Brian Owens, et al.**

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

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2014 APR 30 PM 2:19

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

In The Court of Appeals of Georgia
State of Georgia

Shelton B. Thomas,

Appellant, Applicant,

Application for Discretionary Appeal

vs.

Brian Owens, et al.,

Appellees.

RECEIVED IN OFFICE
2014 APR 10 PM 3:14
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COURT OF APPEALS OF GA

To: The Georgia Court of Appeals:

Shelton B. Thomas, applicant, applies to this Court as follows:

(1) To issue an order granting the applicant an discretionary appeal from the final order and order denying applicant motion for reconsideration of the Superior Court of Mason County, Honorable W. James Sizemore, Jr., presiding, in the case entitled Shelton B. Thomas, Plaintiff v. Brian Owens, et al., Defendants, Civil Action No. 2011-CV-222, these orders having held: that the civil right complaint and motion for reconsideration are denied.

(2) Applicant shows that the jurisdiction is properly in this Court because O.C.G.A. Sections 42-12-1 et seq, requires individuals to apply for discretionary appeal to the Court of Appeals from an adverse final order and/or order denying a motion for reconsideration in a civil right complaint proceeding.

(3) This application for discretionary appeal is filed within 30 days of the entry of the denial of the motion for reconsideration order complained of, the date of which was March 13, 2014.

(4) Applicant submit that an discretionary appeal should be granted because:

a) Reversible error appears to exist;

- b) The establishment of a precedent is desirable;
- c) Further development of common law, particularly in prisoner's rights to access to courts cases, is desirable; or
- d) Importance of the question presented

This case presents a fundamental question of the interpretation of the United States Supreme Court's decisions in Lewis v. Casey, 518 U.S. 343 (1996); Bounds v. Smith, 430 U.S. 817, 824, 828 (1977); See also Johnson v. Avery, 393 U.S. 483, 485 (1969) (prisoner's right of access to courts may not be denied or obstructed).

The question presented is of great public-importance because it affects the operations of prison systems throughout the State of Georgia, and hundred of city and county jails. In view of the large amount of prose inmate litigators who may accumulate excess legal materials and then are transferred to another institution, guidance on the question is also of great importance to the judiciary. In addition, the question is of great importance to prisoners, because it affects their ability to have meaningful access to the courts.

The lower court seriously misinterpreted Lewis and Bounds by failing to distinguish between whether the State can or cannot interfere and obstruct prisoner's on going litigations upon being transferred to state prisons throughout Georgia, by refusing him/her access to excess legal materials. The Court should correct that misinterpretation and make it clear that prisons officials can not destroy prisoner's excess legal materials and provide them access to them.

For the foregoing reasons, the application for discretionary appeal should be granted in this case.

Respectfully Submitted this 7th day of April 2014.

Shelton R. Thomas

Shelton R. Thomas, GDC# 1000444546

Macon State Prison

P.O. Box 426

Oglethorpe, GA 31068

Applicant-Plaintiff, prose

Copy of the foregoing mailed
this 7th day of Apr. 2014, to:

Susan L. Rutherford

Senior Assistant Attorney General

Department of Law

40 Capitol Square S.W.

Atlanta, GA 30334

RECEIVED IN OFFICE
2014 APR 8 PM 3:14
CLERK'S COURT ADMINISTRATOR
COURT OF APPEALS OF GA

In The Court of Appeals of Georgia
State of Georgia

Shelton R. Thomas,
Appellant-Applicant,
vs.

Court of Appeals No.
Civil Action No. 2011-CV-222

Brian Owens, et al.,
Appellees.

Motion For Leave To file The Application For
Discretionary Appeal Without The Required Copies.

Applicant pro se hereby moves this Court for leave to file the accompanying application for discretionary appeal without the required copies.

This motion is supported by the following facts. Georgia Department of Corrections ("GDOC") Standard Operation Procedure ("SOP") 11A14-0001, Section C, Paragraph 4, provide in pertinent part that: "No reference library will furnish printed copies, photocopies... for inmates..."

GDOC policy requires indigent inmates to use carbon paper for all legal copies requirements, which only produce one clear copy.

Wherefore, for the above stated reasons this Court should grant leave for cause.

Respectfully Submitted this 7th day of April 2014

Shelton R. Thomas

Copy of the foregoing mailed
this 7th day of Apr 2014, to:

Shelton R. Thomas, CDC# 1000444546
Macon State Prison

Susan L. Rutherford
Senior Assistant Attorney General
Dept. of Law

P.O. Box 426
Oglethorpe, GA 31068
Applicant, pro se

40 Capital Square S.W.
Atlanta, GA 30334

Court of Appeals of Georgia
State of Georgia

Shelton R. Thomas,
Plaintiff-Appellant
vs.
Brian Owens, et al.,
Defendants.

Motion for Leave to File Application
for Discretionary Appeal Without A
Copy of The Trial Court's Order

The above named Plaintiff-Appellant hereby moves this Court for leave to file his application for discretionary appeal without attaching a copy of the trial court's orders in the matter of Thomas v. Owens, Civil Action No. 2011-CV-222. This motion is based on the fact that Plaintiff is indigent and Georgia Department of Corrections does not provide inmates with photo copies, pursuant to SOP 11A14-001, Sec. C, Para. 4. Therefore, Plaintiff do not have any other means to provide this Court with a copy of the final order nor the order denying his motion for reconsideration. Wherefore, Plaintiff prays that this Court grant leave based on the above.

Respectfully submitted this 22nd day of April, 2014
Shelton R. Thomas

Shelton R. Thomas, GDC# 1500444546
Mason State Prison
P.O. Box 424
Cuthbert, GA 31028
Plaintiff-Appellant prose

Copy of the foregoing mailed
this 22nd day of April, 2014.
Susan L. Rutherford
Senior Assistant Attorney General
Dept of Law
46 Capital Square S.W.
Atlanta, GA 30334

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2014 APR 30 PM 2:19
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COURT OF APPEALS OF GA

Shelton R. Thomas
GDC# 1000444546
Macon State Prison
P.O. Box 426
Oglethorpe, GA 31068

April 17, 2014

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

Re: ~~Thomas v. State~~ State v. Thomas, Indictment Nos. 07SC61166; 08SC65866;
08SC73242; 09SC80895

Dear Clerk:

I am writing to inquire about three (3) Notices of Appeals that were filed on April 23, 2010; December 29, 2010 and February 20, 2012. I am requesting their current status. Thank you.

Respectfully yours
Shelton R. Thomas

RECEIVED IN OFFICE
2014 APR 30 PM 2:19
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

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

Date: May 2, 2014

To: Daniel P. Thatcher, Esq., Ogletree Deakins Nash Smoak & Stewart, P.C., One Ninety One Peachtree Tower, 191 Peachtree Street, N.E. Suite 4800, Atlanta, Georgia 30303

Docket Number: A14A0368 **Style:** Mapei Corporation v. Stephen Prosser

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 **Your pauper's affidavit should be notarized by a notary public.**
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17. The Motion to Supplement has not been granted.
18. Other

RECEIVED IN OFFICE

2014 APR 29 AM 10:34

CLERK/COURT OF APPEALS OF GEORGIA

**IN THE COURT OF APPEALS
STATE OF GEORGIA**

MAPEI CORPORATION,)
)
 Appellant,)
)
 v.)
)
 STEPHEN PROSSER,)
)
 Appellee.)

CASE NO. A14A0368

FILED IN OFFICE

APR 29 2014

CLERK, COURT OF
APPEALS OF GEORGIA

JOINT MOTION TO RESCHEDULE ORAL ARGUMENT

Appellant MAPEI Corporation (“Appellant”) and Appellee Stephen Prosser (“Appellee”) (collectively referred to as the “Parties”) hereby respectfully request that the oral argument in the above-captioned matter, which is currently scheduled for May 21, 2014, be rescheduled on the June 11, 2014 oral argument calendar for Division 2. In support of this Joint Motion, the parties state as follows:

1. David P. Thatcher is the lead attorney for Appellant with respect to this appeal. Mr. Thatcher has spent significant time preparing to present oral argument on this appeal.

2. R. Leslie Waycaster, Jr. is the lead attorney for Appellee with respect to this appeal. Mr. Waycaster has spent significant time preparing to present oral argument on this appeal.

3. On November 25, 2013, this Court granted Appellant's Request for Oral Argument.

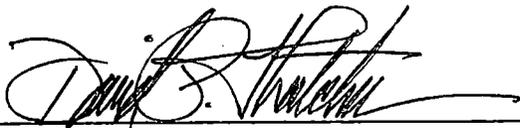
4. The oral argument for this appeal had been scheduled for April 9, 2014, but was canceled by the Court the morning of the scheduled oral argument.

5. The Court has rescheduled the oral argument to May 21, 2014. Prior to the rescheduling though, Appellant's counsel, Appellant's in-house counsel who plans to attend oral argument, and Appellee's counsel each made plans to be out of town on May 21, 2014.

6. This Court currently has scheduled June 11, 2014 as an oral argument date for Division 2, the panel assigned to this appeal. As such, the rescheduling of the oral argument in this case will not cause the appeal to be argued outside of the current Term of the Court.

7. Both parties to this appeal consent to the requested rescheduling of the oral argument in this case and join in this Motion.

WHEREFORE, the Parties respectfully request, for good cause shown, that the oral argument on this appeal, which is currently set for May 21, 2014, be rescheduled for June 11, 2014.

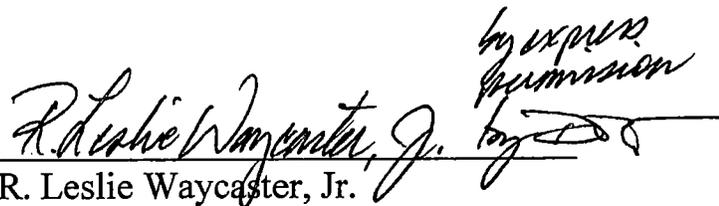


David P. Thatcher
Georgia Bar No. 703299
Christopher M. Caiaccio
Georgia Bar No. 102002

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

One Ninety One Peachtree Tower
191 Peachtree St. NE, Suite 4800
Atlanta, GA 30303
Telephone: 404.881.1300
Fax: 404.870.1732

Attorneys for Appellant
MAPEI Corporation



R. Leslie Waycaster, Jr.
Georgia Bar No. 742500

R. LESLIE WAYCASTER, JR., P.C.
130 W. King Street
Dalton, GA 30722
Telephone: 706.226.0100
Fax: 706.275.6167

Attorney for Appellee
Stephen Prosser

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

Date: May 2, 2014

To: Richard H. Taylor, Esq., 1614 Ellis Street, Brunswick, Georgia 31520

Docket Number: A14A1412

Style: Andrew H. Lakin 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 **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

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

IN THE COURT OF APPEALS
FOR THE STATE OF GEORGIA

RECEIVED IN OFFICE
2014 APR 29 PM 4:39
CLERK COURT ADMINISTRATOR
COURT OF APPEALS OF GA

STATE OF GEORGIA,

Appellee,

v.

ANDREW H. LAKIN,

Appellant.

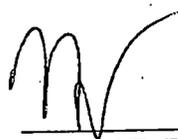
APPEAL NO. A14A1412

FILED IN OFFICE
APR 25 2014
COURT CLERK
CLERK COURT OF APPEALS OF GA

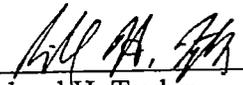
JOINT MOTION FOR DISMISSAL

COMES NOW the Appellant and the Appellee in the above-styled and numbered case and requests the Court of Appeals of Georgia dismiss this Appeal without prejudice.

Respectfully submitted, this 24th day of April, 2014.



Richard E. Braun, Jr.
Georgia Bar No. 078599
Attorney for Appellee
PO Box 800
Hinesville, Georgia 31310-0800
(912) 876-0111 FAX 368-2979
richardbraun@jojlaw.net



Richard H. Taylor
Georgia Bar No. 701115
Attorney for Appellant
1614 Ellis Street
Brunswick, Georgia 31520
(912) 264-2347 FAX 264-2555
rtayloratty@hotmail.com

IN THE COURT OF APPEALS
FOR THE STATE OF GEORGIA

STATE OF GEORGIA,

Appellee,

v.

ANDREW H. LAKIN,

Appellant.

APPEAL NO. A14A1412

RECEIVED IN OFFICE
2014 APR 29 PM 4:39
CLERK COURT OF APPEALS OF GA

FILED IN OFFICE
APR 25 2014
COURT CLERK
CLERK COURT OF APPEALS OF GA

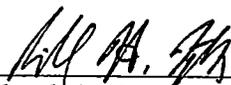
JOINT MOTION FOR DISMISSAL

COMES NOW the Appellant and the Appellee in the above-styled and numbered case and requests the Court of Appeals of Georgia dismiss this Appeal without prejudice.

Respectfully submitted, this 24th day of April, 2014.



Richard E. Braun, Jr.
Georgia Bar No. 078599
Attorney for Appellee
PO Box 800
Hinesville, Georgia 31310-0800
(912) 876-0111 FAX 368-2979
richardbraun@jojlaw.net



Richard H. Taylor
Georgia Bar No. 701115
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rtayloratty@hotmail.com

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

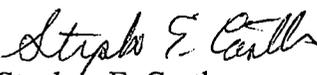
May 5, 2014

Mr. Shelton R. Thomas
GDC1000444546
Macon State Prison
Post Office Box 426
Oglethorpe, Georgia 31068

Dear Mr. Thomas:

In response to your correspondence received in this office, 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 Court of Appeals of Georgia
State of Georgia

Shelton R. Thomas,
Applicant,

vs.

Brian Owens, et al.,
Appellees.

Appeal No. _____
Civil Action No. 2011-CV-222

Motion For Extension of Time To
File Affidavit As Pauper.

RECEIVED IN OFFICE
2014 APR 21 PM 3:40
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Come now applicant in the above entitled matter hereby moves this court for an extension to file an Informa Pauperis Affidavit.

Applicant submitted an Application for Discretionary Appeal on April 7, 2014. It was returned on April 15, 2014, with a notice requiring an sufficient paupers affidavit.

Applicant is in the process of obtaining one, which is a two step process. One the Verification has to be sent to Inmate Banking and a person there will sign it and send it back via inmate mail. Notary is done at the law library, and a inmate must be on the law library turn-out. Applicant is schedule for 3-17-14. Applicant is in the process of perfecting the requirements.

For the above reasons, an extension should be file for cause.

Respectfully Submitted this 15th day of April 2014.

Shelton R. Thomas
Shelton R. Thomas, GDE# 1000444546
Macon State Prison
P.O. Box 426
Oglethorpe, GA 31068
Applicant, pro se

Copy of the foregoing mailed
this 15th day of Apr 2014, to:

Susan L. Rutherford
Senior Assistant Attorney General
40 Capital Square SW
Atlanta, GA 30334

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

May 5, 2014

Mr. James Thompson
GDC497699 F-2
Lee State Prison
153 Pinewood Road
Leesburg, Georgia 31763

Dear Mr. Thompson:

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

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

May 5, 2014

Mr James Edward Tucker
Rockdale County Sheriff's Office
911 Chambers Drive
Conyers, Georgia 30012

Dear Mr. Tucker:

Enclosed please find 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



2014

Georgia Court of Appeals

R U L E S

Last Update: February 19, 2014

Georgia Court of Appeals
47 Trinity Bus St
Atlanta Georgia 30324

James Edward Tucson
911 Chambers Dr
Conyers Georgia 30124

RECEIVED IN OFFICE
2014 APR 30 PM 2:18
CLERK/ACCOUNT ADMINISTRATOR
COURT OF APPEALS OF GA

Dear Clerk of Appeals Court
I would like to appeal, and
Superior Court Order, Devising and writ of
Falsification, that I have file, I would you
Please inform me and what I would need
to do.
DE WOULD YOU PLEASE FORWARD ME INFORMATION
ON HOW TO FILE AND APPEAL.
THANK - you very much for your help.

Respectfully Requested

James E. Tucson
911 Chambers Dr
Conyers GA, 30124

Requesting Information and How to File, and
Appeal, with Georgia 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

May 5, 2014

Mr. Edward Riley
GDC570139 K2-209-B
Smith State Prison
Post Office Box 726
Glennville, Georgia 30427

Dear Mr. Riley:

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.

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 superior court. I am returning your copy of the Notice of Appeal.

Sincerely,



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

SEC/ld
Enclosure

Clerk

4/23/14

I received your letter dated April 11, 2014 on April 23, 2014 at Smith State Prison. I did see the District Attorney Denise Fachini at P.O. Box 5510, Cordele, Ga. 31000 a copy of my Notice of Appeal on Feb. 12, 2014. Will you compel them to forward to your office the record on appeal have written and written motions to Compel etc to no avail. See at bottom of form. Got from Law Library, at Jackson

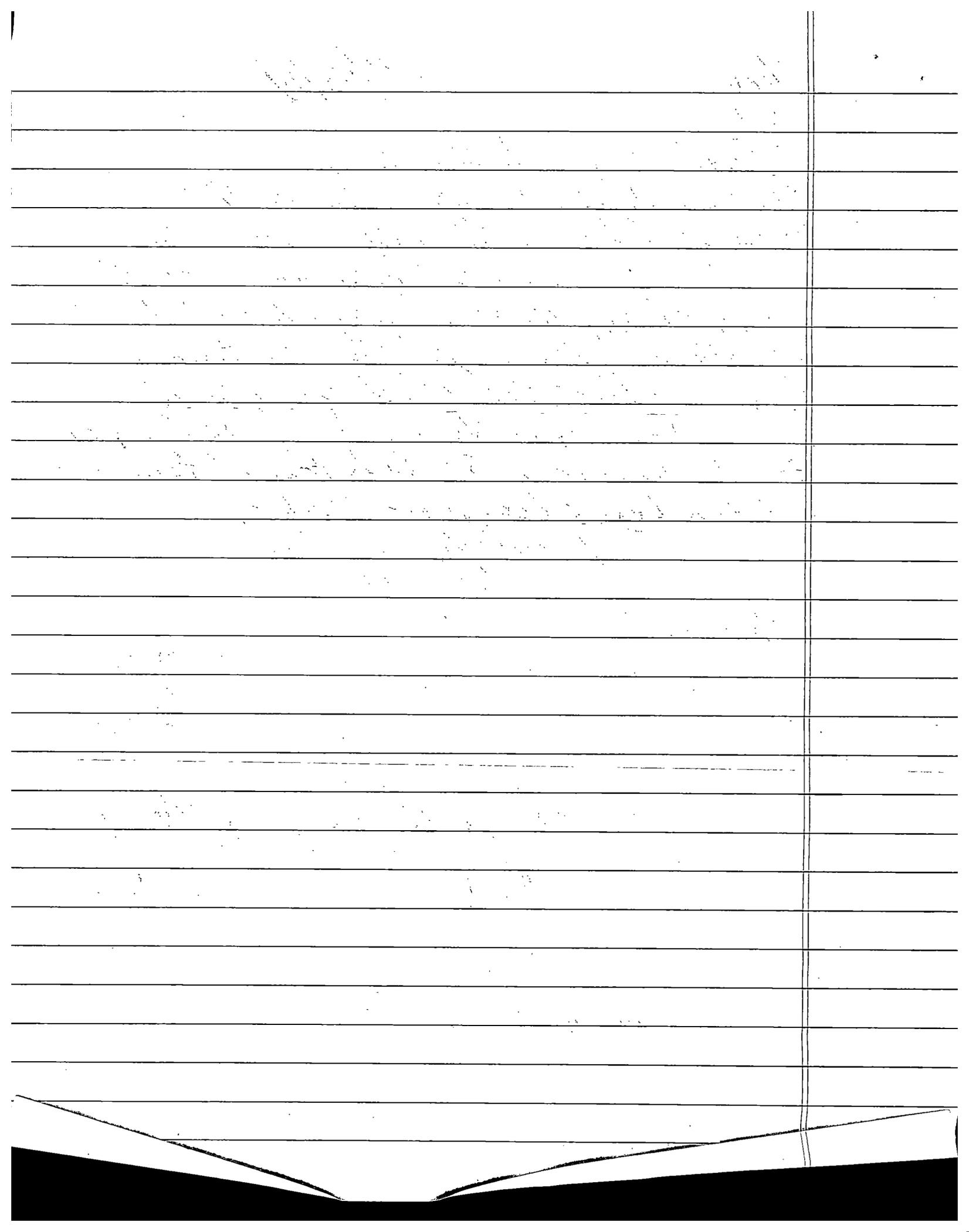
Frank J. [unclear]

This is your copy

RECEIVED IN OFFICE

2014 APR 29 PM 4:38

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA.



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

RECEIVED IN OFFICE
2014 APR 19 PM 3:13
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

NOTICE OF APPEAL

IN THE Superior (SUPERIOR, STATE, ETC.) COURT
OF Crisp COUNTY

EDWARD T. RIDLEY
~~Crisp County~~
PLAINTIFF

STATE OF GEORGIA

Criminal
CASE NUMBER

2

DB13-149

vs.
DEFENDANT

* CIVIL ACTION pursuant to O.C.G.A.
42-1-9 failure to remove
* ~~42 Crisp Co. case # 13R-119~~
* NAME and answer motions, correct
trial and void judgment

~~Edward T. Ridley~~
STATE OF GEORGIA
Respondent

NOTICE OF APPEAL

Notice is given that Defendant Plaintiff (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 20th day of February, 2014.

The clerk shall Omit Nothing From The Record (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 Superior Ct. Error 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 Mai (hand delivery/ mailing a copy first class mail postage prepaid) to him/her at: Crisp Co. D. A. Denise Fichini, P.O. Box 5510, Cordley Ga. 31010 (complete address of party served).

This the 17th day of February, 2014.
Edward T. Ridley (Sign your name.)

RECEIVED IN OFFICE
2014 APR 29 PM 4:39
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

your copy

Certificate of Service

This is to certify that I have, this day, served a true and correct copy of the foregoing motion to ~~Notice of Appeal~~ *failure to remove name and answer motions pursuant to O.C.G.A. 42-1-9, and to correct void and illegal judgment only not withdrawn plea*

Crisp Co. D.A.

P.O. Box 5510

Cordele Ga. 31010

This 12th day of February, 2014

Edward Tyrone Ridley 570139
Name
Edward Tyrone Ridley 570139

Georgia Diagnostic & Classification Prison
PO Box 3877
Jackson, Ga. 30233

Note: The clerk's name and address do not appear on this page. Only the opposing party's title and address appear on this page.

FORM 4 - NOTICE OF FILING CERTIORARI

RECEIVED IN OFFICE
2014 FEB 20 PM 3:42
CLERK COURT ADMINISTRATOR
COURT OF APPEALS OF GA

COURT OF APPEALS OF GEORGIA

Edward T. Ridley

APPELLANT

vs. Crisp County

APPELLEE

- * CIVIL ACTION pursuant to O.C.G.A.
- * 42-1-9 failure to remove name and answer motions, correct illegal and void judgment
- * CASE NUMBER
- * Criminal
- * OR13-149

NOTICE OF FILING PETITION OF CERTIORARI

Comes now Appellant (Appellant/Appellee) in the above appeal and shows he/she this day filed an application for certiorari with the Court of Appeals of Georgia.

This the 12th day of February, 2012.

Edward T. Ridley

(Sign your name.)

C.D.C.P., P.O. Box 3877, Jackson, Ga, 30233

(Your complete address.)

RECEIVED IN OFFICE
2014 APR 29 PM 4:56
CLERK COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Ct. of Appeals of GA.

CERTIFICATE OF SERVICE

I certify that I have this day served Opposing Party (opposing party or attorney) with a copy of this Notice of Filing Petition of Certiorari by Mail

(hand delivery/ mailing a copy first class mail postage prepaid) to him/her at: Crisp Co. D.A., Denise Fachini, P.O. Box 5510, Cordale, Ga.

31010

(complete address of party served).

This the 12th day of February, 2014.

Edward T. Ridley

(Sign your name.)

Certificate of Service

This is to certify that I have, this day, served a true and correct copy of the foregoing motion to ~~Appeal~~ Failure to remove name and answer motions pursuant to O.C.G.A. 42-1-9, and to correct void and illegal judgment only not with draw plea. Some 42-1-9 motions in case's no's OR5-124 of 518 Crisp Co. D.A
P.O. Box 5510
Cordale, Ga. 31010

This 12th day of February 2014.

Edward Tyrone Ridley 570139
Name
Edward Tyrone Ridley 570139
Georgia Diagnostic & Classification Prison
PO Box 3877
Jackson, Ga. 30233

Note: The clerk's name and address do not appear on this page. Only the opposing party's title and address appear on this page.

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

May 5, 2014

Mr. James Thompson
GDC497699 F-2
Lee State Prison
153 Pinewood Road
Leesburg, Georgia 31763

Dear Mr. Thompson:

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

Sincerely,



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

SEC/ld

Court of Appeals of the State of Georgia

ATLANTA, September 09, 2013

The Court of Appeals hereby passes the following order:

A13I0319. JAMES E. THOMPSON v. THE STATE.

On August 9, 2013, James Thompson filed an application for interlocutory appeal from the trial court's order of August 5, 2013, which, among other things, denied his pro se motion to recuse. We lack jurisdiction.

A trial court's ruling on a motion to recuse is an interlocutory order. Therefore, Thompson was required to comply with the interlocutory appeal requirements of OCGA § 5-6-34 (b), which required him to secure a certificate of immediate review from the trial court. See *Ellis v. Stanford*, 256 Ga. App. 294, 295 (2) (568 SE2d 157) (2002). Thompson shows that he has requested a certificate of immediate review, but his failure to secure the certificate deprives us of jurisdiction to review this order.

Accordingly, this appeal is DISMISSED.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 09/09/2013

*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.

4370535
4310319

To The Clerk and Court of Appeals,
This is a preamprive

Why am I sending you these two enclosed letters:
very simple After months of waiting we are "back in
business!"

Everything was set up, prepared and expected.
I had to enclose both letters at the same time
and the second letter is a rough draft.
The message is clear.

On Fri, April 18 @ 5:30 am I sent the 1st letter
to the respective courts.

At 12:30 pm on the 18th I received an "order"
from Dawson Jackson's replacement.

Am I a fortune teller? Nope, sorry.
But the timing is so incredibly fascinating.
Code word for today: "Bias"
what now another excuse.

please stop the absurdity.

James Thompson

RECEIVED IN OFFICE
14 APR 30 PM 2:21
CLERK ACCOUNT ADMINISTRATOR
COURT OF APPEALS OF GA

Things forthcoming

The enclosed evidence/letters are just
that. Evidence pertaining to
the what is soon to be.

(please except my apology for the rush)

Authored on 4/17/14

#1

Cover sheet:

① We would not be in touch, would we, if certain "Factions" within the legal community had not engaged in unscrupulous behavior?

The analogy (again): you or they broke into my home and committed acts of aggression and I decided to defend myself by striking back. For you to then complain about my response to your acts of violence is flat out lunacy (but par for the course under the current lunacy). You or they initiated the outlandish behavior and I in turn responded accordingly (whatever means I deemed necessary). No more justifications, please, and;

② And please no more thoughts or claims this case is not as relevant as I or we think. If it wasn't or if many weren't uncomfortable, then Jackson (K.D.J.) wouldn't have ordered the most unconscionable act imaginable, and;

A.) Tracy Drake, defense attorney, stated emphatically that Jackson would "do everything possible to keep his thumb on you (me)". Trust when I say she explained why, just as Tom Ford and Ragnar Burns (defense attorneys) had made similar comments, and;

B.) If this case isn't relevant then the record(s) of Georgia need a thorough review meaning acts of "torture" must be spread throughout. Find another case with so much egregious behavior by so many participants against such an isolated individual. You can't!

James E. Thompson
ps. please inform Ms. Schrader "K.D.J." wasn't her advocate as much as she believes. Common sense and logic dictate that an advocate wouldn't pile waste for "consumption".

#1

To The Supreme Court,

Each phrase for the day: "Term limits." Other catch-phrases exist but the timing is not appropriate.

"K Dawson Jackson" was your chief and I (we) have his documents record which appears to tarnish (concerns understanding) his legacy.

Now we have your misguided decision which appears to coincide with "K.D.J.'s" record of ill repute which in turn appears to create a defamatory series of "arguable merits" based on bias, favoritism, a past association (or two), nepotism, and unbridled ego.

No more underestimations, please, and to answer the previous letters question, obviously there was never a disorder but guest recognized one fact. They were not accustomed to being embarrassed and being put on the defensive was not customary. Hence a three pronged option:

- a) shoot me
- b) drug me
- c) self me free

Which one of the three relates to an honorable conclusion?

That's correct you have no idea and you're proud of it. One final sensitive guy moment:

Kathryn Schrader now sits in "KDJ's" office. Yes, I've known for quite some time and she has already proceeded to raise speculation interesting an attorney to Superior Court judge so quickly, as well as being assigned to a case that casts shame and dishonor on the entire judiciary. Did "KDJ" assist as he has "assisted" so often? Why isn't Phil Miller a Superior Court judge after 30 years of service at the courts D. As office? Of course we know why, don't we?

Attended on 4/17/14
April 18, 2014
51440352

#1

Several Fleeting Final Thoughts:

A.) Please inform Ms. Schrader to utilize a comprehensive cleaning team in order to eliminate the stench and stigma of corruption associated with "K.D.J." and;

B.) Why would Jackson assign a newly departed attorney to a case he knew was and is a catastrophe in relation to his departure

1.) "Spoon Feeding" Ms. Schrader was a must. Others may not have been as sympathetic nor willing to proceed with "K.D.J.'s agenda, and;

2.) "Reception", Everything he supposedly accomplished (and how he accomplished it) would revolve 180° (and trust when I say he knew it).

The puzzle continues to evolve.

James Thompson

Letter #2

April 18, 2014

04-B-3288-3

514H0352

To The Respective Courts,

Letter authored at approximately 2:00pm, (1 1/2) hours after receipt

of the last two deliveries from Guarant Court and The Supreme Court

fascinating once again. On April 17 I authored a letter

dated April 18 which I deposited in the Lee S.P. mailbox on April 18

at approximately 5:30 am in order to be sent out on April 18 (today).

At 12:30 pm I received word that I had mail at the mail-

room. Two envelopes were handed to me which I had to sign for.

① One from The Supreme Court saying: "this court may not give legal advice

(A) Asking for the justices names who formulated the obviously

erratic decision from Feb. 2011 is not legal advice!

B) And I requested the "rule" that stipulated that the su-

preme Court "does not give reasons" for their decisions. The "reasons"

reinforced. Everything is secret but again requesting a "rule"

that should be "pre-printed" for everyone's consumption is not

asking for legal advice. Its asking for verification knowing this

is a public American forum not the reasons! (At least I thought

② And last, please review the April 17/18 letter (again for once)

If discusses Judge Schrader, what did it say? It documented ~~the ob-~~

violation by Schrader is there (Guarant Superior Court in certain instances)

No need to reiterate, the message was (is) clear on point and could

not be anymore apparent. Case in point?

A) 12:30 pm on April 18, 2014. I received an "order" (finally)

detailing the fact that Judge Schrader had in fact followed the

claims made in my 1st April 18 letter. Torture "is definitely a pr-

requisite in Ga Law Schools, Schrader denied the motions I had

previously presented. Of course we know Schrader was in "KDJ's seat

(#2)

and of course we knew the eventual outcome. How did we know?
Re-review the April 18 Letter again. Common sense and Logic
which appears to trump Case study and erroneous applications
everytime.

Remember I said theres good in all bad. Schrader denies
after reviewing "supplements" meaning she denied after witnessing
egregious acts of corruption and despicable behavior. The point?
Again the April 18 Letter. As soon as I received it (harder)
I began a mental celebration. What now? Cover for Schrader?

I have also enclosed several "snippets" from an intro. note
that I included with Guinnets April 18 copy which again
details the fact that something again is amiss as well as in-
credibly transparent.

Is someone now going to say Schraders is ^{meteoric rise to} ~~not~~ a ^{superior} ~~superior~~
Court judge ^{and} ~~has~~ ^{any} dealings with "KDJ" ^{are not foretold} ~~in relation to~~ ^{assis-}
~~stance from "KDJ"?~~ please no more lunacy.

And Finally. more good in bad. The Good? I (we) always
knew of Schraders purposeful intrusion but . . . the higher
courts get yet another gander. The saga continues and patience
has afforded everyone yet another "participant".

The difference between the two at (70)822-8617? Judge Schrader
is at her infancy stage and can easily dissected as her recent
actions indicate. What now, deny the logic and pia point
accuracy from the 1st April 18 Letter?

Thank you for your time
James Thompson

#2

Excerpts From An April 18 "note" delivered to Gwinnett County preceding the actual April 18 Letter:

"Tell her (Schvader) I said I apologize for not making it to her induction but I do in fact have a helpful tip. The two words begin with "S" and "D" . . . "speed dial" straight to you know who?"

And

"Congrats Mr. Schvader, I don't think "K.D.J." did you any favors but he needed you?"

All sent at 5:30 am on April 18, 2014.

I obviously am not a mind reader, and obviously (if you check with Lee S.P.) I received my mail on April 18 at 12:30 pm detailing the fact that once again either all of the participants are unbelievably transparent or the "Trojan Horse", or both.

James Thompson

ps. We patiently awaited Judge Schvaders decision knowing what she was going to do, meaning again and again and again, everything has become disturbingly disproportionate with logic period, forewarning Schvaders "agenda" is an enormous plus.

The Forgoing letter dated April 18, 2014 and authored on April 18, 2014 of a proximately 2:00 pm has been sent via U.S. mail with proper postage affixed to:

- The Supreme Court

244 Washington St. S.W.

572 State Office Annex

AH. Ga. 30334

AH. Ga. 30334

- Court of Appeals

417 Trinity Ave S.W.

St. 501

- The Attorney General

Ga. Dept of Law

40 Capital Sq. S.W.

AH. Ga. 30334 - 1300

- The Clerk of Court

75 Langley Dr.

Lawrenceville, GA 30046

copy: Schneider, D. Porter

James G. Thompson
4/18/14

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

May 5, 2014

Ms. Carol J. Peay
824 Greenwood Avenue
Unit 10
Atlanta, Georgia 30306

RE: Carol J. Peay v. The Virginian Condominium Association, Inc.

Dear Ms. Peay:

I am in receipt of your Brief. We are unable to docket the Brief because there has not been a direct appeal docketed in your name in this Court. We must return the Brief to you.

Sincerely,



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

SEC/ld
Enclosure

In the Appeals Court of Fulton County)

FILED IN DROP BOX

State of Georgia)

Carol J. Peay

Appellant)

Notary Public, DeKalb County, Georgia
My Commission Expires Feb. 16, 2016

Case No. C V 2014...

V.

The Virginian Condominium Association Inc.)

Appellee)

Cross Appellant Motion)

Prayer and Motion for Application of Late Supplements from Appellant)

RECEIVED IN OFFICE
2014 APR 29 AM 8:42
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GEORGIA

Comes now, on April 25, 2014, Appellant in aforementioned case of the Fulton County Court of Appeals Carol J. Peay, who prays and requests motion for the Court of Appeals to allow the late brief and supplements to the appeal submitted March 28, 2014. Appellant is in receipt of the electronically transmitted document by opposing counsel, Lauren Gunnels; and thereby respectively, submits to the court the cross appeal:

Appellant asserts the following applicable procedural Georgia codes, as it relates to pertinent lawful provisions. Honorable Judge Doris L. Downs writes in the dismissal of appeal March 25, 2014:

O.C.G.A. Section 5-6-39, whereby

“There has been an unreasonable delay in the transmission of the record to the appellate court” the judge is certified to dismiss the appeal.



2014

Georgia Court of Appeals

RULES

Last Update: February 19, 2014

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

May 5, 2014

Mr. Cedric B. Pickard
GDC255365
Hancock State Prison
Post Office Box 339
Sparta, Georgia 31087

Dear Mr. Pickard:

There is no Certificate of Service showing that the Application for Discretionary Appeal was served upon the District Attorney's office.

Sincerely,



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

SEC/ld
Enclosures

IN THE COURT OF APPEALS FOR THE
STATE OF GEORGIA

CEDRIC B. PICKARD,
Appellant,

vs.

STATE OF GEORGIA,
Appellee.

RECEIVED IN OFFICE
2014 APR 25 PM 3:00
CLERK OF COURT APPELLATE
COURT OF APPEALS OF GA.

APPLICATION FOR DISCRETIONARY APPEAL

COMES NOW, Cedric B. Pickard, Pro Se, herein after to be referred to as the Appellant moves this Honorable Court of Appeals for the State of Georgia to accept his Application to Appeal a final judgment and docket such in the Honorable Court pursuant to Rule 31, O.C. G.A. § 5-6-35 (a), (1), whereas, reversible errors appears to exists.

Reversible error will be proven within the body of Appellant Extraordinary Motion For New Trial with a copy of Appellant Affidavit attached, filed in the Trial Court of Upson County.

Clearly, under the Georgia Court of Appeals Rule 31 (a), (1), provides that, an application for leave to appeal a final judgment in cases subject to appeal under O.C. G.A. § 5-6-35 shall be granted only when; "reversible error

Mr. Pickard,

There is no certificate of service showing that the application for discretionary appeal was served upon the district attorney's office.

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

May 6, 2014

Mr. Cedric B. Pickard
GDC255365
Hancock State Prison
Post Office Box 339
Sparta, Georgia 31087

Dear Mr. Pickard:

A communication from you was returned to you yesterday because there was no Certificate of Service showing that the District Attorney's office was served the Discretionary Application. Today, I am returning your submission so that it may be added to the documents returned yesterday and all returned to this Court for filing.

Sincerely,


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

SEC/ld
Enclosures

cc:

Cedric B. Richard
Sincerely,

to represent myself pro se at my hearings. I did not know that I was going to have thought that I was going to be represented by an lawyer. Defendant's Office with the order, and because of that I the trial court did serve the Union County Public order granting my "Extraordinary Motion For New Trial," to sent me a stamped "file" copy of the trial court's. However, the Clerk of Union County has still failed the Court.

Application For Discretionary Appeal has been sent to forwarding this document to the Court, whereas, my "Extraordinary Motion For New Trial," however, I am "file" copy of the trial court's order denys my the mail from the Clerk of Union County a stamped Today, April 30, 2014, I finally received in Dear Clerk/Court of Appeals of Georgia:

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

April 30, 2014

Cedric B. Richard
GDC # 255365
Hancock State Prison
P.O. Box 339
Spauld, Georgia 31087

RECEIVED IN OFFICE

2014 MAY -6 PM 1:22

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

RECEIVED IN OFFICE
2014 MAY -6 PM 1:22
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Cedric B. Pickard
GDC # 255365
Hancock State Prison
P.O. Box 339
Spanta, Georgia 31087

Georgia Court of Appeals
47 Trinity Avenue, S.W.
Suite 501
Atlanta, Georgia 30234

April 30, 2014

Dear Clerk/Court of Appeals of Georgia:

Today, April 30, 2014, I finally received in the mail from the Clerk of Upson County a stamped "file" copy of the trial court's order denying my "Extraordinary Motion For New Trial," however, I am forwarding this document to the Court, whereas, my Application For Discretionary Appeal has been sent to the Court.

However, the Clerk of Upson County has still failed to send me a stamped "file" copy of the trial court's order granting my "Extraordinary Motion For New Trial," the trial court did served the Upson County Public Defender's Office with the order, and because of that I thought that I was going to be represented by an lawyer at my hearings, I did not know that I was going to have to represent myself Pro Se at my hearings.

CC:

Sincerely,
Cedric B. Pickard

ORIGINAL

IN THE SUPERIOR COURT OF UPSON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,

CASE NUMBER: 2000R-140

vs.

CEDRIC B. PICKARD,

FILED & RECORDED
SUPERIOR COURT CLERK'S OFFICE
UPSON COUNTY, GA 30286
Date/Time: 4-21-14 11:33 AM

Defendant.

US
TERESA HARPER, CSC

ORDER

Hearing occurred March 31, 2014 on defendant's "Extraordinary Motion for New Trial". Defendant was present for hearing and represented himself pro se. Upon consideration of the evidence presented at hearing, the Court denies the extraordinary motion for new trial.

WHEREFORE, IT IS SO ORDERED that defendant's "Extraordinary Motion for New Trial" is denied.

This 17th day of April, 2014.


CHRISTOPHER C. EDWARDS
Judge, Superior Court
Griffin Judicial Circuit

CERTIFICATE OF SERVICE

I certify I have distributed a true and correct copy of the foregoing Order on the following counsel and party of record, by U.S. Mail, addressed as follows:

Ben Coker
Michael Rogers
Upson County District Attorney's Office
P. O. Box 871
Thomaston, Georgia 30286

Cederic B. Pickard
GDC # 255365
Hancock State Prison
P. O. Box 339
Sparta, Georgia 31087

This 17th day of April, 2014.



KAYE L. MIROZINSKI
Judicial Assistant to Judge Edwards

RECEIVED IN OFFICE

2014 MAY -6 PM 1:21

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Cedric B. Pickard

CDC # 255365

Hancock State Prison

P.O. Box 339

Spartan, Georgia 31087

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

April 28, 2014.

Dear Clerk/ Court of Appeals of Georgia:

Last week, I filed an Application For Discretionary

Appeal in the Court of Appeals of Georgia, however, I am

sorry but I forgot to send a certificate of service

shows that I served the District Attorney Office with

a copy of my Application For Discretionary Appeal.

So if you will can you please attached my certificate

of service that is enclosed with this letter to my

Application For Discretionary Appeal shows that I did

served the District Attorney Office a copy of my

Application For Discretionary Appeal that I filed with

the Court of Appeals of Georgia last week.

Thank you, very much for your time and consideration

in this matter.

Sincerely,

Cedric B. Pickard

Cedric B. Pickard, Esq

CC:

CERTIFICATE OF SERVICE

This is to certify that I, Cedric B. Pickard, the Appellant, have this day served a copy of the within on forepersons Application For Discretionary Appeal upon the District Attorney, by placing a copy of the same in the United States Mail with sufficient postage thereon to ensure delivery and addressed to:

Office of the District Attorney
P.O. Box 871
Thomasston, Georgia 30286

This 28th day of April, 2014.

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

Date: May 6, 2014

To: Mr. Clifford J. Thompson, GDC1000024539 W3, Lowndes Correctional Institution, PO Box 5367,
Valdosta, Georgia 31601

Docket Number: A14A1147 **Style:** Clifford J. Thompson 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 **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) 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

IN THE COURT OF APPEALS OF THE
STATE OF GEORGIA

CLIFFORD J. THOMPSON

VS

THE STATE OF GEORGIA

Case # A141147

CRATHAM CO #

CR09-1641-JB

MOTION TO STRIKE
AND MOOT THE

APPELLEE'S BRIEF AND MOTION
TO EXTEND TIME FOR FILING
(AFFIDAVIT)

RECEIVED IN OFFICE
2014 MAY 6 PM 1:37
COURT OF APPEALS OF GA

NOTICE TO AGENT IS NOTICE TO PRINCIPAL
NOTICE TO PRINCIPLE IS NOTICE TO AGENT

Indeed, no more than (affidavits) is necessary to make
the same face case, 99 US VS KIS 658 F.2d 526, 536 (7th
Cir 1981); *Out-Denied*, 50 US LW216A SCT, 22 March 1982;
[SEE ALSO] OCGA § 9-10-113.

Now Jones the Appellant Clifford Thompson,
the herein Affiant - the above styled motion
moves to strike the Appellee's Motion to extend
time for filing of Appellee's Brief and Appellee's Brief
should be mooted. That the Court did grant on the
17th of April 2014. After the Appellee did so file
an untimely motion to extend time for filing of
Appellee's Brief on the 15th of April 2014.

Appellant does so pursuant to OCGA § 9-11-
12(a), to strike any pleading any insufficient
defense or any redundancy, immaterial, impertinent,
or scandalous matter; moot, when the brief
is not timely filed 20 day after appellant's brief
has been filed on the 16th of September 2013 and
this Court of Appeals has notified Appellee's
Brief to be filed within 40 days from
the docketing date of 25 February 2014.

Clearly the Appellee has provided this brief

with no reasonable explanation as to why the Appellee's Brief could not have been timely filed as prescribed under procedures ESEET Rule 26(b)(5) [also] Rule 13. By law, the Affiant/Appellant does so, how, compare to someone this Court to strike and moot the Appellee's wrongful attempt to circumvent sound judicial procedure that this Court must hold to. This Court need only to review the record to verify that the Appellee's request to extend time to file Brief is untimely and should not have been granted. This Appellee's Counsel is an attorney at law and is fully aware of the filing rules (stated above) and should provide pro se litigators shocking as it is, that an attorney can not claim ignorance of the law - procedures of filing timely motions. Well established are this Court of Appeals Rules 13 & 26, to wit both the 30-day days of the docketing date and the 20 days after filing of the appellant's Brief has long elapsed, expired when the Appellee's attorney filed on the 15th of April 2014 a ~~request~~ Motion to Extend Time for Filing of Appellee's Brief. It was 10 days late!!!

Therefore the Appellant/Affiant does so as the Court should strike & moot. All and one of the Appellee's motions, briefs, documents filed after the 5th of April 2014 as being untimely filed and the Court's granting is to add moot. This Appellee can not even come the rules of the filing motions & briefs (Rule 13 & 26). Furthermore, record will show that Appellant did so provide copy notice to the District Attorney's office of Chatham Co. that is part of the same circuit.

Therefore, Court should moot order granting extension of time and grant Appellant motion to strike.

This 25 day of April 2014.

Respectfully esp. Residua,
Clifford Sheffer

SUDEN AND SUBSCRIBED BEFORE ME

THIS 25 DAY OF APRIL 2014.

William Whittaker
NOTARY PUBLIC

CERTIFICATION OF SERVICE
#A14A1147

I do certify that a copy of the Motion to Strike ~~ooo~~ has been placed into the VSP-mailing system and sent to the below addresses by way of the US Postal Service this 24 day of April 2014.

Clifford Thompson

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

Donna R. Sims (#648280)
Asst. Dist. Atty.
Eastern Judicial Cir.
133 Montgomery St.
Suite 600
Savannah Ga
31402

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

Date: May 8, 2014

To: Grady A. Roberts, III, Esq., Roberts Law, LLC, 94 Howell Street, N.E., Atlanta, Georgia 30312

Docket Number:

Style:

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.**
2. **Portions of the record included were not tabbed and indexed. Rules 30(e) and 31(c).**
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

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

IN THE COURT OF APPEALS
STATE OF GEORGIA

RECEIVED IN OFFICE
2014 MAY -5 AM 8:31
CLERK/REGISTRATION
COURT OF APPEALS OF GA

SOPSN TRUST, A. BROWN, TRUSTEE,
Plaintiff/Appellee,

CIVIL ACTION No.

Vs.

MARIE WILSON; ALISHIA BRISTOW SMITH
AND ALL OTHERS,
Defendant/Appellant,

FILED IN OFFICE

MAY 8 2 2014

CLERK, COURT OF
APPEALS OF GEORGIA

APPLICATION FOR APPELLATE REVIEW

ALISHIA BRISTOW SMITH, applicant, applies to this court as follows:

(1) To issue an order granting the applicant an appeal from the Orders dated April 22, 2014, April 10, 2014, March 14, 2014, and March 3, 2014, Honorable Jerry Baxter, presiding, in the case styled SOPSN TRUST, A. BROWN, TRUSTEE, Plaintiff v MARIE WILSON; ALISHIA BRISTOW SMITH AND ALL OTHERS., Defendants, Case Nos. 2013CV239578, these Orders having granted Plaintiffs' Writ of Possession and requiring payment of rent into the registry of the court, in addition to the order dated March 3, 2014, denied Defendants' Plea in Abatement. Defendants were further denied their right to a jury trial.

(2) Applicant shows that the jurisdiction is properly in this Court pursuant to the discretionary appeals procedure of O.C.G.A. § 5-6-35(a)(1); The filing of an application for discretionary review acts as a supersedeas and has the effect of depriving the trial court of jurisdiction to enforce, modify or alter its judgment. Department of Human Resources v. Holland, 236 Ga App.

FILED IN DROP BOX

273, 274, 511 S.E.2d 628 (1999). Thus, after the filing of the application in this Court, the trial court was divested of jurisdiction to rule or further impact this matter.

(3) This application of appeal is filed within 7 days of the entry of the order entered, when accounting for the three-day extension provided for in OCGA § 9-11-6(e).. Because there is no provision in the Appellate Practice Act for computing time limits, the Court of Appeals has at least twice found it necessary to supplement the provisions of the Appellate Practice Act by reference to OCGA § 9-11-6: *Southern Guar. Ins. Co. of Ga. v. Goddard*, 190 Ga.App. 97, 98, 378 S.E.2d 130 (1989) (applying OCGA § 9-11-6(a) to the computation of the time for filing a notice of appeal); *Nat. Consultants v. Burt*, 186 Ga.App. 27(1), 366 S.E.2d 344 (1988) (applying the provision in OCGA § 9-11-6(e) for three extra days when a notice is served by mail to the computation of time for filing a cross-appeal). Application of those provisions to situations not provided for in the Appellate Practice Act is consistent with the General Assembly's command in OCGA § 5-6-30 that the Appellate Practice Act “shall be liberally construed so as to bring about a decision on the merits of every case appealed and to avoid dismissal of any case....” Head v. Thomason, 276 Ga. 434, 438-39, 578 S.E.2d 426, 431 (2003)

(4) Copies of all pertinent documents have been attached to this application as exhibits including a copy of the Aril 22, 2014, April 10, 2014, March 14, 2014, and March 3, 2014.

(5) Applicant submits that an appeal should be granted because;

- A. The filing of the de novo appeal in superior court has the same effect “as if it had been commenced originally in the superior court.” *Fagan v. McTier*, 81 Ga. 73, 75, 6 S.E. 177 (1888). “Upon a de novo appeal, the state [or superior] court is to ‘try the issue anew and pass original judgments on the questions involved as if there had been no previous trial.’ [Cit.]” *Scott v. Aaron*, 221 Ga. App. 254, 471 S.E.2d 55 (1996). “[T]he magistrate court’s judgment has no bearing on the merits of the main claim” (*Howe v. Roberts*, 259 Ga. 617 (2), 385 S.E.2d 276 (1989)), and “[i]t is not the province of the superior court on such an appeal to review and affirm ..., but to try the issue anew and pass original judgments on the questions involved as if there had been no previous trial.’ [Cit.]” *Knowles v. Knowles*, 125 Ga. App. 642(1), 188 S.E.2d 800 (1972). *Long v. Greenwood Homes, Inc.*, 285 Ga. 560, 561-62, 679 S.E.2d 712, 714 (2009). The courts March 3, 2014 granting a writ of possession based on the defendants’ failure to pay rent into registry of court based on the Magistrate Courts order was improper due to the de novo nature of the appeal to Superior Court
- B. The Magistrate Court erred to require payment of rent into the registry pending appeal to Superior Court. The purpose of an order requiring the payment of rent pending appeal is similar to a post-judgment order requiring the posting of a supersedeas bond; in protecting the winning if the appeal is found to be frivolous. See, *Owens v. Green Tree Servicing LLC*, 300 Ga. App. 22, 24-25, 684 S.E.2d 99, 101 (2009). Since the Magistrate Court’s order was subject to a de novo appeal the case was considered undetermined and both parties stood on equal footing. See, *Williams v. McDaniel*, 77 Ga. 6. (While it is true that an appeal normally simply suspends the judgment, an appeal of a magistrate court judgment “is a proceeding de

novo. So far as concerns the opposite party...when appealed, it is an original suit...brought in the superior court.” As such an original suit the appeal making the case in the magistrate court stand in the same relation to the respondent as if the case had been brought in the superior court and had never been tried, the defendants’ right are no greater than if that had been originally done. The judgment appealed from is no legal sense final. Until the appeal [is] disposed of, the case [is] *undetermined*, and there [can] be no final judgment on the merits. “the appeal opened the case to a full hearing on all the issues made. Its effect was to suspend the first judgment.” Had the judgment been for the plaintiff, it would have “bound the property of the defendant to no greater extent than to prevent its alienation between that time and the signing of the judgment on the appeal.”)

- C. The court erred in applying O.C.G.A. § 44-7-56 to a de novo appeal. An appeal from magistrate court to superior court is a trial de novo. Scott v. Aaron, 221 Ga.App. 254, 471 S.E.2d 55 (1996). It therefore trigger[s] the provisions of OCGA § 44-7-54 requiring payment of rent into court when the issue of the right of possession cannot be determined within two weeks. Green v. Barton, 237 Ga. App. 553, 554, 515 S.E.2d 864, 865 (1999). Thus, O.C.G.A. § 44-7-56 is inapplicable to a de novo appeal from magistrate Court. Even if the provisions of O.C.G.A. § 44-7-56 were applicable, the Magistrate Court erred in using the Fair Market Rental Value to determine the amount of rent to pay into the registry of the Court Pending Appeal to Superior Court. O.C.G.A. § 44-7-56 requires that “[i]f the judgment of the trial court is against the tenant and the tenant appeals this judgment, the tenant shall be required to pay into the registry of the court all sums found by the trial court to be due for rent in order to

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

Date: May 8, 2014

To: Mr. Jackson Oliver, Esq., Thompson Law Group, LLC, 3390 Peachtree Road • Suite 1300, Atlanta, GA 30326

Docket Number: A14A1289 **Style:** Harriet Carter v. J.P. Morgan Chase Bank, N.A., 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.**
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

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

FILED IN OFFICE
MAY - 7 2014
COURT CLERK
CLERK COURT OF APPEALS OF GA

IN THE COURT OF APPEALS
STATE OF GEORGIA

HARRIET CARTER,)
)
 Appellant,)
)
 v.)
)
 JPMORGAN CHASE BANK, N.A., *et al*,)
)
 Appellees.)

ON APPEAL FROM THE
SUPERIOR COURT OF
WHITE COUNTY

APPEAL NO. A14A1289

BRIEF OF APPELLANT

Respectfully submitted by:

THOMPSON LAW GROUP, LLC

Robert T. Thompson, Jr.
Georgia Bar No. 709750
Jackson E. Oliver
Georgia Bar No. 273358

3390 Peachtree Road, Suite 1300
Atlanta, GA 30326
Telephone: (404) 816-0500
rthompson@thomlaw.net
joliver@thomlaw.net
Attorneys for Appellant

RECEIVED IN OFFICE
2014 MAY - 7 PM 2:54
CLERK COURT OF APPEALS OF GA

COMES NOW, Harriet Carter, Appellant in the above referenced appeal, and hereby submits this Appellant's Brief, respectfully showing this Court as follows:

INTRODUCTION

This case is currently before the Court from a Final Order of the Honorable Murphy C. Miller, Judge of Superior Court of White County, Granting Appellees JPMorgan Chase Bank, N.A. ("JPMorgan"), Mortgage Electronic Registration System ("MERS"), and MERSCORP Holdings, Inc. ("MERSCORP")'s Motion for Summary Judgment entered on September 5, 2013.

Harriet Carter ("Ms. Carter") filed this suit *pro se* against JPMorgan, MERS, MERSCORP and others in the Superior Court of White County ("Trial Court") seeking a temporary restraining order and/or preliminary injunction and a declaratory judgment finding that the Appellees violated Plaintiff's property rights, federal law and Georgia statutes in an attempt to perpetrate a fraud and wrongfully foreclose upon Ms. Carter's property. Ms. Carter also raised issues of a fraudulent transfer of the Security Deed and violations of Due Process.

The Trial Court denied Ms. Carter's Petition for Temporary Restraining Order and/or Preliminary Injunction based upon Ms. Carter's alleged failure to

respond to JPMorgan, MERS and MERSCORPS Motion for Summary Judgment. The Trial Court also granted JPMorgan's counterclaims for cancellation of fraudulent documents and a bill of peace.

The Trial Court's first error was not construing Ms. Carter's pleadings liberally and finding that Ms. Carter failed to respond to the Motion for Summary Judgment. The record clearly illustrates that Ms. Carter filed a "Verified Answer" on August 6, 2013, after the Motion for Summary Judgment was filed on July 12, 2013. By finding that Ms. Carter failed to respond, the Trial Court accepted all of the facts and arguments of the Motion for Summary Judgment and treated it as a default.

The Trial Court's second error was granting the Summary Judgment on the facts before it. Ms. Carter clearly sought an injunction and declaratory judgment regarding the propriety of the foreclosure stating that Fannie Mae owned her mortgage and that JPMorgan was simply the servicer on behalf of Fannie Mae. This fact alone should have entitled Ms. Carter to an injunction to prevent a violation of her Due Process rights under the 5th Amendment of the United States Constitution. This error was a misapplication of the law to the facts before the Trial Court.

Ms. Carter has preserved all of these errors by making the factual allegations in her Complaint and the record clearly supports the same.

Because the Trial Court misapplied legal standards in deciding a Motion for Summary Judgment and misconstrued a *pro se* party's pleadings against the *pro se* party, this Court should reverse and remand the Final Order of the Trial Court for additional proceedings consistent with this Court's decision.

PART ONE

A. STATEMENT OF PROCEEDINGS AND MATERIAL FACTS

Ms. Carter initiated this action, *pro se*, against JPMorgan by filing a “Verified Emergency Petition for Temporary Restraining Order and/or Preliminary Injunction” on November 30, 2012 (“Petition”). [R – 13-54]. Appellee JPMorgan filed a Verified Answer and Counterclaim on July 12, 2013 [R – 242-259] and a Motion for Summary Judgment on July 15, 2013. [R – 260-384]. On August 6, 2013, Ms. Carter filed a “Verified Answer. [R.– 385-395]. One month later on September 5, 2013, the Trial Court entered its Order and Judgment. [R – 399-402]. Ms. Carter timely filed her Notice of Appeal to this Court on October 4, 2013. [R – 4-12].

The main thrust of Ms. Carter’s Petition was that JPMorgan did not have the standing or right to non-judicially foreclose upon her property located at 874 Chattahoochee Acres Drive, Cleveland, GA 30528 (“property”). [R – 14-17].

On March 10, 2006, Plaintiff took title to the Property by virtue of that Quit Claim Deed given by Jefferson W. Schrader and Brian E. Baldwin to Harriet Carter. Plaintiff executed a Security Deed to the Property, to the Lender, United Community Mortgage Services, Inc., with Mortgage Electronic Registration

Systems, Inc. (“MERS”) acting solely as a nominee for Lender, as evidenced by that certain Security Deed recorded on August 9, 2006, in Deed Book 1127, Page 243, White County Records, Georgia (“Security Deed”). [R – 15].

The Security Deed was transferred via MERS to JPMorgan. [R – 15]. The loan (or Note) was sold into a Mortgage Backed Security to Fannie Mae. [R – 15 and 27].

On November 22, 2010, purported “officers” of MERS allegedly executed an Assignment, with an effective date of September 28, 2010, in its individual capacity and not as nominee, transferring to Chase Home Finance, LLC, all its right title and interest in and to the Security Deed. [R – 33].

The Assignment was allegedly executed by officers of MERS, a C. Troy Crouse and a Thomas Sears, both of whom are in fact attorneys at the law firm of McCalla Raymer, LLC, the law firm who was acting as the foreclosure attorney for JPMorgan. [R – 28 and 33].

Besides Mr. Crouse and Mr. Sears signing as “officers” of MERS, a Joshua R. Green signed as a Notary Public swearing that he witnessed all persons sign said document on November 22, 2010. [R – 16, 33-35]. Mr. Green’s Notary Commission was revoked on June 21, 2011, six months after signing said

document, by the Superior Court of Dekalb County, State of Georgia's Clerk of Court. [R – 35].

Throughout 2011 and 2012, Ms. Carter was attempting to inquire and determine from Chase (predecessor to JPMorgan), who owned her loan and had the authority to offer her a modification of her loan. [R – 16]. Ms. Carter received a letter from Chase dated April 28, 2012, stating that her loan was sold into a public security known as “FNMA A/A 131238347” and may include a number of investors, therefore, according to the Security Deed's clear language, the Security Instrument went together with the Note. [R – 27]. The letter stated the address of her investor as Federal National Mortgage Association's (“Fannie Mae”) address. [R – 27].

JPMorgan has admitted *in judicio* that Fannie Mae is the owner of the Note and JPMorgan is the servicer of Ms. Carter's mortgage loan, acting on behalf of Fannie Mae to enforce the provisions of the Note. [R – 335-336].

Pursuant to facts declared by JPMorgan, Ms. Carter's loan and debt are owned by Fannie Mae. [R – 335-336].

JPMorgan is acting as a servicing agent for the benefit of the owner of debt, Fannie Mae, JPMorgan is a fiduciary agent and instrumentality of Fannie Mae and

JPMorgan's foreclosure under the security deed is for the benefit of Fannie Mae. [R – 335-336].

Ms. Carter has never received actual notice of the right to challenge the foreclosure nor has actual notice been received adequately detailing the reason for the foreclosure. [R – 18-19].

Plaintiff has never been provided a meaningful and timely opportunity to contest the foreclosure. [R – 15].

For the reasons set forth in the Petition, the foreclosure and sale of Ms. Carter's Property is illegal, and at best premature, as Ms. Carter will wrongfully be deprived of her interest in the Property.

PART TWO

ENUMERATIONS OF ERROR

- 1) **The Trial Court Erred in failing to interpret Ms. Carter's *Pro Se* filings liberally and particularly Ms. Carter's "Verified Answer" as a response and denial of JPMorgan's Motion for Summary Judgment and Statement of Undisputed Material Facts.**
- 2) **The Trial Court Erred in granting JPMorgan's Motion for Summary Judgment as the facts in JPMorgan's Motion for Summary Judgment actually show that Ms. Carter was entitled to judgment as a matter of law on her claims for equitable relief from Constitutional violations of JPMorgan.**

PART THREE

STANDARD OF REVIEW

Summary judgment is proper when there is no genuine issue of material fact and the movant is entitled to judgment as a matter of law. OCGA § 9-11-56(c). A de novo standard of review applies to an appeal from a grant or denial of summary judgment, and this Court should view the evidence, and all reasonable conclusions and inferences drawn from it, in the light most favorable to the nonmovant. Matjoulis v. Integon Gen. Ins. Corp., 226 Ga. App. 459 (1997).

ARGUMENT AND CITATION OF AUTHORITY

I. The Trial Court Erred in failing to interpret Ms. Carter's *Pro Se* filings liberally and particularly Ms. Carter's "Verified Answer" as a response and denial of JPMorgan's Motion for Summary Judgment and Statement of Undisputed Material Facts.

"Pro se pleadings are held to less stringent standards than pleadings that are drafted by lawyers." Evans v. City of Atlanta, 189 Ga. App. 566, 567 (1988); *see* Haines v. Kerner, 404 U. S. 519 (92 SC 594, 30 LE2d 652) (1972), Dillingham v. Doctors Clinic, 236 Ga. 302 (1976). Pro se pleadings are to be construed without regard to technicality; pro se litigants' pleadings are not to be held to same high standards of perfection as lawyers, Jenkins v. McKeithern, 395 U.S. 411, 421 (1959); *see also* Picking v. Pennsylvania Railway Co., 151 Fed 2nd 240; Pucket v. Cox, 456 2nd 233 (6th Cir. 1972). "Allegations such as those asserted by Plaintiff, however inartfully pleaded, are sufficient...." Haines v. Kerner, 404 U.S. 519 (1972).

The Courts have long held *pro se* pleadings are to be read liberally and if there is relief available, that they have failed to request, the Courts should be lenient and the *pro se* litigant should be afforded that availability. Here, Ms. Carter

pleadings and attempts to file documents with the Court should have been liberally construed in her favor.

II. The Trial Court Erred in granting JPMorgan's Motion for Summary Judgment as the facts in JPMorgan's Motion for Summary Judgment actually show that Ms. Carter was entitled to judgment as a matter of law on her claims for equitable relief from Constitutional violations of JPMorgan.

Plaintiff Shows that the facts before the Trial Court state claims against JPMorgan and Summary Judgment was therefore not warranted for JPMorgan, but instead, Summary Judgment was warranted for Ms. Carter.

A. Standard for Granting Motion for Summary Judgment

The movant in a summary judgment motion has the burden of showing that there is no genuine issue of any material fact and that he or she is entitled to judgment as a matter of law. Wade v. Mitchell, 206 Ga.App.265, 424 S.E.2d 810 (1992). Under O.C.G.A. §9-11-56, to prevail at summary judgment the moving party must demonstrate not only that there is no genuine issue of material fact but also that the undisputed facts, when viewed in the light most favorable to the

nonmoving party, warrant judgment as a matter of law. O.C.G.A. §9-11-56 (c); Lau's Corp., Inc. v. Haksins, 261 Ga. 491, 405 S.E.2d 474 (1991).

In deciding motions for summary judgment, the evidence of the nonmovant is to be believed, and all justifiable inferences are to be drawn in his or her favor. Wilson v. State of Georgia, 206 Ga. App.599, 426 S.E.2d 192 (1992), citing Barber v. Perdue, 194 Ga. App. 287, 289; 390 S.E.2d (1990).

Summary judgment should only be granted when the evidence demands, not merely supports, the outcome. Coating, Inc. v. Parsons, 188 Ga. App. 506, 373 S. E. 2d 291 (1988). It is proper when, construing all inferences against the movant, it appears without dispute that the case could have but one outcome. Lawrence v. Gardner, 154 Ga. App. 722, 270 S. E. 2d 9 (1980).

B. JPMorgan's Attempted Foreclosure on Behalf of Fannie Mae, being the lender and the secured creditor, involves U.S. Government Action to Deprive Plaintiff of Property Requiring Due Process of Law Pursuant to the 5th Amendment of the U.S. Constitution.

The 5th Amendment of the U.S. Constitution demands that no one be deprived of "life, liberty, or property without due process of law". U.S. Const. Amend. V.

Pursuant to authority granted under Housing and Economic Recovery Act and the Safety and Soundness Act, on September 6, 2008, the Board of Fannie Mae assented to the order of Federal Housing Finance Agency Director Lockhart appointing the Federal Housing Finance Agency as conservator of Fannie Mae.

Per Section 1367 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. § 4501, et seq., as amended) and regulations published by the Federal Housing Finance Agency (12 CFR Part 1237), the conservator has three general sets of powers: First, the Conservator (or Receiver) is the immediate successor to all rights, titles, powers, and privileges of the entity, and any stockholder, officer, or director. Second, Conservator may operate the

entity – including conducting all business of the entity, taking over the assets, and operating with all the powers of the shareholders, directors, and the officers. The conservator may also collect obligations due to the entity, and contract out any function or duty of the entity.

Finally, and perhaps most importantly, the Conservator may take such action as necessary to: (1) put the entity in a sound and solvent condition, and (2) carry on the business of the regulated entity and preserve and conserve the assets and property of the regulated entity.

As of 2008, Fannie Mae came under the direct control and order of the Federal Housing Finance Agency and is thus an instrumentality and agency of the United States government. JPMorgan's foreclosure is therefore being carried out on behalf of, under the control of, and for the benefit of Fannie Mae, a United States federal government agency and instrumentality.

Pursuant to Georgia real property law, the grantee in a security deed holds the legal title for the benefit of the owner of the debt. *See You, et al. v. JP Morgan Chase Bank, N.A., et al.*, 293 Ga. 67, 81 (2013) citing *White v. First Nat. Bank of Claxton*, 174 Ga. 281, 293(4) (1932) and *Shumate v. McLendon*, 120 Ga. 396,

397(10) (1904) (if secured debt is assigned but deed is not, deed holder holds legal title to property for benefit of note holder).

Because the scheduled foreclosure sale is obviously (and admittedly, *see* [R – 334-335]) an action on behalf of the Federal government to deprive Ms. Carter of a property interest, said property interest is protected by the due process clause of the Fifth Amendment. *See Johnson v. U.S. Dept. of Agriculture*, 734 F.2d 774, 782 (1984).

At a minimum, due process assures notice and a meaningful opportunity to be heard before right or interest is forfeited. *See Id.*

Fannie Mae, since sometime before April 28, 2012, became the owner of Ms. Carter's Note and security interest and therefore the power of sale under the Security Deed was being exercised by JPMorgan as an agent of Fannie Mae. There is a presence of a direct federal role in the power of sale at a non-judicial foreclosure sufficient to invoke due process requirements. *See Johnson v. U.S. Dept. of Agriculture*, 734 F.2d 774, 782 (1984); *see also Lehner v. U.S.*, 685 F.2d 1187, 1190-91 (9th Cir. 1982). By virtue of Fannie Mae owning Ms. Carter's Note and security interest, Ms. Carter has a constitutional right to due process of law

prior to any such power of sale at a non-judicial foreclosure instituted to foreclose on Ms. Carter's property interests in the Property.

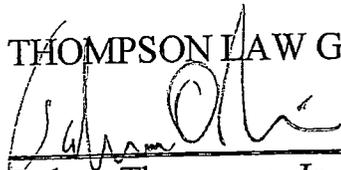
Because the facts before the Trial Court show that Ms. Carter was indeed entitled to at least have the Motion for Summary Judgment denied as the facts, when taken in a light most favorable to her, show that the non-judicial foreclosure by JPMorgan was conducted on behalf of and at the direction of Fannie Mae, a federal government entity. The deprivation of private property without due process is a violation of the U.S. Constitution, Amendment V. Here, Ms. Carter laid out her claim for the Trial Court and the facts relied upon to show her claim were put into the record by JPMorgan. Therefore, this Court should reverse the granting of summary judgment to JPMorgan and remand this action to the Trial Court for further proceedings consistent herewith.

CONCLUSION

A Motion for Summary Judgment should only be granted when the movant is entitled to judgment as a matter of law. The Trial Court's Final Order is based upon incorrect legal conclusions and factual findings. For all the reasons stated above, This Court should Reverse and Remand.

This 23rd day of April, 2014.

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April 23, 2014

Clerk, Court of Appeals of Georgia
Suite 501
47 Trinity Avenue, S.W.
Atlanta, Georgia 30334

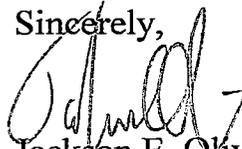
Re: Harriet Carter v. JPMorgan Chase Bank, N.A., et al
Court of Appeals of Georgia
Case No. A14A1298

Honorable Clerk,

Enclosed please find an original and two copies of the Appellant's Initial Brief in the above referenced case.

Thank you for your consideration in this matter.

Sincerely,


Jackson E. Oliver

Enclosures

cc: Mr. Stephen V. Kern, Esq.
Ms. Heather D. Brown, Esq.
Mr. Brett C. Giordano, Esq.

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CLERK/COURT ADMINISTRATOR
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RETURN NOTICE

May 8, 2014

To: Mr. Hoke Thomas, Thomas Brothers Hydro, Inc., P.O. Box 2040, 115 Snapping Shoals Road, Covington, Georgia 30015

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.
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.
Your Notice of Appeal did not include a Certificate of Service or does not include a proper Certificate of Service.
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 Application for Writ of Mandamus should be filed in the superior court of the county official whose conduct you intend to mandate.
Your appeal was disposed by opinion (order) on. The Court of Appeals divesting this Court of jurisdiction.
Your mailing/documents indicate that you intended to file your papers in another court rather than the Court of Appeals of Georgia.
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.

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May 2, 2014

DIRTY WATER, DIRTY MONEY

While sitting in the Snapping Shoals (SS) office of Thomas Brothers Hydro, Inc. (Hoke & Mike Thomas) a 34 year old Georgia registered "C" corporation, on April 26, 2008, a terminally ill Mike Thomas (lung cancer) discovered private Henry County surveyors under the orders of the Henry County Water and Sewerage Authority's (HCWSA) attorney A.J. Welch, Jr. trespassing and making a survey of Thomas Brothers (TB) Newton County properties and improvements (buildings). Mike halted the survey attempt. Hoke immediately emailed attorney Welch and BOC member Warren Holder requesting to know "what is happening". Commissioner Holder immediately replied stating that Henry County has no needs at SS. Attorney Welch replied by sending TB letters via the US Mail and the Newton County Sheriff's deputies stating that if the brothers would allow the survey, afterwards said Welch would discuss the matter further with TB; **for attorney Welch's government agency client (HCWSA) had purchased some property over in Newton County and the survey was needed to determine exactly what property!**

Knowing TB's had sold none of their Newton County properties or improvements, said brothers refused the Welch survey. Immediately, attorney Welch, the now Georgia State Representative Andy Welch and Smith Welch & Brittain (SWB) attorney Will White; on behalf of the HCWSA, sued TB in a combined effort to make TB, over in Newton County, appear to be the "bad guys", not attorney Welch, over in Henry County who ordered the trespass and survey.

TB and their attorney were ordered to appear a few weeks later on June 25, 2008, in Henry County Superior Court (HCSC) to answer the charges of refusing attorney Welch, over in Henry County, access to said brother's Newton County property. As the HCSC session began, the Judge asked SWB attorney White why the survey of TB's Newton County property was needed. Attorney White stated that 3 months previously on March 10, 2008, the HCWSA had purchased "the Newton County property" (without TB's knowledge) from a Mr. J.M. Hanger and that said property was needed by the HCWSA to build a water treatment plant. Furthermore, said Hanger's Henry County property, directly across the South River from what was TB's, must now be purchased from said Hanger by Henry County, the purchase price was not mentioned! Also, according to SWB attorney White in HCSC; by TB refusing to allow attorney Welch to survey said brother's Newton County property, the TB over in Newton County, are costing the

taxpayers, over in Henry County, a lot of money in legal fees paid to the SWB attorneys. The Judge commanded attorney White to produce the Resolution from the HCWSA to survey and purchase "the Newton County property". Attorney White replied, "we do not have one" and furthermore, we (SWB) do not need one, for the HCWSA has re-structured itself in such a fashion that the manger Mr. Lindy Farmer and the five member board conducts all the daily operations and the SWB law firm, of said firm's own volition, can spend the taxpayer's money and invest in property, without a Resolution to do so. The HCSC judge disagreed, but granted the SWB law firm additional time to "re-group" and go back to the HCWSA and obtain an after the fact or "posthumous" Resolution to legally and belatedly survey and purchase "the Newton County property" **that J.M. Hanger had already sold to said HCWSA 3 months previously without a survey or plat, no clear title, no appraisal and no Resolution from the HCWSA to acquire any SS properties.**

TB was in a total state of shock, for the SS properties that said brothers had purchased 34 years previously in 1976 and 1977, paid Newton County property taxes on, spent a life time of improving, monetarily investing, obtained many state and federal water use permits and daily used to make a living by generating electricity using the totally rebuilt 187 year old Snapping Shoals dam, deeded and riparian water rights to the South River and manufacturing hydraulic turbines, had been sold 3 months previously, to the HCWSA, without notice or payment to TB, by said Hanger, who had never owned any property or paid any property taxes in Newton County in said Hanger's entire life.

How can this be, for in year 2004, as required by the Georgia EPD, TB requested Henry County to join the other surrounding counties and develop Snapping Shoals as a multi-county, 30 million gallons a day potable water treatment plant, only to be rejected by attorney Welch at a public hearing, as said Welch cited a recent HCWSA study disqualifying the South River, in perpetuity, as a raw water withdrawal site for Henry County due to excessive pollution (dirty water), but said SS cite needing no Reservoir; and qualifying the nearby Tussahaw Creek as the only site for Henry County to construct the \$60,000,000.00 Reservoir as the needed revenue bonds were approved by the HCSC, as being the only qualified cite. Both the HCWSA and attorney Welch had rejected and buried SS and the South River from ever being used by Henry County. Case closed!

By the time of the second HCSC session on July 9, 2008, the HCWSA had issued a posthumous Resolution, the HCSC proceedings continued as if nothing illegal (no

Resolution) had ever taken place and said court granted attorney Welch permission to cross county lines, against TB's will, and survey the Newton County property now previously belonging to TB, make and record a plat of said property and "for the record" a lawsuit that began as a need for attorney Welch to **survey** TB's Newton County property had been "turned into" a **property dispute** between the HCWSA and TB over said brother's 34 years of ownership of the property and water rights to the South River at SS, as purchased on March 10, 2008, by said HCWSA from attorney Welch's pro bono client, J.M. Hanger. According to SWB attorneys, the Henry and Newton Counties dry land, inclusive riverbed and water rights at SS are needed by Henry County as a future raw water source to build a water treatment plant, however the immediate needs of all the surrounding counties were totally ignored. During the court proceedings, when the Judge made the statement that the waters in the South River are clean and getting cleaner each day and will be Henry County's future supply of water, TB came to the realization that they were going to lose their 34 years of properties and water rights ownership.

At this point in time, the lawsuit, HCWSA vs. TB, was "over", TB had lost, for the SWB attorneys had recorded Mr. Hanger's March 10, 2008 "limited warranty deed" to the HCWSA, retroactively back to March 30, 2008, as a full-blown "warranty deed" in both Henry and Newton Counties having no known location or acreage; on top of TB's 1976 and 1977 deeds and plats. But to the amazement of TB and their attorney, the HCSC allowed the SWB attorneys to continue said lawsuit, once again for the **third time** changing the sole purpose of permission to **survey**, to a **property dispute** to **vindicating** the actions of one J.M. Hanger who was not a paid litigant or participant in said lawsuit, for said lawsuit was so named by the HCSC as "HCWSA vs TB", not "HCWSA & J.M. Hanger vs. TB".

Out of fear of financially losing their 34 year old family business and the total monetary destruction of their respective families, TB contacted a deeds researcher to review both TB's past deeds and plats as well as those of J.M. Hanger and due to the fact Hoke Thomas has "standing" in the Reservoir matter since Hoke is a Henry County resident and also a Newton County business owner (was), the spending of \$60,000,000.00 of taxpayer funds at Tussahaw Creek by the HCWSA, when the more taxpayer and environmentally friendly SS cite could have been developed, got Hoke's attention. What individual, attorney or government agency intentionally mislead the Henry County taxpayers into spending \$60,000,000.00 at Tussahaw Creek, when the SS site only required a \$750,000.00 raw water pumping station? Why was such a deception done? TB's deeds researcher and attorney discovered the following events, in chronological order:

For 27 years from 1964 to 1991, as recorded by a deed and plat, the “common vendor” Whitehead Die Casting Company, Ltd. (WDCCL) owned 160 acres at SS in both Henry and Newton Counties, with the inclusive South Riverbed and river centerline acting as the county line between the two aforementioned counties. WDCCL used the hydroelectric power and deeded water rights of the site to die cast aluminum. During this period of time WDCCL “outgrew” the SS site and relocated in early 1970 to Atlanta. Over a period of time, all the 160 acres were sold by WDCCL to 11 different owners, 9 of the 11 purchased property contiguous to the riverbed and as per OCGA44-8-2, regardless of the deed description, said purchasers own to the centerline of the non-navigable South River. Said riverbed is not property taxed, said dry attached land is property taxed and the two pieces of property, by Georgia law, cannot be separated and sold, one independently of the other. **That is the law!**

In 1976 TB purchased, from WDCCL, 27.23 acres of dry land, improvements riverbed, water rights, roadway easements in Newton and Henry Counties and an easement to use the SS dam. In 1977 TB purchased 4.82 acres of dry land and riverbed in Newton County, from WDCCL. This 4.82 acres contained the dam, canal and the newly cut roadway to said dam. The aforementioned deeds researcher discovered that the 1976 deed and plat had been duly recorded by the WDCCL attorney, but the 1977 plat only was recorded and for some unknown reason the 1977 deed had not been recorded resulting from a WDCCL attorney or Newton County clerk of records omission, no one really knows. The county, state and federal income tax records prove that TB had been paying taxes and depreciating the aforementioned assets for the past 34 years, this can be verified by the accounting firm of Carter and Associates at phone number 770-787-1700.

Said deeds researcher had the old WDCCL safe, remaining at SS opened; much to everyone’s surprise the safe contained the original 1977 WDCCL to TB deed, signed by all the principals of WDCCL and notarized. Said safe also contained proof of payment for the 1976 & 1977 purchases, many letters from R.K. Whitehead, Sr. to TB and the roadway agreement between TB and Walter Patterson for access to the dam from TB’s shop. All the aforementioned “artifacts” survived the “great flood of 1994”, were readable and were immediately recorded in Newton County on June 19, 2008 and shown to the SWB attorneys in July of 2008. As I (Hoke Thomas) observed the SWB attorney viewing the newly found 1977 deed, it was as if said SWB attorney was staring a rattle snake in the eyes.

But unlike the additional time the HCSC granted to the SWB attorneys to regroup and obtain a posthumous resolution from the HCWSA to make an illegal use of taxpayer monies retroactively legal, said court did not extend the same privilege to TB to posthumously record the 1977 un-recorded deed. But said 1977 TB's deed was recorded prior to attorney Welch's September 4, 2008 plat supporting Mr. Hanger's February 11, 2008 quitclaim that was not vindicated until the July 8, 2008 HCWSA posthumous resolution to survey TB's properties was concluded. In fact, TB has to date not found where the HCWSA ever issued a Resolution to purchase said Hanger's quitclaimed property, only to survey said quitclaimed property! This being the case, whose deed was legally recorded first, Hanger's March 10, 2008 limited warranty deed or TB's April 5, 1977 warranty deed? The validity of Hanger's March 10, 2008 limited deed was based on a most fraudulent February 11, 2008 mail-order quitclaim from the bedazzled Whitehead heirs, not the Whitehead family members in support of a 1991 "Estate Sale" that said Hanger and attorney Welch both elude to, and an erroneous, belated September 4, 2008 plat. Whereas TB's April 5, 1977 warranty deed is based on an April 15, 1977 recorded plat having metes and bounds.

July 30, 2004, TB received from the HCWSA a letter requesting to purchase SS from TB, the very same property that the HCWSA some 3 years later purchased from J.M. Hanger on March 10, 2008. TB's declined the HCWSA offer based on OCGA 44-8-2 not allowing separation of the riverbed from the contiguous dry land.

As taken from the transcript of J.M. Hanger's September 3, 2008 sworn Deposition: "I (Hanger), financially sound, Henry County resident and owner of 89.2 dry Henry County acres at Snapping Shoals, that I (Hanger) purchased from WDCCL in June 17, 1991 referenced by a deed, plat, quitclaim and closing statement, was solicited in late December of 2007, by total stranger, private attorney A.J. Welch, Jr., allowing me (Hanger) to set the price of \$25,000.00 for my signature on a forthcoming limited warranty deed transferring any SS property and riverbed that SWB might obtain for me (Hanger), free of charge, in excess of the aforementioned 89.2 acres, to the HCWSA". After being tutored by attorney Welch, Mr. Hanger now swears that his aforementioned purchase was from a Whitehead family "Estate Sale", not the specific amount of 89.2 acres purchased from WDCCL and is of the opinion, that he (Hanger) is due more property at SS.

Immediately after purchasing his property in 1991, Mr. Hanger sold ½ of said 89.2 acres to family members, then to lower his Henry County property taxes, Mr. Hanger put the re-combined 89.2 acres in the Henry County Timber Conservation

Program, where said 89.2 acres remains today, un-molested and according to SWB attorney White in HCSC, poised to be sold to Henry County for an undisclosed price.

A deeds researcher found that the Henry County property records of 8-1-05 revealed that while simultaneously employed by the HCWSA during the property procurement phase of the aforementioned Tussahaw Creek \$60,000,000.00 Reservoir and personally doing real estate investments as "Henry Cork LLLP", attorney Welch and a business associate sold barren land previously purchased at \$990.00 per acre located in and around said purposed Reservoir now having enhanced taxpayer funded infrastructures as residential lake front property, for \$15,000.00 per acre to a Mark Connor, and while simultaneously employed by the HCWSA, using the SWB law firm as closing attorneys. One day later on 8-2-05 said Connor re-sold the same property to Duke Power Company for \$20,000.00 per acre. The 3 profiteers netted about \$10,000,000.00 in monetary profits from a \$60,000,000.00 Henry County municipal water project.

Due to his involvement with a SWB attorney, Mr. Connor resides in federal prison convicted of bank fraud. Three years later, attorney Welch focused his monetary attention on the previously rejected SS. Also found, to squelch a public outcry of misconduct leveled at attorney Welch, was a posthumous Resolution issued by the HCWSA pardoning or clearing attorney Welch of any wrong doings at Tussahaw Creek. For the record, A.J. Welch, Jr. is a private SWB attorney, the hired attorney for the HCWSA and a Henry County judge. Which person did the HCWSA pardon?

So how did Mr. Hanger get his "free property"?

After successfully soliciting Mr. Hanger in late December of 2007, as attorney Welch's pro bono client, the SWB attorneys sent the grandchildren or heirs, 11 grandchildren and 2 elderly living WDCCL principals, of the deceased principals of WDCCL, a January 30, 2008 letter instructing said heirs that SWB had recently discovered a "clerical error" in Mr. Hanger's 17 year old, 1991 Henry County deed from WDCCL and to correct the error, the 13 heirs were **required** to sign a February 11, 2008, quitclaim deed representing all of WDCCL's original 27 years of previous ownership of 160 acres of SS properties from 1964 to 1991 when J.M. Hanger purchased the very last piece of WDCCL's originally owned 160 acres. After 1991 WDCCL owned no more property, nor paid anymore property taxes in either Newton or Henry Counties and in 1994, WDCCL was dissolved making the 13 heirs **different** "vendors" than WDCCL. How could the Whitehead heirs, in

2008, sign a quitclaim, having any validity, for something that ceased to exist since 1994?

But what the SWB attorneys sent the innocent heirs was a quitclaim for **273.6** SS acres going back **74** years to **1934** and **six** property owners of the same property equating to **116** acres in excess of that legally owned by WDCCL. After obtaining the signatures of the 13 heirs via phone calls, US Mail and emails, **no face to face contact with any heir**, the SWB attorneys freely composed a limited warranty deed for Mr. Hanger, selling only Mr. Hanger's **8** neighbor's quitclaimed properties, (*who were not a part of this lawsuit*), but **none** of Hanger's own **89.2** acres to the HCWSA on **March 10, 2008**, and on **March 11, 2008**, attorney Welch informed an unsuspecting HCWSA of said agency's most fortunate SS purchase, *without a Resolution to do so*. However, due to the premature death of their father, 3 of the 13 heirs that were "tricked" by SWB attorneys into signing Mr. Hanger's February 11, 2008 quitclaim deed for 273.6 acres, also signed Mr. Hanger's 1991 deed and an affidavit stating that all lines and corners were correct and that said Hanger purchased only 89.2 dry Henry County acres. Were the 3 heirs "tricked" or did said heirs commit perjury? Hanger's quitclaimed 273.6 acres were quitclaimed in one time frame, and "less and excepted", in another.

The SWB attorneys used the antiquated "less and except" method of purchase, where using only past deeds and plats, no surveyed metes and bounds, all **273.6** acres were quitclaimed, **12 parcels** identified by description only are **not claimed** by said Hanger, but "less and excepted", *the remainder is the property of the new owner, in this case, Mr. Hanger*. The SWB attorneys then composed freely for Mr. Hanger a limited warranty deed using the same process of "less and except", but this time, **13 parcels** were "less and excepted", not sold by Hanger to the HCWSA on March 10, 2008, **the 13th parcel** was Mr. Hanger's very own **89.2** acres referenced by a 1991 plat only, **no deed (which did exist and recorded)**, leading the Judge to believe in Mr. Hanger's "Estate Sale", that WDCCL gave Mr. Hanger **no deed** in 1991 and said Hanger is now **17** years later in **2008**, due more of his neighbor's properties, in fact **273.6** acres, less and except. Again, Mr. Hanger sold only his neighbor's quitclaimed properties and retained his own **89.2** acres to be sold, according to SWB attorney White in HCSC, to Henry County with attorney Welch and the SWB attorneys acting as the closing attorneys *for both parties*.

Mr. Hanger did not sell all of his quitclaimed properties and improvements to the HCWSA, he retained TB's Newton County improvements from said brother's 1976 deed, and property over in Henry County quitclaimed from the 116 acres

never owned by WDCCL. The Whitehead heirs were not privy to see Mr. Hanger's March 10, 2008 limited deed to the HCWSA, the SWB attorneys made sure said heirs were only privy to see the February 11, 2008 quitclaim deed that said heirs signed in order to clear up a so called "clerical error" in said Hanger's June 17, 1991, recorded Henry County warranty deed from said heir's late grandfather's company, WDCCL.

It was at this point in time, that TB realized that the aforementioned April 26, 2008 trespass and survey attempt of TB Newton County properties by attorney Welch, using public funds without a Resolution to do so, was a ploy and used only to ascertain exactly what properties attorney Welch's solicited, pro bono private client J.M. Hanger had sold to attorney Welch's government agency client the HCWSA, (without any metes and bounds) for the HCSC transcripts prove that the HCWSA was totally uninformed of their purchase of TB's SS properties and the use of taxpayer monies until after the fact, posthumously.

Following the July 8, 2008, issuance of the aforementioned HCWSA posthumous resolution to survey TB's quitclaimed Newton County property; one day before the second HCSC court session on July 9, 2008, attorney Welch did in fact, under orders from the HCSC, survey **TB's 27.38** acres of Newton County property. But attorney Welch did **not stop** there, he **disobeyed** the HCSC court order and without permission, surveyed WDCCL's original 160 acres, then once again **disobeyed** the HCSC and surveyed the entire 273.6 quitclaimed acres in both Henry and Newton Counties and the inclusive riverbed. *Once again, Welch did not stop but continued and surveyed 4.1 privately owned Newton County acres belonging to TB, never previously owned by WDCCL, not a part of this lawsuit and outside the confines of the 273.6 quitclaimed acres.* The Plat resulting from the illegally obtained survey was recorded in September 4, 2008 in both aforementioned counties and supporting the quitclaimed properties of the previously March 30, 2008 recorded SWB "full-blown" warranty deed for J.M. Hanger. *None of the 3 aforesaid documents concur or agree on the location or amount of acres of property Mr. Hanger sold the HCWSA or personally retained for some future transaction possibly with the HCWSA as represented by the SWB attorneys.*

Following the second HCSC session, TB was forced to observe J.M. Hanger being vindicated, free of charge (pro bono), without making an HCSC appearance or having to pay any legal bills for his most fortunate property procurement and SWB legal defense (paid for by the Henry County taxpayers), when Hanger was not a

litigant in the lawsuit by the HCWSA vs. TB! **Once again, J.M. Hanger was the private, solicited, pro bono client of private SWB attorney A.J. Welch, Jr. How could Hanger have any “standing” in the lawsuit, “HCWSA vs. TB”?**

September 7, 2010, while exiting his SS office door, Hoke Thomas was shot in the Stomach, after an investigation by the Newton County Sheriff's office, the shooting was declared to be a stray bullet from an unknown shooter. Hoke is of the opinion that after brother Mike's death on August 9, 2009, the SWB law firm had only one obstacle at SS, Hoke Thomas. With Hoke's demise, the remainder of SS is wide open for “grabs”.

April 26, 2011, attorney Welch issues, to the HCSC, an **ex parte, unsolicited**, “final order” ruling in favor of said Welch's solicited, pro bono client J.M. Hanger and said Welch's government agency client, the HCWSA. Welch and his army of SWB attorneys have somehow vindicated their pro bono client J.M. Hanger as if said Hanger was a litigant or participant in the lawsuit against TB. Private attorney Welch had successfully created and financed a property dispute lawsuit for his private solicited, pro bono client J.M. Hanger and “prosecuted” said lawsuit for over 3 years duration, as a paid government agency attorney. Monetarily, it does not get any better than that!

On June 1, 2011 about one month following attorney Welch's unsolicited, ex parte “final order” to the HCSC, the HCSC Judge issued his “final order” changing only one item in Mr. Hanger's property transactions to the HCWSA, the Judge granted TB an easement to use the deeded water rights that said brothers purchased from WDCCL in 1976.

What did TB lose to J.M. Hanger as sold to the HCWSA?

From TB's 1977 deed and plat for 4.82 acres from WDCCL:

2.4 acres of Newton County dry land contiguous to the centerline of the South River containing 2.42 acres of riverbed, containing a 360 foot long concrete and rock laid dam spanning said river bank to bank (Newton to Henry Counties), a 1,000 foot long rock laid canal (on dry land), steel head gates, trash racks and a roadway connecting the dam to TB shop, also per OCGA44-8-2, the riparian water rights

From TB's 1976 deed and plat from WDCCL:

The circa 1821 unbroken chain of title to the deeded water rights to the South River at Snapping Shoals referenced to the use of said water rights to mechanically and hydraulically power machinery and hydroelectric generators, Mr. Hanger sold

said water rights to the HCWSA, in exchange, the Judge granted TB an easement to use what is now Henry County's water rights, but the Judge did not specify consumptive or non-consumptive, neither did the Judge realize that Mr. Hanger, via the Whitehead heir's quitclaim (improvements), owns TB's hydroelectric plant and supporting appurtenances, of which said Hanger has not sold to the HCWSA! Bottom line: deeded water rights "trump" riparian water rights. **This simply means that J.M. Hanger sold the HCWSA a dam, on 3-10-2008, without any water rights.**

From the Newton County Board of County Commissioners to TB in 2007

The SWB law firm contended that the closed portion of Old Snapping Shoals Roadway located between TB's shop and TB's private property to the north was not closed according to "standards" by said Newton County BOC and therefore belongs to Mr. Hanger over in Henry County, not TB in Newton County, where said roadway is located. This closed roadway is a part of Mr. Hanger's 273.6 quitclaimed acres, but was granted to TB in 2007, not WDCCL, and should not have been on "Hanger's Plate" to sell to the HCWSA. **But this leaves TB with no access to their remaining property and access to the machine shop.**

From 4.1 acres of private Newton County property purchased in 2004/2006 by TB and not a part of this lawsuit, not previously owned by WDCCL and not within the confines of Mr. Hanger's 273.6 quitclaimed acres:

A tear drop piece, about 1/8 of an acre, of said 4.1 acres located right in the middle of a purposed 21 million gallon potable water storage tank.

From 1977 grant to TB from WDCCL (R.K. Whitehead, Sr.)

The southern 1/2 of the South Riverbed from slightly above the SS dam down stream to the old SS bridge. This approximately 5 acres of Henry County riverbed was a grant from WDCCL to TB and comprises what is now, according to OCGA 44-8-2, Mr. Hanger's riverbed. Although Mr. Hanger's 1991 deed, plat and closing statement do NOT give Hanger this riverbed, but according to OCGA 44-8-2, it is Hanger's property, just like the 20.4 acres of riverbed above the SS dam legally belongs to the 8 respective contiguous dry land owners. **YOU CANNOT HAVE IT BOTH WAYS, either Hanger owns his portion of said riverbed and the 8 landowners own their portion per OCGA 44-8-2, if not OCGA 44-8-2 is no longer a Georgia law and ownership of all of Georgia's non-navigable streambeds is "up for grabs".**

However, to prove ownership, the 1977 WDCCL to TB grant of said 5 acres of the southern SS riverbed was duly recorded for TB on a 2005 plat at the request of the

Newton County Tax Assessor, but TB did not record a deed. However, TB does have several affidavits from witnesses that WDCCL did grant this portion of the riverbed to TB. Furthermore, TB has adversely possessed this riverbed property and maintained same since 1977.

In 2005 the Newton County Tax Assessor made TB have all their properties, the 1976, 1977 purchases from WDCCL, the grant of the southern 1/2 of the riverbed from WDCCL in 1977 and TB's 2004 purchase combined into one tax map parcel #19-10 in lieu of the many separate existing tax map parcels. When TB's made their 2006 property purchase tax map #19-10 and TB's plat was revised and duly recorded. Mr. Richard Ovitt at phone number 770-784-0215 was the Newton County Tax department agent that was in charge of the consolidation project. However, neither TB nor the Newton County Tax Assessor recorded any deed of consolidation, only the plat having metes and bounds and total acreage.

What did TB lose to J.M. Hanger, NOT sold to the HCWSA?

From TB's 1976 deed and plat from WDCCL NOT sold to the HCWSA:

All the existing improvements as listed on said Hanger's 2-11-2008 quitclaim, Tract I, meaning TB's hydroelectric station, 200 feet of 8 foot diameter metal penstock, office and machine shop buildings, these items were quitclaimed, and not less and excepted out.

Status of items possibly lost to J.M. Hanger, not sold to the HCWSA

From TB's 1977 and 1976 deeds and plats:

All state and federal water use permits belonging to the property owner at the SS dam and the USACE project number to raise the SS dam by 50 feet creating a 26 billion gallons multi-purpose flood control, raw water storage reservoir and 6,000 KW hydroelectric plant! Also, due to total business disruption from said lawsuit; the loss of a USACE permit to construct a 30 million gallons a day raw water pumping station at the confluence of the South River and SS Creek.

What did TB's 8 neighbors lose to J.M. Hanger as sold to the HCWSA?

From 8 private Henry & Newton County deeds and plats dating back to 1964

20.4 acres of contiguous riverbed located from the high water mark on the bank of said river going out to the centerline of the South River, which is also the county line between the aforementioned counties, and the riparian water rights.

JUST LIKE J.M. HANGER, NONE OF THESE 8 NEIGHBORS WERE A LITIGANT OR PARTICIPANT IN THE LAWSUIT, "HCWSA vs. TB" BUT HANGER GAINED PROPERTY, THE 8 NEIGHBORS LOST PROPERTY!

Side note: one of the 8 neighbors, a Mr. East in Henry County purchased his SS property in 1999, SWB were the closing attorneys. Said law firm closed Mr. East's property per a recorded deed and plat to the centerline of the South River, which is correct per OCGA 44-8-2, BUT on March 10, 2008, unknown to Mr. East, the SWB law firm took from Mr. East his riverbed, clandestinely transferred ownership to Mr. Hanger and then sold the same to the HCWSA. When Mr. East asked the SWB attorneys, "where his riverbed went", the SWB reply was: "in 1999 we made a mistake", your riverbed belongs to Mr. Hanger and said Hanger has sold it to the HCWSA!

Who is J.M. Hanger? No doubt said Hanger is the solicited pro bono, financially sound, Henry County client of private attorney A.J. Welch, Jr. and not a litigant in the lawsuit "HCWSA vs. TB where attorney Welch is representing the HCWSA against TB. The SWB client numbers prove this. Based on this rational, said Hanger could not have been a litigant in the "HCWSA vs. TB" lawsuit, so how did the HCSC possibly vindicate Hanger and who paid Hanger's legal bills during the vindication or 3 years of HCSC hearings, not SWB. The only logical conclusion is somehow the Henry County taxpayers paid Hanger's legal bills to qualify said Hanger for vindication. This being the case, Hoke Thomas, just like J.M. Hanger is also a Henry County resident; why didn't Henry County pay Hoke's legal bills instead of violating Hoke's civil rights? **Even though attorney Welch does represent both parties, Hanger and the HCWSA, This is all the more reason for the HCSC to allow TB to sue private attorney Welch's private client, J.M. Hanger, which has nothing to do with the HCWSA, with respect to TB!**

From Mr. Hanger's quitclaim deed known as TRACT III in Henry County, never owned by WDCCL, but said quitclaim foolishly signed by the 13 heirs and dating back to 1934, but not referenced to any deed or plat!

7.5 acres of Henry County property belonging to the Lunsford family, never sold to WDCCL, but erroneously sold to J.M. Hanger in 1991 by said WDCCL, property is located between a small branch running parallel with Georgia Highway #81.

NOTE: that SWB attorneys quitclaimed this 7.5 acres for Mr. Hanger and said Hanger did not sell said 7.5 acres to the HCWSA, but retained ownership to be sold as SWB attorney White stated in HCSC, "to Henry County for a water treatment plant"!

What did J.M. Hanger lose?

Nothing, Mr. Hanger purchased 89.2 dry Henry County acres on **June 17, 1991** from WDCCL and on **February 11, 2008** the 13 Whitehead heirs signed a quitclaim deed giving Hanger 273.6 Henry and Newton County acres and the

inclusive riverbed and all attached appurtenances, water rights and easements collectively worth millions. *Hanger's personal financial mistake was agreeing with attorney A.J. Welch, Jr. in late December of 2007 and foolishly selling millions of dollars of property and assets to the HCWSA for a mere \$25,000.00. The infamous and fictitious attorney Perry Mason would have a hard time trying to figure out this transaction! But at the December time of sale, neither Welch nor Hanger knew how much property and assets or the location or which county said assets and properties were situated.*

Such an agreement equates to attorney A.J. Welch, Jr. offering J.M. Hanger a \$25,000.00 **bribe** to transfer ownership of property and assets that said Hanger did not own, to an unsuspecting government agency (HCWSA) for said \$25,000.00 of taxpayer monies having no Resolution to obligate, was an **enticement** from a government employed attorney A.J. Welch, Jr., to a private, solicited, pro bono client and financially sound Henry County citizen, J.M. Hanger. Bottom line, Hanger lost nothing, but received \$25,000.00 for his signature on a SWB authored March 10, 2008 limited warranty deed composed from a February 11, 2008, bogus, un-funded, mail-order quitclaim deed signed by the "tricked" and humiliated 13 Whitehead heirs. Bogus due to the fact said quitclaim contained property WDCCL never owned, un-funded due to no consideration paid to the 13 heirs as being different vendors in 2008 than the dissolved WDCCL in 1994, and mail-order due to the fact, contrary to the lie told by SWB attorney Will White in HCSC, there was no "face to face" contact between Hanger, SWB attorneys and the 13 heirs.

FRAUD: Using the antiquated "less and except" method of procuring property, the existing, recorded deeds and plats cannot be changer of altered, but *the SWB attorneys took Mr. Hanger's February 11, 2008 quitclaim deed, as before, signed by the 13 Whitehead heirs, and ALTERED an existing referenced 1934 recorded deed for R.A. Hamilton as the attorneys re-typed a copy of said deed and added the word "THE DAM" as if said wording was originally in said 1934 deed; then sold "THE DAM" from Mr. Hanger to the HCWSA. Words cannot describe a law firm that makes the practice of FRAUD a part of a lawsuit presented to a HCSC judge who is attempting to make a fair and honest judgment for all parties. Attorneys having such an unscrupulous modus operandi should have their licenses to practice law revoked. **For proof, simply read the original version of R.A. Hamilton's "un-altered" 1934 deed, it is unbelievable.***

Furthermore, the only place any reference to "the dam" is found is on a 5-5-39 deed where the then owner, V.C. Ellington mortgaged all the "improvements" to the RFC for monies to build power transmission lines from SS to Covington,

Georgia. The SWB January 30, 2008 letter of instructions to the Whitehead heirs for the need for said heirs signatures on a quitclaim for J.M. Hanger for "all the company's original property", was an intentional misnomer, for said resulting February 11, 2008 quitclaim DID NOT contain the entire 160 acres that WDCCL owned for said quitclaim did not make any reference what so ever to WDCCL's deed and plat for 27 years from 1964 to 1991, but fooled the heirs and went back in time 74 years to 1934 claiming 107.6 acres as Tract I, back to 1939 claiming 50 acres as Tract II and back to an unspecified date as Tract III claiming 116 acres. **Hanger's quitclaim, that the heirs signed, bogusly represented 273.6 acres going back to 1934, not the 160 acres previously owned by WDCCL going back to 1991.**

It was from Tract I that WDCCL sold TB all their 1976 and 1977 purchases. NOTE: Tract I is the only place all the improvements are named. Tract I claims the following and does NOT "less and except" any item, that is how J.M. Hanger "took it all", all TB's improvements. Tract I reads as follows: "107.6 acres, (which is parcels 4, 5 and the inclusive riverbed from R.A. Hamilton's 1934 plat) together with all the improvements, water rights, access to dam and dam area, **THE DAM (inserted by SWB attorneys)**, upper trash racks and canal, and the right to use River Road a/k/a Hafley Road and any and all other roads, easements, ways and interests owned by grantor". Also note that Hafley or River Road connected the dam to what is now Georgia Highway #81, said Hafley or River Road is no longer in use, access to the dam is now via the new road TB cut in 1976 from their shop up to the dam and the resulting mutual 1977 roadway easement between Patterson and Thomas, that was signed by all parties, found in the old WDCCL safe by the aforesaid deeds researcher, and not recorded until 6-19-2008 along with the 1977 deed from WDCCL to TB. Once again, the SWB attorneys intentionally with malice and forethought, in year 2008 inserted the wording "THE DAM" into a retyped copy of a 1934 recorded deed, then based on this added improvement, transferred ownership of said dam to J.M. Hanger, who then transferred ownership to the HCWSA. **The intentional actions of the SWB attorneys are fraudulent, illegal and represent stealing, and symbolize similar actions committed by the aforementioned real estate colleague of attorney A.J. Welch, Jr., a Mr. Mark Connor, who is now serving time in federal prison for said Connor's involvement with a SWB attorney and local banks.** *TB hereby request a re-trial.*

The HCSC Judge ruled that Mr. Hanger's February 11, 2008 quitclaim deed from the Whitehead heirs, being different vendors than WDCCL, "trumps" TB un-

recorded 1977 warranty deed from WDCCL for 4.82 acres. Furthermore, that Hanger's quitclaim deed over-rides OCGA 44-8-2 and 20.4 acres of non-navigable SS riverbed and the riparian water rights belonging to 8 different contiguous landowners now belongs to Mr. Hanger. That Mr. Hanger's quitclaim of 273.6 acres, or 116 acres in excess of that legally owned by WDCCL, in support of said Hanger's "Estate Sale" from the Whitehead family, not WDCCL for 89.2 acres is legal, and although attorney Welch, the participating SWB law firm attorneys, the HCWSA were all aware that TB owned and daily operated the quitclaimed property, the court declared all three bona fide purchasers, meaning that none of the parties were aware anyone owned SS, that it was free for the taking, so "they" took it for J.M. Hanger and the HCWSA. That in the absence of a recorded deed, TB cannot claim ownership of the aforesaid 4.82 acres via 34 years of prescriptive rights or adverse possession, due to the fact in the 1976 WDCCL granted TB an easement to use said 4.82 acres and an easement cannot "ripen" into ownership, that although TB proved they did purchase the 4.82 acres, without the deed being recorded in 1977, said brothers are merely "squatters" and Hanger is the real owner of 34 years and hundreds of thousands of dollars TB invested in the SS dam and supporting appurtenances, and Hanger has elected to transfer ownership of same to the HCWSA per said Hanger's December of 2007, \$25,000.00 mutual agreement with attorney Welch. Although Mr. Hanger paid the Whitehead heirs nothing for their signatures on the SWB authored February 11, 2008 quitclaim rendering said document un-funded and worthless, Hanger now in 2008 swears that his 1991 purchase of 89.2 acres is not correct, that said purchase was from a Whitehead family "Estate Sale" for 273.6 acres, less and except; but the Judge ruled that the payment 17 years previously in 1991 by said Hanger to WDCCL counts as the "consideration" or payment to the Whitehead heirs in February 11, 2008 for their signatures on Hanger's quitclaim rendering the un-funded quitclaim deed, funded. However, Hanger has only the signatures of the heirs of WDCCL on a quitclaim, not the signatures of the Whitehead family members to support the so-called "Estate Sale". This renders Hanger's quitclaim deed worthless, but if for the sake of validity, Hanger opts to revert back to the WDCCL deed and plat; then Hanger only owns 89.2 dry Henry County acres, not 273.6 quitclaimed acres from the Whitehead Family "Estate Sale"! **Hanger cannot have it both ways!**

July 26, 2011, the Georgia Appeals court concurred with the HCSC but erroneously based on TB's Newton County property mistakenly located in Henry County. After said court's erroneous decision, TB's attorney made the court aware of their mistake, but said court refused to reverse their decision.

February 23, 2012 TB sued J.M. Hanger hoping to regain their property ownership. Thus far the Army of SWB attorneys have successfully blocked the lawsuit from going to a jury trial in HCSC based on a violation of **“attorney-client privileges” between attorney A.J. Welch, Jr. and J.M. Hanger**. It is TB’s goal to separate the many lies and fictional statements told by the SWB attorneys to the HCSC Judge, from the facts and allow the Judge or a jury to make a correct judgment pertaining to property ownership at Snapping Shoals.

Should the HCSC Judge allow the “TB vs. Hanger” lawsuit to go forward, the SWB attorneys have put TB on written notice that said brothers will have to pay SWB for Mr. Hanger’s legal defense, no matter what the outcome might be. Obviously, SWB is “passing off” Mr. Hanger to TB now to become TB’s pro bono, adversary type client! But TB did not solicit Mr. Hanger, attorney Welch did! TB has absolutely no civil rights in Henry County, Georgia!

My late brother Mike summed up the escapades of the SWB law firm: “They are lose cannons, they make their money on legal fees for private clients, government agency clients and Henry County Municipal Water projects, they create and finance lawsuits for private paying or pro bono clients and prosecute their very own self-generated lawsuits as government agency attorneys, while on the taxpayer payroll”. Mike further elaborated on the lies told by the HCWSA manager and board chairman while under oath during their respective Depositions. Manager Lindy Farmer swore that he did not verbally threaten to put TB out of business and Chairman Ken Phillips swore that he did not make a 28 minute phone call to Hoke Thomas assuring Hoke that the HCWSA board was not going to allow attorney A.J. Welch, Jr. to steal TB’s properties. Mike concluded that someone had to entice these educated individuals to lie under oath, but who, perhaps their attorney?

TB does not hold the HCSC and the Georgia Appeals Courts responsible for their incorrect decisions, for said court’s rulings were based on a combination of fiction and lies carefully and skillfully blended in with the facts as told to the courts by the many attorneys at SWB. But a review of the facts by a Henry County jury will accurately produce a factual account of the property and natural resource dilemma that private attorney Welch created and financed, and thereby render a fair conclusion for all parties.

For example: a new statue of the American Revolutionary War Patriot, Patrick Henry, was recently installed adjacent to the town square, in front of the Court House, in McDonough, Georgia. The Statue is impressive and the names contained thereon are evident of a generation long relationship of certain Henry County

family names. Inscribed under Patriot Henry's statue are the family names of the Crumbley and Welch families. I (Hoke) served in the US Military, believe me, I know what the word comradeship or total devotion to your comrades or friends means and how important it is to have your names associated with such an individual as the late Patrick Henry and linking said Henry with the county named after him. The problem I (Hoke) have with the "statue" and the inscriptions is that such a public display of comradeship between the Judge that just ruled against my late brother and me and in favor of attorney Welch's government client, the HCWSA and attorney Welch's solicited, pro bono client, J.M. Hanger, **is proof positive that comradeship over-rules duty**, and I must conclude that Judge Crumbley has been placed in a most unfair situation, for not only are both individuals faithful Henry County employees, both serve said county in a Judgeship position, while I (Hoke Thomas) am merely a Henry County resident of the past 38 years and until J.M. Hanger sold the most strategic portions of my Newton County property to the HCWSA on March 10, 2008, with attorney A.J. Welch, Jr. representing both parties; I was a Newton County business owner. **I (Hoke) contend that my late brother and I did not get a fair trial in the lawsuit initiated by attorney A.J. Welch, Jr., "HCWSA vs. TB, not because of Judge Crumbley, but solely due to attorney A.J. Welch, Jr., as said Welch has so skillfully "played both ends against the middle", a private solicited pro bono client and a government agency client, the HCWSA, against two unsuspecting Newton County business owners, the TB, caught in the middle.**

I have to wonder, if Patrick Henry were still alive today, what might be his opinion? During a time when the USA needs meaningful jobs and tax dollars to reduce our national deficit, what might said Henry's opinion be of the HCWSA and their hired attorney over in Henry County, taking without notice or payment, the meaningful properties, natural resources and improvements needed to sustain a 34 year old successful Georgia registered "C" corporation over in Newton County, and "putting" said company's resources "on the shelf" to be used, if ever, by said Henry County, for a future water treatment plant? But in the interim, representing Mr. Hanger and said Hanger's legally owned 89.2 acres of Henry County property to be sold to Henry County at a future date for an undisclosed amount of monies. **I (Hoke Thomas) am of the opinion that Patrick Henry would judge such an undertaking, as anti-American and quite possibly suggest another name for Henry County.**

In my opinion, when it gets to the point where operating a private business in the United States of America is in constant jeopardy of losing said business' operating assets and monetary savings, without notice or payment, at the

hands of the adjacent county, led by a private attorney, said attorney's law firm and solicited, pro bono client; via a posthumously issued government agency Resolution, perhaps it is time to have another American Revolution, and let it begin in Henry County, Georgia. 34 years of my personal "business life" has been taken from me (Hoke Thomas) and the words of the late Patrick Henry keep echoing in my ears, "give me liberty or give me death".

The outcome or "final ruling" by the HCSC and the Georgia Appeals Courts against TB and said brother's 8 unsuspecting neighbors has now established a new "case law" whereby OCGA 44-8-2 has been superseded and no longer protects riverbed ownership for the contiguous landowners or the respective tax map and parcel numbers and plats for all 159 Georgia counties; for now any attorney with a quitclaim deed from the heirs of any past property owner, regardless of authenticity, can transfer ownership of any riverbed and the attached appurtenances, to a new owner, without notice or payment to the "real owner" and there is absolutely no stopping point, for the thousands of miles of non-navigable streambed within the State of Georgia, along with the riparian water rights, are now "up for grabs". The HCSC ruling in favor of J.M. Hanger against TB now establishes a new method of funding or paying "consideration" to any heir for a quitclaim deed based or referenced back to any past purchaser, even from a different "vendor". *With a ruling of this nature, not only J.M. Hanger's quitclaim deed is funded, but all quitclaim deeds are funded.*

Such a "state of affairs" has a most negative effect on the state and federal regulating agencies for the permitting and use of Georgia's natural resources, for ownership of the river or stream beds and associated water rights and attached appurtenances such dams and hydroelectric stations, can change daily with different "quitclaim deeds" from the heirs of many past property and contiguous riverbed owners. Where there is discord and flux, there is no Law, such is the case of the now superseded OCGA 44-8-2.

As a result of said lawsuit, the situation involving private property rights has also been superseded and a new case law established, for with the trespass, surveying and transfer of ownership of portions of TB's dry land properties that were not a part of said lawsuit, without notice or payment to said brothers, to new owners (J.M. Hanger and the HCWSA); now any attorney, not needing a quitclaim deed, can simply order a trespass and survey of any citizen's private property and if said attorney likes what he has surveyed, simply transfer ownership, and with reference to the lawsuit, "HCWSA vs. TB, the private property owner has no property rights

or defense and loses his property, which in some cases represents a life-time of monetary savings.

After losing on all fronts, via written, documented booklets, TB took their plight to the State of Georgia Governor, State Attorney General, Appeals Court and the Newton County District Attorney, begging for help. Although many federal and state laws, as well as the unauthorized use of taxpayer monies, have been violated by the aforementioned perpetrators, the common census from all the aforementioned government agencies is: **“what we have here is a personal problem and must be resolved on a local level”**. On a local level, Henry County raped the Thomas Family, the Newton County D.A. advised TB that due to Georgia law, Newton County would not refund 34 years of property taxes for said brother's and the other 8 SS landowner's losses of property and assets to J.M. Hanger.

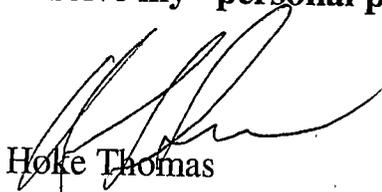
The Newton County Tax Assessor is still trying to figure out how to correctly property tax the 9 SS losers, who for the past 4 years, since the conception of the lawsuit, “HCWSA vs. TB” in 2008, have been paying Newton County property taxes on property owned by Henry County, over in Newton County!

I now consider my family and I native born American citizens whose property, civil and human rights guaranteed under the U.S. Constitution have been, for some unorthodox reason rescinded by the very same county and state governments that I have faithfully served, paid property, school and other taxes to for over 34 years. Since the conception of this lawsuit, I have been robbed, shot and in an attempt to defend my property I have spent my life time of monetary savings on what amounts to fruitless, defensive legal fees and I am still puzzled as to why, if Henry County really needed my property and water rights, that said county rejected 3 years previously due to polluted or **dirty water** in the South River; WHY didn't said Henry County simply issue a RESOLUTION and purchase my Newton County property instead of allowing private attorney Welch and his SWB law firm to spend 3 plus years of Henry County taxpayer funded legal bills, defending said SWB's pro bono client, while in the process of persecuting my family and the 8 other SS landowners in the process of what I (Hoke), construe to be stealing? Unjust Enrichment, Exploitation of the Elderly, Un-American, Criminal; I could go on and on, but the bottom line is why hasn't every law breaker in the US been afforded a second or posthumous chance to be illegally successful as has been given to the HCWSA, their attorney, and said attorney's solicited, pro bono client?

Currently attorney Welch is over in Newton County attempting to purchase the SS properties, adjacent to TB's machine shop, from Mr. Don Jameson and the Oak Hill Church of Christ. It truly appears that attorney Welch is on a mission to annex a portion of Newton County for Henry County, sell Henry County Mr. Hanger's 89.2 acres, and secure the water rights and the inter basin transferred Chattahoochee River waters in the South River, for Henry County alone, leaving the future generations of Newton County citizens at the mercy of Henry County's SS water supply.

With ownership of over 500 acres of property slightly upstream of the SS dam and with the completion of the \$60,000,000.00 Tussahaw Creek Reservoir, located about 3 miles from SS, and no future Georgia EPD requirement for the need of water for the next 30 years for Henry County, why does the HCWSA need the SS **"DIRTY WATER"** as purchased from J.M. Hanger via **"DIRTY MONEY"**, all \$25,000.00 worth of **unauthorized** taxpayer monies prior to the issuance of a Posthumous Resolution.

Maybe the federal government will help? I (Hoke Thomas) am of the opinion that my attorney would welcome some meaningful assistance with his efforts to solve my "personal problem".


Hoke Thomas

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

May 9, 2014

Ms. Ashleigh Ricks
GDC1000767230 E-9A
Pulaski State Prison
Post Office Box 839
Hawkinsville, Georgia 31036

Dear Ms. Ricks:

I am in receipt of your letter dated May 4, 2014. You will need to talk with an attorney or the clerk of the trial court to review what steps you will need to take to accomplish a re-trial.

Sincerely,



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

SEC/ld

May 4, 2014

Hello my name is Ashleigh Richards.

I am currently incarcerated at Pulaski State Prison. I got sentenced May 4, 2012 on Felony Murder. They gave me life with parole. The reason I am wanting you is, because I am trying to go back to court. There are alot of mess up in my cause. I am trying to find help. Can you send me some information, or possibly help me.

Thank You!

I look forward in Ashleigh Richards
hearing back from 1000761230 E-9X
you. Ashleigh Richards

RECEIVED IN OFFICE
2014 MAY -7 PM 2:56
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

In The Court of Appeals
State of Georgia

C of A

RECEIVED IN OFFICE

James E. Thompson 2014 JUL 29

CLERK/REGISTRAR
COURT OF APPEALS OF GA
7:03 PM 3:05

The state

Guinnett case #
04-B-3288-E

Motion TO Supplement
(Application for Discretionary Appeal)

Exhibit "A" enclosed is a filing to the Supreme Court that was recently filed. It ("A") is being used as the actual filing and only exhibit.

Very simple premise. If nothing else, review sections (5)-(17) in Exhibit "A" then try to find a reason not to find logic in the foundation provided in said sections.

2

you have been provided all of the disturbing evidence and "one of your own" purposely detailed the entire appellate process

3

Now one of his own is directly involved and she, as well as everyone else, cannot answer with certainty what the correct answer should be in relation to . . . did a disorder exist or not as it pertains to "K. Dawson Jackson's actions in Guinnett County."

4

Either answer provides an opening for a justifiable means to an honorable end. A procedurally correct and constitutionally mandated withdrawal of a plea.

wherefore petitioner prays that:

a.) his 2007 plea is allowed to be withdrawn.

James E. Thompson
#497699 Leo Sp. F-2
153 pine wood Rd.
Leesburg, Ga 31763

* Certificate of service at conclusion of Exhibit "A"

In The Supreme Court
State of Georgia

James E. Thompson
v

Warden Hooks

SI4 H0352

Motion to Vacate and Re-enter
(Based on "Newly Discovered" Evidence in
Relation to Bias and Favoritism)

The Feb 24, 2014 decision to deny petitioner justice, plain and simple, was authored with no explanation other than absence of a meritorious claim/argument.

1
A man (petitioner) was sent to a "house of horrors" after it was revealed that no restraining order existed in the present case, and no venue existed, and no intent existed, and double jeopardy existed via 16-1-7(b), and a host of other egregious inconsistencies occurred via unscrupulous activity performed by a Chief ADA and a Chief Judge. Documented.

2
Subsequently the Chief ADA was removed from office after (30) years of so-called service at the Guinnett D.A.'s office. The present case was the focal point of said removal meaning Guinnett County and Danny Porter acted on the Chief ADA's malicious and incompetent performance meaning guilt in one form or another was (is) a foregone conclusion.

Exhibit "A"

3

Then why didn't the higher courts act accordingly?

4

It is a known fact that no crime occurred on May 1, 2004 and it is a known fact that prosecutorial and judicial misconduct transpired via unfathomable acts of corruption.

5

It is also a known fact that petitioner was the highest paid salesman in the Fitness Industry for (8) straight years meaning that a disorder of any kind was and is highly unlikely. In fact no disorder ever surfaced and no medication was ever prescribed. Eight straight years with no downturns? No symptoms and no variation in performance.

6

The disorder Guinnett County concocted in order to stay exposure had and has no correlation to petitioner's documented lifestyle, earnings, drive, and performance, plain and simple.

7

Again then why did the Supreme Court rule as it did?

8

Several months ago information was passed along to petitioner that shed light on concepts that have no basis within the legal system. That particular information had a distinct connection to/will several letters petitioner wrote last year detailing the fact that chief Judge Dawson Jackson's behavior was so incredibly brazen and reckless that "something was not adding up." Simply put "something was amiss".

The concepts that petitioners speaks of are: "logic" and "reason".

10

The information petitioners speaks of is and was the fact that the same man (Dawson Jackson) that ordered petitioners to be subjected to "forced medication", and the same man (Dawson Jackson) that obviously provided his own variety of "immunity" for Phil Wiley (the disgraced ex-Chief ADA) and the very same man that "violated" petitioners for sending his son a loving birthday letter claiming petitioners "moved without notice", and is the very same man that has made a fool of himself in many of the proceedings that have taken place in case # 04-13-3288-3.

11

This is also the very same man that was voted into the highest judicial seat in the state of Georgia (Chief Justice of the Supreme Court of Georgia) by (5) of the present justices now in office.

12

The point? Simple unadulterated logic! A pro-se litigant versus a former Chief Justice of the Supreme Court of Ga. Black and white. No more games, misdirection or smoke screens

13

The Supreme Court would never allow one of their own to be embarrassed, humiliated, or to be part of their own to be embarrassed. This part of their own "stepped to the documented lowest, meaning the Supreme Court of Georgia has some extremely troubling questions to answer. Torture was inflicted as a means to an end."

14

The point to the present filing? It appears someone is speaking out in relation to Dawson Jackson's "associations" and certain "records" that could provide a definitive "time line" collaboration. Is the Supreme Court willing to stake truth, justice, the facts, and the unethical (for the Supreme Court) admission that a merit analysis (long overdue and so incredibly obvious) is mandatory and ego's must be set aside.

15

No one can change Jackson's association with this case and no one can change what Jackson "manufactured" and no one can change what sound "logic" and "reason" dictate, meaning Jackson's corrupt activity when he recognized that Wiley was "in over his head".

16

What can change? Recognizing one simple fact, this entire case is not about me versus you. The entire case should be you separating yourself from the "cancer" that must be isolated, castigated, and legally exterminated.

17

This isn't me versus Dawson Jackson. This is Dawson Jackson versus our entire concept of morality, decency, honor, integrity, and virtue.

18

I know it, and you know it, and everyone else recognizes it and no matter your decision Dawson Jackson's activity and all of his damaged counterproductive behavior will be the

subject of future "conversations" (one way or another).

19

you are struck with him! Separate! (one way or another).

wherefore posterior prays that:

a) oral argument will be granted in order to investigate certain records, and;

b) a writ review is granted after the Feb. 24, 2014

decision is vacated and re-entered defining said merit award.

ysis.

Respectfully submitted this 30th day of April 2014

~~James Thompson~~

#4497699 Lee S.P. F-2

153 Penwood Rd.

Leesburg GA 31763

The foregoing "motion to vacate and Re-enter" "has been sent via US mail with proper postage affixed to:

- The Supreme Court

2111 Washington St S.W.

579 State Office Annex

Att GA 30334

- The Clerk of Court

75 Langley Dr.

Lawrenceville GA 30046

Att Porter/Strader

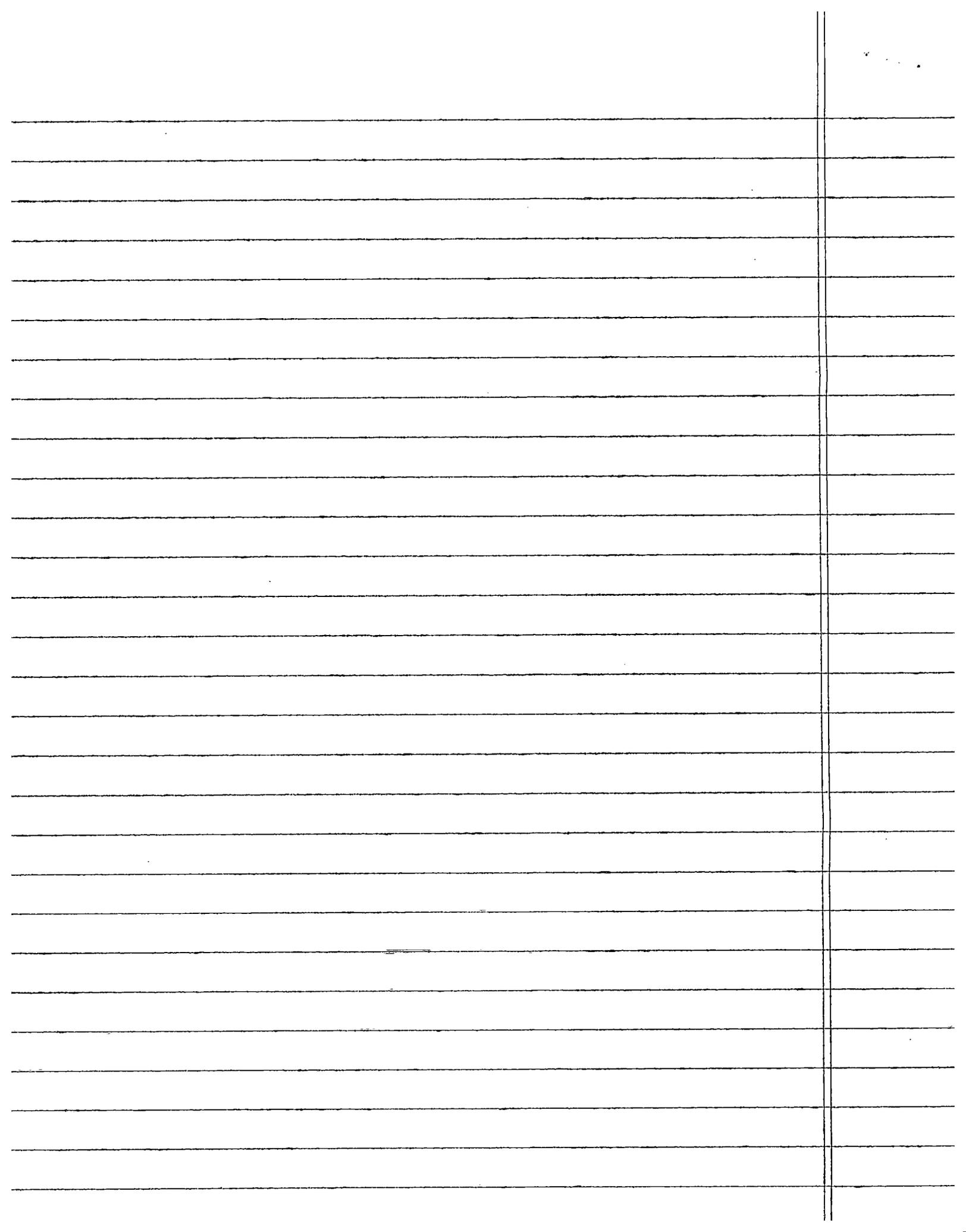
Att GA 30334

- Attorney General

GA Dept of Law

40 Capital Sq. S.W.

Att GA 30334-1300



you are covering your flank while this frontal assault is transpiring, aren't you?
Sorry so brief but in a hurry.

Thank you

ps. Covering up for what Jackson did and stands for will not be in the best interest of any and all law abiding citizens.

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

Date: May 9, 2014

To: Mr. Daniel W. Taylor, GDC1000332837 H-2, Johnson State Prison, PO Box 344, Wrightsville, Georgia 31096

Docket Number: A14A0497 **Style:** Daniel W. Taylor 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. 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

COURT OF APPEALS OF GEORGIA

Daniel W. Taylor
Appellant
vs.
The STATE OF GEORGIA
Appellee

CASE NO: 10SC89595
Appeals NO: A14A0497

FILED IN OFFICE
MAY - 9 2014
COURT CLERK
CLERK COURT OF APPEALS OF GA

RECEIVED IN OFFICE
2014 MAY - 9 AM 11:09
CLERK COURT OF APPEALS OF GA

MOTION TO COMPEL RULING ON MOTION

FOR SUPERSEDES BOND O.C.G.A. 15-6-71(c)

Comes Now Daniel W. Taylor and Compels the Court of Appeals of Georgia to Grant Appellants Request For Bond pending Appeal 18 USCS 3141 (b)(c)(B)(iv)(v)(vii)(x)(viii) and (xiv) Due to A Continued Denial by the FULTON County Superior Courts TODD Markle Judge persistent Abuse of O.C.G.A. 15-6-21(a)(c)(d). That would have him removed from the bench and A Continual Denial by FULTON County Superior Court to Deny Appellant Access to the Courts. Appellant Avers with evidence:

1.

Several Motions have been filed in the province AND JURISDICTION OF the Sentencing Court in the Above style Case. Judge TODD Markle of

the Superior Court of Fulton County, who is now overseeing said case. Continues with prejudice and Malice. Deny me access to the Court for my Grievances and petitions maybe heard (see: App. Ex 1) a.

This is due to a Mandamus and open litigation case NO. 2013-cv-227116, that was transferred to DeKalb County Superior Court that has inquest you his oath of office, obstruction of justice and conspiracy in case nos 89595.

3.

Petitioner seeks a ruling or hearing on this and filed motion for bond to go into the VA Hospital for their is without a doubt, the Court of Appeals of Georgia will reverse this case. (see: App: Ex-2 Affidavit)

4.

Therefore pursuant to D.C.G.A. 15-6-21 (c) Appellant Ask this Court to grant him a Order of release to go into the VA Hospital pending Appeal. This 5th day of May 2014

Respectfully Submitted
James W. Taylor

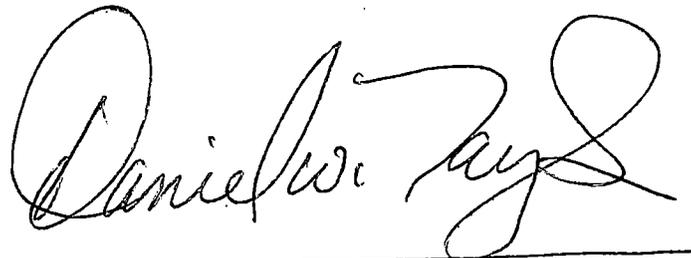
Daniel W. Taylor 100332837
JOHNSON STATE PRISON H-2
P.O. BOX 344
WRIGHTSVILLE, GA. 31096

Certificate of Service

This is to Certify that I have Served All parties
A true and Accurate Copy of the Foregoing
Documents. By United States Mail with proper
Postage Affixed To:

Judge Todd Markle
185 Central Ave SW
Suite T-5705
ATLANTA, GA. 30303

This 5th day of May 2014



Daniel W. Taylor PRO SE

APPELLANT

EX-1

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

DANIEL W. TAYLOR
VS. APPELLANT
STATE OF GEORGIA
APPELLEE

INDICTMENT NO. 10SC89595

APPEALS NO. A14AD497

SUPERSEDEAS BOND

MOTION FOR APPELLANT TO BE RELEASED
ON BOND PENDING APPEAL

Comes Now Daniel W. Taylor, the APPELLANT
in the above style case and seeks his release
PURSUANT TO 18 USC § 3141(b)(1)(C)(B)(iv)(vi)(vii)(x)(viii)
and(xiv). PENDING the OUTCOME of his DIRECT APP-
EAL. APPELLANT shows as follows:

1.

Appellant was Convicted July 21, 2010, and Sentenced
On August 2, 2010, to the Charges of: (2)cts Aggravated
ASSAULT, (1)ct. Burglary, (1)ct. Obstruction, (1)ct. Remov-
al of A Weapon, (5)cts Terroristic threat, (1)ct. STALK-
ING.

2.

Appellant was Sentence to 20 years to Serve 10
years IN CUSTODY of THE Department of Corrections.

3.

APPELLANT APPEAL WAS DOCKETED November 13, 2013

AND SINCE MAY 8, 2008, THE APPELLANT HAS BEEN INCARCERATED.

4.
PURSUANT TO 18 USC § 3145 (a)(2) A PERSON MAY FILE WITH THE COURT HAVING ORIGINAL JURISDICTION OVER THE OFFENSE, A MOTION FOR AMENDMENT OF THE CONDITIONS OF RELEASE.

5.
APPELLANT FILES THIS MOTION FOR RELEASE PENDING APPEAL FOR THERE IS A STRONG CONVINCING EVIDENCE THAT THERE IS A SUBSTANTIAL LIKELIHOOD THAT A ~~MOTION~~^{ORDER} FOR A NEW TRIAL WILL BE GRANTED, THE CONVICTION WILL BE REVERSED AND A REDUCED SENTENCE TO A TERM OF IMPRISONMENT LESS THAN THE TOTAL OF TIME ALREADY SERVED PLUS THE EXPECTED DURATION OF THE APPEAL PROCESS.

6.
THE APPELLANT POSES NO THREAT TO ANYONE OR THE COMMUNITY AT LARGE IF GRANTED BOND. HE ALSO MEETS THE REQUIREMENTS FOR BOND SET OUT AYALA VS STATE 262 GA 704 (1993) AND O.C.G.A.

17-6-1

7.
APPELLANT IF GRANTED BOND WILL BE UNDER THE SUPERVISION AND SOLE CONTROL OF THE VETERANS ADMINISTRATION HOSPITAL AND ANY OTHER CONDIT-

ons that the Courts Set forth.

8.

Wherefore Since the Appellant has been incarcerated for 6 years Now and poses No threat to Anyone Not even himself Appellant Asked to be released to the VA Hospital pending Appeal.

Wherefore Appellant prays this Court grant a hearing Upon this Matter and Release the Appellant pending Appeal to the VA Hospital.

This 6th day of April 2014

Respectfully Submitted

Daniel W. Taylor

Daniel W. Taylor 1000332837
JOHNSON STATE PRISON H-2
PO. BOX 344
WRIGHTSVILLE, GA. 31096

Appellant

EX-2

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Daniel W. Taylor
PLAINTIFF
vs.
SGT. Wesley Carmack
Defendant

42 USC § 1983

CIVIL ACTION FILE NO.
1:08-CV-3262-CAP

MOTION TO REINSTATE PURSUANT TO
FRC P 6D(b) NEWLY DISCOVERED
EVIDENCE

Comes now Daniel W. Taylor, Pursuant to
FEDERAL RULE OF CIVIL PROCEDURE 6D(b), FRAUD ON
THE COURTS by the Defendants, Wesley Carmack
AND EYEWITNESS Cedric Scott, CONSPIRED TO COM-
MIT PERJURY AND FALSE SWEARING IN THEIR AFFID-
AVITS 18 USC § 1621(1)(2) AND BEFORE A SWORN
JURY UNDER OATH IN CASE STATE OF GEORGIA vs.
DANIEL W. TAYLOR 10 SC 89595. TO MISLEAD A JURY
THE COURTS AND DEPRIVE THE PLAINTIFF OF HIS
CONSTITUTIONAL RIGHTS BY THE USE OF THEIR
PERJURIOUS STATEMENTS TO CAUSE INJURY AND
A DEPRIVATION OF LIFE AND LIBERTY IN VIOL-
ATION OF THE DUE PROCESS CLAUSE TO THE FOUR-
TEENTH Amendment to the UNITED STATES CONST-
ITUTION. PLAINTIFF AVER'S AND SUPPORT

HIS CLAIM WITH NEWLY DISCOVERED EVIDENCE.

I STATEMENT DE FACTS

A.
On May 9, 2008, Wesley Carmack, made an illegal entry into the home of Daniel W. Taylor and wife Cassandra Norman Taylor, without a warrant, properly served protective order OR knocking and announcing his purpose. Taylor complied and submitted, but Carmack with malice assaulted Taylor, in fear of death Taylor defends himself and a fight ensues, Taylor was shot by Carmack after pleading for his life, then Cedric Scott, Randy Washington and James Smith beat and attack the plaintiff while shot and bleeding. Plaintiff was then taken to Grady Hospital in Atlanta for treatment then taken to the Fulton County Jail.

B.
During the investigation Atlanta Police Officer Timothy D. Peck attempting to aide Wesley Carmack for his illegal entry and excessive force against the plaintiff falsified police reports to say I broke in to my home and attempted to stab Wesley Carmack with a knife which he fabricated. No one said I had a knife even Wesley Carmack himself. On May 16, 2008 DFF-

icer peek badge NO 1442, Went before A Fulton County Grand Jury and Knowingly Commits Perjury.

c.
He fabricated A Knife too the Grand Jury, entered his false Reports and Testified I Attacked Wesley Carmack Attempting to stabb him with A Knife He fabricated As evidence.

D.
The plaintiff While in Custody filed A 42 USC 1983 Presenting State and Federal Violations of Constitutional Law. Plaintiff being pro-se Made Several Mistakes During litigation but A Successful Discovery of Interrogatories were Done. and the Defendants entered Sworn Affidavits to those events. Ultimately Plaintiff Not having any witnesses or evidence to sustain his innocence Case 1:08-cv-3262-CAP was Dismissed.

E.
Now Newly Discovered Evidence has Surfaced Pursuant to FRCP 60(b) that would Reinst-ate this Case And Calls for this Court to prosecute the Defendants for State and federal Crimes of Perjury, Obstruction of Justice And Violation of OATH of OFFICE.

II. LEGAL ARGUMENT AND CITATION
DE AUTHORITY

IT WAS SCOTT (the eye witness) and SGT WEST
BY GARMACKS SOLE INTENTION TO CONSPIRE
BY PLANNED USE OF FALSE SWEARING AND PERJURY
SEE: ROWE VS. FT LAUDERDALE 279 F.3D 1271-
1283 (11th Cir. 2008). TO MISLEAD THIS COURT
AND A FULTON COUNTY JURY TO THE TRUE FACTS
TO THE MAY 7, 2008, INCIDENT IN THE PARKING LOT
OF THE M-STREET APARTMENTS AND THE MAY 9,
2008, ILLEGAL ENTRY AND SHOOTING AND BEATING
OF PLAINTIFF DANIEL W. TAYLOR. BOTH MEN
ON ~~THE~~ JULY 20-21, 2010, AT CRIMINAL TRIAL
STATE VS TAYLOR 108289595. Committed perjury
to Material Facts when questioned by their
AFFIDAVITS and Interrogatories from Case
1:08-cv-3262-GAP. As quoted in WILLIAMS VS
STATE 250 GA.463 (2000) that the Courts will
Not Approve of the truth seeking function
of the trial process. FDRLP 606) IN
part state A Judgment will be set Aside
if in fact this Court can find with Cred-
ible evidence that fraud was committed

On the Courts in Order to obtain A Judgement. With this in mind Wesley Carmack and Cedric Scott Under Oath in Case 10SC-89595, Were in fact found to have Committed perjury in their Affidavits to the true facts in Case 1:08-cv-3262-CAP, to Conceal the truth and Conspired to Deprive the plaintiff of Life and Liberty in violation of the 14th Amendment to the US. Constitution by perjured Statements Material to the Judgement. SEE: WILSON VS. STATE 115 GA. 206, UNITED STATES VS. COSBY 601 F.2d 754 and UNITED STATES VS. WHIMPY 560 F.2d 1268.

III NEWLY DISCOVERED EVIDANCE

Plaintiff Now OFFERS Newly Discovered UNDISPUTABLE EVIDANCE OF PERJURY:

A. Affidavit of Judge Micheal D. Johnsons UNFITNESS TO Hold OFFICE in VIOLATION OF US. CONST. ART III Sec I

B. Plaintiff's TRIAL transcript Containing perjury of Cedric Scott AND Wesley Carmack Under Oath in Case 10SC89595.

DANIEL W. TAYLOR 100333237
JOHNSON STATE PRISON #2
PO. BOX 344
WRIGHTSVILLE, GA. 31096

Respectfully Submitted
Daniel W. Taylor

This is 25th DAY OF APRIL 2014

This evidence must be reviewed and will establish a perjurous attempt under R-606b to get aside the judgement and GRANT A hearing on these ISSUE'S to be confirmed.

IV CONCLUSION

G. AFFIDAVITS OF Wesley Carmack and Cedric SCOTT From Case 1:08-cv-3262-GAP.
D. SGT. Wesley Carmack INTERROGATORIES from CASE 1:08-cv-3262-GAP. (DEF EX-9) 10SC89595
E. STATE Fabricated Evidence of ATLANTA Police OFFICER TIMOTHY D. PEER (STATE EX-22) of CASE 10SC89595 A serrated knife.
This evidence is Court Record in the Superior Court of FULTON COUNTY, EXCEPT for the Attached Affidavit of Judge Johnson Unit- NNESS to hold OFFICE.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DANIEL W. TAYLOR
PLAINTIFF
vs.
SGT. WESLEY CARMACK
Defendant

42 USC § 1983

CIVIL ACTION FILE NO.
1:08-CV-3262-CAP

UNFITNESS OF JUDGE Micheal
D. JOHNSON TO HOLD OFFICE

AFFIDAVIT OF DANIEL W. TAYLOR IN SUPPORT
OF NEWLY DISCOVERED EVIDENCE

PERSONALLY APPEARED before the UNDERSIGNED OFFICER duly Authorized to Administer Oaths, DANIEL W. TAYLOR, who after being duly Sworn deposes and SAYS AS follows:

1.

I Am Daniel W. Taylor, Above the Age of 18 years old, Competent to give this Affidavit and do so based upon known personal knowledge And Facts Stated herein.

2.

I Was the defendant in State Criminal prosecution STATE OF GEORGIA vs. Daniel W. Taylor 10SC89595. I Was Also the plaintiff in Civil Action Daniel W. Taylor vs SGT. Wesley Carmack 1:08-CV-3262-CAP.

3.

ON JULY 19-20-21, 2010, I WAS the defendant before the Honorable Judge Micheal D. JOHNSON IN

STATE Criminal Proceedings 10SC89595, were he OFFICIATED those proceeding.

4.

I WAS Self Represented AS OF JULY 2009, to the ending my trial, Conviction and Sentencing AUGUST 2, 2010.

5.

During the trial, Judge JOHNSON who on March 26, 2010, OFFICIATED Nolle prosequi proceedings of Indictment 08SC68242, Dismissed perjury and Fabricated evidence of ATLANTA Police Officer Timothy D. PEEK from Counts of the Indictment, that I Attempted to Stabb Wesley Carmack with A Knife, After peek falsely Swore this in his police Report and Committed perjury to A FULTON COUNTY Grand JURY to Aide Wesley Carmack.

6.

On JULY 21, 2010, during Cross-examination of Wesley Carmack, by me, from filed Documents from Case 1:08-cv-3262-CAP. Which were his Sworn Interrogatories Questions And ANSWERS (Def EX-D-9) 10SC89595 Volume of EXHIBITS.

7.

Wesley CARMACK After those Interrogatories were entered into evidence, was ASKED About his Weapon being PLaced on the Kitchen Counter AS Sworn to in his April 16, 2010, AFFIDAVIT from Case 1:08-CV-3262-CAP.

8.

Wesley Carmack Stated in his interrogatories that he maintained Control of his Weapon the entire time.

9.

But, when he read the Answer when questioned About him not having his Weapon and it being on the Kitchen Counter, CARMACK intentionally Read the Answer Wrong.

10.

At that point I objected to the reading of the Answer even with him having a Correct Copy in his hand and he Verified Under OATH that he took and GAVE the Answers, JUDGE JOHNSON then ASK TO See the Document (TTP. 461-462-463-464-465-466-467). He then Read it And he Knew the Answer And Directed CARMACK TO ReRead the Answer AGAIN TO THE JURY.

He Also Made Me Stand Trial on Known Fabricated Evidence peek falsely Sure to in his reports and Before A Fulton County Grand Jury May 16, 2008. For he himself Noelle Prosequi the Perjury AND Fabricated Evidence and OFFICIATED the RE INDICTMENT proceedings March 26, 2010.

13.

Federal Crimes.

Judge Michael D. Johnson Knew Carmack A State Witness and Government Employee Read the Wrong Answer and lied to the Jury to Aide Carmacks Perjury Violating his Oath of Office obstructing Justice and Conspiring to Convince AND MISlead the Jury which are State and

12.

AGAIN UNDER OATH CARMACK COMMITTS PERJURY to the reading of the Answer to the Jury and before the Courts. When I AGAIN OBJECTED Judge JOHNSON COMMITTS Subordination of Perjury with Wesley Carmack and says: (TP 467) Mr. Taylor, I'm not sure I understand he read it exactly AS it appears on the paper Testifying and Vouching for Carmacks Perjury to A FULTON County Jury.

11.

Several STATE AND FEDERAL witnesses

CAN testify to these facts if subpoenaed

to a hearing to testify. They ARE: FEDERAL

US ATTORNEY SAILEY YATES, Judge Charles

pannell JR, Judge LINDA T. WALKER, District

Attorney Paul Howard JR, Assistant District

Attorney Michael Bernard, Fulton County Court Clerk

Catherine T. Robinson, Court Reporter TONIE TAYLOR,

FBI Chief Mark Guliani of the ATLANTA (cont.)

UPtion TASK force, President Barack OBAMA,

Judge Kimberly E. ADAMS, Judge Henry Newkirk,

Judge H. Gibbs FLANDERS, Governor Nathan Deal,

Attorney General Samuel S. Cens, Attorney Brittany

Woodfolk, Mayor of ATLANTA Kasim Reed, ATLANTA

Police Chief George TURNER, Judge Donald Gillis,

FULTON County Deputy Sheriff ADAMS, Cynthia

Greaton, Judge TODD MARKIE, Judge MARK Anthony

Judge Gregory ADAMS AND US. Justice Depart-

ment Chief Eric Holder.

15.

AT this current time once I contacted the

US Justice Department and Barack OBAMA

AND I sent a copy of the letter to Judge

JOHNSON in 2010 Judge Michael D. JOHNSON

14.

After Seeing the response from the Justice Department from me He Resigned AS Judge OF FULTON County.

16.

On August 7, 2012, at A hearing in front of Judge Todd Markle who took over his Court Room When questioned About those proceedings Judge Todd Markle in violation of his Oath of Office And the Judicial Cannons Wouldn't let the State be Cross-examined About the perjury And has Denied me Access to the Courts.

17.

There is At this time A Mandamus filed pertaining these Allegations Every Judge in FULTON County Recused themselves from hearing the Case And it's been transfered to DeKALB County Were 7 Judge has Recused their Selves each time A hearing is imminent or without justification for they Know A Ruling on this issue will Reverse every Conviction, Plea and Sentence he ever made.

18.



NOTARY Public

Willie Walker

Sworn before me and subscribed
this 29th day of April 2014

This 25th day of April 2014
[Signature]
Daniel W. Taylor 100232837
JOHNSON GINIE PRISON #1-2
PO, Box 244
WRIGHTSBVILLE, GA. 31096

THIS AFFIANT FURTHER SAYETH NOT
U.S. CONST. ART III SEC. I.

Therefore EVERY CASE is Null and Void
For Judge Johnson was unfit to hold office

Full extent of the LAW.
if I've lied prosecute me to the
Hold a hearing to see the evidence and
I'm not completely telling the truth
Judge Michael Johnson is Corrupt and if

19.

This is A TRUE AND ACCURATE STATEMENT
with undisputable evidence to back
it up.



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

STEPHEN E. CASTLEN
CLERK/ COURT ADMINISTRATOR

(404) 656-3450
castlens@gaappeals.us

May 13, 2014

Mr. John Wayne Maddox
GDC323636
Baldwin State Prison
P.O. Box 218
Hardwick, Georgia 31034

RE: A08A0184 John Wayne Maddox v. The State

Dear Mr. Maddox:

Your appeal was disposed by opinion on March 12, 2008. The Court of Appeals affirmed the judgment of the trial court. The remittitur issued on April 1, 2008, divesting this Court of any further jurisdiction of your case. The case is therefore, final.

The opinion in the above appeal consists of 8 pages. The total cost of the opinion is \$12.00. Copies are \$1.50 per page in this Court. Your pauper status does not excuse you from the copy fees and the Court of Appeals of Georgia is not subject to the Open Records Act.

Please send your check or money order to the letterhead address specifying what copies you want to be sent to you. Your request will be processed and sent to you by return mail.

Sincerely,

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

SEC/ld

MAY 1, 2014

JOHN WAYNE MADDOX, GDC# 323636
BALDWIN STATE PRISON, M-3#5
P.O. Box 218

HARDWICK, GEORGIA 31034

RECEIVED IN OFFICE
2014 MAY -9 PM 3:06
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

OFFICE OF THE CLERK
COURT OF APPEALS OF GEORGIA
47 TRINITY AVE. SW.
ATLANTA, GEORGIA 30334

DEAR CLERK OF COURT,

IF YOU MAY, COULD YOU PLEASE LET ME KNOW IF AN
DIRECT APPEAL WAS FILED AND DOCKETED IN THIS COURT IN
THE YEAR 2007, CASE STYLED JOHN WAYNE MADDOX V. STATE OF
GEORGIA, AN APPEAL FROM A BANNOW COUNTY SUPERIOR COURT
CRIMINAL JURY TRIAL CONVICTION, CASE# 03-CR-676-B.
I NEED THIS INFORMATION BECAUSE I NEVER RECEIVED
ANY RECORDS FROM THIS COURT OR MY APPELLATE ATTORNEY
AS TO ANY DECISIONS MADE ON MY APPEAL BY THIS COURT.
IF AN APPEAL WAS FILED, COULD YOU PLEASE PROVIDE ME
WITH THE CASE CITING.

THANK YOU VERY MUCH FOR YOUR CONCERN AND ASSISTANCE.

RESPECTFULLY,

John Wayne Maddox
DEFENDANT

In The Court of Appeals
State of Georgia
RECEIVED IN OFFICE

James E. Thompson ²⁰¹¹ MAY 13 AM 11:37

CLERK OF COURT
SOUTH GEORGIA
APPELLATE COURT

State of Georgia

Guirett Case #

04-13-3288-3

Motion To Supplement

Exhibit "A" and accompanying exhibits (A and B) Fully
explain the bizarre nature of the present filing. ¹

Postmer was investigated for supposedly being an attorney ²

Three separate "Factors" within the legal community
initiated the action. ³

And an ADA clearly admits this case is of "great
importance to the public". A "public" that needs to
bel centered of their egregiously dysfunctional system ⁴

The point? A man was forcibly drugged after being
institutionalized due to his supposed incompetence. ⁵

A man that made over \$500,000 a year ⁶

A man that throttled a Chief ADA and Chief judge.
Who is incompetent and what does that say about your system

7

Constitutional infirmities? Everyone else admits they existed (plural), and still exist.

8

What is taking you so long?

Respectfully submitted this 9th day of May 2014
James Thompson
2013 Bruce Dr.
St. Simons Island, GA
31522

The foregoing motion to supplement has been sent via U.S. mail with proper postage affixed to:

-The Court of Appeals
47 Trinity Ave S.W.
Ste 501
Atl. Ga 30334

All other recipients are listed at conclusion of Exhibit "A".

To The Respective Courts,

The enclosed filing does address "issues of great concern to the public" in relation to any filing under consideration and future "requests".

① I was investigated by your own Bar Association for ~~being a disbarred attorney!~~

1) Initiated by (3) of your own, and;

② In ADA admitted this case "certainly" addressed issues of "great importance to the public".

* #1s (1) and (2) are addressed in the present filing (w/proof).

Does someone now wish to explain: O.C.G.A. § "we can and will drug you into submission?"

please excuse the rush but I wanted to get this filed since I never saw the documents enclosed before, and since it is becoming increasingly alarming why you kept me incarcerated. No or limited resources.

you drug a man, justify the atrocity and keep him confined during the "appellate process". This must be exposed. Every one of you should be ashamed. Now please explain the "Logic" pertaining to Exhibits "A" and "B"

James Thompson

~~Intro to Exhibit "A"~~

In The Supreme Court
State of Georgia

James E. Thompson

The State

Case # S14H0352

Motion To Supplement
(Newly Discovered Evidence)

Unorthodox but simple. A question. Why is it that every-
one appears to be admitting, one way or another, that a
Constitutional Holocaust occurred in the present case?

Exhibit "A" adds to the overall legacy that has af-
ways existed.

2

In 2009 attorneys (plural) in Atlanta were convinced
that positioner was in fact a member of the Bar Association
at one time. An attorney plain and simple.

Attorneys at Suntrust Bank were so convinced that pe-
titioner was in fact an attorney that they (Suntrust) com-
plained to the Bar Association (Third such complaint from
three separate sources) who in turn assigned an investigator
to follow up on said matters.

4

Said investigator called petitioner several times and met
with petitioner personally.

EXHIBIT A

5
A particular District Attorney's office also included correspondence pertaining to the "status" of petitioner.

6
All on record as well as the fact that Exhibit "A" would have never surfaced if not for the "enterprising" as well as a defining point of interest, that particular individuals within the legal community, believed that petitioner was so competent that he must possess a law license.

7
The Bar Association obviously has all records pertaining to said investigation and also included said "services".

8
No matter what, Exhibit "A" and the justification for said investigation only adds to a definite conclusion that Guinneth County engaged in barbaric maneuvers. If the issues we continue to "address".

9
Remember we are speaking of a man (petitioner) that supposedly could not assist an attorney which in turn (surprisingly) justified "forced medication" and institutionalization.

10
Nothing has added up since day one except judicial and prosecutorial violations at the extreme.

11
Now for Exhibit "B" and yet another "admission" and just as (if not more) outrageous and revealing. In fact much more revealing in relation to an "admission".

12

If you would notice the highlighted sections on pages (3) and (4) Exhibit "B": The ADA from Guinnett County (Tracy case), back in 2009 not only contradicts herself but . . . admits the present case is of "great concern, gravity, or importance to the public."

13

First of all how is a "review of certain" not a right?

14

Secondly, "that in order for certiorari to be granted the petition must set out an issue of great concern . . ."

15

Page (4) Exhibit "B" speaks volumes: "While the case itself certainly addresses issues that are of great concern, gravity and importance to the public . . . what are the courts going to admit what occurred?"

16

The "Issues" of the present case concern egregious Constitutional infringements!

17

Do we now need to define "certainly?"

18

All "issues" are documented in court records.

19

Someone now explain Exhibits "A" and "B" (which have never been reviewed by partners due to his incarceration) and the so-called logic that supposedly exists in relation to the

"GRH" atrocity implemented by Guinness country.

20

D.S., doctors, lawyers, judges, clerks, court reporters and a plethora of professionals and laymen alike admit that "certainly" the present case "addresses issues of great importance to the public."

21

What answer can the courts provide other than "covering for one of their (your) own?"

22

What logical explanation can be provided except #21?

23

The very same claim since the infancy stages of the decision making process.

24

Absolutely incredible. "Certainly" this case addresses "issues of great importance."

25

You tortured a man in order to extract a confession and you justified those atrocious actions via non-interview time. Unfathomable.

26

Are we now going to say the entire "public" is incorrect and the courts are justified? Not even plausible at this point. Investigating a man for being an attorney and then... another seasoned ADA admits the atrocity is a recorded event! No wonder someone (or several) wished and were

In the Supreme Court of Georgia

Decided:

SEP 11 2000

S00Y1190. IN THE MATTER OF JAMES E. THOMPSON

PER CURIAM.

The State Bar filed a Notice of Discipline against Respondent James E. Thompson alleging violations of Standards 65 (commingling client's funds with lawyer's own funds and failure to account for trust property held in a fiduciary capacity) and 68 (failure to respond to disciplinary authorities) of Bar Rule 4-102 (d). Although Thompson acknowledged service of the Notice of Investigation regarding his attorney trust account, he failed to file an answer. Subsequently, after efforts to personally serve Thompson with the Notice of Discipline proved unsuccessful, the State Bar served Thompson by publication pursuant to Bar Rule 4-203.1 (b) (3) (ii). Thompson failed to reject the Notice of Discipline within 30 days as provided by Bar Rule 4-208.3 (a) and thus is in default pursuant to Bar Rule 4-208.1 (b) and subject to discipline by this Court. The State Bar has recommended disbarment as the appropriate sanction for Thompson's violations of Standards 65 and 68.

Thompson, who maintains an attorney trust account with NationsBank of Atlanta, Georgia, wrote six checks drawn on this account in amounts for which he

had insufficient funds in the account. Further, he commingled his client's funds with his own and withdrew money, not constituting earned attorney's fees, from his attorney trust account for his personal use. The State Bar noted as aggravating factors in support of its recommendation of disbarment Thompson's prior disciplinary history, including interim suspensions on August 11, 1998 and January 28, 1999 and a disciplinary suspension on October 26, 1998, and his substantial experience in the practice of law.

We conclude that disbarment is warranted as a result of Thompson's violations of Standards 65 and 68 of Bar Rule 4-102 (d). Accordingly, Thompson is hereby disbarred from the practice of law in Georgia. He is reminded of his duties under Bar Rule 4-219 (c).

Disbarred. All the Justices concur.

1

**IN THE SUPREME COURT
STATE OF GEORGIA**

**JAMES EDWARD THOMPSON
IV,**

Appellant,

versus

STATE OF GEORGIA,

Appellee.

*

*

*

*

*

DOCKET NO. S09C1275

ON APPEAL FROM THE
SUPERIOR
COURT OF GWINNETT COUNTY
INDICTMENT NO: 04-B-3288-3

COUNSEL FOR APPELLANT:
JAMES E. THOMPSON, PRO SE
2013 BRUCE DRIVE
ST. SIMONS ISLAND, GA 31522

COUNSEL FOR APPELLEE:
TRACIE H. CASON
ASSISTANT DISTRICT ATTORNEY
GWINNETT JUDICIAL CIRCUIT
75 LANGLEY DRIVE
LAWRENCEVILLE, GA 30045

Exhibit B1

**IN THE SUPREME COURT
STATE OF GEORGIA**

JAMES EDWARD THOMPSON	*	
IV,		
Appellant,	*	DOCKET NO. S09C1275
<i>versus</i>	*	ON APPEAL FROM THE SUPERIOR
STATE OF GEORGIA,	*	COURT OF GWINNETT COUNTY INDICTMENT NO: 04-B-3288-3
Appellee.	*	

**BRIEF IN OPPOSITION TO THE GRANT OF
CERTIORARI
BRIEF OF APPELLEE**
BY THE DISTRICT ATTORNEY, GWINNETT JUDICIAL CIRCUIT

DANIEL J. PORTER
DISTRICT ATTORNEY
GWINNETT JUDICIAL CIRCUIT

TRACIE H. CASON
ASSISTANT DISTRICT ATTORNEY
GWINNETT JUDICIAL CIRCUIT

OFFICE OF THE DISTRICT ATTORNEY
GWINNETT JUSTICE AND ADMINISTRATION CENTER
75 LANGLEY DRIVE
LAWRENCEVILLE, GEORGIA 30045
(770) 822-8400

BRIEF OF APPELLEE

STATEMENT OF THE CASE

The Appellant entered a plea of guilty to one count each of Aggravated Stalking and Terroristic Threat on February 16, 2007. At no time did he file a Motion to Withdraw his guilty plea. He filed an Extraordinary Motion for New Trial to attack his plea on December 11, 2008. The Trial Court denied that motion in an order on January 30, 2009. He appealed the trial Court's ruling to the Court of Appeals. The Court of Appeals denied his appeal in Docket # A09D0267. It is from this ruling that the Appellant files this Petition for Writ of Certiorari.

ARGUMENT AND CITATION OF AUTHORITY

THE GRANT OF CERTIORARI IS NOT WARRANTED IN THIS APPEAL,
AS THE APPELLANT'S PETITION DOES NOT INVOLVE AN ISSUE OF
GREAT CONCERN, GRAVITY, OR IMPORTANCE TO THE PUBLIC.

~~A review on certiorari is not a right. The Uniform Rules of the Supreme Court of Georgia require that in order for certiorari to be granted, the petition must set out an issue of great concern, gravity, or importance to the public. Rules of the~~

Supreme Court of Georgia Rule 40.

While the case itself certainly addresses issues that are of great concern, gravity, and importance to the public, the rules and issues of law that the Court of Appeals followed do not rise to that level. The Court of Appeals applied firmly established legal principals and followed them accordingly.

CONCLUSION

For all of the above and foregoing reasons, the judgment and verdict of the trial court and the Court of Appeals should be affirmed and the Appellant's petition should be denied. Should this Court grant the petition for writ of certiorari, the Appellee will file a brief with further argument and citation of authority.

Respectfully submitted,



TRACIE H. CASON
ASSISTANT DISTRICT ATTORNEY
GWINNETT JUDICIAL CIRCUIT
STATE BAR OF GEORGIA #358240

OFFICE OF THE DISTRICT ATTORNEY
GWINNETT JUSTICE AND ADMINISTRATION CENTER
75 LANGLEY DRIVE
LAWRENCEVILLE, GEORGIA 30045

(770) 822-8400

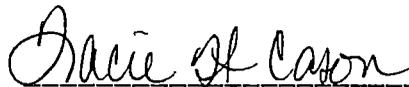
CERTIFICATE OF SERVICE

**STATE OF GEORGIA
GWINNETT COUNTY**

This is to certify that I, Tracie H. Cason as Assistant District Attorney of the Gwinnett Judicial Circuit and Attorney for the State, have this day served Appellant with a copy of the foregoing Brief of Appellee by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage affixed thereon to:

James Thompson
2013 Bruce Drive
St. Simons Island, Ga. 31522

This 29th day of April, 2009.



Tracie H. Cason
Assistant District Attorney
Gwinnett Judicial Circuit



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

STEPHEN E. CASTLEN
CLERK/ COURT ADMINISTRATOR

(404) 656-3450
castlens@gaappeals.us

May 14, 2014

Mr. James Thompson
GDC497699 F-2
Lee State Prison
153 Pinewood Road
Leesburg, Georgia 31763

Dear Mr. Thompson:

I am in receipt of your Motion to Supplement. A Certificate of Service must accompany your Motion to Supplement. 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. The State is represented by the District Attorney or an Assistant District Attorney. I am returning your documents to you.

Sincerely,

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

SEC/ld
Enclosures



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

STEPHEN E. CASTLEN
CLERK/ COURT ADMINISTRATOR

(404) 656-3450
castlens@gaappeals.us

May 14, 2014

Mr. James Thompson
GDC497699 F-2
Lee State Prison
153 Pinewood Road
Leesburg, Georgia 31763

Dear Mr. Thompson:

I am in receipt of your Motion to Supplement. A Certificate of Service must accompany your Motion to Supplement. 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. The State is represented by the District Attorney or an Assistant District Attorney. 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

RECEIVED IN OFFICE

JAMES E. THOMPSON 2014 MAY -9 PM 3:05

CLERK/BOOK ROOM
COURT OF APPEALS OF GA

The State

MOTION TO SUPPLEMENT

(Application for Discretionary Appeal)

Georgia Case # 04-13-3288-3

04-13-3288-3

Exhibit "A" enclosed is a filing to the Supreme Court that was recently filed. If ("A") is being used as the actual filing and only exhibit.

Very simple premise. If nothing else, review sections (5)-(17) in Exhibit "A" then try to find a reason not to find logic in the Foundation provided in said sections.

1
you have been provided all of the disturbing evidence and one of your own "purposely derailed the entire appellate process"

2
Now one of his own is directly involved and she, as well as everyone else, cannot answer with certainty what the correct answer should be in relation to . . . did a disorder exist or not as if pertains to "K. Dawson Jackson's actions in Guinnest County."

3
Either answer provides an opening for a justifiable means to an honorable end. A procedurally correct and conditionally mandated withdrawal of a plea.

wherefore petitioner prays that:

a.) his 2007 plea is allowed to be withdrawn.

Janner E. Thompson

#497699 Lee Sp. F-2

153 pine wood Rd.

Leesburg, Ga 31763

* Certificate of service at conclusion of Exhibit "A"

In The Supreme Court
State of Georgia

James F. Thompson
v
Warden Hooks

SIF H0352

Motion To Vacate and Re-enter
(Based on "Newly Discovered" Evidence In
Relation To Bias and Favoritism)

The Feb 24 2014 decision to deny petitioner justice, plain and simple,
was authored with no explanation other than absence of a written
ons claim/argument.

1
A writ (petition) was sent to a "house of horrors" after it was revealed
that no restraining order existed in the present case, and no venue
existed, and no intent existed, and double jeopardy existed via
10-1-7(b), and a host of other egregious inconsistencies occurred
via unsuspicious activity performed by a Chief ADA and a
Chief Judge. Documented.

2
Subsequently the Chief ADA was removed from office after (30)
years of so-called service at the Guinness DA's office. The pre-
sent case was the focal point of said removal meaning (guilt-
not guilty) and Danny Porter acted on the Chief ADA's writ-
form or another was (is) a forensic conclusion.

Exhibit "A"

3

Then why didn't the higher courts act accordingly?

4

It is a known fact that no crime occurred on May 1, 2004 and it is a known fact that prosecutorial and judicial misconduct transpired via unfathomable acts of corruption.

5

It is also a known fact that petitioner was the highest paid salesman in the fitness industry for (8) straight years meaning that a disorder of any kind was and is highly unlikely. In fact no disorder ever surfaced and no medication was ever prescribed. Eight straight years with no downturns? No symptoms and no variation in performance.

6

The disorder Guinnett County concocted in order to stay exposure had and has no correlation to petitioner's documented lifestyle, earnings, drive, and performance, plain and simple.

7

Again then why did the Supreme Court rule as it did?

8

Several months ago information was passed along to petitioner that shed light on concepts that have no basis within the legal system. That particular information had a distinct connection to/with several letters petitioner wrote last year detailing the fact that chief Judge Dawson Jackson's behavior was so incredibly brazen and reckless that "something was not adding up." Simply put "something was amiss".

9

The concepts that petitioner speaks of are: "Logic" and "reason".

10

The information petitioner speaks of is and was the fact that the same man (Dawson Jackson) that ordered petitioner to be subjected to "Forced medication", and the same man (Dawson Jackson) that obviously provided his own variety of "immunity" for Phil Wiley (the disgraced ex-chief ADA) and the very same man that "violated" petitioner for sending his son a loving birthday letter claiming petitioner "moved without notice", and is the very same man that has made a fool of himself in many of the proceedings that have taken place in case # 04-B-3288-3.

11

This is also the very same man that was voted into the highest judicial seat in the state of Georgia (Chief Justice of the Supreme Court of Georgia) by (5) of the present justices now in office.

12

The point? Simple unadulterated logic! A pro-se litigant versus a former chief justice of the Supreme Court of Ga. Black and white. No more games, misdirection or smoke screens.

13

The Supreme Court would never allow one of their own to be embarrassed. Human nature 101. The instant problem? This particular "one of their own" stooped to the documented lowest, meaning the Supreme Court of Georgia has some extremely troubling questions to answer. "Torture" was inflicted as a "means to an end".

14

The part to the great filing? It appears someone is speaking out in relation to Dawson Jackson's "associations" and certain records that could/would provide a definitive "time line" collaboration. Is the supreme court willing to stake truth, justice, the facts, and the methodology (for the supreme court) admission that a merit analysis (long overdue and so incredibly obvious) is mandatory and eggs must be set aside.

15

No one can change Jackson's association with this case and no one can change what Jackson "manufactured" and no one can change what sound logic and "reason" dictate meaning Jackson's corrupt activity when he recognized that Wiley was "in over his head" actively.

16

What can change? Recognizing one simple fact, this entire case is not about me versus you, The entire case should be you separating yourself from the "cancer" that must be isolated, castigated, and legally exterminated.

17

This is it we versus Dawson Jackson. This is Dawson Jackson versus our entire concept of morality, decency, honor, integrity, and virtue.

18

I know it and you know it, and everyone else recognizes it and no matter your decision Dawson Jackson's activity and all of his deranged counterproductive behavior will be the

subject of future "conversation" (one way or another).

19

you are stuck with him! Separate! (one way or another).

wherefore petitioner prays that:

- a). oral argument will be granted in order to investigate certain records, and;
- b.) a merit review is granted after the Feb. 24, 2014 decision is vacated and re-entered detailing said merit analysis.

Respectfully submitted this 30th day of April 2014

James Thompson
#497699 Lee S.p. F-2
153 pinewood Rd.
Leesburg, GA 31763

The foregoing "motion to vacate and Re-enter, . . ." has been sent via U.S. mail with proper postage affixed to:

- The Supreme Court
244 Washington St. S.W.
572 State Office Annex
Atl. GA 30334

- The Court of Appeals
47 Trinity Ave S.W.
Ste 501
Atl. Ga 30334

- The clerk of Court
75 Langley Dr.
Lawrenceville GA 30046
Attn: porter/shrader

- Attorney General
Ga. Dept of Law
40 Capital sq. S.W.
Atl. Ga 30334-1300

you are covering your flank while this frontal assault is transpiring, aren't you?
Sorry so brief but in a hurry.

Thank you

ps. Covering up for what Jackson did and stands for will not be in the best interest of any and all law abiding citizens.

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

Date: May 14, 2014

To: Mr. Michael Thomas, 3101 Ohio Street, Pine Bluff, Arkansas 71601

Docket Number: A14A1368 **Style:** Michael Thomas v. Rollins, Inc., 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 **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 case was dismissed on April 30, 2014.**

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

amendable flaw and Appellant is attacking the judgment by way of collateral attack due to it being void on its face when the Appellate Division and ALJ had no jurisdiction to deny any of Appellant's three claims, without jurisdiction the award is null and void. The Appellee never filed a notice to controvert as mandated under O C G A 34-9-221(d) so no jurisdiction is present for the Appellate Division and ALJ to deny any of Appellant's three claims.

Appellant is also attacking the judgment by direct attack on grounds of lack of jurisdiction and a flaw to the record of a non-amendable flaw, due to there not being a notice to controvert in the record which is required to establish jurisdiction to the Appellate Division and ALJ to allow the Appellee to controvert Appellant's three claims, also there is not any competent evidence in the record to support the denial of any of Appellant's three claims. Also the order that Drew Haeberle written is not part of the record because it was never filed, instead it was e-mailed to Judge Horace Johnson Jr..

Therefore Appellant is asking for a hearing as it pertain to Appellant's motion to void and set aside the judgment entered by the trial court on around May 8th, 2013, the Appellate Division and ALJ handed down an illegal award, they had no legal authority or legal discretion to do so and the trial court affirmed the award when there was no competent evidence in the record to support the award and the order written by Drew Haeberle is not part of the record and Haeberle was not elected by Newton County to be a judge, therefore he had no legal authority or jurisdiction to write the award, violating the Georgia Constitution under Article VI, because Judge Horace Johnson JR. used the order written by Haeberle.

Note: Appellant is asking that the hearing be recorded and that a Court Reporter be present to record the hearing.

Humbly and Respectfully Submitted

Michel Thomas



Date: May 8th, 2014

770-255-8917

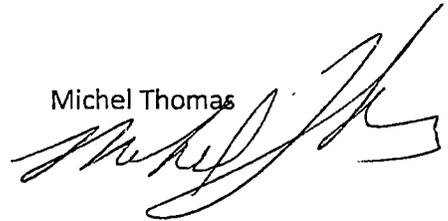
3101 Ohio Street Pine Bluff, Arkansas 71601

Certificate of Service

I HEREBY Certify that Appellant sent a true and correct copy of Appellants motion to void and set aside judgment to Appellee's attorney, James P. Anderson at 880 West Peachtree Street Atlanta, Georgia 30309 first class mail by way of the United States Postal Service on May 8th, 2014.

Date

Michel Thomas

A handwritten signature in black ink, appearing to read "Michel Thomas", written over the printed name.

770-255-8917

3101 Ohio Street Pine Bluff Arkansas 71601

Court of Appeals of the State of Georgia

ATLANTA, April 30, 2014

The Court of Appeals hereby passes the following order:

A14A1368. MICHEL THOMAS v. ROLLINS, INC. d/b/a ORKIN, INC. et al.

On September 16, 2013, Michel Thomas filed a pro se direct appeal from a May 3, 2013 superior court order affirming a decision of the State Board of Workers' Compensation.¹ We lack jurisdiction over this appeal for two reasons.

First, “[a]ppeals from decisions of the superior courts reviewing decisions of the State Board of Workers' Compensation” require an application for appeal. Compliance with the discretionary appeal procedure is jurisdictional. See OCGA § 5-6-35 (a) (1); *Adivari v. Sears*, 221 Ga. App. 279 (471 SE2d 59) (1996). Thomas' failure to follow the proper appellate procedure deprives us of jurisdiction over this appeal. Additionally, even if a direct appeal were permissible here, Thomas' appeal is untimely. OCGA § 5-6-38 (a) requires that a notice of appeal be filed within 30 days of entry of the order to be appealed, and the proper and timely filing of a notice of appeal is an absolute requirement to confer jurisdiction upon this Court. *Couch v. United Paperworkers Intl. Union*, 224 Ga. App. 721 (482 SE2d 704) (1997). Thomas filed his notice of appeal four months after the order was entered.

For these reasons, this appeal is hereby DISMISSED for lack of jurisdiction.

¹ Thomas initially filed this direct appeal in the Supreme Court, which transferred it to this Court after finding that the case did not invoke its jurisdiction. Thomas also filed an application for discretionary review of the same order in this Court. We denied that application. See Case No. A13D0408 (decided June 24, 2013).



*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 04/30/2014*

*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. Castle _____, Clerk.



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

STEPHEN E. CASTLEN
CLERK/ COURT ADMINISTRATOR

(404) 656-3450
castlens@gaappeals.us

May 14, 2014

Mr. Carey Ross
GDC440745
Hays State Prison
Post Office Box 668
Trion, Georgia 30753

RE: A12D0342. Carey Lecell Ross v. The State

Dear Mr. Ross:

I am in receipt of your letter dated May 11, 2014 in which you inquired about what happened to the above Discretionary Application when the remittitur was returned from the Supreme Court.

When a certiorari is denied, our Applications Clerk docket the date in the system and files the order. After a year, if there is no hold on the application, it is recycled in accordance to our Record Retention Schedule.

Sincerely,

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

SEC/lid

IN THE COURT OF APPEALS OF GEORGIA

May 11, 2014

Court of Appeals case # A12D0342

SUPREME COURT OF GEORGIA case # S12C1487

TO: Stephen E. Gastlen

Clerk/Court Administrator

Court of Appeals of Georgia

The Supreme Court of Georgia, Remittitur
was returned to the Court of Appeals on
November 13, 2012.

What did the Court of Appeals do
with this case.

Sincerely

Larry Ross
Larry Ross # 440745

Hays State Prison
P.O. Box 668
Trion, Ga. 30753

Lola Diamond - Re: A12D0342

From: Keri Avera
To: Lola Diamond
Date: 5/14/2014 11:10 AM
Subject: Re: A12D0342

Well, Technically there are no remittiturs on applications. Once the cert is denied I docket the dates in our system and put the order and material back in the folder. After a year when we go to recycle if there is no hold on the application we recycle it.

>>> Lola Diamond 5/14/2014 10:51 AM >>>

What happens to a discretionary application when the Supreme Court releases its remittitur? The above application was denied certiorari on October 29, 2012; the remittitur was released from the Supreme Court on November 13, 2012 - what happens to the application from there?



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

STEPHEN E. CASTLEN
CLERK/ COURT ADMINISTRATOR

(404) 656-3450
castlens@gaappeals.us

May 14, 2014

Mr. Jonathan Robinson
GDC290424 D1/14
Auntry State Prison
Post Office Box 648
Pelham, Georgia 31779

RE: A10A2276. Jonathan Robinson v. The State
Lower Court Case Number: 09SC81514

Dear Mr. Robinson:

I am in receipt of your letter regarding the lower court case number in the above appeal. Your letter had no attachments. The appeal was docketed in this Court on August 3, 2010 and withdrawn on September 16, 2010.

The attorneys of record were Ms. Jennifer Triesmann and Mr. Christopher Toles.

Sincerely,

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

SEC/ld

MAY 04, 2014

MR. JONATHAN ROBINSON, 290424
AUTRY STATE PRISON D1/14
P. O. BOX 648
PELTAM, GEORGIA 31779

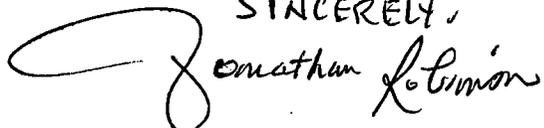
GEORGIA COURT OF APPEAL
ATTN: CLERK'S OFFICE
47 TRINITY AVE, SUITE 501
ATLANTA, GEORGIA 30334

RE: DOCKETING OF ROBINSON V. STATE

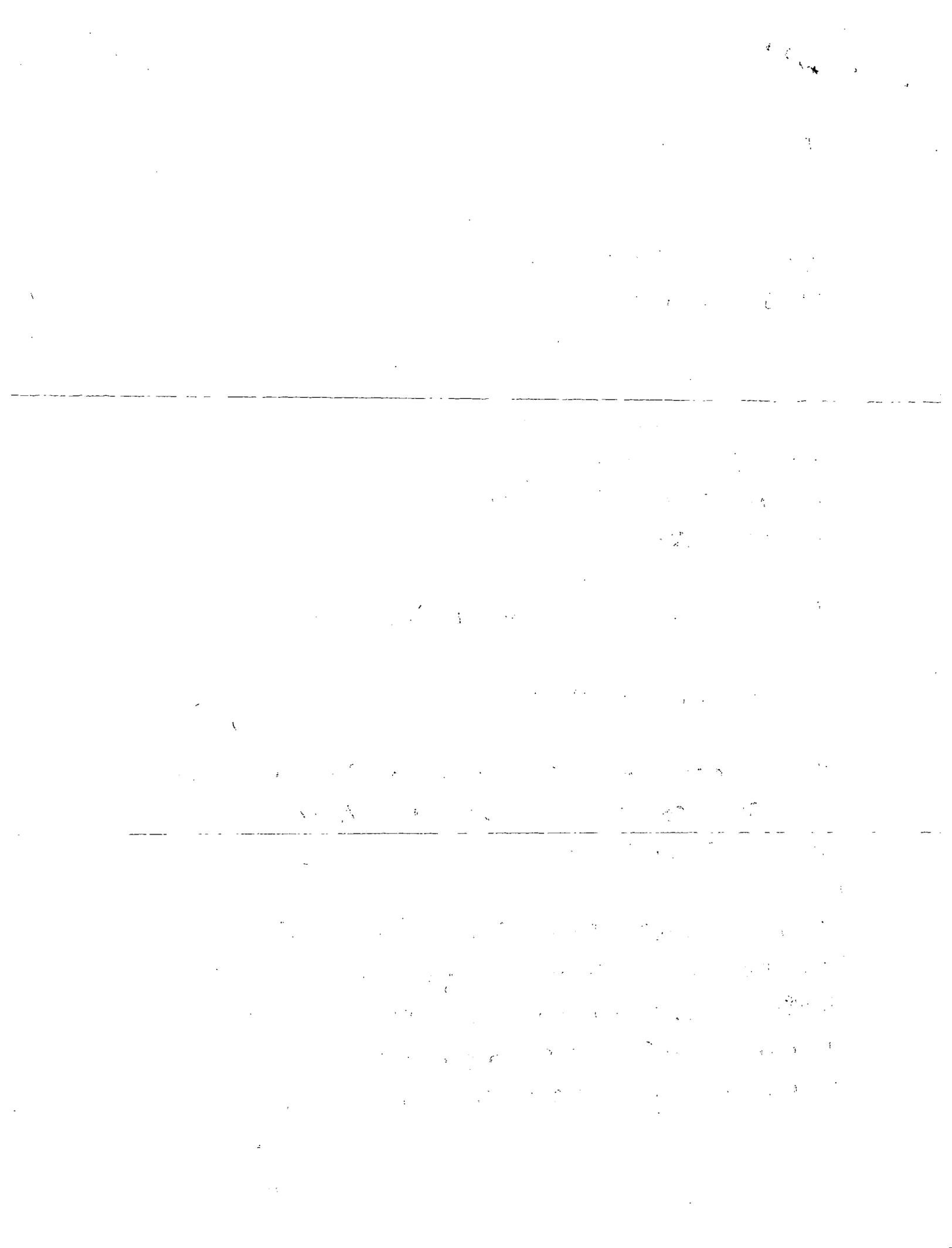
TO WHOM THIS MAY CONCERN:

THE ENCLOSED NOTED CORRESPONDENCE SEEKS TO ASCERTAIN
A PHYSICAL COPY OF A 2014, DOCKETING APPEAL,
GEORGIA COURT OF APPEAL.

JONATHAN ROBINSON, FULTON COUNTY SUPERIOR COURT
CASE # 09SCB1514. SINCE 2013, I VE AWAITED FOR
THE PROCESSING OF THIS NOTICE OF APPEAL.
IN THAT REGARD, PLEASE ENCLOSE AN OFFICIAL
RESPONSE AND THE ASSIGNED CASE NUMBER.

SINCERELY,
Jonathan Robinson

RECEIVED IN OFFICE
2014 MAY 13 PM 3:44
CLERK'S COURT ADMINISTRATION
COURT OF APPEALS OF GA





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

STEPHEN E. CASTLEN
CLERK/ COURT ADMINISTRATOR

(404) 656-3450
castlens@gaappeals.us

May 14, 2014

Ms. Linda Y. Rutledge
2380 Rambling Way
Lithonia, Georgia 30058

Dear Ms. Rutledge:

We are returning your submission to you. This office does not investigate allegations of wrongdoings. We handle appeals from lower court cases.

Sincerely,

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

SEC/ld
Enclosures

Court of Appeals, OF GEORGIA

FINANCIAL INFORMATION SHEET

(For use with Affidavit of Poverty)

Name:

Rutledge (Last), Linola (First), Y (Middle I.)

Address:

2380 Rambling Way (Number), (Street)

Lithonia (City), Ga (State), 30058 (Zip)

Hm Ph: (678) 612-5541

Cell Ph: ()

Marital Status: Single [checked]

Married [], Divorced []

Separated []

Please list the number of dependent children living with you and their ages.

Do you contribute to the support of anyone else (children not listed above, elderly/disabled parents or other family members)? Yes [], No [checked]

If Yes, how many? []. What is the relationship and how much support do you provide? []

Source of Income: Job [], Alimony/Child Support [], Disability [], Social Security [checked], Pension [], Welfare [], Income from self-employment []

Other resources: Checking account \$ [], Savings account \$ []

Total Income: (Weekly [], Bi-Weekly [], Monthly []) \$ []

Monthly Expenses:

Rent/Mortgage Payment	\$470.00
Utilities/Phone	\$ []
Food	\$200.00
Transportation	\$100.00
Regular Medical	\$ []
Other	\$ []
Total Monthly Expenses	\$770.00

CLERK OF COURT ADMINISTRATION COURT OF APPEALS OF GA

2014 MAY -9 PM 2:58

RECEIVED IN OFFICE

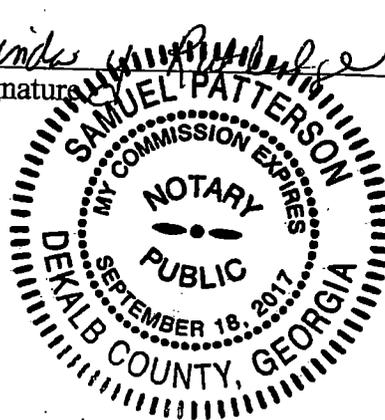
I hereby declare, under penalty of perjury, that the above information is true and correct.

Signature: Linola Rutledge

Sworn to and subscribed before me

this 3rd day of May, 2014.

Deputy Clerk/Notary Public



ICEMILLER^{LLP}

LEGAL COUNSEL

Talha M. Khan

Position: Associate

Location: Indianapolis Office

Phone: 317-236-2369

Fax: 317-592-4772

E-Mail Address: talha.khan@icemiller.com

Assistant Name: Joanna Kennedy

Assistant Phone: 317-236-5856

Assistant E-Mail: joanna.kennedy@icemiller.com

Undergraduate School

Bachelor of Science in Business; Dual Major in Accounting and Finance,
Indiana University Kelley School of Business (2005)

Law School

George Washington University Law School (2011)

Admitted to Practice:

Illinois

Indiana

Languages Spoken: Hindi, Urdu

Biography:

Talha Khan is an attorney practising complex and white collar defense litigation. He is also a Certified Fraud Examiner (CFE) and an active member of the American Institute of Certified Public Accountants.



[Download Contact Information](#)

Full Bio

[View Full Bio](#)

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NEWS

9/28/2012 - Talha Khan Named to Just
The Beginning Foundation's 20 Under
40 List

5/08/2012 - Ice Miller Expands Its
Litigation and Intellectual Property
Group

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ELI LILLY AND COMPANY

LOCATIONS

With almost 37,000 employees around the world and serving pharmaceutical markets in 143 countries, we are a truly global organization. Explore our locations around the globe.

Lilly Corporate Center

Located near downtown Indianapolis, our corporate headquarters holds both our administrative and research and development functions. This 111-acre campus consists of 58 buildings and houses thousands of employees.

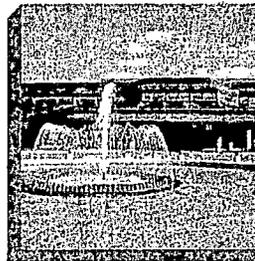
Our downtown Indianapolis location has many amenities, including cafeterias, a credit union, health services, copying services, dry cleaning, shoe repair, CoffeeZon, a convenience store with photo processing and movie rental, a fitness center, two day care centers, employee activity clubs and shuttle services to nearby Lilly plants.



Lilly Technological Center

The Lilly Technology Center handles manufacturing and distribution for many Lilly products and is home to Lilly USA, our US affiliate. It consists of two separate campuses on the southwest side of downtown Indianapolis: Lilly Technology Center North and Lilly Technology Center South. Our North Center is 81 acres holding 46 buildings and more than 1,500 Lilly employees. Our South Center is located on 175 acres with 75 buildings housing thousands of Lilly employees.

Lilly Technology Center's amenities include multiple cafeterias, an on-site credit union, CoffeeZon, dry cleaning, a gift kiosk, movie rentals, employee health services, copying services, a fitness center, easy access to Lilly day care facilities, employee activity clubs and a shuttle service to Lilly Corporate Center.



Clinton Laboratories

Our Clinton Labs bulk manufactures Lilly products as well as several products for Elanco Animal Health. Located 70 miles from Indianapolis in Terra Haute, Indiana, Clinton Labs also serves as the third-party hub for Elanco, ensuring their quality standards. There are 70 buildings on this 200-acre campus and hundreds of employees.

Clinton Labs amenities include a cafeteria, fitness center, copying services, employee health services, an on-site credit union, a send-out dry cleaning service, and employee activity clubs.



International Locations

To access global career opportunities, visit the All-Sites and Affiliates page.

Additional worldwide opportunities can be found in the Lilly Worldwide search listed above. Lilly seeks to fill open positions in the country of origin. Successful candidates must be authorized to work in the country in which they are seeking employment.

Be connected. Be inspired. **Be a catalyst.**

Lilly is an EEO/Affirmative Action Employer, and does not discriminate on the basis of race, gender, protected veteran status, disability or any other legally protected status.

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ZYPREXA LAWSUIT – SIDE EFFECTS OF ZYPREXA

Zyprexa is an anti-psychotic medication that has been manufactured by Eli Lilly & Company since 2000. Before becoming available to generic drug-makers in 2011, the drug was one of the company's best-selling medications. In addition to its anti-psychotic indications, Zyprexa is also indicated for the treatment of schizophrenia and certain age-related brain disorders. Zyprexa has been shown to cause serious side effects like diabetes, birth defects, and psychotic episodes. In spite of this, it remains on the market in numerous generic formulations.

Zyprexa has been the subject of several criminal and civil legal actions. In 2007, Eli Lilly & Company paid out over \$500 million in settlements to patients who developed diabetes while using the drug. In 2009, the company paid an FDA fine of over \$1 billion in connection with its failure to release studies that proved the drug's connection to the development of diabetes. In addition, Lilly was shown to have marketed the drug to dementia patients without approval. If you experienced any adverse effects during your Zyprexa regimen, you may be entitled to compensation. Call Burwell Nebout Trial Lawyers right away to explore your options.

Eli Lilly & Company lists the following side effects for Zyprexa:

- Headache and constipation
- Insomnia and irritability
- Confusion and seizures

In addition, the drug has been shown to cause these potentially life-threatening conditions:

- Insulin insensitivity and diabetes
- Psychotic episodes
- Suicidal thoughts and actions
- Heart failure
- Stroke

If you or a loved one sustained an injury or experienced an illness after taking Zyprexa, contact the drug lawsuit professionals at Burwell Nebout Trial Lawyers right away. We will fight tirelessly to recover the compensation that your injury demands.

ZYPREXA
IntraMuscular
Olanzapine for Injection

FREE CONSULTATION

Name: Phone: Email: Brief Description:

NEWSROOM

[Codeine Administered to Children in ER Despite Risks April 22, 2014](#)

[Birth Defects Caused from Taking Depakote April 22, 2014](#)

[Da Vinci Laparoscopic Surgical System Safety Concerns April 10, 2014](#)

[Pradaxa Side Effects Concealed from FDA April 1, 2014](#)

[Alli Weight-Loss Drug Recalled Due to Possible Tampering Concerns March 28, 2014](#)

Contact Burwell Nebout

Burwell Nebout Trial Lawyers
1501 Amburn Road, Suite 9
Texas City, Texas 77591
TF: 800-856-5050
Email: firm@burwellnebout.com

Birth Injuries

[Celexa Lawsuit](#)
[Ciprallex Lawsuit](#)
[Effexor Lawsuit](#)
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STATE COURT OF DEKALB COUNTY

GEORGIA, DEKALB COUNTY

Court of Appeals
SUMMONS

No. _____

Date Summons Issued and Filed _____

Deputy Clerk _____

Deposit Paid \$ _____

Linda y Rutledge
2380 Rambling Way Lithia PA 30058
(Plaintiff's name and address)

ANSWER

vs.

JURY

FDA Southeast Regional District office
60 Eight Street NE
Atlanta GA 30309
(Defendant's name and address)

TO THE ABOVE-NAMED DEFENDANT:

You are hereby summoned and ~~required to file with the Clerk of State Court, Suite 200, 2nd Floor, Administrative Tower, DeKalb County Courthouse, 556 N. McDonough Street, Decatur, Georgia 30030~~ and serve upon the plaintiff's attorney, wit: Court of Appeals of Georgia

(Name)

(Address)

(Phone Number) (Georgia Bar No.)

an ANSWER to the complaint which is herewith served upon you, within thirty (30) days after service upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. (Plus cost of this action.)

Defendant's Attorney _____
Address _____
Phone No. _____ Georgia Bar No. _____

Third Party Attorney _____
Address _____
Phone No. _____ Georgia Bar No. _____

TYPE OF SUIT

- Account
- Contract
- Note
- Trover
- Personal Injury
- Medical Malpractice
- Legal Malpractice
- Product Liability
- Other

Principal \$ _____
Interest \$ _____
Atty Fees \$ _____

Transferred From _____

(Attach BLUE to Original and WHITE to Service Copy of complaint)



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

STEPHEN E. CASTLEN
CLERK/ COURT ADMINISTRATOR

(404) 656-3450
castlens@gaappeals.us

May 14, 2014

Mr. Robert N. Mays
GDC0900083 M12
Clayton County Sheriff's Office
9157 Tara Boulevard
Jonesboro, Georgia 30236

Dear Mr. Mays:

I am in receipt of your undated letter and correspondence received in this office. 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.

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 the 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 a 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. 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 actually be 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.

I am returning your documents to you for future proceedings.

Sincerely,

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

SEC/ld
Enclosures

Clayton County Sheriff's Office
Robert N. Mays M12
9157 Tara Blvd.
Donesboro, GA 30236

RECEIVED IN OFFICE
2014 MAY -9 PM 3:15
CLAYTON COUNTY ADMINISTRATOR
COURT OF APPEALS OF GA
09000083

Court of Appeals
42 Trinity S.W.
Suite 501
Atlanta, GA 30334

I am appealing case number 2013CR08651-E. It is a case that was tried in the State Court of Clayton County, State of Georgia. The judge presiding over the case was the Honorable Morris E. Braswell. I was found guilty and sentenced on 2 counts. Count 1, Driving Under the Influence. Count 2, Driving on Suspended License. I was initially assigned a public defender. After I was found guilty, I was told that I would have to reapply for another public defender to appeal my case. Initial steps were taken in January 2014, to appeal case 2013CR08651-E. I also applied for another public defender to appeal my case. My application for a new public defender was denied by the Honorable Morris E. Braswell. Judge Braswell instructed me to get a loan and hire a lawyer. I was then

returned to the Clayton County Detention Center, where I currently reside. I have not been allowed to leave the Clayton County Detention Center to get a loan or to get legal counsel. I am requesting a fair chance to have my case (2013CR08651-E) retried in a court outside of Clayton County, Georgia. I am requesting a jury of my peers. I am asking for a reasonable bond. I have no real estate in Clayton County, Georgia. I pray my request for appeal not fall on deaf ears.




April 28, 2014


4/28/14
Robert Nathan Mays
Pro Se Defendant

IN THE STATE COURT OF APPEALS
STATE RECEIVED OFFICE OF GEORGIA

2014 MAY -9 PM 3:15

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA.

CRIMINAL ACTION

2013CR08651-E

STATE OF GEORGIA

Vs.

ROBERT NATHAN MAYS

Pro Se Defendant

NOTICE OF APPEAL

Notice is hereby given that the defendant appeals to the Court of Appeals of Georgia from the judgement of conviction and sentence entered on 19 December 2013. The defendant was convicted of Driving Under the Influence and Driving While License Suspended. Defendant was sentenced to serve twelve months in jail followed by a consecutive twelve months; pay a fine of \$700.00 (Seven Hundred Dollars) and perform 240 hours of community service work; abstain from the use of alcohol and illegal drugs; random screens for alcohol and illegal drugs and a substance abuse evaluation.

Facts that justify an appeal and retrial are:

(1)

The defendant Robert Nathan Mays was poorly represented.

STATE OF GEORGIA

2013CR08651E

vs

ROBERT NATHAN MAYS

(2)

The officer did not observe the defendant drive.

(3)

The officer was NOT fully certified to administer all parts of the field sobriety test.

(4)

The officer did NOT have a breathalyzer.

(5)

The officer was NOT certified to administer a breathalyzer.

(6)

The Jury was encouraged to expedite their deliberation.

(7)

The Jury was NOT allowed to work/deliberate at their convenience.

(8)

The court allowed testimony from a previous case.

(9)

All facts from the previous case were NOT presented.

(10)

All facts from the previous case were NOT allowed.

(11)

All witnesses from present and previous case were not allowed to testify.

STATE OF GEORGIA

2013CR08651-E

Vs.

ROBERT NATHAN MAYS

The Court of Appeals, rather than the Supreme Court has jurisdiction of this case on appeal for reason that the issues presented are not among those for which jurisdiction is reserved exclusively for the Supreme Court.



April 29, 2014

Respectfully Submitted,
This day of April, 2014


Robert Nathan Mays
Pro Se Defendant
4/28/14



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

STEPHEN E. CASTLEN
CLERK/ COURT ADMINISTRATOR

(404) 656-3450
castlens@gaappeals.us

May 15, 2014

Mr. Menshack Nyepah
GDC1000878813
Hays State Prison
Post Office Box 668
Trion, Georgia 30753

RE: A14D0345. Menshack Nyepah v. The State

Dear Mr. Nyepah:

Your Response Brief did not include a Certificate of Service. A Certificate of Service must show service to the opposing counsel and contain the counsel's full name and complete mailing address. The opposing counsel must actually be 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. I am returning your Response Brief to you.

Sincerely,

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

SEC/ld
Enclosure

Court of Appeals of Georgia

MENSHACK NYEPAH

(Applicant)

VS

STATE OF GEORGIA

(Respondent)

RECEIVED IN OFFICE
2014 MAY 14 PM 5:07
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

App No. A14D034E

Brief To Response

Comes now, Menshack Nyepah (Pro Se), In summary brief as to the States "Motion To Dismiss" filed in this Court May 1st 2014. as follows:

1) It is important that the right to appeal not be lost by mistakes of mere form. In a number of decided cases it has been held that so long as the function of notice is met by the filing of a paper indicating an intention to appeal, The substance of the rule has been complied with. See, Cobb vs. Lewis (C.A 5th 1974) 488 F.2d 41
Holley vs Capps (C.A 5th 1972) 468 F2d 1366

Finally, The rules make it clear that dismissal of a appeal should not occur when it is otherwise clear from the notice that the party intended to appeal. If a Court determines it is objectively clear that a party intended to appeal, There are neither administrative concerns nor fairness concerns that should prevent the appeal from going forward. Ask told in Rule 3 (d) F.R.C.P (Notice mailed to district Judge in time to have been received by him in normal course held sufficient) Riffle v. United States 299 F.2d 802 (5th Cir 1962)

F.R.C.P Rule 3 (c)(2) Appeal by an Inmate Confined in an Institution

If an inmate confined in an institution files a notice of appeal in either a civil or a criminal case, the notice is timely if it is deposited in the institution's internal mail system on or before the last day for filing. If an institution has a system designed for legal mail, the inmate must use that system designed to receive the benefit of this rule. Timely filing may be shown by a declaration in compliance with 28 U.S.C § 1746 or by a notarized statement, either of which must set forth the date of deposit and state that first-class postage has been prepaid.

d) Mistaken Filing in the Court of Appeals. If a notice of appeal in either a civil or a criminal case is mistakenly filed in the court of appeals, the clerk of that court must note on the notice the date when it was received and send it to the district clerk. The notice is then considered filed in the district court on the date so noted.

(Notice mailed to district, Notice of appeal by a prisoner, in the form of a letter delivered, well within the time fixed for appeal, to prison authorities for mailing to the clerk of the district court held timely filed notwithstanding that it was received by the clerk after expiration of the time for appeal; The appellant "did all he could" to effect timely filing.) Richey vs. Wilkins, 335 F.2d 1 (2d Cir. 1964)

Therefore, Applicant prays this Court move forward with the foregoing Appeal in Application Number A14D0345.

Respectfully Submitted, Menshach Nyepah Date: 05-08-14
Menshach Nyepah Unit SP 777 Underwood Drive



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

STEPHEN E. CASTLEN
CLERK/ COURT ADMINISTRATOR

(404) 656-3450
castlens@gaappeals.us

May 19, 2014

Mr. Steve A. Morris
GDC1285557 11A2-120
Augusta State Medical Prison
3001 Gordon Highway
Grovetown, Georgia 30813

Dear Mr. Morris:

In response to your correspondence received in this office, we do not have a current case styled in your name pending in this Court. I am returning your documents to you.

Sincerely,

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

SEC/ld
Enclosures

Third Division

In the Court of Appeals

#47 2nd by Ave Suite # 501

Atlanta, Georgia 30334

RECEIVED IN OFFICE

2014 MAY 15 PM 3:44

Dr. Steve A. Morris

Plaintiff

v.

State defendant

RECEIVED IN OFFICE

2014 APR 21 PM 3:04

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

1134253

Case/Doc

7
7
7
7
7
7

MOTION FOR EXTENSION OF TIME

Now comes, styled case, asking the court for a 30 day EXTENSION to properly respond to the (THIRD) DIVISION JUDGMENT OF AFFIRMATION dated: MAR 24, 2014 due to the following reasons:

① Correspondence from Col. Jimmougue Res. Rod. Esquire, that plaintiff may not be without Esquire's correspondence from Col. Jimmougue Res. Rod. Esquire, as No written correspondence from Col. Jimmougue Res. Rod. Esquire, in ASMP (and John Gray) allowed only 2 hours.

② Working Library which under (Case v. Hankl, 627 F.2d at 720) is not enough time to do any meaningful research & prepare cases.

Dr. Steve A. Morris

Signature

April 02 2014

Date

①

Page #1

Dr Steve A. Morris
#1285557 ASMP

Wed May 7th

3001 Gordon Hwy Grovetown GA
30813-3809

2014

Mr Stephen E. Cusker
Clerk / Court Admin
Court of Appeals of Georgia

Re: Andrews
Dillard
McMillian

order March 24 2014

& Motions

Dear Sir:

Filed w/in 10 days April 02 2014

I have NO idea if you - A Clerk / Administrator
have the "right" to inform me of
a Remitter ^{or Authority of Authority?} disavowing the Court of any?
further jurisdiction?

BLACK'S LAW DICTIONARY
4th Ed © 1996
West Publ Co

definition of - REMITTER -
that states #2
..... A case be retried.....

I AM accustomed to getting a
Lawyers or Judges opinions or
And signature

Any of All Correspondence re:
Motions

Especially for Extension of time motions!
As the ASMPD / prison mail is notoriously SLOW!

As you can plainly see the Motion for
Extension of AND Reconsideration 04-02-2014
04-02-2014

were BOTH filed w/in the 10 day
limit set by the appeals court

April 2 2014 Submission WAS w/in
10 days of Judge McMillian's Order
of March 24, 2014
I remain Sincerely & Dr Steve A. Morris
Rout Records

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

May 19, 2014

To: Mr. Shelton R. Thomas, GDC1000444546, Macon State Prison, Post Office Box 426, Oglethorpe, Georgia 31068

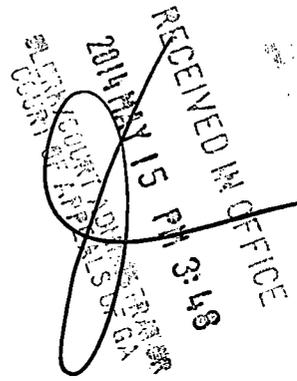
Docket Number: **Style:** **Shelton R. Thomas v. Brian Owens, et al.**

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: This Court cannot receive the Application for Discretionary Appeal without the stamped "filed" copy of the trial court's order to be appealed. Rule 31(e). I have attached a copy of the Court of Appeals Rules for your review.**

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

Shelton R. Thomas
GOC# 1000444546
Macon State Prison
P.O. Box 426
Oglethorpe, GA 31068



May 12, 2014

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

Re: Thomas v. Owens, et al., Civil Action No. 2011-CV-222

Dear Clerk:

On May 2, 2014, your office returned without filing my Application for Discretionary Appeal, along with a form letter that had check off "A stamped "file" copy of the trial court's order to be appealed was not attached to your Application. Rule 30(b) and 31(c)."

Indeed it wasn't. Instead of, I had submitted a "Motion For Leave To File Application For Discretionary Appeal Without A Copy Of The Trial Court's Order[s]." Yet your clerk, completely ignored the motion, which informed the Court of Appeals, that the prison does not provide this appellant with access to a copier. Therefore, he has no means to comply with Rule 30(b) and 31(c), because he has only one copy for his files.

I ask that your office file the Application for Discretionary Appeal and Motion submitted herewith and allowed the Court of Appeals rule on the motion regarding "copies of the trial court's orders"

Respectfully yours
Shelton R. Thomas

Court of Appeals of Georgia
State of Georgia

Shelton R. Thomas,
Plaintiff; Appellant
vs.
Brian Owens, et al.,
Defendants.

Motion for Leave To File Application
For Discretionary Appeal Without A
Copy Of The Trial Court's Order

The above named Plaintiff-Appellant hereby moves this Court for leave to file his application for discretionary appeal without attaching a copy of the trial court's Orders in the matter of Thomas v. Owens, Civil Action No. 2011-CV-222. This motion is based on the fact that Plaintiff is indigent and Georgia Department of Corrections does not provide inmates with photo copies, pursuant to SOP 11A14-001, Sec. c, Para. 4. - Therefore, Plaintiff does not have any other means to provide this Court with a copy of the final order nor the order denying his motion for reconsideration. Wherefore, Plaintiff prays that this Court grant leave based on the above

Books,
Respectfully submitted this 22nd day of April 2014

Shelton R. Thomas, CDF# 100044546
Mason State Prison
P.O. Box 429
Cynthiana, GA 31028
Plaintiff-Appellant prose

Copy of the foregoing mailed
this 22nd day of April 2014.
Susan L. Rutherford
Senior Assistant Attorney General
Dept. of Law
405 Capital Square S.W.
Atlanta, GA 30334

RECEIVED IN OFFICE
2014 APR 30 PM 2:19
CLERK OF SUPERIOR COURT
COURT OF APPEALS OF GA

RECEIVED IN OFFICE

2014 APR 18 PM 3:14

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

In The Court of Appeals of Georgia

State of Georgia

Shelton R. Thomas,

Appellant-Applicant,

Court of Appeals No. 2011-CV-222
Civil Action No. 2011-CV-222

vs.

Brian Owens, et al.,

Appellees.

Motion for Leave to File The Applicant's for
Discretionary Appeal Without The Required Copies

Applicant prose hereby moves this Court for leave to file the accompanying application

for discretionary appeal without the required copies.

This motion is supported by the following facts, Georgia Department of Corrections

("GDOC") Standard Operation Procedure ("SOP") 11A14-0001, Section 6, Paragraph 4, provide
in pertinent part that: "No reference library will furnish printed copies, photo copies, or
for inmates."

GDOC policy requires indigent inmates to use carbon paper for all legal copies require-

ments, which only produce one clear copy-

Wherefore, for the above stated reasons this Court should grant leave for cause.

Respectfully Submitted this 7th day of April 2014

~~Alfred R. Thomas~~

Shelton R. Thomas, GC# 100044546

Macon State Prison

P.O. Box 426

Oglethorpe, GA 31608

Applicant, pro se

410 Capital Square Bldg.

Atlanta, GA 30334

this 7th day of Apr. 2014, is:

Copy of the foregoing mailed

Eusan L. Rutherford

Senior Assistant Attorney General

Dept of Law

RECEIVED IN OFFICE
2014 APR 30 PM 2:19
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

In The Court of Appeals of Georgia
State of Georgia

Shelton B. Thomas,
Appellant, Applicant,
vs.
Brian Owens, et al.,
Appellees.

Application for Discretionary Appeal

RECEIVED IN OFFICE
2014 APR 10 PM 3:14
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

To: The Georgia Court of Appeals:

Shelton B. Thomas, applicant, applies to this Court as follows:

(1) To issue an order granting the applicant an discretionary appeal from the final order and order denying applicant motion for reconsideration of the Superior Court of Mason County, Honorable W. James Sizemore, Jr., presiding, in the case entitled Shelton B. Thomas, Plaintiff v. Brian Owens, et al., Defendants, Civil Action No. 2011-CV-222, these orders having held: that the civil right complaint and motion for reconsideration are denied.

(2) Applicant shows that the jurisdiction is properly in this Court because O.C.G.A. Sections 42-12-1 et seq, requires individuals to apply for discretionary appeal to the Court of Appeals from an adverse final order and/or order denying a motion for reconsideration in a civil right complaint proceeding.

(3) This application for discretionary appeal is filed within 30 days of the entry of the denial of the motion for reconsideration order complained of, the date of which was March 13, 2014.

(4) Applicant submit that an discretionary appeal should be granted because:
a) Reversible error appears to exist;

Respectfully Submitted this 7th day of April 2014

granted in this case.

for the foregoing reasons, the application for discretionary appeal should be

and provide them access to them.

and make it clear that prison officials can not destroy prisoner's excess legal materials

him/her access to excess legal materials. The court should correct that misinterpretation

litigations upon being transferred to state prisons throughout Georgia, by refusing

between whether the state can or cannot interfere and obstruct prisoner's ongoing

The lower court seriously misinterpreted Lewis and Bonds by failing to distinguish

ability to have meaningful access to the courts.

In addition, the question is of great importance to prisoners, because it affects their

institution, guidance on the question is also of great importance to the judiciary.

who may accumulate excess legal materials and then are transferred to another

city and county jails. In view of the large amount of prosecutive litigators

operations of prison systems throughout the state of Georgia, and hundreds of

The question presented is of great public importance because it affects the

486 (1969) (prisoner's right of access to courts may not be denied or obstructed).

v. Smith, 130 U.S. 817, 824, 828 (1972); See also Johnson v. Avery, 393 U.S. 483,

States Supreme Court's decisions in Lewis v. Casey, 518 U.S. 343 (1996); Bonds

This case presents a fundamental question of the interpretation of the United

d) Importance of the question presented

to courts cases, is desirable, or

c) Further development of common law, particularly in prisoner's rights to access

b) The establishment of a precedent is desirable;

Shelby R. Thomas

Shelton R. Thomas, GDC# 1000744546

Macon State Prison

P.O. Box 426

Oglethorpe, GA 31068

Applicant - Plaintiff, prose

Copy of the foregoing mailed
this 7th day of Apr. 2014, to:

Susan L. Rutherford

Senior Assistant Attorney General

Department of Law

40 Capitol Square S.W.

Atlanta, GA 30334



2014

Georgia Court of Appeals

R U L E S

Last Update: May 15, 2014



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

STEPHEN E. CASTLEN
CLERK/ COURT ADMINISTRATOR

(404) 656-3450
castens@gaappeals.us

May 19, 2014

Mr. Shelton R. Thomas
GDC1000444546
Macon State Prison
Post Office Box 426
Oglethorpe, Georgia 31068

Dear Mr. Thomas:

In response to your letter dated May 12, 2014 received in this office, we do not have a case styled in your name pending in this Court.

The Notices of Appeal you listed in your letter (07SC61165; 08SC65866; 08SC73242 and 09SC80895. Thomas v. The State) must be filed with the clerk of the trial court and not with the Court of Appeals of Georgia. If the Notices of Appeal were sent from you directly to this Court, they would be returned to you. The trial court clerk receives and files a Notice of Appeal, the trial court clerk prepares a copy of the record and transcripts as designated by the Notice of Appeal and transmits them to this Court. After receipt of the Notice of Appeal from the trial court and docketed in the Court of Appeals of Georgia, a Docketing Notice with the Briefing Schedule and other important information is mailed to the involved parties.

Sincerely,

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

SEC/ld

Shelton R. Thomas
COC# 1000444546
Macon State Prison
P.O. Box 426
Oglethorpe, GA 31068

May 12, 2014

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

Re: State v. Thomas, Indictment Nos. 07661165; 085665866;
085673242; 095680895

Dear Clerk:
I am the defendant/appellant in the above entitled indictments. I am writing to inquire about the three (3) Notice of Appeals that were filed on April 23, 2010; December 29, 2010 and February 20, 2012. I am requesting their present status in the Court of Appeals. Thank you.

Respectfully yours,
Shelton R. Thomas
pro se Appellant.

RECEIVED IN OFFICE
2014 MAY 15 PM 3:47
CLERK/COURT ADMIN/IN/IN
COURT OF APPEALS OF GA

2

3

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

Date: May 22, 2014

To: Mr. Javin Taylor, GDC1187637, Dooly State Prison, 1412 Plunkett Road, Unadilla, Georgia 31091
Docket Number: A4A1618 **Style:** Javin Taylor 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 **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. **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 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

IN THE COURT OF APPEALS
STATE OF GEORGIA

1 OF 2 pages

Javin Arthur Taylor)
Appellant,)

- v -

) Case NO. A14R1618

STATE OF GEORGIA)

RECEIVED IN OFFICE

2014 MAY 21 PM 3:31

CLERK OF COURT ADMINISTRATION
COURT OF APPEALS OF GA

BRIEF OF APPELLANT

Part I

STATEMENT OF THE CASE

A DeKalb County Grand Jury indicted Javin Taylor on four counts of Burglary, three counts of this Thief by Taking and Entering Auto. On September 24th 2012 in the Superior Court of DeKalb County, Taylor went to court in front of The Honorable Courtney Johnson. Taylor received the time of 20 years to serve 7 years in Custody and 13 years on Probation, also pay restitution of Five thousand Eight Hundred and Sixty dollars once released from prison. Taylor filed a time Notice of Appeal on October 23rd of 2012 the case was docketed in the Court on December 18th, 2012

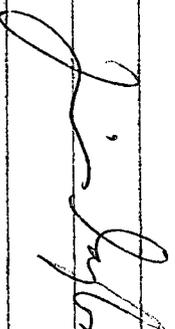
Part II

Enumeration of Error

1. Trial Counsel was not effective in presenting client defense nor did she object to the Speculated evidence the District Attorney claim they had in the Motion to Severe the Charges.

ARGUMENT AND CITATION OF AUTHORITY

Taylor contends she felt forced to take the plea because of the ineffective counsel of court appointed lawyer Gayle Bacon Mussey to whom had no defense for him trial day, nor do Taylor feel her best interest was his freedom facts to pris, when she returned from attorney leave her attitude was either plea or lose trial. A severance of the charges was asked in the court on defendants behalf, only after the Appellant attempted to tell the judge that his counsel was not representing him properly. The Appellant was reindicted on count 1 burglary from indictment D0220399-01 to create indictment D022040-01 a multiple indictment case, the proposal was denied only after the counsel demonstrated her ineffectiveness when in the proposal her only proffer was that the defendant was indeed caught with items from the other offenses, Taylor contends that was not true and that there is nothing in the discovery to back that up, in fact Resitution was given because none of the items was returned, leaving no grounds for a bench trial because the counsel implemented her client as being guilty. Taylor contends she felt she had no discretion and that something Mandamus needs to take place.

May 18th 2014

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

Date: May 27, 2014

To: Mr. Clifford Thompson, GDC1000024539, Valdosta State Prison, Post Office Box 5367, Valdosta, Georgia 31603

Docket Number: A14A1147 **Style:** Clifford J. Thompson 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 **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 (compound 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 THE STATE OF GEORGIA

CLIFFORD J. THOMPSON

VS THE STATE OF GEORGIA

Case # A141147

Motion to Strike

Appellee's Brief and Motion to Extend Time for Filing (Appellant)

NOTICE TO AGENT IS NOTICE TO PRINCEPAL

Check no recordation, (affidavits) is necessary to make

the June force case, 9 US KIS 658 F 8d 526, 536 (7th Cir 1981); Cf. Donald, 50 US LAD 169 Sct, 22 March 1982; [See ACSD] OCGA § 9-10-113.

RECEIVED IN OFFICE
MAY 23 04 37 11
CLERK OF SUPERIOR COURT
COUNTY OF DEKALB

RECEIVED IN OFFICE
2014 MAY 6 PM 1:37
CLERK OF SUPERIOR COURT
COUNTY OF DEKALB

Next Jones the Appellant, Clifford Thompson, moves to strike the Appellee's brief and Appellee's brief for filing of Appellee's brief and Appellee's brief. After the Appellee did so late 17th of April 2014. After the Appellee did so late an untimely motion to extend time for filing of Appellee's brief on the 15th of April 2014.

Appellant does so pursuant to OCGA § 9-11-12(a), to strike any pleading any inconsistent defense or any motion, including a motion for judgment or sanctions (motion) when the brief is not timely filed 30 day after Appellant's brief has been filed on the 16th of September 2013 and this Court of Appeals had notified Appellee's brief to state be filed with in 40 days from the docketing date of 25 February 2014.

Clearly the Appellee has provided the brief

DISMISSED

Case # A141147
5/11/14

with no reasonable explanation as to why the Appellee's Brief could not have been timely filed as promoting proper procedures [see] Rule 26 (b) [also] Rule 13. By law, the Appellant/Appellants does so, I have cause to move this Court to strike the Appellee's wrongful attempt to circumvent sound judicial procedure that this Court must hold to. This Court need only to review the Record to verify that the Appellee's request to extend time to file Brief is untimely and should not have been granted. The Appellee's Counsel is an attorney at law and is fully aware of the filing rules (stated above) and should not be given the leeway as courts do provide pro se litigators.

Shocking as it is, but an attorney can not claim ignorance of the law — procedures of filing timely motions. Well established are this Court of Appeals Rules 15 & 26, both the 14 days after docketing date and the 20 days after filing of the appellant's Brief has long elapsed. Expired when the Appellee's attorney filed on the 15th of April 2014 a request — Motion to Extend Time for Filing of Appellee's Brief. It was 10 days late!!

Therefore the Appellant/Appellants does so assert Court should strike all and any of the Appellee's motions, briefs, documents filed after the 5th of April 2014 as being untimely filed.

The Appellee can not even (come) the rules of the filing motions & briefs (Rule 13 & 26). Furthermore, Record will show that Appellant did so provide copy (notice) to the District Attorney's office of Chatham Co. that is part of the same circuit.

Therefore, Court should not order granting extension of time and grant Appellant motion to strike.

This 25 day of April 2014.

Respectfully up Prejudice,
Clifford Hays
pro se

SWORN AND SUBSCRIBED BEFORE ME

THIS 25 day of April 2014.

Wilbur Oliver Whitson
Notary Public
[Signature]

CERTIFICATION OF SERVICE
#A14A147

I do certify that a copy of the motion to strike ... has been placed into the USPS-mailing system and sent to the below address by way of the US postal service this 24 day of April 2014.

~~Clifford Dreyfus~~

Dorner R. Sims (#618280)
Asst. Dist. Atty.
Eastern District of Va.
133 Montgomery St.
Suite 600
Jussanah, Ga
31402

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

Respectfully w/o prejudice
Clifford J. Thompson
please

This 14 day of May 2014

Suorn and subscribed before me

NOW comes appellant, Clifford J. Thompson in the above styled motion as an amendment for Motion to STRIKE APPELLER'S BRIEF AND MOTION TO EXTEND TIME FOR APPELLER'S BRIEF AND MOTION TO EXTEND TIME FOR FILING AFFIDAVIT. As an amendment for submission changes but also to point out that the Appellee in contradiction to Appellee's brief (dated 5 May, 2014) to wit states: "The filing of a motion to withdraw a guilty plea outside the term of court in which it was entered is untimely. It is well settled that when the term of court has expired in which a defendant was sentenced pursuant to a guilty plea the trial court lacks jurisdiction to allow the withdrawal of the plea." Davis v. State, 974 Ga. 865 (2002), Henry v. State, 969 Ga. 851, 853 (2002). Therefore this court should grant the amendment to file Motion to strike Appellee's brief and Motion to extend time for filing.

Indeed, no more than (affidavit) is necessary to make the prima facie case, "US vs KIS 658 F.2d 526 536 (7th Cir 1981); cert denied, 50 US 2w 2169 Sct, 22 March 1982; [SEE ALSO] OCA 59-10-113.

NOTICE TO AGENT IS NOTICE TO PRINCIPAL

(AFFIDAVIT)

TIME FOR FILING

BRIEF AND MOTION TO EXTEND

MOTION TO STRIKE APPELLER'S

AMENDMENT TO

CLIFFORD J. THOMPSON
V.S
THE STATE OF GEORGIA

CASE # A14147
CHATHAM CO.
[CA09-1641-33]

IN THE COURT OF APPEALS OF THE
STATE OF GEORGIA

Ne
S/M/14

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2014 MAY 28 PM 3:11
UNIVERSITY COURT ADMINISTRATION
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

May 27, 2014

Mr. Frankie Lee Phillips
473 Harman Road
Carrollton, Georgia 30117

Dear Mr. Phillips:

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

The Motion of Contempt should be filed with the trial court.

I am returning your documents to you.

Sincerely,


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

SEC/ld
Enclosures

(1) of 4

D.C. 6.A. 5-6-43(a) (Within five days after the date of filing of the transcript of evidence and proceedings by the appellant or appellee, as the case may be; it shall be the duty of the clerk of the trial court to prepare a complete copy of the entire record of the case, omitting only those things designated for omission by the appellant and which were not designated for inclusion by the appellee, together with a copy of the notice of appeal and copy

MOTION OF CONTEMPT

IN THE SUPERIOR COURT OF CARROLL COUNTY
STATE OF GEORGIA

THE STATE OF GEORGIA
Respondent

V
Frankie Phillips
Petitioner, Pro Se

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2014 MAY 23 PM 3:10

COURT ADDRESS: 100
COUNTY COURTHOUSE
MARIETTA, GA 30067

Case Number: 11-CR-065

(2) of 4

On the date of February 26, 2014 Judge John Simpson filed an order in the Carroll County Superior Court denying the Motion to Withdraw Guilty Plea

On the date of March 12, 2014 Mr. Phillips placed in the Coffee Correctional Facility legal mail system to the Carroll County Superior Court Notice of Appeal.

On the date of February 7, 2014 Mr. Frankie Phillips filed in the Carroll County Superior Court in case No. 11-CR-0657 a Motion to Withdraw Guilty Plea.

STATEMENT OF FACTS

of any notice of cross appeal, with date of filing thereon, and transmit the same, together with the transcript of evidence and proceedings, to the appellate court together with his certificate as to the correctness of the record. Where no transcript of evidence and proceedings is to be sent up the clerk shall prepare and transmit the record within 30 days after the date of filing of the notice of appeal.

Address: Frankie Phillips
473 Harman Rd.
Carrollton, GA 30117

~~Frankie Phillips~~
Respectfully Submitted,
Frankie Phillips PRO SE

Appeal of Georgia.

Wherefore, Mr. Phillips pray that this Court of Carroll County to hold the Clerk of Carroll County Superior Court in Contempt for disobeying O.C.G.A. 5-6-43(a) and order the clerk to comply and forward Frankie Phillips record to the Court of

O.C.G.A. 15-1-4 (a)(3) The powers of the several Courts to issue attachments and inflict summary punishment for contempt of Court shall extend only to cases of: Disobedience or resistance by any officer of the Courts.

Carroll County Clerk of Court has breach there duty pursuant to O.C.G.A. 5-6-43 (a): They did not transmit record of Frankie Phillips within the time prescribe by statute.

ARBITMENT

(4) of 4

Address:
Frankie Phillips
473 Harmon Rd.
Carrollton, GA 30117

~~Frankie Phillips~~
Petitioner, Pro Se

~~Frankie Phillips~~

This 5 day of 22 2014

Carrollton, GA 30112

P.O. Box 1626

Alan LEE

Court of Carroll County

Clerk of Superior

Atlanta, Georgia 30334
47 Trinity Avenue SW

Suite 501

Court of Appeals of Georgia

I hereby certify that I have this day served the Respondents with a copy of the Motion of Contempt by hand deliver and by placing the same in the United States Mail in a proper envelope with adequate postage attached properly addressed to:

CERTIFICATE OF SERVICE

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

May 27, 2014

Mr. Larry Palmer
GDC563740
Wheeler Correctional Facility
Post Office Box 466
Alamo, Georgia 30411

Dear Mr. Palmer:

I am in receipt of a copy of your Notice of Appeal filed in Columbia County Superior Court.

A Notice of Appeal is filed with the clerk of the trial court and not with the Court of Appeals of Georgia. Once the trial court clerk has received and filed the 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.

Your Notice of Appeal did not include a proper Certificate of Service. A Certificate of Service must show service to the opposing counsel and contain the counsel's full name and complete mailing address. The opposing counsel must actually be served with a copy of your filing. 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

2014 MAY 23 PM 3: 13

CLERK/COURT ADMINISTRATION
COURT OF APPEALS OF GA

Sherry Travis
05/19/14



This the 19th day of May, 2014.

Pro Se Defendant: S/X [Signature]

Notice is given that Larry Palmer, Defendant in the above matter hereby appeals to the Court of Appeals of Georgia from the judgment of the trial court entered on the 9th day of May, 2014. The clerk shall omit nothing from the record on appeal and the Defendant asks that a transcript of evidence and proceedings will be filed for inclusion in the record on appeal. The Court of Appeals, rather than the Supreme Court, has jurisdiction of this appeal pursuant to O.C.G.A. 5-6-35 and the Constitution of the State of Georgia. The above case number and this appeals subject matter involve a revocation of probation. Wherefore, the Defendant prays for relief and timely notification so he can prepare his brief to all parties once this appeal is docketed. Respectfully Submitted,

Notice of Appeal

In The Superior Court of Columbia County
State of Georgia
Warrant No: 2010001490
Case number:
Charge code: Jud 5099-3-05099
The State
vs.
Larry Palmer

Court of Appeals of Georgia

Larry Palmer, Appellant

Case Number: _____

Pauper's Affidavit

Comes now Larry Palmer first being duly sworn, deposes and states I am financially unable to pay the \$80.00 filing fee required for filing costs in the Court of Appeals of Georgia. I request to be permitted to file for appeal and subsequent brief without having to pay filing fees.

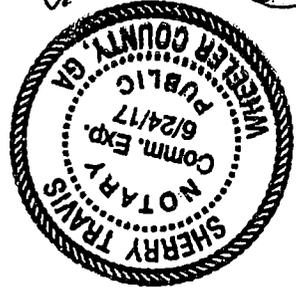
This the 19th day of May, 2014.

Pro Se Defendant: Six _____

Sworn to and subscribed before me:

This the _____ day of _____, 2014

Notary Public



Sherry Travis
05/19/14

Certificate of Service

This is to certify that I have this day served the foregoing documents upon the parties listed below. This has been done by way of the United States Mail with the proper postage affixed thereto. Properly addressed upon:

- 1) The Georgia Court of Appeals
Suite 501, 47 Trinity Avenue
Atlanta, Ga. 30334
- 2) The Columbia County Superior Court Clerk
640 Ronald Reagan Drive
Evans, Ga. 30809
- 3) The Columbia County District Attorney
640 Ronald Reagan Drive
Evans, Ga. 30809

This the 19th day of May, 2014.

Pro Se Defendant:

S/x



Larry Palmer

G.D.C. # 563740

Wheeler Correctional Facility

P.O. Box 466

Alamo, Ga. 30411



Sherry Travis
05/19/14

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

May 27, 2014

Mr. Marvin Lee Ogletree
GDC856570
Calhoun State Prison
Post Office Box 249
Morgan, Georgia 39866

RE: A12A1639. Marvin Lee Ogletree v. The State

Dear Mr. Ogletree:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. On February 19, 2009, in response to our inquiry regarding the hold status of this record, you indicated to continue to hold the record.

Since our record storage space is limited, we can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. If you would like to pick up the records, you will have to come to the Court or make arrangements to have someone come for you and retrieve the documents. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by June 20, 2014, we shall recycle the paper.

If you have any questions, please feel free to contact me.

Sincerely,


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

SEC/ld

6.26.14

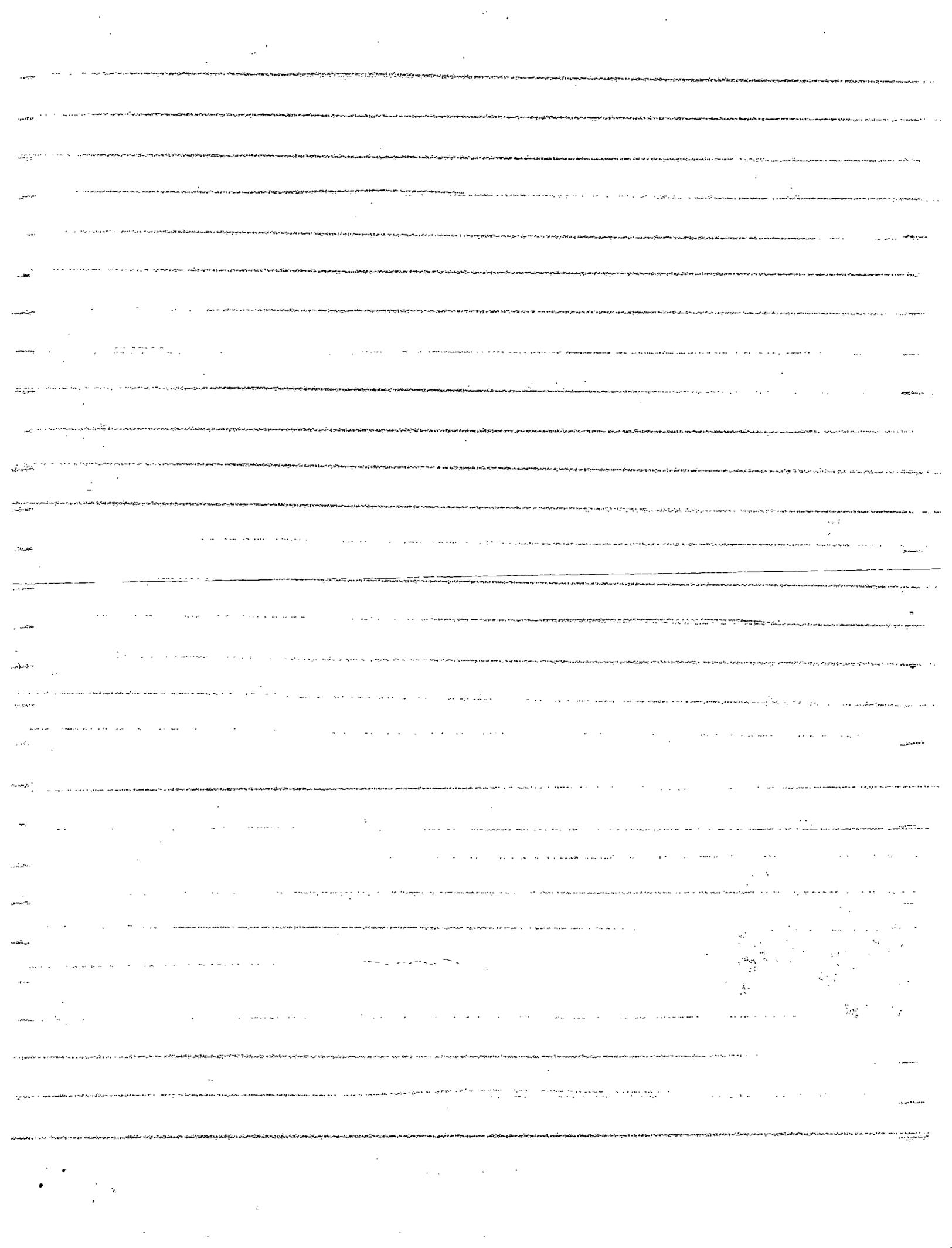
RECEIVED IN OFFICE

2014 JUN 26 PM 3:31

CLERK/DEPUTY CLERK
COURT OF APPEALS OF GA

hi:stephen

I am ~~writing~~ writing you because I do not have any
body to come by to get them for me, I am hoping you
can send them to me, because I need ~~them~~ my
-records please



IN THE SUPERIOR COURT OF Monroe County
STATE OF GEORGIA

MARVIN LEE OBLETTREE,
856570 Plaintiff

Inmate Number
Phillip Hall vs.

Defendant(s)

Civil Action No. _____

Nature of Action _____

RECEIVED IN OFFICE
2011 JUN 26 PM 3:31
CLERK/COUNTY APPELLATE CLERK
COURT OF APPEALS OF GA

REQUEST TO PROCEED IN FORMA PAUPERIS

I, MARVIN LEE OBLETTREE, 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 thereof. 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: _____

2. Are you presently employed? Yes No

If the answer is "Yes", state the amount of your salary or wages per month, and give the name and address of your employer: _____

If the answer is "No", state the date of last employment and the amount of the salary and wages per month which you received: NONE, BECAUSE I AM DISABLED, I GET A DISABLE CHECK ON THE STREET.

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

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

Pensions, annuities or life insurance payments? Yes No

Rent payments, interest or dividends? Yes No

Gifts or inheritances? Yes No

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 source during the past twelve months: _____

4. Do you own any cash, or do you have money in a checking or savings account? (Include any funds in prison accounts) Yes No

If the answer is "Yes", state the total value of the items owned: _____

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 financial support, state your relationship to those persons, and indicate how you contribute toward their support: _____

I understand that a false statement or answer to any question in this affidavit will subject me to penalties for perjury and that state law provides as follows:

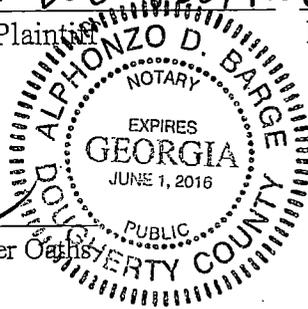
- a. A person to whom a lawful oath or affirmation has been administered commits the offense of perjury when, in a judicial proceeding, he knowingly and willfully makes a false statement material to the issue on point in question.
- b. A person convicted of the offense of perjury shall be punished by a fine of not more than \$1,000 or by imprisonment for not less than one nor more than ten years, or both. O.C.G.A. §16-10-70.

I, Marvin Leofletree, do swear and affirm under penalty of law that the statements contained in this affidavit are true. I further attest that this application for in forma pauperis status is not presented to harass or to cause unnecessary delay or needless increase in the costs of litigation.

Marvin Leofletree Signature of Plaintiff 6-11-2014 Date

Sworn to and subscribed before me this 12 day of June, 2014.

Alfonzo D. Barge
Notary Public or Other Person Authorized to Administer Oaths



Please note that under O.C.G.A. §42-12-5 service of an affidavit in forma pauperis, including all attachments, shall be made upon the court and all named defendants. Failure by the prisoner to comply with this code section shall result in dismissal without prejudice of the prisoner's action.

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, Oglethorpe, MARVIN - 856570, has an average monthly balance for the last twelve (12) months of \$ Ø on account at the CALHOUN STATE PRISON

_____ institution where confined. (If not confined for a full twelve (12) months, specify the number of months confined. Then compute average monthly balance on that number of months.)

I further certify that Plaintiff likewise has the following securities according to the records of said Ø institution: _____

D. Cooper
Authorized Officer of Institution

6/17/14
Date

RECEIVED
JUN 17 2014
BUSINESS OFFICE

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

Account Statement

OGLETREE, MARVIN

D-2

Printed By:

COOPER, DANIEL

GDC ID: 856570

Spendable Amount	Reserved Amount	Receipts On Hold	Funds Balance	Obligations/Court Charges
\$0.00	\$10.00	\$0.00	\$10.00	\$132.49

RECEIPTS

Receipt Date	Transaction ID	Receipt Type	Receipt Details	Receipt Amount
03/06/2013	11352499	BANK OF AMERICA RECEIPT	BOA-36823058 - 2658896	\$99.25
02/28/2013	11324337	JPAY DEPOSIT RECEIPT	JPAY - JOHNSON, GEARLEAN - 24089837	\$35.00
01/15/2013	11157779	BANK OF AMERICA RECEIPT	BOA-36805767 - 2577980	\$119.25
09/13/2012	10710013	BANK OF AMERICA RECEIPT	BOA-46008128 - 2383820	\$96.25
06/11/2012	10364137	BANK OF AMERICA RECEIPT	BOA-82421801 - 2229266	\$122.16
01/27/2012	9820153	BANK OF AMERICA RECEIPT	BOA-70895844 - 1997768	\$89.25
11/30/2011	9610167	BANK OF AMERICA RECEIPT	BOA-10077957 - 1901291	\$83.05
09/04/2011	9285899	TOUCHPAY DEPOSIT RECEIPT	TOUCHPAY - KING, JAMES - 4692257	\$60.00
07/19/2011	9117467	BANK OF AMERICA RECEIPT	BOA-10990146 - 1676057	\$49.25
04/07/2011	8748176	BANK OF AMERICA RECEIPT	BOA-94544734 - 1441082	\$99.25
07/21/2010	7803873	BANK OF AMERICA RECEIPT	BOA-35880980 - 1096217	\$14.25
04/16/2010	7460393	BANK OF AMERICA RECEIPT	BOA-58279625 - 937413	\$99.25
03/29/2010	7383620	JPAY DEPOSIT RECEIPT	JPAY - SIMPSON, JANICE - 8319041	\$40.00
02/19/2010	7239296	BANK OF AMERICA RECEIPT	BOA-17616091 - 829500	\$99.25
07/27/2009	6485728	BANK OF AMERICA RECEIPT	BOA-76830544 - 449769	\$39.25
01/09/2009	5790651	CONSOLIDATE BANKING CONVERSION	VALDOSTA SP - 8818	\$10.00

WITHDRAWALS

Date	Location Paid	Withdrawal Type	Payable To	Detail	Amount	Check No
04/11/2013	CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee 04/2013	\$0.62	105570
04/08/2013	CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	CALHOUN STATE PRISON	RECORD ID = 14998575. 04/08/2013 3N	\$1.38	105318
04/04/2013	CENTRAL ACCT-OFFENDER TRUST	MISCELLANEOUS - Reversal	MUSIC BY MAIL-856870	NEED CASSETTE CATALOG TO ORDER CASSETTES FROM	(\$2.00)	
03/28/2013	CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	CALHOUN STATE PRISON	RECORD ID = 14979606. 03/28/2013 3N	\$0.05	104218
03/26/2013	CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	CALHOUN STATE PRISON	STORE PURCHASE	\$1.17	BOA ACH-2010000049
03/21/2013	CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	CALHOUN STATE PRISON	STORE PURCHASE	\$1.86	BOA ACH-2010000049
03/19/2013	CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	CALHOUN STATE PRISON	STORE PURCHASE	\$14.50	BOA ACH-2010000049
03/19/2013	CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	RECORD ID = 14961467. STAMP FOR WITHDRAWAL	\$0.50	104230

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

May 27, 2014

Mr. Jeremy P. Lewis
GDC357237 14B-2-14
Augusta State Medical Prison
3001 Gordon Highway
Grovetown, Georgia 30813

RE: A13A1847. Jeremy P. Lewis v. The State

Dear Mr. Lewis:

I am in receipt of your letter dated May 15, 2014, addressed to Judges Anne Elizabeth Barnes and William M. Ray of this Court. Pursuant to the Code of Judicial Conduct and the rules and policies of this Court, the judges of this Court are not permitted to communicate with parties who have a case before the Court or which may come before the Court. Your letter was forwarded to me for a response.

The above referenced appeal was disposed by opinion on March 26, 2014. The Court of Appeals affirmed the judgment of the trial court. The remittitur issued on April 11, 2014, divesting this Court of any further jurisdiction of your case. The case is therefore, final.

Sincerely,



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

SEC/ld

(17)

5/15/14

RECEIVED IN OFFICE

2014 MAY 23 AM 9:04

CLERK/COUNTY ADMINISTRATOR
COURT OF APPEALS

Dear Judge Barnes and Judge Ray,
I am and have been a "Medical Transient". And have been here at Augusta Medical Prison now for about 2 1/2 months. I don't and haven't had any of my property or any of my legal material and records. I've had and still have cancer very bad. This issue alone has caused me to be totally out of it physically and mentally. This is the reason why I haven't written you all sooner in return. I am pleading and begging for an open-ended-unlimited time extension to reply formally and rebutt your denial of my "Out of-time Appeal". In the 20+ years I've done on this case of Poss. of \$300⁰⁰ worth of drugs, I've yet to ever run across anyone who berked and railroaded as I've been on this case. I basically got a "Life Without Parole on this sentence, at my age. I got more time than if I got a 1st Degree Murder Life Sentence. And more time than Noriega got for smuggling tons of cocaine and laundering millions in this country. Nowhere in the record did anyone explain or say what the "True Nature of the Consequences of pleading guilty to a Section C - Recidivist charge. Not Judge Gault, not the ADA or my attorney. My paid attorney was suppressed by my 2nd appointed attorney. And on the stand, my 1st attorney admitted

(2)

that he did not know what the true meaning of Recidivist meant (especially Sec. C). And that he did not advise me of it - The true meaning of it, or the consequences of pleading guilty to a Sec. C Recidivist charge - which is No Parole. This is a clear ~~case~~ case of "ineffective Counsel". Therefore making this sentence an Unconstitutional Void sentence and conviction. Not you, not me or anyone else would ever plead guilty to the maximum sentence without parole, especially for a petty drug Poss. case. Surely not knowingly, voluntarily and intelligently. At that point, I had nothing to lose but to take this case to trial, only to gain. I was coerced into pleading guilty, against my better judgement and desires at the time. My lawyer told me he knew the judge and DA personally and if I'd plead guilty right then, then I would receive probation. That's why I answered "Yes" and "No" to all of the questions on the 38 question form - just like I thought the judge wanted to hear. Even on my sentencing papers, originally - nowhere was Recidivist - section C was on them. At a later date, in the top right corner (where the charges are written) a C was handwritten in. But nowhere at the bottom of the sentencing paper was ever written Recidivist - Section C. Only Recidivist, never section C, - No Parole. So I contend Judge Gault sentenced me to Recidivist

Section A - which is with parole. You all have

been avoiding addressing any of my arguments

or grounds. During the course my case has been

"Out of time & jurisdiction" (Time-limit) only

because the trial court took so long to appoint

me another attorney to do my "Direct Appeal"

from the judges willing denying my motion to with-

draw my guilty plea. At only fault of theirs

own and more of mine. I pay waited 1 1/2 years

to appoint me one. And I had already filed my

own "Notice of Appeal" - based on this ruling.

You keep saying I did not bring up the issue of

"I neglected Counsel" at the "Earliest possible

Opportunity". But this is also untrue at all

because I wrote on my "Notice of Appeal" and based

it on "Inadequate Counsel" - which is ~~the~~ and

was meant to mean the same thing - "Ineffective

Counsel". And this "Notice of Appeal" was written less

than 30 days from conviction. And then my appointed

attorney Never did a direct appeal for and based on

this prior ruling, which I had already laid the

ground work for and obviously this is what I

requested and needed. But instead he files an

"Amendment to my motion to withdraw my guilty

plea. Which was already denied. And therefore

would be ultimately denied. So that was also -

"Ineffective Counsel". And also about the "38 question

Form" - I have a had a Constitutional right to

(9)

be told on record that I have a right to "Not to Self Incriminate myself for any reason". Which is not the same thing as having a choice to not plead guilty and take my case to trial. Which pleading guilty is self-incriminating to the fullest. But I was never told or informed on or off record. I believe this is Boyken Vs. St. Once I can get my legal material, I can and will then file a proper legal response and rebuttal. Also originally you all ruled all of my "Attempt" charges against me did not go far enough to constitute a crime. Will you please, finally remove these charges and sentences from me and my record. Please give me some true justice after all of these years. 20 (over) very long years. All of my crimes have all been "Attimless" crimes. Please help me with all of these "miscarriages of justices". Thank you for all of your time, help and understanding.

Respectfully,

Case # 5

A13A1847 & based from:
94CR0146 & 94CR0206

Jeremy P. Lewis
0357237

14B2-14

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

May 28, 2014

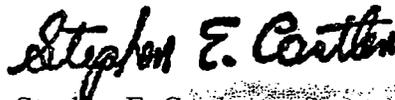
Mr. Ricky LaBrew
GDC1274532
Coffee Correctional Facility
Post Office Box 650
Nicholls, Georgia 31554

RE: A13A2105. Ricky LaBrew v. The State

Dear Mr. LaBrew:

We are returning your documents to you. As you know, there is no current appeal pending. Therefore, there is no case to file your motion.

Sincerely,



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

SEC/ld
Enclosures

RECEIVED IN OFFICE

2014 MAY 27 PM 3:23

CLERK OF COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Sincerely,
Ricky Labrew,
Pro Se

I have enclosed a copy of the Motion
of Contempt of Court for your review.

Dear Clerk of Court,

Re: Case # 2007RCCR1532

Date: May 19, 2014

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

Ricky Labrew
State ID # 1274532
Coffee Correctional
Facility
P.O. Box 650
Nicholls, Ga 31554

IN THE SUPERIOR COURT OF RICHMOND
COUNTY STATE OF GEORGIA

Ricky Labrew,
Petitioner, Pro Se

V.

STATE OF GEORGIA

Case No: 07RCCR1522

RECEIVED IN OFFICE
2014 MAY 27 PM 3:24
CLERK OF SUPERIOR COURT
COURT OF APPEALS OF GA

MOTION OF CONTEMPT

O.C.G.A. 5-6-43(a) (Within five days after the date of filing of the transcript of evidence and proceeding by the appellant or appellee, as the case may be it shall be the duty of the clerk of the trial Court to prepare a complete copy of the entire record of the case, omitting only those things designated for omission by the appellant and which were not designated for inclusion by the appellee, together with a copy of the notice of appeal and copy of any notice of cross appeal, with date of filing thereon, and transmit the same, together with the

On the date of March 13, 2014, Mr. Ricky Labrew filed in the Richmond County Superior Court Notice of Appeal.

On the date of February 18, 2014, Judge J. Charles Overstreet filed an order in the Richmond County Superior Court denying the Motion to Vacate Void Judgment.

On the date of February 7, 2014, Mr. Ricky Labrew filed in the Richmond County Superior Court in case No. 07RCCR1522 a Motion to Vacate Void Judgment.

STATEMENT OF FACTS

transcript of evidence and proceedings to the appellate court, together with his certificate as to the correctness of the records. Where no transcript of evidence and proceedings is to be sent up, the clerk shall prepare and transmit the record within 30 days after the date of filing of the notice of appeal.

ARGUMENT

Richmond County Clerk of Court has breach there duty pursuant to O.C.G.A. 5-6-43(a); They did not transmit record of Ricky Labrew within the time prescribe by statute.

O.C.G.A. 15-1-4(a)(3) The powers of the several Courts to issue attachments and inflict summary punishment for contempt of Court shall extend only to cases of; Disobedience or resistance by any officer of the Courts.

Wherefore, Mr. Labrew pray that this Court of Richmond County hold the clerk of Richmond County Superior Court in contempt for disobeying O.C.G.A. 5-6-43(a), and order the clerk to comply and forward Mr. Labrew's record to the Court of Appeal of Georgia.

Address: Ricky Labrew
State ID# 1274532

Coffee Correctional Facility
P.O. Box 650
Nicholls, Ga. 31554

Respectfully Submitted,

Ricky Labrew
Ricky Labrew, Pro Se

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the respondents with a copy of the Motion of Contempt by placing the same in the United States mail in a proper envelope with adequate postage attached properly addressed to:

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

Clerk of Superior
Court of Richmond
County
Elaine C. Johnson
735 James Brown Blvd,
Augusta, Ga. 30901

This 19 day of May, 2014

Ricky Labrew
State ID # 1274532
Coffee Correctional Facility
P.O. Box 650
Nicholls, Ga. 31534

Ricky Labrew
Petitioner, Prose

(4) of (4)

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

May 27, 2014

Mr. Sim Pope
GDC369764
Coffee Correctional Facility
Post Office Box 650
Nicholls, Georgia 31554

RE: A14A0348. Sim J. Pope v. The State

Dear Mr. Pope:

The above referenced appeal was disposed by opinion on May 5, 2014. The Court of Appeals affirmed the judgment of the trial court. The remittitur issued on May 21, 2014, 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

RESPECTIVE SUBMITTED
~~Simon James Pope Jr~~
Simon James Pope Jr.

Dear Sir,
I pray that you are well
by God's grace and mercy, praise God.
I received the Ruling
on May 13, 2014 at this prison, and the
Mail-Room has verification on that along
with the Mail-Box Rule the Defendant
feels that this reconsideration should
be heard. The Prison's Mail Room can
be contacted, if there is any doubt on
the time required for filing.

RECEIVED IN OFFICE
2014 MAY 23 AM 9:02
CLERK/COUNT ADMINISTRATOR
COUNT OF APPEALS OF GA

In The Court of Appeals
State of Georgia

RECEIVED IN OFFICE
2014 MAY 23 AM 9:02
SENATOR JACOB FREEMAN
COURT OF APPEALS OF GA

Sim James POPE Jr.
v
The State

1
Action Number
1
A14A0348
1

FILED IN OFFICE

MAY 23 2014

COURT CLERK
CLERK COURT OF APPEALS OF GA

Motion For RECONSIDERATION

COMES NOW DEFENDANT, SIM JAMES

POPE JR. in this above-styled Actions Issue's that the DEFENDANT FEEL'S, was not totally looked at.

(1) THE STATE CONTEND'S THAT, DEFENDANT'S BROTHER-IN-LAW, MR. CLARKE, PUT DEFENDANT, MR. POPE, OUT, OF MR. CLARKE'S TRAILER, WHEN MR. POPE, MOVED BACK WITH HIM, BETWEEN APRIL 19, 2010 AND MAY 19, 2010, BUT THE TRANSCRIPT STATING FACT'S FROM DEPUTY GRINDER, MR. CLARKE, AND MR. POPE, SAY'S

that The Incident did happen, but, it occurred, a few months after Mr. POPE was Released from Prison, which was April 2, 2009, when Mr. POPE first became a Sex Offender, living in Jenkins County.

Deputy Grinder T.T. Page 76 L. 2-10 which states Mr. POPE moved in with Mr. Clark in 2009, then Mr. POPE moved out, and lived elsewhere a while, and moved back with Mr. Clarke, again.

Milton Clarke T.T. Page 91 L. 3-16 stating that Mr. POPE lived with him for about three or four months, and Mr. POPE like a spur in his body.

Mr. POPE moved in April 2, 2009, and on July 2, 2009 moved out to a house in town, after Mr. Clarke put him out, which Mr. POPE registered 1343 Hwy. 15 North

as his New Registered Address, which corresponds with Mr Clarke's Testimony, along with T.T Page 92 L. 6-11; 16-17 Then Mr Pope moved back in with him on April 19, 2010, and Page 122 L. 13-21 When Mr Clarke was asked, how long had Mr. Pope moved back in with him, before Latrice Mosley came up, and he said "it was like two or three weeks" in my mind--if my mind won't fail me!! Mr. Pope sentence ended September 28, 2009 and he was under Parole any more, and when the Parole Officer came by looking about Mr. Pope was when Mr. Pope was put out and tried to live in Millen, T.T Page 93 L. 416 Mr. Pope states in T.T Page 113 L. 11-20 where Mr. Pope moved when Mr. Clarke told me to get out, Gordon Highway/Hwy. 25 N.

Latrice Mosley stated in T.T. Page 60 L. 2-1: that she had went to her Grand-Mother's House For Two Consecutive Day's, and SEEING Mr. POPE'S VEHICLE there the First Day, but came back the 2nd Day, & did not see her UNCLE or Mr. POPE then she returned the 3rd day, when EVERYTHING ELSE took place. IN T.T. Page 49 L. 17-20 Latrice Mosley saw Mr. POPE'S VEHICLE, NEW LOCK'S and BELONGING'S in the HOUSE. T. T. Page 51 L. 1-12 Latrice Mosley Concluded Mr. POPE lived there by these Facts. THE GEORGIA say's that there has to be a LEASE or Contract, a Utility PHONE or Tax Bill or Anything with the PERSON'S NAME on it, to show that you lived there. Mr. POPE had PERMISSION to use the HOUSE to store his BELONGING'S as well as a Retreat, when FRIEND'S came.

Latrice Mosley stated in T.T. Page 53 L. 18
That she did not want ANYONE to get in
trouble as far as that, by getting the
SHERIFF OFFICE to look into this.

T.T. Page 54 L. 12-16

That Mrs. Mosley, Mr. Clarke and Mr.
POPE, grew up together, and WERE close,
and she did not know if Mr. POPE talked
to them, and she did not know about
any of that.

Mr. POPE said in N. T. T. Page 21 L. 1-5
that he was not given a TEN Day Notice
to correct my living Condition's, prior
to my arrest, which SEX OFFENDER's
included, which violated MY Due Process
Right's under U.S. C.A. Const. Amend.
14 Const. Art. 1, § 1, Par. 1, and shown in
Bradshaw v State 184 Ga. 645, 646 (1967) S.E. 2d 485 (2008).

When a PERSON USE a PLACE For a Storage OF His BELONGING'S, and EVEN if there was a LOCK on the Doors, isn't it WISE For a PERSON to CHANGE the Old Lock's to NEW Lock's, so who had PREVIOUS ACCESS, can't come and take your BELONGING'S? Futhermore, if I had gotten a Storage, and MY VEHICLE had BEEN SEEN at the Storage, would I have to REGISTER the Storage Address, as MY NEW RESIDENCE Address, T. T. Page 89 L. 2-12.

DEPUTY Grinder stated on Page 72 L. 15-25 and Page 73 L. 1-6 that he WENT to the House on the 2nd Day, and Mr. POPE was not there, for he wanted to SPEAK with him, and LEFT his Card in the Door, and the NEXT Day, May 21st Mr. POPE came to SHERIFF'S OFFICE. DEPUTY GRINDER

Concluded as Latrice Mosley did, that Mr. POPE was Residing at that Address, and that he had not come and Change MY Address to the New Residence Address, within 72 Hour's of Moving there.

In O.C.G.A. 42-1-12 (2)(b)(3) say's that the SEX OFFENDER has to give the Information to the SHERIFF "72 Hour's Prior to Moving", whereas (2)(b)(5) state's, 72 Hour's after Establishing a RESIDENCE, "IN a NEW State".

RULE OF LAW

1. The Date was made an ESSENTIAL OVERTMENT of the Indictment and the Trial Court did NOT Charge the Jury that the Date was NOT a Material OVERTMENT. McDaniel v State.

The EVIDENCE by the State disclosed ANY Time during May, 2010, While the Indictment stated May 19, 2010, the 72 Hour's has to be MEASURED against something SPECIFIC.

2. The Indictment stated that the Crime was committed. The Term RESIDENCE denote's Bodily PRESENCE or the Fact or the Act of Living in a Given Place, For SOME TIME The Place where SOMEONE actually LIVE's, T.T. Page 49 L. 16-23 Latrice Mosley stated she had SEEN Mr. POPE's VEHICLE, NEW LOCK's, and BELONGING's in the HOUSE, and ON T.T. Page 51 L. 4-12 she came to the CONCLUSION that Mr. POPE lived at that address ON her 1st Visit. T.T. Page 60 L. 3-13 that she RETURNED For Two CONSECUTIVE Day's, still NOT Finding Mr. POPE at that RESIDENCE. Deputy GRINDER came to same CONCLUSION, and LEFT a Card For Mr. POPE to come to SHERIFF's OFFICE to talk to him, T.T. Page 71 L. 15-25. The Next Day, May 21st Mr. POPE came to SHERIFF's OFFICE and was ARRESTED, For NOT Notifying them

within 72 Hours, of Changing to a New Address, (RESIDENCE).

The State has No Lease, No Contract, No Utility Bill, or Anything Proving that Mr. POPE, lived at that Address. The State also can not, show that Mr. POPE was at that Address, for More than 72 Hours "Consecutive", which is Required by Georgia Law. Also, the State does Require More than seeing a PERSON'S VEHICLE at an Address, New Lock's on the Door's, and Belonging's inside of that Address. For if I had gotten a Storage, put New Lock's on it, and have My Belonging's inside, and SOMEONE saw My Vehicle there, would I have to Change that Address as my NEW RESIDENCE Address, for that is what I was doing with the House.

T. T. Page 73 L. 1-6, Mr. POPE came to the Sheriff's Office and was arrested. N. T. T. Hearing on July 8, 2013, Page 19 L. 24-25, Page 20 L. 1-25, Page 21 L. 1-5 state's for the court the conversation prior to his arrest. N. T. T. Page 20 L. 18-19, was said by Sheriff to Mr. POPE the reason he wanted Mr. POPE to leave the county, that I moved three times in one year. Change's of Registered Address show's Mr. POPE moved in with Mr. Clarke April 2, 2009, Mr. Clarke put Mr. POPE out, and Mr. POPE moved to town July 2, 2009, and moved back in with Mr. Clarke April 19, 2010.

I pray this Court can conclude that Mr. POPE was put out on his 1st stay with Mr. Clarke, and Rule in my favor on this, after seeing this, in the transcript.

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(s) 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:

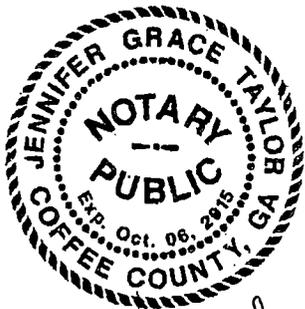
Georgia Court of Appeals
47 Trinity Ave. S.W.
Suite 501
Atlanta, Ga-30334

Att: Keith McIntyre
Office of the District Attorney
1 Courtland Street
Statesboro, Ga-30458

This the 16 day of May 20014.

~~Sim James Pope, Jr.~~
Sim James Pope, Jr.

Sim J. Pope 369764
P.O. Box 650
Nicholls, Ga-31554



Jennifer Grace Taylor

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

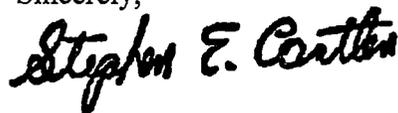
May 28, 2014

Mr James Edward Tucker
Rockdale County Sheriff's Office
911 Chambers Drive
Conyers, Georgia 30012

Dear Mr. Tucker:

There is no case in the Court of Appeals of Georgia styled in your name. We have forwarded a copy of the Court Rules on May 5, 2014, to you. You may need to seek legal counsel to assist you. I am returning your documents to you.

Sincerely,



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

SEC/ld
Enclosures

MAY 23, 2014

COURT of APPEALS of GEORGIA
47 TRINITY AVENUE S.W SUITE 501
ATLANTA GEORGIA 30334

JAMES EDWARD TUCKER
ROCKDALE COUNTY JAIL
911 CHAMBERS DR.
CONYERS, GEORGIA 30012

RECEIVED IN OFFICE
2014 MAY 28 PM 3:23
CLERK OF APPEALS OF GA

DEAR CLERK of APPEALS COURT of Georgia,
ON MAY 14, 2014, I filed this Notices
THAT I would like to APPEAL, A COURT ORDER
DENYING me a writ of INJUNCTION, I filed AGAINST
THE SHERIFF of ROCKDALE COUNTY GEORGIA. I filed this
NOTICES WITH ROCKDALE COUNTY SUPERIOR COURT CLERK.

THE ORDER WAS signed on the 16th DAY of April 2014
AND I would like to go forward in filing an Appeal
WITH the GEORGIA COURT of Appeals.

CAN I START WITH THAT Appeal NOW OR DO I
NEED TO WAIT ON THE SUPERIOR COURT OF ROCKDALE.

I AM PRO-SE AT THIS TIME.

WHAT IS MY NEXT STEP?

Respectfully Requested
James E. Tucker

I AM SEND A COPY of my NOTICE, I SENT TO
THE SUPERIOR COURT OF ROCKDALE.

COPY

ROCKDALE COURT CLERK OF COURT
SUPERIOR COURT OF ROCKDALE
92A COURT STREET
CONYERS, GEORGIA 30012

CLERK OF COURT
SUPERIOR COURT
ROCKDALE CO., GA
2014 MAY 15 PM 2:01
Ruth A. Williams CLERK

JAMES EDWARD TUCKER
911 CHAMBER DR
CONYERS, GEORGIA 30012

case No # 2005 1341-N

DEAR CLERK OF COURT

I James Edward Tucker, Respectfully
Requested That I would like to APPEAL AND
Court ORDER DENYING my writ of INJUNCTION
Filed ~~BE~~ AGAINST the Sheriff of ERIC J LEVETT
I would like to file this APPEAL With, THE
COURT OF APPEAL,

WHEREAS A ORDER WAS SIGNED BY the Court
ON the 10th DAY of APRIL 2014, BY SUPERIOR COURT
JUDGE the Honorable ROBERT F MUMFORD in the Superior
Court of ROCKDALE County,

I James EDWARD TUCKER is FILING THIS NOTICE OF
APPEAL in the SUPERIOR court of ROCKDALE,
THIS is my second Request. Respectfully Requested MAY-
14th 2014,

James Edward Tucker
James EDWARD TUCKER

534

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

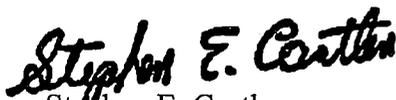
May 28, 2014

Ms. Amberula Levitt
2025 Peachtree Road, N.E.
Apartment 846
Atlanta, Georgia 30309

Dear Ms. Levitt:

I am in receipt of your correspondence. A Notice of Appeal is filed with the clerk of the trial court and not with the Court of Appeals of Georgia. Once the trial court clerk has received and filed the 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 file with the superior court.

Sincerely,



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

SEC/ld
Enclosures

IN THE STATE COURT OF FULTON COUNTY

STATE OF GEORGIA

AMBERULA LEVITT pro-se
PLAINTIFF

vs.

RHONDA LEVITT
DEFENDANT

CASE NUMBER # 10EV010224G
APPLICATION NUMBER A14D0339

RECEIVED IN OFFICE
2014 MAY 27 PM 3:24
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

FILED IN OFFICE
2014 MAY 19 PM 4:38
CICELY BARBER
CLERK/STATE COURT OF
FULTON COUNTY GEORGIA

NOTICE OF APPEAL

Notice is given that AMBERULA LEVITT pro-se (Plaintiff) in the above matter hereby appeals to the Court of Appeals of Georgia from the State Court of Fulton County judgment of the trial court entered on the 24TH day of March, 2014.

The clerk shall not omit anything from the record on appeal. A transcript of evidence and proceedings will not be filed for inclusion in the record on appeal.

The Court of Appeals of the state of Georgia has jurisdiction in all cases in which jurisdiction not reserved to Supreme Court or conferred on other courts of law. The Court of Appeals, rather and the Supreme Court, has jurisdiction of this appeal because the issue involved is reconciliation of the competing interests and appeals of such cases are reserved the Court of Appeals of Georgia pursuant to Article VI, Section VI, Paragraphs II and III of the Constitution of the State of Georgia. Appeals may be taken to the Supreme Court and the Court of Appeals from the following judgments and rulings of the state or superior courts, the constitutional city courts, and such other courts or tribunals from which appeals are authorized by the Constitution and laws of this state: The Court of Appeal is intended to be a final court of review. However, the Supreme Court can Review a decision of the Court of Appeals by granting cert.

O.C.G.A. 5-6-34 (3) All judgments or orders directing that an accounting be had; Judgments and rulings deemed directly appealable; procedure for review of judgments, orders, or decisions not subject to direct appeal; scope of review; hearings in criminal cases involving a capital offense for which death penalty is sought

This 19th day of May, 2014.

Amberula Levitt pro se
2025 Peachtree Road. Apt. 846
Atlanta, GA. 30309
amberulalevitt@yahoo.com

IN THE STATE COURT OF FULTON COUNTY

STATE OF GEORGIA

AMBERULA LEVITT pro-se
Appellant

vs.

RHONDA LEVITT
Appellee

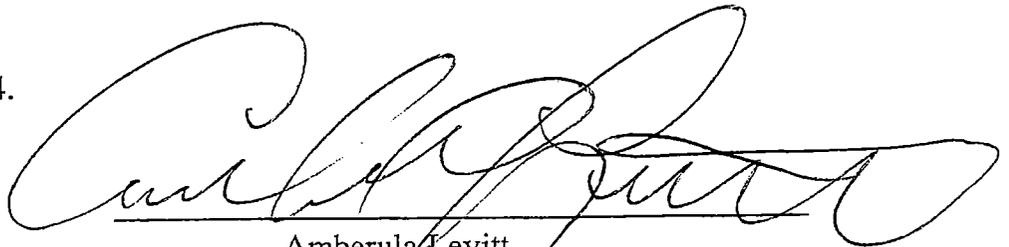
CASE NUMBER # **10EV010224G**
APPLICATION NUMBER **A14D0339**

CERTIFICATE OF SERVICE

I **Certify** that I have this 19th day of May, 2014 served Appellee Rhonda Levitt, with a copy of this Notice of Filing **NOTICE OF APPEAL** by causing to be deposited with USPS first class mail, proper postage affixed and addressed as follows:

Rhonda Levitt
3000 Continental Colony Parkway F150
Atlanta, Georgia 30331
rhondalevitt@yahoo.com
404 522-5471

This 19 day of May, 2014.



Amberula Levitt
2025 Peachtree Road. Apt. 846
Atlanta, GA. 30309
amberulalevitt@yahoo.com
678-328-8272

Michael Alonza Rufus
GDC No: 1000788776
Washington State Prison
P.O. Box 206
Davisboro, Georgia 31018

RECEIVED IN OFFICE
2014 MAY 16 PM 3:37
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA.

14 May, 2014

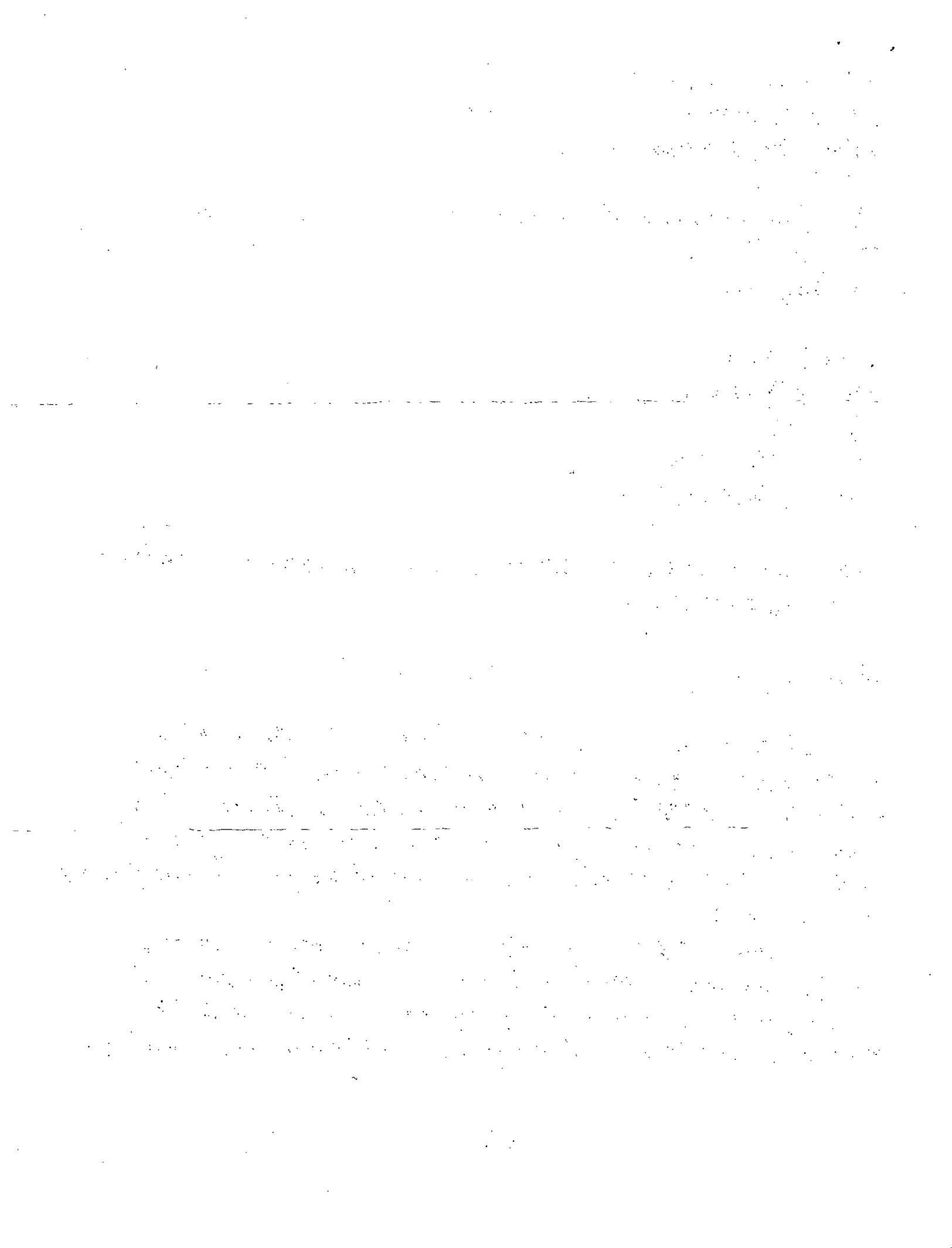
Clerk's Office
Court of Appeals of Georgia
Suite 501
47 Trinity Avenue
Atlanta, Georgia 30334

IN RE: Appl. No.: A13D0332, A13D0429, Case No.: A13A2218 and A14A0051
SUBJECT: COURT COST

Madam or Sir:

I am in receipt of this Court's remittance in Case No.: A14A0051 dated 15 August, 2014. I am also in receipt of this Court's remittance in Case No.: A13DA2218 dated 16 December, 2013 and 21 January 2014. In both cases the documentations shows that "costs paid in the Court of Appeals: \$300" which I'm aware evidences discharge of my obligations in the matters.

Contrary to the above mentioned I am still being charged by the Department of Corrections for these cases but it appears to be because your office served this agency notices under O.C.G.A. §§ 42-12-4(2)(A) and (B) and 42-12-4(3)(A) and (B) which was based upon



Applications No: A13D0332 and A13D0429 and not the actual appeals in Case No: A13A2218 and A14A0051 which are ultimately the same proceedings for costs purposes.

I am requesting that you please provide me with a response that is directed to or I can provide to the employees of this agency over my inmate account that evidences that Application No: A13D0332 and Case No: A13A2218 and Application No: A13D0429 and Case No: A14A0051 are ultimately, for costs, two cases that my obligations for costs has been discharged.

I have included a prepaid postage and pre-addressed envelope and an extra copy of this record, which I request you stamp received, and please return to me.

Thanking you in advance.

PS/ Michael A. Refes
MICHAEL ALONZA REFES

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REMITTITUR

Court of Appeals of Georgia

Atlanta, January 21, 2014

Case No. A13A2218. MICHAEL ALONZA RUFUS v. SAMUEL D. OZBURN,
JUDGE et al..

Upon consideration of this case, which came before this Court on appeal from the Superior Court of Walton County, this Court rendered the following decision:

Appeal remanded.

Barnes, P. J., Miller and Ray, JJ., concur.

LC NUMBERS:
NONE

Costs paid in the Court of Appeals: \$300



*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, February 26, 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. Costen, Clerk.

REMITTITUR

Court of Appeals of Georgia

Atlanta, April 15, 2014

Case No. A14A0051. MICHAEL ALONZA RUFUS v. SAMUEL D. OZBURN,
JUDGE .

Upon consideration of this case, which came before this Court on appeal from the Superior Court of Walton County, this Court rendered the following decision:

Appeal dismissed.

Barnes, P. J., Miller and Ray, JJ., concur.

LC NUMBERS:
NONE

Costs paid in the Court of Appeals: \$300



*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, May 01, 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. Costello, Clerk.

Court of Appeals of the State of Georgia

ATLANTA, June 28, 2013

The Court of Appeals hereby passes the following order:

A13D0429. MICHAEL ALONZA RUFUS v. SAMUEL D. OZBURN et al.

Upon consideration of the Application for Discretionary Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of Superior Court is directed to include a copy of this order in the record transmitted to the Court of Appeals. Rufus's "Emergency Motion for Supersedas" is hereby DENIED.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 06/28/2013

*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.*

Hally H. O. Spawr, Clerk.

Court of Appeals of the State of Georgia

ATLANTA, May 07, 2013

The Court of Appeals hereby passes the following order

A13D0332. MICHAEL ALONZA RUFUS v. SAMUEL D. OZBURN et al .

Upon consideration of the Application for Discretionary Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of Superior Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

LC NUMBERS:

NONE



*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, May 07, 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.*

Hally K. O. Sparrow

, Clerk.

Michael Alonzo Rufus
GDC No. 100788776
Washington State Prison
PO Box 206
Davisboro, Georgia 31018

14 May, 2014

Clerk's Office
Court of Appeals of Georgia
Suite 501
47 Trinity Avenue
Atlanta, Georgia 30334

IN RE: App'l No. A13D0332, A13D0429, Case No. A13A2218 and A14A0051
SUBJECT: COURT COST

Madam or Sir:

I am in receipt of this Court's remittance in Case No. A14A0051 dated 15 August, 2014. I am also in receipt of this Court's remittance in Case No. A13A2218 dated 16 December, 2013 and 21 January 2014. In both cases the circumventions show that "costs paid in the Court of Appeals: \$300 which I'm aware evidences discharge of my obligations in the matters.

Contrary to the aforementioned I am still being charged by the Department of Corrections for these cases but it appears to be because your office served this agency notices under O.C.G.A. § 42-12-4(2)(A) and (B) and 42-12-4(3)(A) and (B) which was based upon

Copy

Handwritten text at the top of the page, appearing to be a header or introductory paragraph.

Main body of handwritten text, consisting of several lines of cursive script.

Second section of handwritten text, possibly a separate paragraph or a continuation.

Handwritten signature or name, written in a stylized cursive font.

Handwritten text below the signature, possibly a date or a reference.

Applications No: A13D0332 and A13D0429 and the actual appeals
in case No: A13A2218 and A14A051 which are ultimately the same
proceedings for costs purposes.

I am requesting that you please provide me with a
response that is directed to as I can provide to the employees
of this agency over my imate account that evidences that
Application No: A13D0332 and Case No: A13A2218 and Application
No: A13D0429 and Case No: A14A051 are ultimately, for costs, two
cases that my obligations for costs has been discharged.

I have included a prepaid postage and preaddressed
envelope and an extra copy of this record which I request
you stamp received and please return to me.

Thanking you in advance.

151 ~~Michael J. Rife~~
~~MICHAEL ALONZO RIFE~~

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

June 2, 2014

To: Mr. James Edward Tucker, Rockdale County Jail, 911 Chambers Drive, Conyers, Georgia 30012

Docket Number: **Style:** **James Edward Tucker 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. **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

RECEIVED IN OFFICE

2014 MAY 30 PM 3:45

CLERK OF SUPERIOR COURT
COUNTY OF APPEALS GA

20012

COUNTY GEORGIA
COVERS GEORGIA

SUPERIOR COURT of ROCKDALE

Writ of INJUNCTION

APPEALING AND FINAL ORDER

STATE OF GEORGIA

V

2005-CR-1341-N

JAMES EDWARD TUCKER

Discretionary Application

STATE OF GEORGIA

GEORGIA COURT of APPEAL

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APPLICATION FOR DISCRETIONARY APPEAL

CASE SUMMARY of SENTENCING

FINAL DISPOSITION

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ORDER DENYING, WRIT OF INJUNCTION

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SUPPORT OF ARGUMENTS

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FORMA PAUPERIS

INMATE ACCOUNT STATEMENT

Certificate of Service

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 4, 2014

Mr. Daniel W. Taylor
GDC1000332837 D-1-B
Johnson State Prison
Post Office Box 344
Wrightsville, Georgia 31096

RE: A14A0497. Daniel W. Taylor v. The State

Dear Mr. Taylor:

Your case is still pending before the Court. Your case was docketed in the January 2014 Term and a decision must be rendered by the Court by the end of the April 2014 Term which ends on July 31, 2014.

If you would like a copy of the Case History in the above appeal, please send your check or money order in the amount of \$4.00 to the above letterhead address. Specify what copy you are purchasing and your information will be sent to you by return mail.

Sincerely,



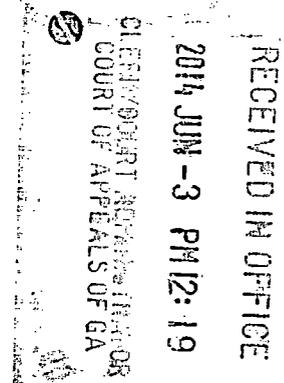
Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

DANIEL W. TAYLOR 1000332837
JOHNSON STATE PRISON D-1-B
POST OFFICE BOX 344
WRIGHTSVILLE, GA. 31096
13 MAY 2014

REF. A14A0497

TO: THE CLERK OF THE
COURT OF APPEALS OF GEORGIA
SUITE 501
47 TRINITY AVENUE SW.
ATLANTA, GA. 30334-1300



DEAR CLERK;

Could you send me A Docket Summary
On All filed Motions for their Are some
filed Motions that I've filed that should
have been Adjudicated by Now Under the
Above Reference Number And Could you tell
me when A final Hearing on this Appeal
shall be.

Sincerely

Daniel W Taylor

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

Date: June 3, 2014

To: Mr. Ali S. Muhammad, Post Office Box 92527, Atlanta, Georgia 30314

Docket Number: A14A1279 **Style:** Ali S. Muhammad v. PNC Bank National Association, 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 **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 (compound 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

FILED IN OFFICE

JUN 02 2014

CLERK, COURT OF
APPEALS OF GEORGIA

IN THE GEORGIA COURT OF APPEALS

No. A14A1279

ALI S. MUHAMMAD,

Plaintiff/Appellant,

vs.

PNC BANK NATIONAL ASSOCIATION
Successor by Merger to RBC BANK,
Successor in interest to POWER LENDING
LLC and HAYS FINANCIAL CONSULTING,
LLC,

Defendants/Appellees.

ON APPEAL FROM THE SUPERIOR COURT
OF FULTON COUNTY, STATE OF GEORGIA

PLAINTIFF'S MOTION FOR LEAVE OF COURT
FOR PERMISSION TO FILE A SUPPLEMENTAL
BRIEF PURSUANT TO RULE 27 (a) AND TO
SUPPLEMENT THE RECORD ON APPEAL

ALI S. MUHAMMAD,
P.O. Box 92527
Atlanta, Georgia 30314
(404) 664-1023

RECEIVED IN OFFICE
2014 JUN -2 AM 11:26
CLERK, COURT OF APPEALS OF GEORGIA

COMES NOW the Plaintiff, Ali s. Muhammad, Pro Se, and moves this Honorable Court, pursuant to Rule 27 (a) for leave of court for permission to file a supplemental brief, and to supplement the record on appeal, and as grounds therefore would state as follows:

1. Rule 27 (a) states in pertinent part as follows: Rule 27 (a)” Supplemental briefs may be filed only by leave of court. Counsel may file a motion for permission to file supplemental briefs. Counsel may not file a supplemental brief contemporaneously with the motion.”

2. Plaintiff requests permission to submit a supplemental brief to supplement Plaintiff’s initial brief and reply brief and to supplement the record on appeal.

3. Appellees, in their Reply Brief, raise issues and make erroneous representations of fact to which Appellant requires an opportunity to establish the true facts through supplementation of the record and to state how the law applies to the facts of this case through a supplemental brief. The court will be aided in rendering an appropriate decision allowing Appellant to supplement the record with proof of the true facts of this case and to file a supplemental brief to argue how the law applies to these facts.

4. Appellees will not be prejudiced by allowing Plaintiff to file a supplemental brief and to supplement the record as Appellees would have the right

to file a supplemental reply brief.

5. The interests of justice require that the court should allow Appellant leave of court and permission to file a supplemental brief and to further supplement the record in this case.

WHEREFORE, Appellant Ali S. Muhammad respectfully prays that this Honorable Court grant his motion for leave of court for permission to file a supplemental brief and to further supplement the record, and that the court grant such other and further relief as the court deems equitable, appropriate and just.

Respectfully submitted this 2nd day of June, 2014.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by US Mail postage prepaid to the following:

Frank Olson, Esquire
Todd Surden, Esquire
McCurdy and Candler, LLC
Six Piedmont Center, Suite 700
Atlanta, Georgia 30305

This 2nd day of June, 2014.



Ali S. Muhammad,
Plaintiff/Appellant, Pro Se
P.O. Box 92597
Atlanta, Georgia 30314
(404) 664-1023

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

Date: June 3, 2014

To: Mr. Thomas D. McDaniel, GDC245490 9 N5, Wheeler Correctional Facility, 195 Broad Street, Alamo, Georgia 30411

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 **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: 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 Eleventh Circuit Court of Appeals, 56 Forsyth Street, N.W., Atlanta, Georgia 30303.**

In The United States District Court For The
Eleventh District Court of Appeals

THOMAS DAVID McDANIEL ^{GD#} 245490
Plaintiff's

Civil Action No.
1:11-CV-4133-TCB-WEJ

v.
Officer J. Holt, et al,
Defendant's

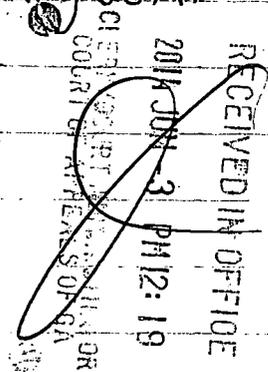
MOTION FOR ASSISTANCE COUNSEL

Now comes the Plaintiff, Thomas McDaniel, in the above
style motion.

- ① The Plaintiff wish to show that since he filed informa pauperis
he's unable to afford private counsel.
- ② The Plaintiff would like to show that since his property he's
unable to obtain things for his defense.

For the above reasons the Plaintiff request the District
Court for the Eleventh District Court of Appeals give
this Motion for Assistance Counsel, full and fair consideration
and then proceed as follows.

Respectfully submitted this 28th day of May 2014.
Mr. Thomas David McDaniel III PRO SE,



In The United States District Court for the
Eleventh District Court of Appeals

Thomas David McDaniel, ^{GDC#} 245490
Plaintiff

Civil Action No.
1:11-cv-4133-TCB-WEJ

v.
Officer J. Holt, et al,
Defendant's

Notice of Appeal

Notice is hereby given that Thomas David McDaniel,
plaintiff in the above name case, hereby appeal
to the United States Court of Appeals for the Eleventh
Circuit, from summary judgement being granted in
favor of Defendant's and denying my motion's entered
in this action on the 28th day of May 2014.
Mr. Thomas David McDaniel, PRO SE

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 4, 2014

Rajesh M. Patel, M.D.
3326 Preservation Court
Lilburn, Georgia 30047

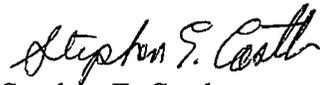
Dear Dr. Patel:

The Court of Appeals issued the remittitur in your case on December 7, 2013. That remittitur divests this Court of further jurisdiction of your case, i.e., there is no current pending case in our Court in which to file your motion against.

Also note, that our Court does not transfer records to the lower courts. Those Courts send their records to us. In fact, they retain the original records of all cases and only send our Court a copy. We can provide you copies of anything in our record but we require a payment of \$1.50 per page. If you want a copy, just let us know what documents you want and we will determine the page count and send you the total cost. Once your check or money order is received with your specific copy request, the copies will be sent to you by return mail.

We are returning your documents to you and regret any inconvenience this has caused you.

Sincerely,



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

SEC/ld
Enclosures

FILED IN OFFICE

JUN 03 2014

CLERK, COURT OF APPEALS OF GEORGIA

A13A0731

In the Court of Appeals of the State of Georgia

RECEIVED IN OFFICE
2014 JUN -3 AM 11:21
CLERK, COURT OF APPEALS OF GEORGIA

Original

Georgia Department of Behavior Health
and Developmentally Disabled.
Appellant, Defendant

vs.

Rajesh M. Patel, MD,
Appellee, plaintiff, pro se

) Appeal No: A13A0731
) SPB appeal No: OSAH-SPB-
) DIS-1033461-60-Teate
) DeKalb County Superior Court:
) No: 12-CV-5520-5
) Civil Action File
) GA Supreme Court: S13C1739
) U.S. Supreme Court: 13-800
) USDC-NDGA: 1:12-cv-158-TCB
) US 11th Circuit: 12-14160

Dr. Patel's all filed pleadings in this court, as record, to be transferred to

DeKalb County Superior Court (12cv5520-5), request by Dr. Patel

1.

Georgia State Personnel Board decision dated 05/13/2014 reads "Appellant was "Classified" at the time of his termination." [Exhibit # 1, 2]

2.

This Honorable Court has briefs filed by Dr. Patel. [Exhibit # 3] "O.C.G.A. § 9-11-10 (c) Adoption by reference" permits that Dr. Patel's all filed pleadings, exhibits and documents be adopted by reference in DeKalb County Superior Court

Mr. Patel,

The Court of Appeals issued the remittitur in your case on December 17, 2013. That remittitur divests this Court of further jurisdiction of your case, i.e., there is no pending case in our Court in which to file your motion against.

Also note that our Court does not transfer records to the lower courts. Those Courts send their records to us. In fact, they retain the original records of all cases and only send our Court a copy. We can provide you copies of anything in our record, but we require a payment of \$1.50 per page. If you want a copy just let us know what documents you want and we will determine the page count. Then you must pay the costs and either arrange for pick up or send us a package with sufficient postage to mail the items to you.

We are returning your documents to you and regret any inconvenience this has caused you.

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 4, 2014

Mr. Reginald L. McRae
GDC1000433579
Johnson State Prison
Post Office Box 344
Wrightsville, Georgia 31096

RE: A14A0283. Reginald L. McRae v. The State

Dear Mr. McRae:

I am in receipt of your "Notice of Appeal to the Supreme Court of Georgia" in the above appeal. The Court of Appeals of Georgia affirmed the judgment of the trial court on May 2, 2014 and issued its remittitur on May 20, 2014, divesting this Court of further jurisdiction in your appeal.

I am returning your documents to you.

Sincerely,



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

SEC/ld
Enclosure

In The Court Of Appeals
Of Georgia

Reginald L. McRae
Vs.
The State Of Georgia

Case No. A140283

RECEIVED IN OFFICE
2014 JUN -3 PM 12:19
COURT OF APPEALS OF GA

Notice Of Appeal To The
Supreme Court Of Georgia

Comes Now, Reginald L. McRae pro-se pursuant to Georgia Court Of Appeal Rule R-38 (a)(2) and files this notice to this Court that Appellant seeks a petition for writ of Certiorari through the Supreme Court Of Georgia for review. Petitioner at this time ask that he be granted Counsel to Appeal his case at this level pursuant to Martinez Vs. Ryan 132 Sct. 1309 (2012).

Respectfully submitted this 28th day of May 2014.

Reginald L. McRae
Reginald L. McRae G.P.# 1000433579
Johnson State Prison
P.O. Box 344
Wrightsville, Georgia
31096

Certificate of Service

I certify that I have this date served a copy of the within
and foregoing "Notice of Appeal to the Supreme Court of Georgia"
upon Counsel for Appellee (State of Georgia) by placing the same in
the United States Mail properly addressed envelope with adequate
postage thereon addressed as follows.

Daniel J. Quinn
Bar # 591362
Senior Assistant District Attorney
Cobb County District Attorney's Office
70 Haynes Street, 3rd Floor
Marietta, Georgia
30090

Respectfully submitted this 28th day of May 2014.

Reginald Z. McKee
Bar # 100433579
Reginald Z. McKee
Johnson State Prison
P.O. Box 314
Waynesville, Georgia
31096

To: David J. Koontz ^{Bar #} 428090

From: Reginald L. McRae ^{G.D.C. #} 1000433574

RE: Reply to letter dated May 12th, 2014

Date: May 28th, 2014

Dear Mr. Koontz.

On May 14th, 2014 your letter dated May 12th, 2014 along with a copy of Judge Ellington Conclusion of the Law, dated May 02nd, 2014 was received at Johnson State Prison. I am attempting to appeal my case in the Georgia Supreme Court. Even though you sent the Conclusion of Law, you failed to send me a filed stamped copy of the Order from the Court Denying the appeal. Could you please remedy this as soon as possible or my Due Process will be violated.

I also find it weird that you wrote me on the date (05-12-14) that time expires for Motion for Reconsideration, and then 7 days later this mail is received at Johnson State Prison. I will also be submitting this information to the Georgia State Bar, to further support the pending grievance I have filed on you. I also thank you for leaving a trail of evidence to support your ineffective assistance of counsel in representing me. You are just too careless.

cc.

Georgia Court of Appeals

Georgia State Bar

Sincerely

Reginald L. McRae

Reginald L. McRae ^{G.D.C. #} 1000433574

Johnson State Prison

P.O. Box 344

Wrightsville, Georgia

31096

Georgia Court of Appeals
40 CAPITAL SQUARE
ATLANTA, GA. 30334

Mr. Rodman Moreland
#217081 L-2
P.O. Box 100110
Marietta, Ga 30061

June 3, 2014

RE: Appeals & Procedure

Dear Clerk;

I'm Requesting To Be Forwarded The Proper
Filing Procedures For Appeals; (ie) of Criminal Convictions
(Direct Appeals + Discretionary Appeals ETC...) Also The
Rules of Appellate Procedures Also if Possible The Names
and Bios of The Appellate Court Judges. Thank-you Very
Much for your Assistance & Efforts.

"
Rodman"
Rodman

Sent Rules
6.12.14

RECEIVED IN OFFICE
4TH JUNE 11 AM 5:46
CLERK COURT ADMINISTRATION
COURT OF APPEALS

Rodman Moreland
#217081 L-2
P.O. Box 100110
Marietta, Ga. 30061

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 5, 2014

Ms. Amberula Levitt
2025 Peachtree Road
Apartment 846
Atlanta, Georgia 30309

Dear Ms. Levitt:

As we discussed on the telephone on today's date, I am returning your documents to you at the address listed on your submission. We cannot docket your case without an address to mail the notices to you via United States mail.

Sincerely,



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

SEC/ld
Enclosures

IN THE COURT OF APPEAL
STATE OF GEORGIA

RECEIVED IN OFFICE
2014 JUN 23 PM 3:31
COURT OF APPEALS
STATE OF GEORGIA

AMBERULA LEVITT pro-se,
Plaintiff and Appellant

vs.

RHONDA LEVITT.,
Defendants and Respondents

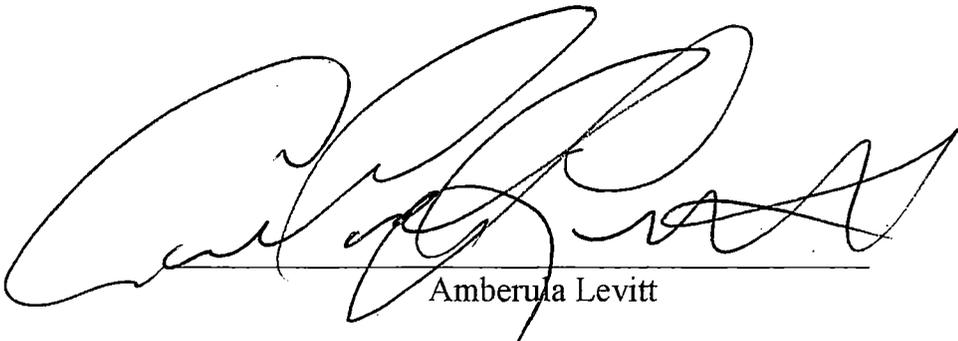
APPELLANT'S CHANGE OF ADDRESS
APPEAL CASE NO: A14D0339

COMES NOW, AMBERULA LEVITT *pro-se* Petitioner and moves this Court for an Change of Address, I do not have a physical address EXHIBIT "A") I respectfully request to have Appeal Court of Georgia information sent to my email: amberulalevitt@yahoo.com enclosed is a copy of The Court of Appeal **GRANTED** order date May 14, 2014 (EXHIBIT "B").

This Appeal from the State Court of the County of Fulton
(State Court No.10EV010224G);

The Honorable John Mather, Judge

Amberula Levitt pro-se
2025 Peachtree Road. #Apt 846
Atlanta, Georgia. 30309
amberulalevitt@yahoo.com
678-328-8272
Plaintiff and Appellant
In pro persona



Amberula Levitt

(CERTIFICATE OF SERVICE)

IN THE COURT OF APPEAL

STATE OF GEORGIA

AMBERULA LEVITT pro-se
Appellant

vs.

RHONDA LEVITT
Appellee

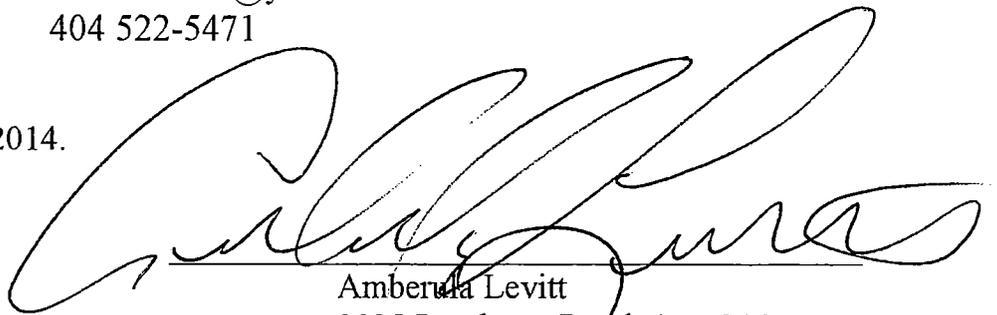
State Court No. 10EV010224G
APPEAL CASE NO: A14D0339

CERTIFICATE OF SERVICE

I Certify that I have this 27 day of May, 2014 served Appellee Rhonda Levitt, with a copy of this Notice of Filing *change of address* by causing to be deposited with USPS first class mail, proper postage affixed and addressed as follows:

Rhonda Levitt
3000 Continental Colony Parkway F150
Atlanta, Georgia 30331
rhondalevitt@yahoo.com
404 522-5471

This 27 day of May, 2014.



Amberula Levitt
2025 Peachtree Road. Apt. 846
Atlanta, GA. 30309
amberulalevitt@yahoo.com
678-328-8272

MAGISTRATE COURT OF FULTON COUNTY

CASE # 14DE003328

PROCEEDING AGAINST TENANT HOLDING OVER

TRIBRIDGE RESIDENTIAL LLC AS AGENT FOR
THE DARLINGTON
2025 PEACHTREE ROAD NE
ATLANTA GA 30309 (404) 351-5474.

Ga. Bar. No. 765209 MIKE WILLIAMS
RENTERS Evict # 373794

VS

ANBERULA LEVITT,

2025 PEACHTREE ROAD NE 846
ATLANTA GA 30309

You may Answer this dispossessory
online at dispoanswer.com.
All answers must be electronically
filed by 5:00 P.M. on or before the
last day to answer this summons.
A service charge applies.

- 1. Defendant is in possession as tenant of premises at the address in Fulton County as stated.
2. Affiant is the ATTORNEY of the owner of said premises.
3. Tenant: FILING FOR POSSESSION
4. Plaintiff desires and has demanded possession of the premises.
5. Defendant has failed and refused to deliver possession of the premises.

WHEREFORE, plaintiff DEMANDS:

- (a) Possession of the premises
(b) Past due rent of 0 for the month(s) of
(c) Rent accruing up to the date of judgment or vacancy at the rate of 600 per month
(d) Other: PLUS 420.00 LATE FEE & PLUS ALL COSTS - PLUS 473.29 OTHER FEES PLUS PAST DUE RENT OF 496.49

*By affixing this electronic verification, oath, or affidavit to the pleading(s) submitted to the court and attaching my electronic signature hereon, I do hereby swear or affirm that the statements set forth in the above pleading(s) are true and correct.

Affiant: Mike Williams S/J Mike Williams 3/12/2014

SUMMONS

TO THE MARSHAL of the Magistrate Court of Fulton County or his lawful deputies and to the Sheriff of Fulton County or his lawful deputies.
GREETINGS: The defendant(s) herein is/are commanded and required personally or by attorney to appear in Room TG400, Justice Tower, 185 Central Avenue S.W. Atlanta, Georgia between 8:30 A.M. and 5:00 P.M. on or before the SEVENTH day from the date of service of the within affidavit and summons (or on the first business day thereafter IF the seventh day falls on Saturday or Sunday or legal holiday) to answer the affidavit in writing or orally in person. You may also answer online at dispoanswer.com. If the answer is NOT made, a Writ of Possession shall issue instanter.
WITNESS the Honorable Chief Judge of said Court: The above affidavit was sworn to and subscribed before the undersigned Deputy Clerk by affiant as provided by O.C.G.A. 44-7-50 and summons issues pursuant thereto.
Deputy Clerk: Yashika Jones Issued on: 3/12/2014

PRIVATE PROCESS SERVER AFFIDAVIT OF SERVICE

I have served the foregoing Affidavit and Summons on the Defendant(s) by delivering a copy of same:
() PERSONALLY () NOTORIOUSLY (NAME) _____ Age _____ Wt. _____ Ht. _____
() DEFENDANT NOT FOUND AT WITHIN ADDRESS ON SAID SUMMONS AND AFFIDAVIT
() TACK & MAIL By posting a copy to the door of the premises and depositing a copy in the U.S. Mail, First Class in an envelope properly addressed with adequate postage thereon, said copy containing notice to the Defendant(s) to answer at the place stated in said summons.

DATE OF SERVICE: March 20 2014 DEFENDANT TO ANSWER ON OR BEFORE: March 27 2014

*By affixing this electronic verification, oath, or affidavit to the pleading(s) submitted to the court and attaching my electronic signature hereon, I do hereby swear or affirm that the statements set forth in the above pleading(s) are true and correct.

Professional Process Server:

WRIT OF POSSESSION

You are hereby commanded to remove said Defendant(s) together with his property therein from said house and premises and to deliver full and quiet possession of same to Plaintiff herein. THIS _____ JUDGE

PER ORDER DATED _____ TENANT: { } VACATED { } EJECTED { } SETTLED W PLAINTIFF { } HELD UP { } LABOR

Exhibit A

Court of Appeals of the State of Georgia

ATLANTA, May 14, 2014

The Court of Appeals hereby passes the following order:

A14D0339. AMBERULA LEVITT v. RHONDA LEVITT.

Rhonda Levitt obtained a judgment against her sister, Amberula Levitt, which she collected through garnishment. In a separate action, Amberula Levitt sued Rhonda Levitt, seeking damages for breach of contract, fraud, and punitive damages on the ground that the funds collected by Rhonda Levitt exceeded the amount of the judgment. The case proceeded to trial, and the jury returned a verdict in favor of Rhonda Levitt, which judgment was made the order of the trial court. Amberula Levitt seeks discretionary review of the trial court's order, but the order is subject to direct appeal. See OCGA § 5-6-34 (a) (1). This Court will grant an otherwise timely discretionary application if the lower court's order is directly appealable and the applicant has not already filed a notice of appeal. See OCGA § 5-6-35 (j). Therefore, this application is hereby GRANTED.

Amberula Levitt shall have ten days from the date of this order to file a notice of appeal if she has not already done so. The clerk of the state court is directed to include a copy of this order in the appeal record transmitted to this Court.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 05/14/2014

*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. Castle

, Clerk.

Exhibit B

IN THE STATE COURT OF FULTON COUNTY

STATE OF GEORGIA

AMBERULA LEVITT pro-se
PLAINTIFF

vs.

RHONDA LEVITT
DEFENDANT

CASE NUMBER # 10EV010224G
APPLICATION NUMBER A14D0339

FILED IN OFFICE
2014 MAY 19 PM 3:38
CIGELY BARBER
CLERK/STATE COURT CLERK
FULTON COUNTY GEORGIA

NOTICE OF APPEAL

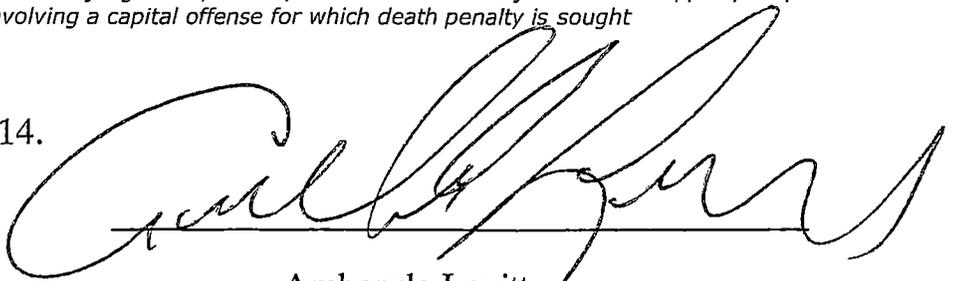
Notice is given that AMBERULA LEVITT pro-se (Plaintiff) in the above matter hereby appeals to the Court of Appeals of Georgia from the State Court of Fulton County judgment of the trial court entered on the 24TH day of March, 2014.

The clerk shall **not** omit anything from the record on appeal. A transcript of evidence and proceedings will not be filed for inclusion in the record on appeal.

The Court of Appeals of the state of Georgia has jurisdiction in all cases in which jurisdiction not reserved to Supreme Court or conferred on other courts of law. The Court of Appeals, rather and the Supreme Court, has jurisdiction of this appeal because the issue involved is reconciliation of the competing interests and appeals of such cases are reserved the Court of Appeals of Georgia pursuant to Article VI, Section VI, Paragraphs II and III of the Constitution of the State of Georgia. Appeals may be taken to the Supreme Court and the Court of Appeals from the following judgments and rulings of the state or superior courts, the constitutional city courts, and such other courts or tribunals from which appeals are authorized by the Constitution and laws of this state: The Court of Appeal is intended to be a final court of review. However, the Supreme Court can Review a decision of the Court of Appeals by granting cert.

O.C.G.A. 5-6-34 (3) All judgments or orders directing that an accounting be had; Judgments and rulings deemed directly appealable; procedure for review of judgments, orders, or decisions not subject to direct appeal; scope of review; hearings in criminal cases involving a capital offense for which death penalty is sought

This 19th day of May, 2014.



Amberula Levitt *pro se*
2025 Peachtree Road. Apt. 846
Atlanta, GA. 30309
amberulalevitt@yahoo.com

IN THE STATE COURT OF FULTON COUNTY

STATE OF GEORGIA

AMBERULA LEVITT pro-se
Appellant

vs.

RHONDA LEVITT
Appellee

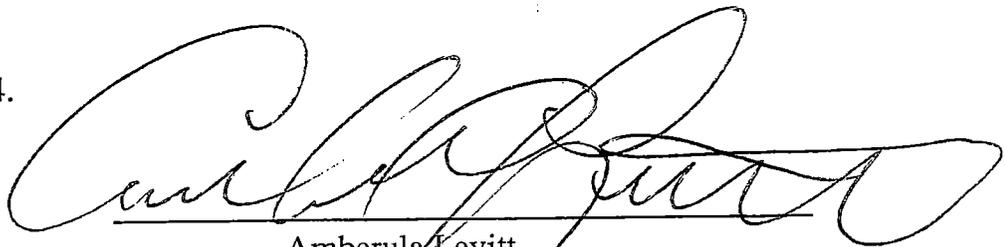
CASE NUMBER # **10EV010224G**
APPLICATION NUMBER **A14D0339**

CERTIFICATE OF SERVICE

I **Certify** that I have this 19th day of May, 2014 served Appellee Rhonda Levitt, with a copy of this Notice of Filing **NOTICE OF APPEAL** by causing to be deposited with USPS first class mail, proper postage affixed and addressed as follows:

Rhonda Levitt
3000 Continental Colony Parkway F150
Atlanta, Georgia 30331
rhondalevitt@yahoo.com
404 522-5471

This 19 day of May, 2014.



Amberula Levitt
2025 Peachtree Road. Apt. 846
Atlanta, GA. 30309
amberulalevitt@yahoo.com
678-328-8272

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

APPLICATION FOR DISCRETIONARY APPEAL

IMPORTANT INFORMATION

NOTICE OF FILING IN THE COURT OF APPEALS OF GEORGIA

APPLICATION NUMBER: A14D0339

DATE OF DOCKETING: April 22, 2014

STYLE: AMBERULA LEVITT v. RHONDA LEVITT

was filed today in the Court of Appeals of Georgia.

The respondent has 10 days from the above filing date to file a response. A response is not required.

This application will be reviewed and the Court of Appeals of Georgia shall issue an order granting or denying such an appeal within 30 days of the date on which the application was filed, O.C.G.A. §5-6-35.

IN THE COURT OF APPEAL

RECEIVED IN OFFICE

STATE OF GEORGIA

2014 APR 22 PM 1:15

CLERK OF COURT SYSTEMS UNIT ON
COURT OF APPEALS OF GA

AMBERULA LEVITT pro-se,
Plaintiff and Appellant

Vs.

RHONDA LEVITT.,
Defendants and Respondents

APPLICATION FOR DISCRETIONARY APPEAL

APPLICATION NO: _____

(State Court No. No. 10EV010224G

Appeal from the State Court of the County of Fulton,

The Honorable John Mather, Judge

Amberula Levitt pro-se
2025 Peachtree Road. #Apt 846
Atlanta, Georgia. 30309
amberulalevitt@yahoo.com
678-328-8272
Plaintiff and Appellant In pro persona

The fabrication of evidence by a party, in which an attorney is implicated, will constitute a fraud on the court." Id. at 1338 (citing to Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238, 64 S.Ct. 997 (1944).

"bearing in mind appellant's enumerations of error, we are guided by the general rule that "[p]ro se pleadings are held to less stringent standards than pleadings that are drafted by lawyers" (Thompson v. Long, 201 Ga. App. 480, 481 (1) (411 SE2d 322), and by the statutory provision that "[w]here it is apparent from the notice of appeal, the record, the enumeration of errors, or any combination of the foregoing . . . what errors are sought to be asserted upon appeal, the appeal shall be considered in accordance there with notwithstanding . . . that the enumeration of errors fails to enumerate clearly the errors sought to be reviewed." OCGA 5-6-48 (f). "Cotton v. Bank South, N.A., A93A2579 (212 Ga. App. 1) (440 SE2d 704) (1994) "pro se petition cannot be held to same standard as pleadings drafted by attorneys" See Boag v. MacDougall, 454 U.S. 364, 102 S.Ct. 700, 70 L.Ed.2d 551 (1982);

ORAL ARGUMENT IS REQUESTED

No transcript of evidence and proceedings is to be transmitted as a part of the record of appeal. OCGA 5-6-37

COURT OF APPEALS OF GEORGIA

AMBERULA LEVITT pro-se
Appellant

CASE NUMBER #

vs.

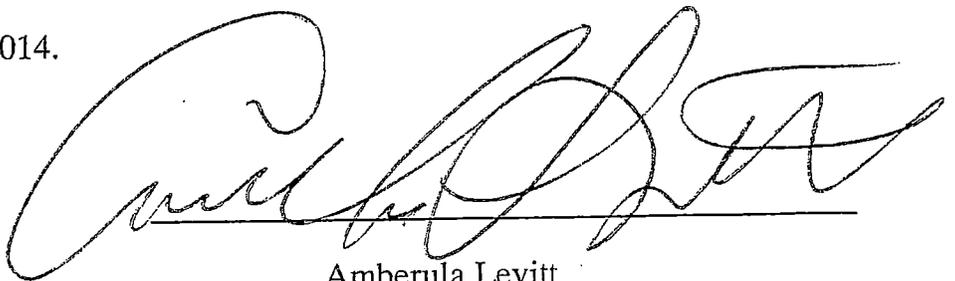
RHONDA LEVITT
Appellee

CERTIFICATE OF SERVICE

I Certify that I have this 27th day of April, 2014 served Appellee Rhonda Levitt, a true and correct copy of Appellant's *Notice of Intent* by causing to be deposited with USPS first class mail, proper postage affixed and addressed as follows:

Rhonda Levitt
3000 Continental Colony Parkway F150
Atlanta, Georgia 30331
rhondalevitt@yahoo.com
404 522-5471

This 27th day of April, 2014.



Amberula Levitt
2025 Peachtree Road. Apt. 846
Atlanta, GA. 30309
amberulalevitt@yahoo.com
678-328-8272

IN THE STATE COURT OF FULTON COUNTY

STATE OF GEORGIA

AMBERULA LEVITT,
Plaintiff,

v.

RHONDA LEVITT,
Defendant.

)
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)
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)
)
)

CIVIL ACTION FILE

NO. 10 EV 010224

JUDGMENT

The jury having returned a verdict in favor of the Defendant, the same is hereby made the judgment of the Court.

IT IS SO ORDERED, THIS THE 24th DAY OF MARCH 2014

John R. Mather

John R. Mather
Judge, State Court Fulton County

Steve Castlen

From: Steve Castlen

Ms. Amberula Levit,

As we discussed on the telephone, I am returning your documents to you at the address listed on your submission. We can not docket your case without an address to mail notices to you via the U.S. Mail.

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 6, 2014

Mr. Ronnie Pittard
7631 Jefferesa River Road
Athens, Georgia 30607

Dear Mr. Pittard:

In response to your "Amended Request for Appeal for Final Judgment and Decree" received in this office on today's date, we do not have a case styled in your name pending in this Court.

We are returning your documents.

Sincerely,


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

SEC/ld
Enclosure

Ronnie Pittard,
Defendant

Betty Pittard,
Plaintiff

RECEIVED IN OFFICE
2014 JUN -4 PM 01 59
COURT OF APPEALS OF GA

Amended Request for Appeal for Final Judgment and Decree

On the day of May 28, 2014 this document serves the official amended request for appeal for final judgment and decree in the civil action NO. B-12-CV-1360 matter of the final judgment and decree. The appeal is being filed to the Court of Appeals of Georgia. The defendant is requesting an appeal within his rights and the allotted time of 30 days after the decision is made. An appeal is requested due to the order of Honorable Judge Booth on October 28, 2013 where it was stated in court documents that Attorney at Law Gregory Daniels was to provide a list of items to both Honorable Judge Booth and the Defendant Ronnie Pittard copies of Plaintiff Betty Pittard request for items such as personal affects, property and monetary allotments. At that time the Defendant Ronnie Pittard was to provide to the court within 30 days his objections to the Plaintiff Betty Pittard requests in writing. On February 3, 2014 the Defendant Ronnie Pittard received a final judgment and decree.

The Defendant Ronnie Pittard never received in writing Plaintiff Betty request for items such as personal affects, property and monetary allotments from her attorney Gregory Daniels. Legal proceedings that are official courts records are to be followed in accordance to what the judge states in open court for which in this case is Honorable Judge Booth. Another example of

the court not following the judgment handed down by Honorable Judge Booth stated during a court date that mediation was to be set and paid for by the court. The mediation was never set after 4 months, though it stated it in court records. Meanwhile the set alimony that was imposed was adding up. The defendant was unable to pay the set amount at first and the defendant monthly expenses were not taken into consideration and decision to enter mediation was not met. The defendant is therefore requesting an appeal based on an review by the Court of Appeals of Georgia of what happened in the court to determine whether any mistakes of law occurred, and if so, whether the party who filed the appeal is entitled to have the judgment of the trial court reversed, vacated, remanded (sent back to the trial court for further proceedings) or otherwise changed according to Georgia Appeals guidelines.

The defendant is requesting 30 days to review the plaintiff's requested items on file which was stated in court records October 28, 2013 by Honorable Judge Booth. During the appeal process the final judgment and decree shall not be enforced until the defendant Ronnie Pittard is allowed his legal rights to submit his requests and objections of the plaintiff request for properties and other household items along with request for alimony.

This document will be filed in the courthouse as an official document and a copy will be sent to Honorable Judge Booth, Attorney at Law Gregory Daniels and Honorable Judge Booth superior.

Please send appeal notification to Ronnie Pittard 7631 Jefferson River Road, Athens Georgia 30607.

Date: 5/30/2014

Signature of Defendant: Ronnie Pittard

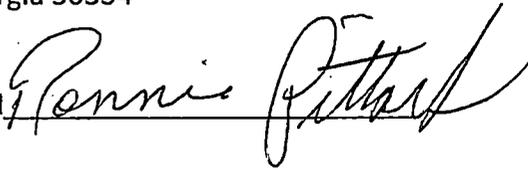
CERTIFICATE OF SERVICE

I Ronnie Pittard hereby certify that on the 30th day of May, 2014, a true and exact copy of the Amended Request for Final Judgment and Decree has been mailed by certified mail U.S. mail, postage paid, and addressed to:

Gregory A Daniels
Daniels and Rothman Attorney at Law
320 E. Clayton Street Athens Georgia 30601

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

Ronnie Pittard

A handwritten signature in black ink that reads "Ronnie Pittard". The signature is written in a cursive style and is positioned over a horizontal line.

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

Date: June 9, 2014

To: Mr. Virgil Lamar Maddox, GDC1000577031 H1-222B, Smith State Prison, Post Office Box 726,
Glennville, Georgia 30427

Docket Number: A12A1741 **Style:** Virgil Lamar Maddox 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 **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. **Other: Your appeal was disposed by order on July 3, 2012. The Court of Appeals dismissed the appeal. The remittitur issued on July 19, 2012, divesting this Court of any further jurisdiction of your case. The case is therefore, final.**

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

IN THE COURT OF APPEALS
STATE OF GEORGIA

THE STATE OF GEORGIA,

PLAINTIFF

VS

CASE No: A12A171

VIRGIL L. MADDOX,

DEFENDANT

DECLARATION UNDER PENALTY OF PERJURY

THE DEFENDANT, VIRGIL L. MADDOX DOES DECLARE UNDER PENALTY OF PERJURY THAT THE INFORMATION THAT THE DEFENDANT IS GIVEN HEREIN ARE TRUE AND CORRECT. THE DEFENDANT UNDERSTANDS THAT GIVING FALSE INFORMATION CAN AND WILL SUBJECT THE DEFENDANT TO PERJURY CHARGES UNDER BOTH FEDERAL AND THE STATE OF GEORGIA LAWS.

THE DEFENDANT, VIRGIL L. MADDOX DOES UNDERSTAND THE ABOVE, AND THE DEFENDANT WILL DECLARE UNDER PENALTY OF PERJURY THAT THE FOLLOWING INFORMATION IN THE REQUEST FOR ORAL ARGUMENT PROVIDED BY THE DEFENDANT, VIRGIL L. MADDOX IS TRUE.

RESPECTFULLY EXECUTED THIS 28TH DAY OF JULY 2014


THE DEFENDANT - VIRGIL L. MADDOX - PROSE

ADDRESS OF THE DEFENDANT

VIRGIL L. MADDOX
G.O.C.# 100DST031
M1/222 B
SMITH STATE PRISON
POST OFFICE BOX 726
GLENNVILLE, GEORGIA 30429

RECEIVED
2014 JUL 28 PM 4:45
CLERK OF SUPERIOR COURT
STATE OF GEORGIA

IN THE COURT OF APPEALS
STATE OF GEORGIA

THE STATE OF GEORGIA,
PLAINTIFF

VS

CASE NO. A12A1741

VIRGIL L. MADDOX,
DEFENDANT

REQUEST FOR ORAL ARGUMENT

TO: CLERK

COURT OF APPEALS OF THE STATE OF GEORGIA
119 TRINITY AVENUE S.W., SUITE 501
ATLANTA, GEORGIA 30334

THE DEFENDANT VIRGIL L. MADDOX REQUEST THAT THIS CASE BE PLACED ON THE COURT'S CALENDAR FOR ORAL ARGUMENT PURSUANT TO THE RULE 28 OF THIS COURT.

THE DEFENDANT CERTIFIES THAT FORMER COUNSEL FOR THE DEFENDANT FAILED TO RESPOND TO THE DEFENDANT'S REPEATED REQUEST TO DO A TIMELY MOTION TO WITHDRAW GUILTY PLEA AND FILE A TIMELY NOTICE OF AN APPEAL AND FORMER COUNSEL REMOVED HIMSELF AND HIS OFFICE ON JANUARY 23, 2012 [IN WRITING] OFF OF THE DEFENDANT'S CASE. FORMER COUNSEL HAS BEEN NOTIFIED OF THE DEFENDANT'S INTENTION TO ARGUE THE CASE ORALLY OF FORMER COUNSEL INEFFECTIVENESS AND COMMITTING FRAUD AND BREACH OF PLEA AGREEMENT ON MARCH 27, 2012, OF THE DEFENDANT'S CASE. AND THAT INQUIRY HAS BEEN MADE WHETHER SAID FORMER COUNSEL INTENDS ALSO TO ARGUE THE CASE ORALLY, THAN THE DEFENDANT REQUEST THAT THE COURT OF APPEALS OF THE STATE OF GEORGIA WOULD SET A TIME AND DATE FOR THE CASE TO BE ORAL ARGUED.

THANK YOU FOR YOUR ASSISTANCE IN THIS MATTER.

RESPECTFULLY SUBMITTED, THIS 28TH DAY OF MAY, 2014.

ROME JUDICIAL CIRCUIT
PUBLIC DEFENDER OFFICE
MR. RANDALL WILLIAMS
12 EAST 4TH AVENUE SUITE G10
ROME, GEORGIA 30161


THE DEFENDANT - PROSE

IN THE COURT OF APPEALS
STATE OF GEORGIA

THE STATE OF GEORGIA,
PLAINTIFF

VS

CASE NO. A12A1741

VIRGIL L. MADDOX,
DEFENDANT

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY THAT THE DEFENDANT, VIRGIL L. MADDOX HAVE THIS DAY SERVED A TRUE AND CORRECT COPY OF THE FOREGOING DOCUMENT, REQUEST FOR ORAL ARGUMENT UPON THE BELOW LISTED PERSONS, BY DEPOSITING A COPY OF THE SAME IN THE UNITED STATES MAIL, IN A PROPERLY ADDRESSED ENVELOPE WITH ADEQUATE POSTAGE THEREON TO ENSURE IT REACHES ITS DESTINATION.
THIS 28TH DAY OF MAY, 2014

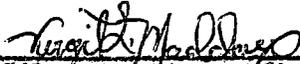
PERSONS SERVED:

ROME JUDICIAL CIRCUIT
PUBLIC DEFENDER OFFICE
MR. RANDALL WILLIAMS
12 EAST 4TH AVENUE SUITE 610
ROME GEORGIA 30161

AND
CLERK OF COURT
OF APPEALS OF THE STATE
OF GEORGIA
47 TRINITY AVENUE S.W., SUITE 501
ATLANTA, GEORGIA 30334

AND
LEIGH E. PATTERSON
OFFICE OF THE DISTRICT ATTORNEY
ROME JUDICIAL CIRCUIT
FLOYD COUNTY COURTHOUSE
3 GOVERNMENT PLAZA SUITE 108
ROME, GEORGIA 30161

/s/ PUBLIC DEFENDER - MR. RANDALL WILLIAMS
/s/ CLERK OF COURT OF APPEALS OF THE STATE OF GA.
/s/ DISTRICT ATTORNEY - LEIGH E. PATTERSON


THE DEFENDANT - VIRGIL L. MADDOX - PROSE

ADDRESS: VIRGIL LAMAR MADDOX
G.D.C.# 100577031
H1/222-B
SMITH STATE PRISON
POST OFFICE BOX 7216
GLENNVILLE, GEORGIA 30424

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

June 9, 2014

To: Mr. James L. Riley, GDC544321, Jackson State Prison, Post Office Box 3877, Jackson, Georgia 30233

Docket Number: **Style:** James L. Riley 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 .**
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

In the court of Appeals
State of Georgia

RECEIVED IN OFFICE
2014 JUN -8 PM 12:20
CLEMSON UNIVERSITY
COURT OF APPEALS OF GA

James L. Riley
Petitioner,
vs.
State of Georgia.

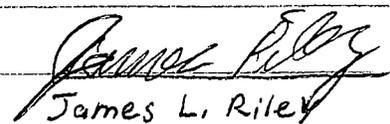
In Re Application
Discretionary appeal

Affidavit of Indigence of petitioner In forma pauperis.

James L. Riley, personally appearing before the undersigned officer authorized to administer oaths, who being first sworn, did then state and depose as follows:

1. I James L. Riley the Defendant in the above styled case.
2. I James L. Riley declared indigent by the Chatham county court Administrator's Pretrial Services Division on March 13, 2014.
3. My financial circumstances have not changed since my initial incarceration on March 12, 2014. I am still indigent and unable to pay the fees and cost required in order to prosecute this appeal.
4. I am also disable and use to get an SSI check.
5. I execute this Oath in order that I the appelliant can proceed on appeal in forma pauperis.

This 28th Day of May, 2014


James L. Riley

IN THE SUPREME COURT (COURT OF APPEALS)

STATE OF GEORGIA

State of Georgia
Appellant

v.

James L. RILEY
Defendant

CASE NO. CR112578 KA

CR112578 AB

CR112578- JS

RECEIVED IN OFFICE
2014 JUN -3 PM 12:20
COUNTY OF APPEALS OF GA

APPLICATION FOR APPELLATE REVIEW

James L. RILEY, Applicant, Applies to this court as follows:

(1) TO ISSUE AN ORDER Granting the Applicant an appeal from Probation Revocation Hearing ORDER, of the Superior Court of Chatham County, Honor Judge James Bass, Presiding, In the case styled State of Georgia v. James L. RILEY. Case no. same as listed above. This Probation Revocation hearing been heard may 1st 2014

(2) Applicant shows that the Jurisdiction is Properly In this Court

Because:

(A.) The Appellee's Due Process of the 14th Amendment has been violated

(B.) Ineffective of Assist of counseling

(C.) Perjury and conspiracy

(D.) Cruel and Unusal Punishment

(3.) All problems will be explained In Brief

(4.) This application of appeal is filed within 30 days of the entry of the order decision or Judgment complained of:

(A) Due Process, (B) Ineffective of Assist of counsel, (C) Perjury and Conspiracy, (D) Cruel and unusal Punishment.

1) A probationer is entitled to due process in revocation proceeding in (Johnson v. State.)

2) (Beagdon v. State); Due process requires timely notice and a hearing before revocation.

3) The Georgia Statute provides the court shall give the probationer an opportunity to be heard fully at the earliest possible date. . . . The statute also states that, If the revocation proceeding is in a court other than the court of the original conviction, the sentencing court shall be given ten days written notice prior to a hearing on the merits.

4) The United States Supreme Court in Morrissey v. Brewer that a probationer was entitled to a preliminary and a final revocation hearing under the conditions set out in Morrissey. The following due process requirements are taken from Morrissey:

A) The probationer should be given notice that the hearing will take place and that its purpose is to determine whether there is probable cause to believe he has committed a violation.

B) The probationer is entitled to be present and speak in his behalf. He may bring letters, documents or individuals who can give relevant information to the hearing officer.

5) The Georgia Statute provides that the probationer shall be given an opportunity to be heard fully at the earliest possible date on his own behalf, in person or by counsel. The Georgia court of appeals has interpreted the statute to mean that in the absence of Special Circumstances 30 days is an entirely reasonable time period between petition and hearing.

6) (Cagnon v. Scarpelli) These minimum requirements in the final revocation hearing as set out in Cagnon as follows:

A) Opportunity to be heard in person and to present witnesses and documentary defense.

7) Sufficient notice to the probationer to enable him to prepare an adequate defense.

8) However, the probationer must be given an opportunity to show that he did not violate the conditions and to show factors of mitigation demonstrating that the violations do not warrant revocation. The final hearing must be available to probationer within a reasonable time if he is in custody

~~11~~

IN THE SUPREME COURT (COURT OF APPEALS)

STATE OF GEORGIA

STATE OF GEORGIA

v.

James L. RILEY

Case No. CR112578-KA

CR112578-AB

CR112578-JS

CERTIFICATE OF SERVICE

This is to certify that I have this day served all Parties with a copy of the forgoing by hand delivery, or placing a true and accurate copy in the United States mail with adequate postage thereon to assure delivery to the following:

Judge Bass	Office of District Attorney	Judge Abbott	James Riley
Chatham County Courthouse	Chatham County Courthouse	Chatham County Courthouse	1074 Carl Griffen DR
133 Montgomery Street	133 Montgomery Street, Suite 600	133 Montgomery Street.	Sav. GA, 31405
Savannah GA, 31402	Savannah GA, 31402	Savannah GA, 31402	

This 28th Day of May, 2014

James L. Riley

notary

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

June 9, 2014

To: Mr. Hugo Lacasidon, GDC428551 700Z, Wheeler Correctional Facility, Post Office Box 466, Alamo, Georgia 30411

Docket Number: **Style:** **Hugo Lacasidon 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

GEORGIA COURT OF APPEALS
 STATE OF GEORGIA
 HUGO LACASIDOU #428551
 APPELLANT (P. 51)
 vs.
 THE STATE OF GEORGIA

RECEIVED IN OFFICE
 28 JUN 14 PM 3:53
 CASE NO. _____

APPLICATION FOR DISCRETIONARY APPEAL

COMES NOW HUGO LACASIDOU, APPELLANT P. 51 IN THE ABOVE STYLED APPEAL
 AND ASK THIS COURT TO ALLOW HIM TO AFFIX THE APPEAL STAMP OF

THE GEORGIA SUPREME COURT DENYING HIS "MOTION TO CORRECT TRANSCRIPT." HEREIN IS
 A STAMPED "FILED" COPY OF THE ORDER AND THE MOTION THAT LED DIRECTLY TO THIS
 APPLICATION. (R. 31). IN SUPPORT OF HIS APPLICATION, HE STATES THE FOLLOWING:

I. STATEMENT OF THE CASE

THIS IS A TIMELY DISCRETIONARY APPLICATION (R. 32), FROM AN ORDER OF THE GEORGIA
 SUPREME COURT DENYING HIS "MOTION TO CORRECT TRANSCRIPT." THIS COURT HAS
 JURISDICTION UNDER OCGA 5-6-34.

II. STATEMENT OF THE FACTS

ON APRIL 25, 2014, APPELLANT FILED "MOTION TO CORRECT TRANSCRIPT" WITH
 LEAK OF GEORGIA SUPREME COURT WHETHER HE ASK THE COURT TO CONSIDER
 THE MOTION OR THE MOTION AND TO CONSIDER PROCEEDINGS NECESSARY, SO

SUBMITTED THIS DAY OF MAY, 2014.

HUGO LARSON #42551
CHAS LARSON

WHELEN COAST GUARD FACILITY

P.O. Box 466

Alameda 6 + 30411

OFFICER OF SERVICE

By signing below, I do certify that I have made a

copy of the foregoing in an appropriate envelope with

appropriate postage affixed and deposited in the United States

mail addressed to:

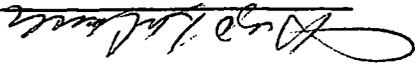
JOSPEH K. MURPHY

DISTRICT ATTORNEY'S OFFICE

P.O. Box 466

Alameda CA 94411

THIS 22ND DAY OF MAY, 2014



HUDO LA951002 # 425551

W.C.F., P.O. Box 466

Alameda CA 94411

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

June 9, 2014

To: Mr. Gerald Robbins, GDC258010, Wheeler Correctional Facility, Post Office Box 466,
Alamo, Georgia 30411

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.**
- 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 actually be 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 _____
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

Gerald Robbins, #258010
Whelan Correctional Facility
P.O. Box 466
Alto, GA. 30411-0466

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

Re: Case No. 02CR00930

Dear Sir or Madam:

I am writing to send you a letter that
I have sent to the Clerk of the Superior Court
of Douglas County.

Apparently due to an oversight of mine
there is an appeal pending under my name. I
sent that letter to you for a disapproval of
this appeal. And I see I got a copy.
I'm sorry for any inconvenience this has caused.

Sincerely
Gerald Robbins

RECEIVED IN OFFICE
2003 JUN -6 PM 5:44
U.S. DISTRICT COURT
ATLANTA, GA.

2000-08-04 11:11:13

... ..
... ..
... ..
... ..

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... ..



Court of Appeals of Georgia

June 11, 2014

TO: Mr. Henry Lattimer, Jr., GDC38390 A-1-29B, Phillips State Prison, 2989 West Rock Quarry Road, Buford, Georgia 30519

RE: **Probation Revocation**

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.

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

IN THE SUPERIOR COURT OF FLOYD COUNTY
STATE OF GEORGIA

HENRY LATTIMER JR.

CASE NOS.:

v.

97-CR-4693-R-JFL002

STATE OF GEORGIA

97-CR-5468-R-JFL002

RECEIVED IN OFFICE
2014 JUN 11 AM 8:40
CLERK OF SUPERIOR COURT
FLOYD COUNTY, GEORGIA

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT HENRY LATTIMER JR.,
DEFENDANT ABOVE NAMED HEREBY APPEALS TO THE GEORGIA
COURT OF APPEALS FROM THE ORDER DENYING THE
DEFENDANT'S MOTION TO CORRECT VOID SENTENCE ENTERED
HERE ON MAY 21, 2014

THE OFFENSE FOR WHICH DEFENDANT WAS SENTENCED WAS A
PROBATION VIOLATION AND THE SENTENCE IMPOSED IS AS FOLLOWS:
6 YEARS, 8 MONTHS, 11 DAYS.

THE COURT WILL PLEASE OMIT NOTHING FROM THE RECORD ON APPEAL.
NO EVIDENTIARY HEARING WAS HAD ON THE MOTION AND THERE ARE
NO TRANSCRIPTS FOR INCLUSION IN THE RECORD.

THIS COURT, RATHER THAN THE SUPREME COURT OF GEORGIA HAS
JURISDICTION OF THIS CASE ON APPEAL PURSUANT TO G.A.
CONST. 1983, ART. 6, SEC. 5, PARA. 3 AS THIS IS NOT A CASE
RESERVED TO THE EXCLUSIVE JURISDICTION OF THE
SUPREME COURT OF GEORGIA

BE SO NOTIFIED, THIS 6 DAY OF JUNE, 2014.

I.C.C.



2014

Georgia Court of Appeals

R U L E S

Last Update: May 15, 2014

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 11, 2014

Rajesh M. Patel, M.D.
3326 Preservation Court
Lilburn, Georgia 30047

Dear Dr. Patel:

I am in receipt of your letter requesting the following:

Copy and certify front page of Brief dated 12/31/2013 and Signed page
Copy and certify front page of Motion for Reconsideration and Signed page

We are returning the enclosed check number 1656 dated June 6, 2014 payable to the Court of Appeals of Georgia in the amount of \$6.00. We cannot send the certified documents to you until an additional \$10.00 is received. The certification fee is \$5.00 per document.

Please send your check totaling \$16.00 for the requested copies and certifications.

Sincerely,



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

SEC/ld
Enclosure

RECEIVED IN OFFICE
2014 JUN -9 PM 4:07
CLERK COURT/INVESTIGATOR
COURT OF APPEALS OF GA

A13A0731

In the Court of Appeals of the State of Georgia

Georgia Department of Behavior Health and Developmentally Disabled. Appellant, Defendant	)	Appeal No: <u>A13A0731</u>
	)	SPB appeal No: <u>OSAH-SPB-</u>
	)	<u>DIS-1033461-60-Teate</u>
	)	DeKalb County Superior Court:
vs.	)	No: <u>12-CV-5520-5</u>
	)	Civil Action File
Rajesh M. Patel, MD,	)	GA Supreme Court: <u>S13C1739</u>
Appellee, plaintiff, pro se	)	U.S. Supreme Court: <u>13-800</u>
	)	USDC-NDGA: <u>1:12-cv-158-TCB</u>
	)	US 11 th Circuit: <u>12-14160</u>

Dear Stephen E. Castlen:

Thank you for your letter dated 06/04/2014. I am requesting copies: front page of my brief dated 12/31/2012, + my signed page no. xxx (page no. 30); My Motion for reconsideration July 2013 front page and my signed page; Total 4 pages.

Please stamp these pages with Court Stamp. Check for \$ 6.00 enclosed.

Respectfully submitted on
06/06/2014



Rajesh M. Patel, MD , Plaintiff- Appellant-pro se
3326 Preservation Ct , Lilburn, GA 30047-2075
RPATEL30161@YAHOO.COM 706-512-0366

RAJESH PATEL OR
YOGINI PATEL
3326 PRESERVATION CT
MILBURN, GA 30047

64-10/610
2011878572

1656

Date 6-6-14

Pay to the order of Court of Appeals of Georgia \$ 6⁰⁰

Six Dollars. Dollars  Security Features included. Details on Back.


SUNTRUST ACH RT 061000104
Memo A13A0731 Record

Rajesh Patel

⑆061000104⑆ 2011878572⑆ 1656

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

June 11, 2013

To: Mr. Michael Alonza Rufus, GDC1000788776, Jenkins Correctional Center, Post Office Box 948, 3404 Kent Farm Drive, Millen, 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 case decision is therefore final.
- 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.**

COURT OF APPEALS OF THE STATE OF GEORGIA

MICHAEL ALONZA RUFUS

VS

SAMUEL D. OZBURN, JUDGE, SUPERIOR COURT OF WALTON COUNTY and STATE OF GEORGIA.

FILED IN OFFICE
JUN 10 2013
COURT CLERK
COURT OF APPEALS OF GA

CASE NO.:

RECEIVED IN OFFICE
2013 JUN 10 PM 2:51
CLERK/COURT APPEALS OF GA
COURT OF APPEALS OF GA

IN RE: APPEAL No.:
A-13A-141618

EMERGENCY MOTION FOR SUPERSEDAS

COMES NOW Michael Alonza Rufus, a pro se litigant and Appellant, in respectfully requesting this Honorable Court to issue a supersedas against Appeal Case No. A-13A-141618 due to the following:

Appellant is a private person contrary to any legal presumptions otherwise but was unlawfully forced into the jurisdiction of a tribunal in Walton County Superior Court (Case No. 11 CR 354-3).

This was done in that matter in that on 16 May, 2011, Appellant was brought before Appellee Samuel D. Ozburn for an arraignment hearing. In that Appellant's appointed counsel was incompetent of the consequences of arraignment(s) in Georgia (cf. GA ST §§ 9-2-25, 9-2-29, 9-11-9(a), 15-1-2, 15-6-8, 17-7-111 and 50-2-21(a)) and/or failed to provide me adequate legal advice, See *Stackland v Washington*, 466 US 668, 686, as to the consequences of arraignment in Georgia, See *Hamilton v Alabama*, 368 US 52, 59 Appellant was forced to inform Ozburn

Contrarily, which is the ultimate premises for Appellants initiation of the original action of mandamus and prohibition that caused this proceed, Ozbun appeared with Appellants' appointed counsel(s) by directing they not pursue meritorious claims; in violation of GA ST § 15-6-21 et seq he failed to issue numerous written orders to various of Appellants motions as it relates to the matter and otherwise that

Not only did Ozbun's action cause that process and judgment to be non-recognizable and void under the principles of coram non iudice but it also establishes that he conducted the prohibited acts of practicing law, GA STS 15-6-5 and 15-19-50(2); sitting in a case he acted as counsel, GA ST § 15-1-8(3) which thereby amounted to acts that his impartiality might reasonably be questioned and required reversal.

Thereafter Ozbun instructed the other court officials to provide him the accusation so that he could and did sign the accusation allegedly in Appellants' behalf; see ATT. 1

Ozbun's response was in a form of a type of directive to appointed counsel as to informing Appellant that the arrangement and signing of the accusation was only procedural and ultimately the only action Appellant could take. (GA ST § 17-7-111)

That Appellant could not sign the accusation (See GA ST § 17-7-93) without the personal and subject matter jurisdictional issues necessary to protect his individual guarantees be adjudicated;

support Appellant claims that the proceeding and judgment in Case No: 11 CR 354-3 are void and must be remedied through mandamus and prohibition under necessity.

NECESSITY TO PRESERVE JURISDICTION OF AN APPEAL OR TO PREVENT THE CONTESTED ISSUE FROM BECOMING MOOT

Presently pending before this Court is Appeal No.: A-13A-141618 which is an a proceeding of the trial court. Said action is not a lawfully presented proceeding in that Appellant's assigned attorney's brief and representation is without regard or respect for Appellant's true capacity, does not contain any defenses to protect Appellant as guaranteed the Equal Protection Clauses and personally informed Appellant that he was directed by his employer not to present meritorious arguments of Appellant.

Within the brief of Appeal No.: A-13A-141618 are meritorious claims based upon rules of evidence that are applicable to the class of persons Appellant is unlawfully legally presumed in that matter which could be premises for this Court to vacate the trial court's judgment. Said principles of laws and rules of evidence are inapplicable to Appellant in that he is not lawfully subjected to that tribunal's jurisdiction or rules of evidence and exempt from said special laws by the Equal Protection Clauses and GA CONST Art. III, SEC. VI, PAR. IV(C).

The aforementioned circumstances is the rational for Appellant's requested relief.

Appellant goes on to request that this motion be liberally construed so that the injustices of the void judgment in trial court case no: 11CR354-3 and Appeal Case No: A-13A-141618 will be remedied.

Appellant is confused as to the correct construction and application of Rule 40 of the Rules of the Ct. App in its requirement that he include stamped copy of the order being appealed and therefore includes ATT. 1 and a copy of this Court's order granting his discretionary appeal. With said discretionary appeal goes a true and correct copy of the civil action that included all of Appellant's true claims in seeking to remedy his unlawful restraint of liberty and other injustices.

Appellant is unable to intervene in Appeal No: A-13A-141618 per se to request said action be stayed and appointed counsel is in concert with persons responsible for the unconstitutional acts against Appellant.

WHEREFORE Appellant respectfully requests that supervisor be issued against Appeal Case No: A-13A-141618 until the issues in this matter are resolved and any other relief deemed just under the circumstances.

Respectfully Submitted

151 Michael Alonza Ruffus - Appellant
Executed this 4th day of June 2013.

ACCUSATION NO. 11CR0354-3

PLEA

WARRANT NO. 2011-0503-3, 2011-0504-3

WALTON SUPERIOR COURT

February Term, 2011

The Defendant waives formal arraignment, copy of indictment / accusation, list of witnesses, and waives indictment by the Grand Jury where applicable, and also waives trial by jury and pleads:

STATE OF GEORGIA

GUILTY

NOT GUILTY

v.

This 16 day of May, 2011.

MICHAEL ALONZA RUFUS

~~Not guilty plea entered on behalf of defendant due to his refusal to sign confession on State of Georgia Court~~

Ct. 1: Possession of Marijuana with Intent To Distribute

Defendant

Ct. 2: Possession Of A Firearm During Commission Of A Felony

Defendant's Attorney

Anthony Galimore, Prosecutor

Mamie Greene
Assistant District Attorney

LAYLA H. ZON
District Attorney

VERDICT

We, the jury, find the Defendant:

This _____ day of _____, _____.

Foreperson

FILED IN OFFICE
CLERK SUPERIOR COURT
WALTON COUNTY GEORGIA

2011 APR 15 AM 8:59

KATHY K. TROST, CLERK

scanned MT

IN THE SUPERIOR COURT FOR THE COUNTY OF WALTON
STATE OF GEORGIA

MICHAEL ALONZA RUFUS,

Plaintiff,

v.

SAMUEL D. OZBURN and SUPERIOR
COURT OF WALTON CO., STATE OF
GEORGIA,

Defendant.

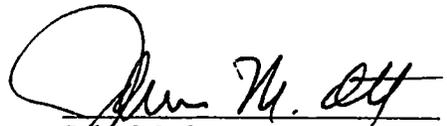
FILE NUMBER:

FILED IN OFFICE
CLERK SUPERIOR COURT
WALTON COUNTY GEORGIA
2013 MAR 20 PM 2:48
KATHY K. TROST, CLERK

ORDER DENYING PAUPER'S STATUS

After receiving a Request to Proceed in Forma Pauperis from the above-named plaintiff,
and after having considered said request, along with the applicable law, this court hereby
DENIES Pauper's Status to the plaintiff.

SO ORDERED this 20th day of March, 2013.


John M. Ott
Chief Judge, Superior Courts
Alcovy Judicial Circuit

Court of Appeals of the State of Georgia

ATLANTA, May 07, 2013

The Court of Appeals hereby passes the following order

A13D0332. MICHAEL ALONZA RUFUS v. SAMUEL D. OZBURN et al .

Upon consideration of the Application for Discretionary Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of Superior Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

LC NUMBERS:

NONE



*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, May 07, 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.*

Hally H. O. Sparrow

, Clerk.

IN THE COURT OF APPEALS OF THE STATE OF GEORGIA

Michael Alonza Rufus

VS

Samuel D. Ozburn, JUDGE, ET AL,

Case No. _____

*
*
*
*
*

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

2013 JUN 10 PM 2:51

RECEIVED IN OFFICE

AFFIDAVIT OF POVERTY

Personally appeared before me, an officer authorized to administer oaths in and for the State of Georgia, MICHAEL ALONZA RUFUS, who having first been duly sworn, did depose and state on his oath the following:

That he is an indigent person, incarcerated within the prison system of the State of Georgia, unable to meet or pay the costs and fees attaching to said matter, and that he makes this affidavit in order to be granted leave to proceed *in forma pauperis* and to be relieved from paying all costs which otherwise would be required of him.

Respectfully submitted this the 09 day of JUNE 2013.

Michael Alonza Rufus
Pro/Se

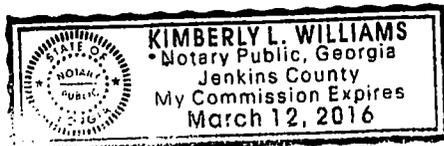
SUBSCRIBED AND SWORN BEFORE ME

THIS 4th DAY OF JUNE, 2013.

Kimberly L. Williams
(NOTARY PUBLIC)

(SEAL)

(MY COMMISSION EXPIRES)



CERTIFICATE OF SERVICE

I, Michael Alonza Rufus, certify by my signature that the foregoing are being mailed to:

Samuel D. Osburn, Judge, Newton County Judicial Center,
1132 Usher Street Room 214 Covington, Georgia 30014; Sam
Olens, Attorney General of Georgia, Office of the Attorney
General 40 Capitol Square SW Atlanta, Georgia 30334
and Ronald McNease, Assistant District Attorney, Alcovy
Judicial Circuit, Walton County District Attorney's Office,
303 S. Hammond Drive, Suite 334, Monroe, Georgia 30655.

by placing said documents in prepaid postage and pre-addressed envelopes to be mailed U.S. Postal Service to said persons.

Executed this 4th day of June, 2013

181 Michael Alonza Rufus
MICHAEL ALONZA RUFUS - DECLARANT

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

June 11, 2014

To: Mr. Edward Tyrone Ridley, GDC570139 K2-209-13, Smith State Prison, Post Office Box 726, Glennville, Georgia 30427

Case Number: Lower Court: County Superior Court

Court of Appeals Case Number and Style:

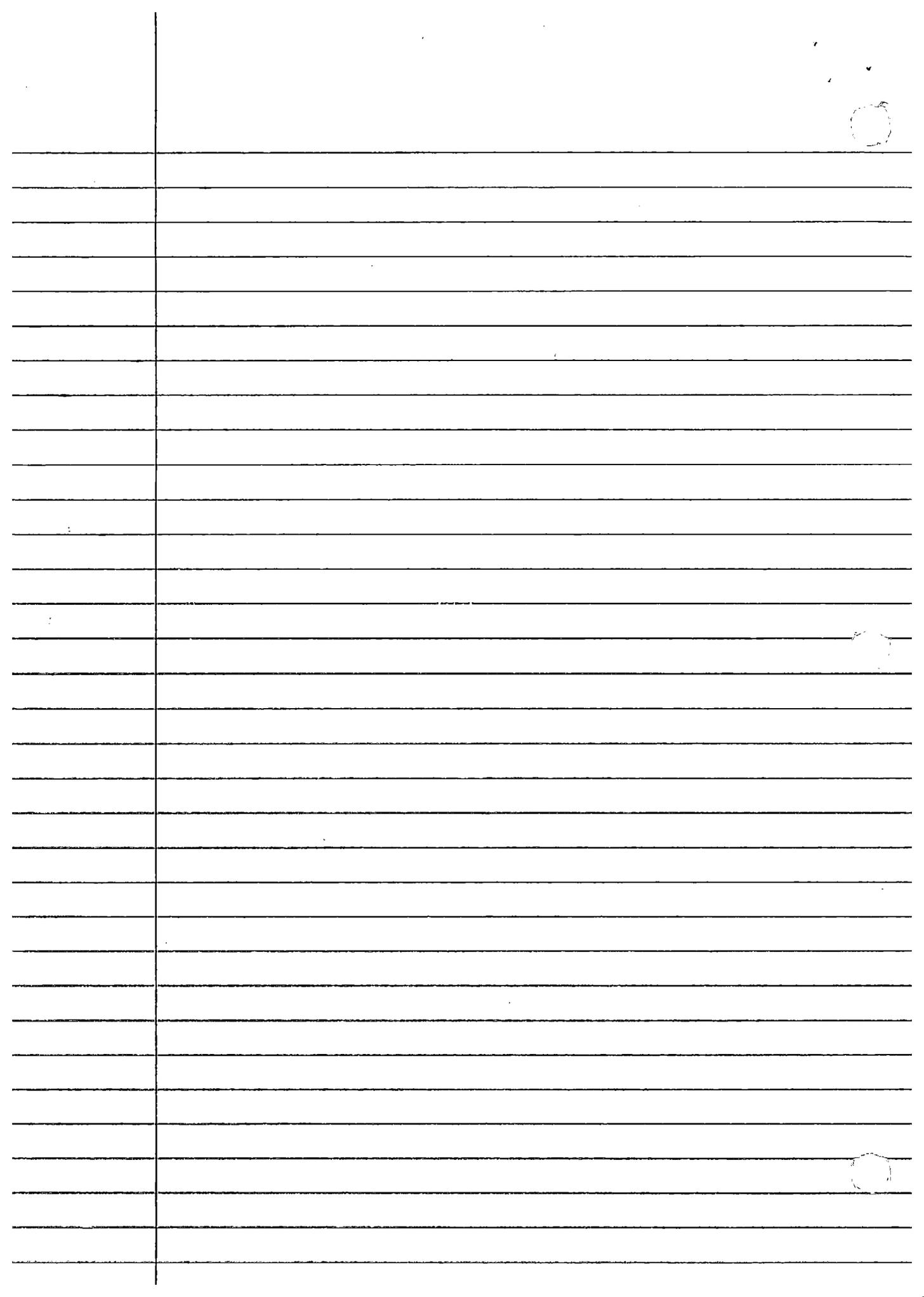
Your document(s) is (are) being returned for the following reason(s).

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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 actually be 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 . 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.

Georgia Court of Appeals

for case NO R13-149

RECEIVED IN OFFICE
2014 JUN -9 AM 8:35
CLERK/COURT REPORTER
COURT OF APPEALS OF GA



IN THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR BAY COUNTY

State of Florida ,

CASE NO. 95-2844H

vs.
Edward Tyrone Ridley
Defendant

PLEA, WAIVER AND CONSENT

I, Edward Tyrone Ridley, the undersigned defendant hereby acknowledge that I have been orally informed in open court this date of certain legal rights and other information at this proceedings, namely:

1. I hereby enter my plea of Noto contendere to the crime(s) of:

CHARGE	CASE NO. COUNT NO.	DEGREE OF OFFENSE	MAXIMUM PENALTY
<u>Attempted Sexual Battery</u>		<u>3rd felony</u>	<u>5yrs/5000⁰⁰</u>

and the plea agreement is as follows:

Defendant adjudicated guilty, to receive 3 years with department of corrections with credit for time served. No probation to follow. No habitual or violent offender sentence. No fine or costs. Defendant reserves right to appeal an illegal sentence or sentence imposed inconsistent with this agreement.

I feel my plea is in my best interest. I am entitled to 230 days jail time credits F.T.R. (Initials)

2. I have been advised of the nature of the charge(s) against me, and have had sufficient time to discuss them with my attorney who is present with me in Court, and who has explained to me every accusation therein. I am satisfied with the services and advices of my attorney.

3. I further acknowledge that I have been advised that probation may or may not be granted, and that no person, officer, agent or any branch of government, nor my attorney, has made any promises or suggestions of any kind to me or to anyone else within my knowledge that if I would plead to these charges I would receive a light sentence, probation or other form of leniency, except as embodied in this plea agreement on this form. I understand the complete terms of the plea agreement, including my obligations under such agreement and if the Court does not concur in such agreement my plea may be withdrawn.

10050

4. I understand that I have the right to plead not guilty; to be tried by a trial jury who would determine my guilt or innocence; to have the assistance of counsel at trial and all other stages of the proceedings against me; to compel the attendance of witnesses in my behalf; to confront and cross-examine witnesses against me; to remain silent at all times and not be compelled to give evidence against myself; I understand that upon my plea that there will be no further trial of any type. I knowingly give up and waive each of these rights.

5. This plea is made without reservation of the right to appeal the judgment of the Court, including guilt or innocence. I understand that I will not be entitled to the services of a public defender for any appeal other than an appeal based upon an illegal sentence and I must file any notice of appeal within thirty (30) days of sentencing.

6. My plea is entered here today freely and voluntarily, of my own free will and accord, and no one has forced, threatened, persuaded, promised, induced or otherwise influenced me to enter my plea to these charges except as set forth in this plea agreement.

7. I am in full command of my normal faculties and I am not under the influence of any sedatives, drugs, narcotics, or intoxicating beverages which would render me incapable of knowingly, intelligently or voluntarily entering this plea today. I am not now suffering from any mental illness. I have a clear understanding of the proceedings today.

8. The defendant agrees that the State of Florida can prove a prima facie case.

9. I have had the advice of counsel on all of the above matters, including answers to questions asked of me by the Court, and I fully understand the same and their legal implications and further say that all statements made by me are true, accurate and correct. I understand that if any statements or answers to questions made by me are false that they may be used against me in a later prosecution for perjury.

10. I understand that at sentencing the State, County and various agencies may seek assessment of costs against me pursuant to various statutes and ordinances and that I will have the opportunity to object to the assessment of these costs if I am unable to pay. I understand that if I am not a United States citizen that I may be deported by the United States Naturalization and Immigration Service as a result of my plea.

WITNESS my hand this the 29 day of July, 1996.

ATTEST: [Signature]
ATTORNEY FOR DEFENDANT

[Signature]
DEFENDANT

[Signature]
ASSISTANT STATE ATTORNEY

AGE 27

EDUCATION 14 yrs

I find that this plea has been freely and voluntarily made and same was sworn to and subscribed before me this the 29 day of July, 1996, and Approved and Accepted.

[Signature]
CIRCUIT COURT JUDGE

000081

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

June 11, 2014

To: Mr. Jerry L. Minor, III, GDC99439597 K-109-B, Gwinnett County Jail, 2900 Highway 316, Lawrenceville, Georgia 30043

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 trial court clerk.
- 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.
- The Certificate of Service accompanying your Notice of Appeal was incorrect.** The Certificate of Service must show service to the opposing counsel and contain the counsel's full name and complete mailing address. The opposing counsel must actually be 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 _____ The remittitur issued on _____ 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.

IN THE SUPERIOR COURT OF DEKALB COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

]

]

vs.

]

CASE NO. 09-CR5291-7

]

DEFENDANT

]

Jerry Lamar Minor III

]

RECEIVED IN OFFICE
2014 JUN 11 AM 8:40
CLERK OF SUPERIOR COURT
COURT OF APPEALS OF GA

NOTICE OF APPEAL

Defendant hereby files this, his Notice of Appeal to the Court of Appeals of Georgia from the judgment and sentence entered on.

Defendant was sentenced to 10 do4 yrs. Restitution estimated at \$ 565 was made a part of the sentence. Restitution hearing was held on and restitution of \$ 565 was imposed. Order was also entered on 9/15/10.

The Clerk will please omit nothing from the record on appeal. Transcript of evidence and proceedings have been transcribed and are to be filed for inclusion in the record on appeal.

The Court of Appeals of Georgia has jurisdiction of this case for the reason that the judgment of conviction and sentence was entered on a non-capital felony. Art. VI, Sec. V, Par. III of the 1983 Constitution of Georgia.

This 5th day of June, 2014.

CERTIFICATE OF SERVICE

This is to certify that I have this day served opposing counsel, Danny Porter, District Attorney, or a member of his staff, a copy of the foregoing pleading by mail delivery at the DeKalb County District Attorney's Office, located in Decatur, Georgia.

Gwendolyn Hayes Fleming

This 5th day of June, 2014.

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 12, 2014

Mr. William Michael Meyer
GDC1000908836
Floyd County Prison
329 Black Bluff Road
Rome, Georgia 30316

Dear Mr. Meyer:

I am in receipt of your letter addressed to Judge Michael P. Boggs of this Court. Pursuant to the Code of Judicial Conduct and the rules and policies of this Court, the judges of this Court are not permitted to communicate with parties who have a case before the Court or which may come before the Court.

There is no case in the Court of Appeals under the name of William Michael Meyer.

You may wish to contact The Center of Prisoner's Legal Assistance, P.C. at 11377 Southbridge Parkway in Alpharetta, Georgia 30022 to see if they may be able to assist you in getting answers to your questions. I am returning your documents to you.

Sincerely,



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

SEC/ld
Enclosures

Dear Council Member:

June 8, 2014

I am writing you concerning the Georgia Council on Criminal Justice Reform. I believe the recent bill and the intent of the Governor and State legislature was directed to help people like me. I am 65 with no criminal history yet the Fayette County Justice System harshly evaluated a minor misdemeanor trespassing charge to a 5 years ^{elevated} prison felony. Then the Parole Board piled on with a decision to extend the usual one third time to serve two thirds (3 years 6 months. Why does the GDC continue to disregard the new policy? I am a non-violent, low risk, property offender.

Could you please advise me as to what I can do or who I need to speak to about the system ignoring the Criminal Justice Reform Act and my situation?

Sincerely,

William Michael Meyer
William Michael Meyer
1000908836

RECEIVED IN OFFICE
28th JUN 11 PM 2:34
CLERK/COURT ADMINISTRATOR
COUNTY OF APPLICANTS OF GA

Deal signs bill revamping many criminal sentences

Related

By Aaron Gould Sheinin and Bill Rankin

The Atlanta Journal-Constitution

Calling it a historic day for Georgia, an emotional Gov. Nathan Deal on Wednesday signed into law major changes to how the state punishes non-violent criminals.

Deal signed House Bill 1176 at the Capitol surrounded by lawmakers and members of his Special Council on Criminal Justice Reform, which recommended many of the new law's provisions.

The sentencing reform package is projected to save taxpayers \$264 million in prison spending over the next five years. The legislation, which takes effect July 1, establishes alternatives to incarceration for low-level, non-violent drug and property offenders and reserves expensive prison beds for the most dangerous offenders.

The initiative is part of Deal's criminal justice reform agenda, which includes \$10 million in funding for "accountability courts" that require defendants to work, seek treatment and stay sober.

Deal said those special courts will save the state money through lower recidivism, but they will also save lives and families. Deal's son, Jason, is a superior court judge in Hall and Dawson counties and oversees drug courts there. Deal said he and his wife, Sandra, who was also at the bill signing, had attended the program's graduation ceremonies.

"To listen to the stories, to the lives that have been changed, the families who have been reunited and lives that have, quite frankly, been cast aside by the system that was in place, had a tremendous emotional effect on me," Deal said as he fought back tears.

The special council, which worked with the Pew Center on the States in developing its new policies, will continue its work, Deal said.

"This comprehensive new law reflects a bipartisan consensus about how to combat nonviolent crime," Adam Gelb, director of Pew's Public Safety Performance Project, said. It will "make communities safer and curb runaway corrections spending."

Georgia Supreme Court Chief Justice Carol Hunstein, who served on the special council, praised enactment of the legislation.

"This is very positive step, a great start," she said. "Hopefully moving forward we will look at other possible improvements to the criminal justice system that will benefit the citizens of this state."

Hunstein said it will be important for the continued work of the council "to monitor how effective this legislation is and whether we're getting the desired results we want."

STATE BOARD OF PARDONS AND PAROLES



Albert R. Murray
Chairman

2 Martin Luther King, Jr., Drive, S.E.
Balcony Level, East Tower
Atlanta, Georgia 30334-4909
(404) 656-4661
www.pap.georgia.gov

Terry E. Barnard
Vice Chairman
Robert E. Keller
Member
James E. Donald
Member
James W. Mills
Member

Date: November 5, 2013

Mr. Dennis R. Scheib, Attorney at Law
100 Peachtree St., Suite 2095
Atlanta, Ga. 30303

Re: William Meyer, EF-762298

Dear Mr. Scheib,

This acknowledges receipt of your correspondence dated October 24, 2013 regarding the above-referenced inmate.

As you are aware, the Parole Board agreed with the Guidelines recommendation in Mr. Meyer's case, which was 40 months, based on his Crime Severity Level of VI (Residential Burglary-Unoccupied Residence) and his Low Risk Score of 2. Mr. Meyer was found guilty by a jury of Burglary and Criminal damage to Property 2nd degree. As you know, the Court sentenced Mr. Meyer to 15 years, serve 5 years, BP and 5 years concurrent. I believe your anger with Mr. Meyer's sentence should be with the Court that sentenced him, not with the Parole Board which is carrying out the purpose of the Parole Decision Guidelines by AGREEING with the Guidelines in Mr. Meyer's case, not deviating above them.

While incarcerated, Mr. Meyer has the opportunity to earn PIC credits which can advance his TPM. I would explore this option with the Department of Corrections, the Agency that administers the PIC program, to insure that Mr. Meyer is receiving all PIC credits due to him.

The hearing you request is not possible and the Parole Board will not rescind his release date and release him.

Your submission is being made a part of Mr. Meyer's file.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Baustin".

Steve Baustin
Senior Hearing Examiner S.M.E

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

Date: June 12, 2014

To: Mr. Robert Tillman, 711 Peacock Street, Vidalia, Georgia 30474

Docket Number: A14A1702 **Style:** Robert L. Tillman 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 **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

IN THE COURT OF APPEALS OF THE STATE OF GEORGIA

Appeal Case Number A14A1702

Robert L. Tillman

v

The State of Georgia

RECEIVED IN THE COURT OF APPEALS OF THE STATE OF GEORGIA JUN 11 AM 8:47

MOTION REQUESTING APPOINTMENT OF COUNSEL

I, the above named Plaintiff/Petitioner, do hereby swear that I am unable to pay the costs of said proceeding or give security therefore, that I believe I am entitled to redress, and that I am unable to litigate this case on my own behalf because I am not an attorney.

I respectfully request the appointment of counsel to assist me in preparing my brief for the appeal.

I am financially unable to hire an attorney; the court has also ruled that I am indigent. I understand that making this application does not excuse me from litigating my case, and that it is still my responsibility to move forward in this proceeding.

I declare that my answers to the foregoing are true and correct.

6 JUNE 2014

Date

Robert L. Tillman

Signature
Robert L. Tillman
711 Peacock Street
Vidalia Ga. 30474

Tullon
IN THE SUPERIOR COURT OF Macon County
STATE OF GEORGIA

RECEIVED IN OFFICE
2011 JUN 13 PM 2:39
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Shelton R. Thomas
Plaintiff
1000744646
Inmate Number

Civil Action No. _____

Stephen E. Costler, Clerk
Georgia Court of Appeals
vs.
Defendant(s)

Nature of Action:

Writ of Mandamus

INMATE FORM FOR CIVIL ACTION

PART I: BACKGROUND INFORMATION ON YOUR CONVICTION

1. Name and location of prison in which you are now confined: Macon State Prison
Oak Grove, GA

2. Sentence you are now serving: Life With Parole

Name and location of court which imposed sentence: Fulton County Superior Court,
Atlanta, GA

Approximate date your sentence will be completed: Unknown

3. The indictment number or numbers (if known) upon which, and the offense or offenses for which sentence was imposed:

a. 075661165 - Attempting to Commit Armed Robbery, Aggravated Assault/Trial
to Rob and Possession of a Firearm During Comm'l Felony

b. 075673242 - Armed Robbery, Aggravated Assault of a Deadly Weapon, Kidnapping,
False Imprisonment, Poss of Firearm During Comm'l Felony, & Theft by Taking

4. Give the approximate date upon which sentence was imposed and the terms of the sentence:

a. December 20, 2010 - 30 years

b. December 20, 2010 - Life

10. If your answer to number 9 is "Yes," describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline for each lawsuit.)

a. Parties to the previous lawsuit:

Plaintiffs: Shelton R. Thomas

Defendants: Ned Warren, Sheriff, et al.

b. Court (If federal court, name the district. If state court, name the court and county):

United State District Court

c. Docket Number: 1:05-CV-1903-CAP

d. Name of judge to whom case was assigned: Charles Pannell, Jr.

e. Date on which you filed lawsuit: Unknown

f. Date of disposition, if any, of lawsuit: Unknown

g. What was the lawsuit about? Use of Force

h. What was the outcome of the lawsuit? (For example, was the case dismissed? Was it appealed? Is it still pending?) Dismissed

i. Citations, if known, to any written opinions or orders in the lawsuit: Unknown

PART III: GRIEVANCE PROCEDURES

11. Is there a prisoner grievance procedure at the institution in which you are presently confined?

Yes No

12. If your answer to number 11 is "Yes," please answer the following:

a. Did you present the facts relating to your complaint in the institution's prisoner grievance procedures? Yes No

b. If your answer to (a) above is "Yes,"

What steps did you take? n/a

What was the result? n/a

c. If your answer to (a) above is "No," explain why not: This is a writ of Habeas Corpus aimed at the clerk of the Court's "Appellate Term and Jurisdiction"

c. N/A

5. Check whether a finding of guilty was made after a plea of:

- Guilty
- Guilty but mentally ill
- Nolo contendere
- Not guilty

6. If you were found guilty after a plea of not guilty, check whether the finding was made by:

- Jury
- Judge only

7. Did you appeal from the judgment of conviction or the imposition of sentence?

- Yes
- No

8. If you did appeal, answer the following:

a. The name of each court to which you appealed:

- 1. Court of Appeals
- 2. Mass Superior Court
- 3. _____

b. The result in each such court to which you appealed:

- 1. still pending
- 2. still pending
- 3. n/a

c. The approximate date of each such result:

- 1. N/A
- 2. N/A
- 3. N/A

d. If known, citations of any written opinion orders entered pursuant to such results:

- 1. none
- 2. none
- 3. N/A

PART II: OTHER LAWSUITS

9. OTHER THAN LAWSUITS ALREADY LISTED in questions 3 through 8, have you ever begun or are you now beginning other lawsuits in federal or state courts dealing with the same facts involved in this action or relating to your imprisonment?

- Yes
- No

13. Tell what you have done, other than what you have described in question 12, to bring your complaints to the attention of prison officials. In doing so, give dates, places, and names of persons talked to.

N/A

14. Names and approximate dates of entry and exit, and locations of all prisons and jails in which you have been incarcerated:

Tankersley State Prison and Macon State Prison. December 2010?

15. As to your present confinement, please state:

a. Which part of the penitentiary or jail are you held in: General Population

b. How long have you been in this part of the penitentiary or jail? Unknown

c. Please list the full name of every prisoner now confined in the same general area: Unknown

PART IV: STATEMENT OF CLAIMS

16. List the name and address of each plaintiff in this lawsuit: Shelton R. Thomas
Macon State Prison P.O. Box 426 Oglethorpe, GA 31068

17. List below for each defendant, the defendant's full name, official position, and place of employment. Attach additional paper if necessary.

Full Name	Official Position	Place of Employment
<u>Stephen E. Costen</u>	<u>Chief Administrator</u>	<u>Georgia Court of Appeals</u>

STATEMENT OF CLAIM

18. Describe each and every FACT—no opinions or views, only the actual events—supporting and explaining the basis for the lawsuit you have filed. DESCRIBE HOW EACH DEFENDANT IS INVOLVED. Include also the names of other persons involved, dates and places. If you intend to allege a number of related claims, you should number and set forth each claim separately. DO NOT GIVE ANY LEGAL ARGUMENT OR CITE ANY CASES OR STATUTES. (You may attach additional sheets of paper if necessary.)

1. The Petitioner states a claim in that he had ^{submitted} ~~had~~ prose Application for Discretionary Appeal on April 7, 2014, with a Motion for leave to file the Application for Discretionary Appeal w/o the Required Copies -

2. Respondent returned the Application and Motion with a form letter dated April 11, 2014, that indicated that: a) Your Application was not accompanied by the statutory filing fee, etc; and b) A stamped "list" copy of the trial court's order to be appealed was not attached to your Application -

3. Petitioner timely submitted a Motion for Extension of Time to file [a] Affidavit as proper to respond to the deficiency and to avoid missing the time limitation deadline, based on the time it would take to perfect and complete the form and have it mailed in time.

4. Petitioner ~~has~~ resubmitted along with the Application for Discretionary Appeal and Motion for Leave to file the Application for Discretionary Appeal w/o the Required Copies, a Request to Proceed in forma Pauperis and in lieu of a copy of the Court's Order, another motion titled "Motion for leave to file Application for Discretionary Appeal w/o a Copy of the Trial Court's Order."

5. Respondent again returned all the pleadings with a - Court pay. A

19. List the name and present address of every person who you believe was a witness to the facts set forth in number 18 and BRIEFLY state what each person knows (from having seen, heard, etc.) concerning what happened.

N/A

20. Please describe any legal argument you wish to make. You may add separate sheets of paper if necessary. It is not necessary that you present legal argument in order to obtain the relief to which you are entitled.

a) Petitioner in the above entitled action pursuant to O.C.G.A. sec. 9-6-20 et seq. moves this Court for issuance of a writ of mandamus directed to the above named respondent ordering the performance of his duty as Clerk of the Court of Appeals.

b) Respondent is employed by State of Georgia in his official capacity as Clerk of the Georgia Court of Appeals and as such is subject to the jurisdiction of this Court.

c) Respondent is under a duty to act pursuant to Georgia Court of Appeals Rule 41(a) in that it require him to file all motions whenever counsel with the Court to take any action. Respondent failed to file Petitioner's motions seeking leave from the Court.

21. Briefly state the specific relief requested against each party. This means to state exactly what you want the court to do for you. **DO NOT MAKE ANY LEGAL ARGUMENTS. DO NOT CITE CASES OR STATUTES.**

Whereas, the Petitioner respectfully requests that this Court issue a mandamus nisi to Respondent Quillen requiring him to show cause at a time and place to be designated by the Court not less than ten days, nor more than thirty days from this date, why a mandamus should not be issued requiring him to file Petitioner's pleadings so that the judges can rule on them, and that upon the hearing the mandamus be made absolute and the Respondent be required to file all pleadings non incarcerated inmates without the trial court's orders and require copies made on prison administration policy that prohibit state from making copies for inmates even for legal reasons. In addition, Respondent be order to pay all court's fees and other litigation expenses.

I declare (or certify, verify, or state) under penalty of perjury that the foregoing statements made in this Inmate Form for Civil Action are true and correct.

Executed on June 5, 2014
Date

Shel R. Brown
Signature of Plaintiff

Sworn to and subscribed before me this
5th day of June 20 14.

Bennie R. Solomon

Notary Public or Other Person Authorized to Administer Oaths

Bennie R. Solomon

Notary Public

Peach County, State of Georgia

Comm. Expires 07-14-2014

again that "A stamped filed" copy of the trial courts order to be appended
 pleadings with another stamped letter dated May 17, 2019, that indicated
 7. Respondent completely ignored the letter and again returned the
 a copy of the trial courts Orders, in lieu of the trial courts orders.
 motion for leave to file the Application for Discretionary Appeal without
 along with a letter that specifically pointed out that he had submitted a
 6. Reliance responded by returning all the above mentioned pleadings
 Application, Rule 30(b) and 31(c)."
 copy of the trial courts order to be repeated was not attached to your
 form letter dated May 2, 2019, that indicated that "A stamped filed"

Part IV: Statement of Claims cont:

19. Shelton R. Thomas v. Hon. Judge W. James Sizemore, 2019-CV-00046.
18. Shelton R. Thomas v. Hon. Judge Craig Howell Sr., Case Number unknown.
17. Shelton R. Thomas v. Gregory McLaughlin, 2018-CV-274
1-13-CV-01774-CAP
16. Shelton R. Thomas v. Gregor McLaughlin, 5-13-CV-184-MT-CM;
15. Shelton R. Thomas v. Brian Owens, 2011-CV-222
14. Shelton R. Thomas v. Caliente Inc. (B. B. B.), 2011-CV-201839
13. Shelton R. Thomas v. Aronark, Inc., 11-12-CV-1694-CAP
12. Shelton R. Thomas v. Georgia Regional Hospital, 11-09-CV-3087-CAP
11. Shelton R. Thomas v. Jerry Wright, 11-09-CV-1792-CAP
10. Shelton R. Thomas v. Kiley Taylor, 11-09-CV-1312-CAP (A78)
9. Shelton R. Thomas v. Myron Freeman, HC00712
8. Shelton R. Thomas v. Ted Jackson, 11-09-CV-1094-CAP
7. Shelton R. Thomas v. Andrea Thomas, 11-08-CV-2795-CAP
6. Shelton R. Thomas v. Alloria City Public Department, 11-08-CV-1986-CAP
5. Shelton R. Thomas v. Paul Houser, 11-08-CV-1903-CAP
4. Shelton R. Thomas v. Fulton County, 11-08-CV-1738-CAP
3. Shelton R. Thomas v. J. McCoy, 11-07-CV-0263-CAP
2. Shelton R. Thomas v. Cobb County, 11-05-CV-2977-CAP

Part II: Other Lawuits cont:

Allan, GA 30334

977 Trinity Avenue, S.W. Suite 501

Georgia Court of Appeals

Clerk: Administrative

Mr. Stephen E. Bullen

A copy of the original mailed
on this day of Jan. 20th, 1981

Certificate of Service

12. If the petitioner is not granted relief he will suffer damages of being effectively placed out of court.

11. If the petitioner has no remedy other than mandamus to obtain relief.

10. Respondent is under a duty to act pursuant to Georgia Court of Appeals

Rules that require a writ to the all motions whichever counsel [prose] with

the court to take any action, petitioner is indigent and is presently in-

carcerated. He is not permitted to make copies, per BDO and MFP

policy and have no other means to provide the court with copies.

9. Petitioner has a right under the laws of the state of Georgia to apply

for an extraordinary appeal.

required number of copies on the trial courts orders.

his Application for Extraordinary Appeal is not accompanied by the

the Court of Appeals Petitioner's motions that specifically address why

effectively placing him out of the court by not filing and presenting to

and has effectively denied this Petitioner access to the Court of Appeals by

either failed to or refused to do so, which has caused unnecessary delays

in the for timely filing all proceedings in the Court of Appeals. Here, Respondent

8. Respondent written as the clerk of the Court of Appeals is solely responsible for timely filing all proceedings in the Court of Appeals. Here, Respondent was not attached to your Application (Rules 30(b) and 31(c))."

General Civil Case Filing Information Form (Non-Domestic)

Court Superior State County _____ Date Filed _____
 Docket # _____ MM-DD-YYYY

Plaintiff(s)
Thomas Shelton R.
 Last First Middle I. Suffix Prefix Maiden

Defendant(s)
Castler, Stephen E.
 Last First Middle I. Suffix Prefix Maiden

 Last First Middle I. Suffix Prefix Maiden

No. of Plaintiffs 1

No. of Defendants 1

Plaintiff/Petitioner's Attorney Pro Se

N/A
 Last First Middle I. Suffix

Bar # _____

Check Primary Type (Check only ONE)

- Contract/Account
- Wills/Estate
- Real Property
- Dispossessory/Distress
- Personal Property
- Equity
- Habeas Corpus
- Appeals, Reviews
- Post Judgment Garnishment, Attachment, or Other Relief
- Non-Domestic Contempt
- Tort (If tort, fill in right column)
- Other General Civil Specify Writ of

Mandamus

If Tort is Case Type: (Check no more than TWO)

- Auto Accident
- Premises Liability
- Medical Malpractice
- Other Professional Negligence
- Product Liability
- Other Specify _____

Are Punitive Damages Pleaded? 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

June 16, 2014

Mr. Sean Prather
GDC972246
Smith State Prison
Post Office Box 726
Glennville, Georgia 30427

RE: A14A1730. Sean Prather v. The State

Dear Mr. Prather:

I am in receipt of your Appellant's Brief received in this office on June 13, 2014. The above appeal was dismissed by this Court on June 10, 2014. I am returning your documents to you.

Sincerely,



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

SEC/ld
Enclosures

"Appellants

"Appeal Brief"

Brief in Support of Appeal

June 2, 2004

RECEIVED IN OFFICE

2014 JUN 13 AM 11:48

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

TABLE OF CONTENTS

1. APPELLATES BRIEF IN SUPPORT OF CLAIM

(1) STUN BELT ISSUE

(2) Failure To Hear Evidence / Lack of Jurisdiction - to Facilitate the Truth / WARRANT came after indictment.

(3) Undermining of Rule of Defense

(4) Denial of access of the record of the court despite former papers.

(5) Failure to explore record (criminal court Docket) to Facilitate the truth.

(6) Ineffective Assistance of Counsel

7

2. ENUMERATION OF ERROR

3. Argument and Citation of Authority

- includes finding of facts / STATEMENT OF FACTS

4. Motion To Proceed in Formo Papers

5. Motion For Appointment of Counsel

6. EVIDENCE ON BEHALF OF APPELLANT.

EXH 1: Criminal Case Court Docket Sheet

2: Letter from Clerk Oct. 23, 2013

3: Letter from Clerk Feb 26, 2014

4: Letter from Clerk March 5, 2014

5: Letter from Clerk March 12, 2014

6: Letter from Clerk March 17, 2014

As to trial proceedings a presumption of guilt was brought about when the Appellate was forced to wear a straitjacket

1.

Appellate proceeds without the Advice/Assistance of a professional-licensed counselor of law, ~~with~~ ^{without} true liberality. See: Haines v Kerner, 92 S.Ct 594 - 113, v. Earlfield.

Lomas Row, Sean Frather, Pro Se, in a timely manner with the resubmission of Appellate brief pursuant to O.L.G.A. 5-6-33 and Appellate the Adverse Ruling made April 7, 2014 in Motion to Vacate/Correct void sentence. In which Motion DID in fact provide a showing to treat judgment as nullity and did in fact allege grounds upon which the judgment of conviction entered against criminal defendant can be declared void. Considering the newly discovered evidence.

• APPELLATES BRIEF •

Case No: A14A1730

SEAN FRATHER
v.
THE STATE

COURTS OF APPEALS OF GEORGIA

During trial proceedings minus any objections from Trial Attorney. it was visible proof that there was conflict from this before for the

witnesses for the state never produced a statement to be viewed by the defense, but upon trial the Appellate was indeed forced to wear this shirt belt before entering the courtroom without any hearing of or justification found. Feltner had no prior history to this incident that he was found guilty of, from this Resumption of Guilt signified by the court to make Feltner to wear shock belt. discredit his presumption of innocence during trial. The court erred in requiring the Appellate wear a shock belt without a hearing or any factual finding of necessity. The failure of the trial court to have a hearing on the issue of a shock belt denied the Appellate his rights under the 5th and 14th Amendments to the U.S. Constitution and Art. I, Sec. 1 paragraphs I, II, and III of the Const of Georgia. Also the 4th and 8th Amend. to U.S. Constitution.

There is no record of any physical disruptions in the courtroom or any other place. No one presented evidence of threats Feltner was never warned that his participation in the in-court dialog (when the duty was not in) included the wearing of the shock belt. Only that he had to wear it upon entering the courtroom. Nothing anything. STATED on the behalf contradict from the security measures took. A clear demonstration of the ~~psychological~~ Psychological impact in this case. Use of the shock belt indicated to the Applicant that he could not ask questions or raise concerns, conflicting statement-evidence

Therefore Feltner could not fully Part-take in his trial or could not assist his counsel and already inhibited his ability to testify dutifully on his own behalf. The right to testify dutifully is a substantial and important right. Please visit 47 Ga. App. 830, 831 (1971) 5.2.731 (1932)

The Appellate received no hearing on the issue. nor did the trial Attorney object to the constitutional violation. NO explanation for the necessity of the belt was made. NO alternative restraints were considered. PETITIONER could not raise any objection for he was in total fear of the shock belt.

IN BRADNER V. STATE A09A1418 (July 14, 2009): A COURT supported a courts decision to use a stun belt. The COURT CITED approvingly of the factors the trial court had found that indicated the need for security measure. The COURT in COUNCIL V. STATE A29A0290 276 S.E. 2d 411 (Ga 2009) also made a finding of factors supporting use of such security. NO such factor(s) were found in the case at bar NOR indicated by record. Both the United States Supreme Court and several United States Courts of Appeals have decided this restraint issue conflict with Georgias Courts of last resort. The Supreme Court of Georgia had decided the matter in conflict with the 5th, 6th, and 14th Amendments to the Constitution of the U.S.

IN DECK V. MISSOURI, 544 U.S. 622 (2005) Supreme Court of the U.S. Addressed the issue of the use of restraints at the sentencing phase of a capital trial i.e. Penalty Phase, as it forbids their use during the guilt/innocence phase, unless that use is justified by an essential state interest - such as the interest in the courtroom security - specific to the defendant at trial." id. at (citing Holbrook v. Flynn 475 U.S. 560, 568-69 (1986)). In reaching its decision, the court noted that judicial concerns regarding shackling once reflected concern for suffering to the accused caused by the "very painful" chains, but more recently the analysis had turned to the following (3) fundamental legal principles: (1) visible shackling undermines the presumption of innocence, (2) use of physical restraints interferes with the accused ability to participate in

his own defense and his ability to communicate with his lawyers, and (3) use of visible restraints interferes with a judge's ability to maintain a dignified judicial process. *Id.* at 630-31. The court concluded that the 5th and 11th Amendments dictated that courts cannot place defendants in shackles or other restraints visible to the jury "as matter of routine, and that a judge must make a case specific determination which reflects particular concerns related to the Appellate at trial. *Id.* (emphasis added). In

Reviewing this type of issue the court pointed to its statement in *Holbert*, *supra*, that shackling is "wholly prejudicial." *Id.* at 635. The court noted this statement is "rooted in our belief that the practice often have a negative effect" which cannot be shown in the trial transcript and, therefore, a defendant need not demonstrate actual prejudice to make out a due process violation. *Id.* The court held that the state must prove beyond a reasonable doubt that the (shackling) error complained of did not contribute to the verdict obtained, *id.* Citing *Chapman v. California*, 386 U.S. 18, 24 (1967). Appellate submits that this court should apply the Supreme court of the United States analysis in *Deck v. Missouri*, *supra*, to the case bar. The Appellate standard for the utilization of restraints during a sentencing trial in a death penalty case, like *Fletcher* should be:

The use of physical restraints, visible or otherwise, violates the accused's right to due process of law, unless the trial court shall entertain evidence and shall find that such restraints are justified by a state interest specific to the defendant on trial. Federal courts have already reviewed the use of such belts in the court room. *Gonzalez v. Pliers* 341 F.2d 897 (9th Cir. 2003), *U.S. v. Dueham* 219 F. Supp. 2d 1234 (11th Cir. 2002).

To make appropriate finding of facts, Gonzalez v. Piller 341 F. 3d 897
9th Cir 2003. People v. Mar, 28 Cal. 4th 1201, 124 Cal. reporter 2d 161, 52
F. 3d 95 (2002). "Us. v. Gray, 592 F. Supp. 2d 71 (2003).

Courts found that many of the reasons cited in Deck v. Missouri, supra, for not utilizing visible restraints are equally appli-
cable to nonvisible restraints, particularly shaw belts. Both Gonzalez
and Durham Court said that if the shaw belt protrudes from
a defendant's back noticeably, it is possible that it may be viewed
"by jurors, and that according to the 11th Cir. Courts of Appeals,
may even more prejudicial than handcuffs or leg irons because
it implies that unique force is necessary to control the defendant."
Durham Court, the risk of interfering with an accused's "Remed.
right to counsel is "far more substantial" when a shaw belt is
used than when leg irons are used. The fear of receiving a
painful and humiliating shock for any gesture that could be perceived
as threatening likely dills a defendant's inclination to make any
movements during trial-including those movements necessary for
effective communication with counsel. Durham 219 at 1306.
It is reasonable to presume that much of the defendant's focus
and attention when wearing a shaw belt is occupied by anxiety
over the possible triggering of the belt. A defendant is solely
focused on the prevention of the shaw belt being used, and is
thus less likely to participate fully in his defense during trial.
We have noted that the presence of shackles may significantly
affect the trial strategy [Defendant] chooses to follow.
Compared to shock belts, "Shackles are a minor threat" to
the dignity of the court room, Durham at 1306. The use of
shaw belts has a capacity to be highly detrimental to the dignified
administration of justice.

The Gonzales court noted that most defendants would experience an increase in anxiety if compelled to wear the belt at trial, and that this increase in anxiety would likely affect ones demeanor while testifying. This demeanor impacts of the jurors perception of the defendant thus being material impairment of and prejudicial effect on the defendants privilege to testify on his own behalf.

See: People v. Sharrington 42 Cal. 165, 168 (1871)

This alone shows malicious prosecution and a mistrial of justice, ineffective assistance of counsel beyond the two prong-status of Shickland v. Washington, and the violation of petitioners/appellates due process of law and violation of constitutional rights.

"Because significant interests are implicated by the use of restraints before the ordering the use of such devices, the trial court must make a determination in the exercise of the discretion, that [restraints] are justified by a state interest specific to a particular trial." Deck, 544 U.S. at 129 (22)

forty-two years before Deck, the courts had explained the proper procedure that a trial court should follow before permitting the use of restraints.

The appellate understandably had the understanding that speaking his concerns within the presence or outside the presence of the jury would trigger the use of the device. The court failed to make known or give a hearing as to the wearing of the shu belt or the discretionary process as to the use of the shu belt.

There are statutory requirements that provide exercising the

U.S. CONST.

Bill of RIGHTS ART. I, SEC. 1 PAR. XIII and the IV Amend of the
with a sufficient showing of Probable cause as required by Ga
Warrant issued by the issuing officer, provided the magistrate
mandated Exercise of acquiring Personal Jurisdiction upon arrest
Appellant used people were arrested and detained without the

20

OR JUSTIFIABLE REASONING PROVIDES A SHOWING OF THE FACT.
RIGHTS. AND THE USE OF THE STUN BELL WITHOUT A HEARING
CONSTITUTIONAL RULINGS OR APPELLATE CONSTITUTIONAL, UNAVAILABLE
BY ANY MEANS NECESSARY EVEN IF IT VIOLATED
AMENDMENTS THEREFORE MOVED TO GAIN A CONVICTION
CTIONS, THE FIFTH, SIXTH, EIGHTH, AND FORTSEVENTH
OTHER CONSTITUTIONAL VIOLATION I.E. LACK OF JUDIS-
INDICEMENT PERFECT INFORM AND SUBSTANCE AND MANY
FACT HARMLESS. THIS COURT FAILED TO GET ON AN
RIGHTS CREATING BY THE TRIAL COURT'S ERROR WAS IN
DOUBT THAT THE INFIRMEMENT UPON APPELLATE CONSTITUTIONAL
THE STATE CAN NOT DEMONSTRATE BEYOND A REASONABLE
OF A CONSTITUTIONAL DIMENSION.

COURT ABUSED ITS DISCRETION AND COMMITTED ERROR
SUFFICIENT RATIONALE FOR USING THE BELT THUS THE TRIAL
TO HIM. AND THE TRIAL COURT DID NOT ARTICULATE ANY
DEVICE WOULD BE USED TO PREVENT OR WREST THE DEVICE WOULD DO
THE COURT FAILED TO INFORM THE APPELLATE WHAT BEHAVIOR THE

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 16, 2014

Ms. Rose Marie Harper Meadows
180 Shawnee Drive
Athens, Georgia 30606

RE: A14A0263. Rose Marie Harper v. Everbank

Dear Ms. Meadows:

I am in receipt of your correspondence dated June 9, 2014 regarding the above referenced appeal. The above appeal was dismissed on May 8, 2014 in this Court. I am returning your documents to you.

You may write the Supreme Court of Georgia at the following mailing address:

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
Enclosures

Court of appeals

06/09/2014

I ROSE MARIE HAREPERMEADOWS WISH TO FILE MY CASE WITH SUPREME COURT LEVEL PLEASE SEND MY FILE OVER VS EVERBANK PLEASE ENTER TO COURT RECORDS TO BE LIST ON DOCKET WITH SUPREME COURT LEVEL COURT FEES ARE ENTER UNDER PAUPE HARDSHIP MY CASE CONSIST OF A WRONGFUL FORCLOSURE IM REQUESTING A ORAL HEARING I NEED A LOAN MODIFICATION AND REMAIN IN MY HOME AND FACE REASON AFFORDABLE PAYMENTS PLEASE GRANT MY CASE TO SUPREME COURT

Rose Marie Harper Meadows

CASE NUMBER

A14A 0263 / V/S

ADDRESS 180 SHAWNEE DR ATHENS GA 30606

Everbank

SINCERELY ROSE MARIE HARPER MEADOWS

RECEIVED IN OFFICE

2014 JUN 13 PM 1:22

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

6/9/14

Plaintiff ROSE MARIE HARPER MEADOWS

VS

EVERBANK

NOTICE IS HEREBY GIVEN THAT THE CASE DOESNOT SUPPORT THAT KEEP GOING TO COURT MAGITRATE COURT RULE IT WAS A PREMATURE FORECLOSURE IT HAS BEING DIMISS SEVERAL TIME IN LOWER COURT IN ATHENS IMPROPER FORECLOSURE PROCEEDING PLANTIFF WAS SERVE AT WRONG ADDRESS EVERBANK IS NOT

MY MORTGAGE COMPANY WELLSFARGO IS I WANT TO APPEAL TO SUPREME COURT OF APPEALS PLEASE TRANSFER MY CASE OVER TO THEM ALL

DOCUMENTS A14A0263

TRANSFER CASE TO SUPREME PLEASE

CONTACT ADDRESS 180 SHAWNEE DR ATHENS GA 30606

7062550615

RECEIVED IN OFFICE

2014 JUN 13 PM 1:23

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Rose Marie Harper
V/S
Everbank

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 16, 2014

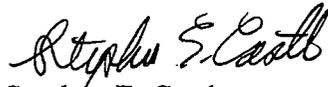
Mr. Virgil L. Maddox
GDC1000577031
Smith State Prison
Post Office Box 726
Glennville, Georgia 30427

RE: A12A1741. Virgil Lamar Maddox v. The State

Dear Mr. Maddox:

As per my letter to you dated February 6, 2014, this Court has been divested of any further jurisdiction in the above referenced appeal. I have enclosed a copy of my letter for your review. I am returning your documents to you.

Sincerely,



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

SEC/ld
Enclosures

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

COPY

February 6, 2014

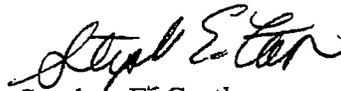
Mr. Virgil L. Maddox
GDC1000577031
Smith State Prison
Post Office Box 726
Glennville, Georgia 30427

RE: A12A1741. Virgil Lamar Maddox v. The State

Dear Mr. Maddox:

The Court of Appeals dismissed the above appeal on July 3, 2012. The remittitur issued on July 19, 2012, 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

IN THE COURT OF APPEALS
STATE OF GEORGIA

THE STATE OF GEORGIA,

PLAINTIFF

VS

CASE NO: A12A1741

VIRGIL L. MADDOX,

DE

DEAR, CLERK:

JUNE 07, 2014

EVERYTHING IN THIS PACKAGE IS VERY TRUE, I COULD NOT GET MY EX PUBLIC DEFENDER TO RESPOND TO ANY OF MY LETTERS AND REQUEST. MY EX PUBLIC DEFENDER ALSO FAILED THE DEFENDANT CERTIFY THE FOREGOING DOCUMENTS UPON TO INVESTIGATE THE CASE AND EXPLAIN THE CHARGES TO ME IN THE UNITED STATES MAIL, BECAUSE FOR THE PAST 10 YEARS, 4 OF THOSE YEARS I HAVE THEREON TO ENSURE IT REACHES BEEN LOCKED UP, I WAS SEEING A DOCTOR FOR MY MALE RESPECTFULLY SO HEALTH PROBLEM. FROM 2004 TO 2010 I WAS IMPOTANT, AND THATS WHY MY WIFE DIVORCED ME. SO, I KNOW THAT I COULD'VE NOT DO ANY OF THE THINGS THAT I AM BEING ACCUSED OF THE REASON THAT I PLEADY GUILTY, BECAUSE →

PERSON[S] SERVED:

CLERK, OF COURT OF APPEALS

OF THE STATE OF GEORGIA

47 TRINITY AVENUE S.W. SUITE 501

ATLANTA GEORGIA 30334

RECEIVED IN OFFICE
2014 JUN 13 AM 11:44
COURT ADMINISTRATOR
COURT OF APPEALS OF GA

CC.

EX-FORMER PUBLIC DEFENDER

ROME JUDICIAL CIRCUIT

ROME PUBLIC DEFENDER OFFICE

MR. RANDALL WILLIAMS

12 EAST 4TH AVENUE SUITE - G10

ROME, GEORGIA 30161

THE DEFENDANT ADDRESS:

VIRGIL L. MADDOX

G.D.C.# 1000597031

H1/222-B

SMITH STATE PRISON

POST OFFICE BOX 726

GLENVILLE, GA. 30427

IN THE COURT OF APPEALS
STATE OF GEORGIA

THE STATE OF GEORGIA,
PLAINTIFF

VS

CASE NO: A12A1741

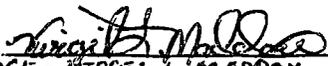
VIRGIL L. MADDOX,
DEFENDANT

DECLARATION UNDER PENALTY OF PERJURY

THE DEFENDANT, VIRGIL L. MADDOX DOES DECLARE UNDER PENALTY OF PERJURY THAT THE INFORMATION THAT THE DEFENDANT IS GIVEN HEREIN IS TRUE AND CORRECT. THE DEFENDANT UNDERSTANDS THAT GIVING FALSE INFORMATION CAN AND WILL SUBJECT THE DEFENDANT TO PERJURY CHARGES UNDER BOTH FEDERAL AND THE STATE OF GEORGIA LAW.

THE DEFENDANT, VIRGIL L. MADDOX DOES UNDERSTAND THE ABOVE, AND THE DEFENDANT WILL DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IN THE MOTION FOR RECONSIDERATION PROVIDED BY THE DEFENDANT, VIRGIL L. MADDOX IS TRUE.

RESPECTFULLY SUBMITTED THIS 27TH DAY OF JUNE, 2014.


THE DEFENDANT PROSE - VIRGIL L. MADDOX

GEORGIA COURT
OF APPEALS OF THE
STATE OF GEORGIA
47 TRINITY AVENUE S.W.
SUITE 501
ATLANTA, GEORGIA 30334

CASE NO: A12A1741

RE*
* CONSTITUTIONAL RIGHTS VIOLATED.

DEAR, CLERK OF COURT OF APPEALS:

I AM ENCLOSING A LETTER, THAT I SENT TO THE CLERK OF SUPERIOR COURT FOR FLOYD COUNTY, SHOWING AND EXPLAINING THAT THEY HAVE /ARE VIOLATING MY CONSTITUTIONAL RIGHTS. AS YOU WILL SEE IN THE LETTER, AND IN THE ABOVE HEREIN CASE NO: A12A1741, WHERE I TRIED TO GET MY PUBLIC DEFENDER, COUNSEL, MR. RANDALL WILLIAMS TO DO A TIMELY MOTION TO WITHDRAW GUILTY PLEA AND A TIMELY NOTICE OF APPEAL, AS YOU WILL SEE THAT FORMER COUNSEL NEGLECTED TO RESPOND TO MY LETTERS REQUESTING HIM, FORMER COUNSEL TO DO THESE FOR ME. YOU CAN ALSO SEE, THAT I HAD TO DO THEM AND THAT THEY, THE MOTIONS AND THE APPEAL WAS DENIED. BUT, IF SAID COUNSEL, MR. RANDALL WILLIAMS WOULD HAVE DONE THEM, THEN THE OUTCOME JUST MIGHT OF HAVE BEEN DIFFERENT, SEE, C.F. DARST VS THE STATE, 2013 GA. APP. LEXIS 684, A13 A0645, JULY 16, 2013, DECIDED.

I AM WRITING YOU IN HOPES AND PRAYERS THAT THE GEORGIA COURT OF APPEALS CAN ASSIST ME IN GETTING RELIEF IN MY CASE, THE "SIXTH AMENDMENT" SECURES A DEFENDANT WHO FACES INCARCERATION THE RIGHT TO COUNSEL AT "ALL CRITICAL STAGES" OF THE CRIMINAL PROCESS, SEE C.F. UNITED STATES VS WADE, 388 U.S. 218, 224, 87 S.C.T. 1926 18 L.E.1D. 2d 1149 [1967], THAT WOULD MEAN THAT COUNSEL, MR. RANDALL WILLIAMS SHOULD HAVE DONE THE MOTION TO WITHDRAW GUILTY PLEA AND FILE A TIMELY NOTICE OF APPEAL WHEN I REQUESTED HIM TO DO, BUT I HAD TO DO IT AND ALL OF THEM WAS DENIED, IF COUNSEL WOULD HAVE DONE THEM, THEN THE OUTCOME JUST MIGHT HAVE BEEN DIFFERENT, SEE C.F. DARST VS THE STATE.

I AM PRAYING THAT THE GEORGIA COURT OF APPEALS CAN ASSIST ME IN THIS MATTER. I HAVE BEEN BATTLING WITH THE PUBLIC DEFENDER THAT REPRESENTED ME IN THE CASE FOR FOUR YEARS KNOW AND AS OF TODAY'S DATE HE, COUNSEL WILL NOT RESPOND TO MY LETTERS.

THANK YOU FOR YOUR ASSISTANCE IN THIS MATTER.


VIRGIL L. MADDOX / G.D.C.# 1000571031

JUNE 07, 2014

MRS. BARBARA H. PENSON

CLERK OF FLOYD COUNTY

SUPERIOR COURT

P.O. BOX 1110

ROME GA. 30162

RE * VIOLATING MY CONSTITUTIONAL RIGHTS.

MRS. PENSON, CLERK OF COURT:

BY THE COURT ORDERING, THAT I AM BEING DENIED ACCESS TO THE COURT TO SEEK RELIEF, IN MY CASE, THAT IS A VIOLATION OF MY CONSTITUTIONAL RIGHT TO HAVE ACCESS TO THE COURT, IF I AM TRYING TO SHOW AND PROVE "INEFFECTIVE OF ASSISTANCE OF COUNSEL" BY COUNSEL NOT FILING A TIMELY MOTION TO WITHDRAW GUILTY PLEA AND TO DO A TIMELY NOTICE OF APPEAL, THAT COUNSEL, MR. RANDALL WILLIAMS WAS SUPPOSE TO DO, THEN, I WOULD NOT BE BOTHERING THE COURT, TWO WEEKS AFTER JUNE 09, 2011, WHEN I TOOK THAT GUILTY PLEA [WHEN I SHOULDN'T HAVE] I WROTE TO FORMER COUNSEL AND REQUESTED HIM TO DO A MOTION TO WITHDRAW THE GUILTY PLEA AND FILE A NOTICE OF APPEAL, HE WOULD NOT RESPOND TO ANY OF MY REQUEST, "SINCE MY FORMER COUNSEL FAILED TO RESPOND TO THESE REQUEST, I FELT THAT I HAD TO DO IT OR IT WOULD NOT EVER GET DONE," SINCE I AM ENTITLED TO IT.

THE "SIXTH AMENDMENT" SECURES A DEFENDANT [VIRGIL L. MADDOX] WHO FACES INCARCERATION THE RIGHT TO COUNSEL AT ALL CRITICAL STAGES OF THE CRIMINAL PROCESS, SEE C.F. UNITED STATES VS. WADE 388 U.S. 218 224 87 S.C.T. 193 6 18 L.E.1D. 2d 1149 [1967], ALSO, SINCE FORMER COUNSEL FAILED TO FILE A TIMELY NOTICE OF APPEAL, I BELIEVE THAT THE SIXTH AMENDMENT SECURES THAT ALSO, SEE C.F. HAYMES VS THE STATE, 327 GA. APP. 64 65 488 S.E. 2d 119 [1994] IN MY EVIDENCE, MRS. PENSON DO YOU REMEMBER THE PRINTOUT, THE MEMO IT WILL SHOW THAT I HAD TO DO EVERY THING THAT THE FORMER PUBLIC DEFENDER, MR. RANDALL WILLIAMS WAS SUPPOSE TO DO AND HE FAILED TO DO.

I AM SENDING THIS LETTER TO THE UNITED STATES COURT IN WASHINGTON AND THE GEORGIA COURT OF APPEALS IN THE STATE OF GEORGIA, BECAUSE THIS IS A VIOLATION OF MY 1ST 5TH 6TH AND 14TH AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA.

I HOPE TO HEAR FROM YOU, MRS. PENSON CLERK OF SUPERIOR COURT FOR FLOYD COUNTY, AS SOON AS POSSIBLE, ABOUT CASE NUMBER 11CRO0226 JFLO03.

THANK YOU FOR YOUR ASSISTANCE IN THIS MATTER.

CC. OFFICE OF THE CIRCUIT EXECUTIVE

UNITED STATES COURTS OF THE

DISTRICT OF COLUMBIA CIRCUIT

E. PRETTYMAN

U.S. COURTHOUSE

333 CONSTITUTION AVENUE N.W.

WASHINGTON D.C. 20001

AND

GEORGIA COURT OF APPEALS OF THE STATE OF GEORGIA

47 TRINITY AVENUE S.W. SUITE 501

ATLANTA GEORGIA 30334

SINCERELY YOURS,


THE DEFENDANT VIRGIL L. MADDOX

IN THE COURT OF APPEALS
STATE OF GEORGIA

THE STATE OF GEORGIA,
PLAINTIFF

VS

CRIMINAL CASE NO: A12A1174

VERGIL L. MADDOX
DEFENDANT

MOTION FOR RECONSIDERATION

PURSUANT TO THE GEORGIA COURT OF APPEALS RULE 37, THE DEFENDANT HEREBY MOVES THIS COURT TO RECONSIDER ITS ORDER ENTERED ON 07/03 2012 IN THE ABOVE REFERENCED CASE. A COPY OF THAT ORDER IS ATTACHED HERETO AS EXHIBIT "A" ALONG WITH EXHIBIT "B". THE DEFENDANT REQUESTS TO THIS HONORABLE COURT TO MOVE ON THIS HIS MOTION FOR RECONSIDERATION TO WITHDRAW GUILTY PLEA THAT WAS ENTERED ON JUNE 09, 2011. THE DEFENDANT IS AWARE THAT THERE HAS BEEN SEVERAL MOTIONS FILED TO SEEK SAME RELIEF, BUT THIS MOTION IS FOR, IN HOPES THAT, THIS HONORABLE COURT WILL SEE AND UNDERSTAND THE REASON, WHY, THE DEFENDANT SEEKED THE SAME RELIEF.

THE DEFENDANT STATES TO THE COURT THAT HE WROTE AND REQUESTED HIS COUNSEL TWO WEEKS AFTER JUNE 09 2011 AND THEREON TO HAVE COUNSEL TO FILE A TIMELY MOTION TO WITHDRAW GUILTY PLEA AND TO FILE A TIMELY NOTICE OF APPEAL, BUT, COUNSEL NEGLECTED THE DEFENDANT'S REPEATED REQUEST AND THEREFORE THE DEFENDANT HAD TO DO IT ON HIS OWN AND THE COURTS DENIED THEM. IF ASSIGNED COUNSEL WOULD HAVE DONE IT, THEN THE MOTION TO WITHDRAW GUILTY PLEA AND THE APPEAL'S OUTCOME JUST MIGHT HAVE BEEN DIFFERENT, SEE CASE FILE, DARST VS THE STATE, 2013 GA. APP. LEYIS 684, A13A0645, JULY 16, 2013, DECIDED.

THE DEFENDANT STATES ALSO THAT THE SIXTH AMENDMENT "SECURES A DEFENDANT WHO FACES INCARCERATION THE RIGHT TO COUNSEL AT ALL CRITICAL STAGES OF THE CRIMINAL PROCESS, SEE C.F., UNITED STATES VS WADE, 398 U.S. 218, 224, 89 S.C.T. 1926, 18 L.E.D. 2d 1149 [1969] THAT WOULD INCLUDE COUNSEL TO ALSO FILE A TIMELY NOTICE OF APPEAL WHEN THE DEFENDANT REQUESTED HIS COUNSEL TO DO IT. SINCE COUNSEL FAILED TO FILE A NOTICE OF APPEAL, THEN THE DEFENDANT HEREIN SHALL BE ENTITLED TO AN OUT-OF-TIME OF APPEAL SEE C.F. COBB VS STATE, 284 GA. 74 663 S.E 2d 262 [2008].

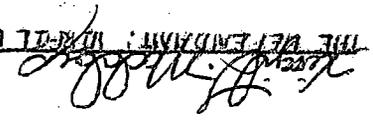
THE DEFENDANT BELIEVES THAT HE HAD THE RIGHT TO FILE A TIMELY MOTION TO WITHDRAW GUILTY PLEA, BUT THE COUNSEL NEGLECTED TO DO A TIMELY MOTION TO WITHDRAW GUILTY PLEA AND FILE A NOTICE OF APPEAL UPON DEFENDANT'S REPEATEDLY REQUEST. THE DEFENDANT HAD THE RIGHT TO WITHDRAW GUILTY PLEA AT A TIMELY MANNER, SEE C.F. BROWN VS THE STATE, NO A13A1440 OCTOBER 09 2013 AND O.C.G.A. § 17-7-93.

IF THE DEFENDANT'S COUNSEL WOULD HAVE RESPONDED TO THE DEFENDANT'S REPEATED REQUEST TO DO THE MOTION TO WITHDRAW GUILTY PLEA AND FILE AN APPEAL FOR THE DEFENDANT, THEN THE OUTCOME JUST MIGHT HAVE BEEN DIFFERENT, SEE DARST VS THE STATE.

SINCE FORMER COUNSEL NEGLECTED AND VIOLATED MY SIXTH AMENDMENT IT CAUSED HARM IN MY CASE TO GET THE RELIEF THAT I COULD HAVE GOTTEN SEE C.F. STRICKLAND VS WASHINGTON 466 U.S. 668 [1984] AND GIBSON VS MASSACHUSETTS, 372 U.S. 335 [1963].

THE DEFENDANT PRAYS TO THE COURT OF APPEALS TO GRANT THE DEFENDANT'S REQUEST FOR A COUNSEL TO FILE AN MOTION TO WITHDRAW GUILTY PLEA AND FILE A NOTICE OF APPEAL, SO THE DEFENDANT CAN GET A NEW TRIAL THAT THE DEFENDANT IS ENTITLED TO, THE DEFENDANT BELIEVES AND STATES THAT HE CAN PROVE THAT THE CHARGES AGAINST HIM ARE FALSE ALLEGATIONS MADE BY THE VICTIM AND HER MOTHER, AND BY THE COURT GRANTING SUCH REQUEST SHALL GIVE THE RELIEF THAT THE DEFENDANT IS ENTITLED TO.

RESPECTFULLY SUBMITTED, THIS JUNE DAY OF 07 2014.


THE DEFENDANT: VIRGIL L. MADDOX

VIRGIL L. MADDOX
C.D.C. # 1000571031
H/1/222 B

SMITH STATE PRISON
POST OFFICE BOX 126
GLENWATKLE, GEORGIA 30127

FORMER PUBLIC DEFENDER ADDRESS:
ROME JUDICIAL CIRCUIT
ROME PUBLIC DEFENDER OFFICE
MIR. RANDALL WILLIAMS
12 EAST 4TH AVENUE SUITE 610
ROME GEORGIA 30161

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 18, 2014

Mr. Henry A. Taylor
GDC1000514684
Macon State Prison
Post Office Box 426
Oglethorpe, Georgia 31068

Dear Mr. Taylor:

Your Notice of Appeal should be filed with the clerk of the trial court and not with the Court of Appeals of Georgia. Once the trial court clerk has received and filed the 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 have filed with the superior court.

Your Notice of Appeal did not include a proper Certificate of Service. The Certificate of Service must show service to the opposing counsel and contain the counsel's full name and complete mailing address. The opposing counsel must actually be served with a copy of your filing.

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

RECEIVED IN OFFICE

2014 JUN 15 PM 3:07

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS

HENRY ANTONIO TAYLOR,

CRIMINAL ACTION FILE NO.

PETITIONER,

10-CR-1985

.VS.

SUPERIOR COURT OF BARTOW

STATE OF GEORGIA,

RESPONDENT.

NOTICE OF APPEAL

O.C.G.A. SECTION 5-6-33 PROVIDES, IN GEORGIA, THE RIGHT OF A DEFENDANT TO APPEAL HIS CONVICTION EXIST BY VIRTUE OF THE APPELLATE PRACTICE ACT OF 1965, O.C.G.A. 5-6-34. O.C.G.A. SECTION 5-6-33 PROVIDES THAT "THE DEFENDANT IN ANY CRIMINAL PROCEEDING IN THE SUPERIOR, STATE, OR CITY COURTS, MAY APPLY APPEAL FROM ANY SENTENCE, JUDGEMENT, DECISION, OR DECREE OF THE COURT, OR OF THE JUDGE THEREOF. O.C.G.A. SECTION 5-6-30 REQUIRES THE ACT TO BE CONSTRUED "SO AS TO BRING ABOUT A DECISION ON THE MERITS OF EVERY CASE APPEALED AND TO AVOID DISMISSAL OF ANY CASE OR REFUSAL TO CONSIDER ANY POINTS RAISED THEREIN."

STATEMENT OF THE CASE

PETITIONER FILED A PETITION IN THE SUPERIOR COURT OF BARTOW COUNTY, GEORGIA, CHALLENGING THE COURT'S

VENUE AND JURISDICTION, TO TRY HIM ON A (5) COUNTY
CRIMINAL INDICTMENT WITH A CO-DEFENDANT, WHO THRU
THE STATE IMPLICATED PETITIONER, WHERE SHE WAS INDICTED
FOR CT.1 ARMED ROBBERY OF A PERSON; CT.2 ARMED ROBBERY
OF A BUSINESS AND CT.3, 4, 5, OF FALSE IMPRISONMENT.
THAT SAME SPECIAL PRESENTMENT SHOWS PETITIONER AND ANOTHER
HER CO-DEFENDANT COREY THOMPSON WERE BOTH INDICTED
ON CT.2 ONLY OF AN ARMED ROBBERY OF A BUSINESS, WICH-
CA. SEE SMITH V. HARRIS SUPRA. IDENTIFY NO CRIME AGAINST
PERSON TO BE A VIOLATION OF ANY STATUTE. PETITIONER AND
THOMPSON BOTH WERE REPRESENTED BY CHRISTOPHER PAUL OF THE
PUBLIC DEFENDER'S OFFICE WHO SECURED A PLEA FOR
THOMPSON TO ONLY CT.2 FOR WHICH HE PLEADED TO 2009.
PETITIONER'S PUBLIC DEFENDER DELEGATION WITH THE TRIAL
JUDGE ELECTED TO JOIN PETITIONER TRIAL WITH KRISTY NICOLE
RICHARDSON, AND A JURY FOUND TAYLOR GUILTY ON WHAT
RICHARDSON WAS INDICTED FOR, AND SHE WAS ACQUITTED.
THAT WAS THE REASONING BEHIND THE INSTANT PETITION
FILED IN THE SUPERIOR COURT OF BARTOW COUNTY ON MAY
20TH 2014, AND DENIED BY JUDGE NELSON ON MAY 21,
2014. WHERE PETITIONER CHALLENGED A VOID JUDGEMENT OF
PROCEEDINGS AS WELL AS THE INDICTMENT AND INEFFECTIVE
ASSISTANCE OF TRIAL AND APPELLATE AND CONFLICT OF INTEREST.
TAYLOR BROUGHT TO THE COURT'S ATTENTION A NEW RULE

Bennie R. Solomon
6/9/14

3

DOC# 1000514684

DISTRICT ATTORNEY'S OFFICE
135 W. CHEROKEE AVENUE
SUITE 368
CANTERSVILLE, GEORGIA 30120
THIS 9 DAY OF JUNE 2014:
X Henry Jones

I CERTIFY THAT I HAVE THIS DAY SERVED THE CLERK OF THE COURT OF APPEALS OF GEORGIA WITH A NOTICE OF APPEAL OF THE TRIAL COURT'S FINAL FINDINGS OF A DIRECT APPEAL, AND HAVE PLACED AN ORIGINAL AND A COPY IN THE UNITED STATES MAIL WITH ADDRESS POSTAGE AFFRIVED THEREIN:

CERTIFICATE OF SERVICE

OF SUBSTANTIVE LAW, WHERE THE ISSUES INVOLVING PETITIONER'S SUBSTANTIAL RIGHTS VIOLATIONS, HAD NEVER BEEN RULED ON OR FULLY ADJUDICATED EITHER BY THE TRIAL COURT OR ON APPEAL AND WERE NOT BARRED BY RESOLUTION OR UNDETERMINED, AND CITED CASES OF AUTHORITY TO SUPPORT A RULING, SHOWING PETITIONER'S PROCEDURAL SIDE HAD BEEN ONLY ONE PROCESS THAT WAS EVER RULED ON, CAUSING A MIXED DECISION.

IN THE COURT OF APPEALS
STATE OF GEORGIA

Henry Hodges Taylor,
Petitioner,
vs.
State of Georgia,
Respondent.

Criminal Appeal File No.
10-68-1915
Superior Court of Bartow

WITHE OF APPEAL

O.C.G.A. SECTION 5-633 PROVIDES, IN GEORGIA, THE

RIGHT OF A DEFENDANT TO APPEAL HIS CONVICTION

EXISTS BY VIRTUE OF THE PROVISIONS OF ARTICLE III

OF 1945, O.C.G.A. 5-1-04, O.C.G.A. SECTION 5-4-33

PROVIDES THAT THE DEFENDANT HAS A RIGHT TO

PROCEED IN THE SUPREME COURT OR IN THE

COURT OF APPEALS FROM ANY SENTENCE, JUDGMENT,

DECISION, OR DECREE OF THE COURT, OR OF THE JUDGE

THAT HE OR SHE HAS ENTERED, AND TO HAVE DECISION

REVERSED OR TO HAVE HIS OR HER CONVICTION

YOU'RE ADD SUBORDINATION TO TRY HIM AND A (5) COURT
CRIMINAL JUDGMENT WITH A CO-DEFENDANT, WHO THRU
THE STATE IMPRISONED PETRIEVER, WHERE SHE WAS INDICTED
FOR CT.1 AHMED ROBBERY OF A PERSON; CT.2 AHMED ROBBERY
OF A BUSINESS AND CT.3, 4, 5, OF FALSE IMPRISONMENT.
THAT SAME SPECIAL PROSECUTOR SHOWS PETRIEVER'S AND PASTOR
HER CO-DEFENDANT COREY THOMPSON WERE BOTH INDICTED
AND CT.2 ONLY OF AN AHMED ROBBERY OF A BUSINESS, WHI-
CH. SEE SULLIVAN v. HARRIS 2014. IDENTITY AND CRIME ASSOCIATION
PERSONS TO BE A VIOLATION OF ANY STATUTE. PETRIEVER AND
THOMPSON BOTH WERE REPRESENTED BY CHINA THERESA POOL OF THE
PUBLIC DEFENDER'S OFFICE WHO SECURED A PLEA FOR
THOMPSON TO ONLY CT.2 FOR WHICH HE PLEADED TO ASSIST
PETRIEVER'S PUBLIC DEFENDER DIVISION WITH THE TRIAL
JUDGE CHECKED TO JOIN PETRIEVER'S TRIAL WITH KRISTY ANN
RICHARDSON, AND A JURY FOUND TAYLOR GUILTY ON WHAT
RICHARDSON WAS INDICTED FOR, AND SHE WAS ARRESTED.
THAT WAS THE REASONING BEHIND THE JUDICIAL PETITION
FILED IN THE SUPERIOR COURT OF BAYLOR COUNTY AND MAY
20TH 2014, AND DENIED BY JUDGE WELSON ON MAY 21,
2014. WHERE PETRIEVER CHALLENGED A JURY JUDGMENT OF
PROCEEDINGS AS WELL AS THE INDICTMENTS AND IMPRISONMENT
ASSISTANCE OF TRIAL AND APPEAL AND LOOKING FOR IMPROVED
TAYLOR'S BUDGET TO THE COURT'S ATTENTION A NEWER PUBLI-

OF SUBSTANTIVE LAW, WHERE THE ISSUES INVOLVING PETITIONER'S SUBSTANTIAL RIGHTS VIOLATIONS, HAD NEVER BEEN RULED ON NOR FULLY ADJUDICATED EITHER BY THE TRIAL COURT OR ON APPEAL AND WAS NOT BARRED BY RES JUDICATA OR UNTIMELINESS, AND CITED CASES OF AUTHORITY TO SUPPORT A RULING, SHOWING PETITIONER'S PROCEDURAL SIDE HAD BEEN ONLY DUE PROCESS THAT WAS EVER RULED ON, CAUSING A MISSED PETITION.

CERTIFICATE OF SERVICE

I CERTIFY THAT I HAVE THIS DAY SERVED THE CLERK OF THE COURT OF APPEALS OF GEORGIA WITH A NOTICE OF APPEAL OF THE TRIAL COURT'S FACTUAL FINDINGS OF A DIRECT APPEAL, AND HAVE PLACED AN ORIGINAL AND A COPY IN THE UNITED STATES MAIL WITH ADEQUATE POSTAGE ATTACHED THERE TO:

DISTRICT ATTORNEY'S OFFICE
135 W. CHEROKEE AVENUE
SUITE 308
CARTERSVILLE, GEORGIA 30120

THIS 9 DAY OF JUNE 2014:

Steph Perlin

SDC# 1000514664

Bennie R. Solomon
6/9/14

Bennie R. Solomon
Notary Public
Peach County, State of Georgia
Comm. Expires 07-14-2014

IN THE SUPERIOR COURT OF BARTOW COUNTY
STATE OF GEORGIA

HENRY ANTONIO TAYLOR,
PETITIONER.

CRIMINAL ACTION FILE
NUMBER 10-CR-1985

VS.

STATE OF GEORGIA,
RESPONDENT.

RE: FORWARD REMITTANCE
AND RECORDS, APPEAL

NOTICE OF APPEAL COURT'S RULING

COME'S NOW PRO SE PETITIONER, REQUEST THAT THE CLERK
OF COURT FORWARD THE REMITTANCE AND RECORDS TO
THE CLERK OF THE COURT OF APPEALS OF GEORGIA,
ALONG WITH A COPY OF THE COURT'S FINAL ORDER.

CERTIFICATE OF SERVICE

I CERTIFY THAT I HAVE FILED WITH THE CLERK OF BARTOW
COUNTY AN ORIGINAL OF PETITIONER'S NOTICE OF APPEAL AND
A COPY TO THE CLERK OF COURT OF APPEALS, ALONG WITH
A COPY TO THE DISTRICT ATTORNEY IN THE UNITED STATES MAIL
WITH ADEQUATE POSTAGE AFFIXED THERE-TO:

DISTRICT ATTORNEY'S OFFICE
135 W. CHEROKEE AVENUE
SUITE 368
CARTERSVILLE, GA. 30120

RESPECTFULLY THIS 9 DAY OF JUNE 2014:

Henry Taylor
1000514694

Bernie R. Solomon
Notary Public
Peach County, State of Georgia
Comm. Expires 07-14-2014

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

Date: June 23, 2014

To: Mr. Javin Taylor, GDC 001187537, Macon Transitional Center, 200 Henry Street, Macon, Georgia 31706

Docket Number: A14A1618

Style: Javin Arthur Taylor v. The State

Your documents 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 **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. **The Certificate of Service must 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

1 OF 2 pages

Javin Arthur Taylor)
Appellant,

-v-

Case NO. A14R161

1618

STATE OF GEORGIA)

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2014 MAY 21 PM 3:31
COURT OF APPEALS OF GA

RECEIVED IN OFFICE
2014 JUN 23 AM 9:35
SHERIFF COURT ADMINISTRATION
COURT OF APPEALS OF GA

BRIEF OF APPELLANT

Part I

STATEMENT OF THE CASE

A DeKalb County Grand Jury indicted Javin Taylor on four counts of Burglary, three counts of this Thief by Taking and Entering Auto. On September 24th 2012 in the Superior Court of DeKalb County, Taylor went to court in front of The Honorable Courtney Johnson. Taylor received the time of 20 years to serve 7 years in Custody and 13 years on Probation, also pay restitution of Five thousand Eight Hundred and sixty dollars once released from prison. Taylor filed a time Notice of Appeal on October 23rd of 2012 the case was docketed in the Court on December 18th, 2012

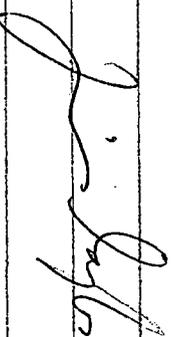
Part II

Enumeration of Error

1. Trial Counsel was not effective in presenting client defense nor did she object to the Speculated evidence the District Attorney claim they had in the Motion to sever the charges.

ARGUMENT AND CITATION OF AUTHORITY

Taylor contends he felt forced to take the plea because of the ineffective counsel of Court Appointed lawyer Gayle Barcom Murray to whom had no defense for him Trial day, nor do Taylor feel her best interest was his Freedom Facts to this, when she returned from attorney leave her attitude was either plea or lose trial. A severance of the charges was asked in the court on defendants behalf, only after the Appellant attempted to tell the judge that his counsel was not representing him properly. The Appellant was reindicted on count 1 burglary from indictment D0220399-01 to create indictment D0220400-01 a multiple indictment case, the proposal was denied only after the counsel demonstrated her ineffectiveness when in the proposal her only proffer was that the defendant was indeed caught with items from the other offenses, Taylor contends that was not true and that there is nothing in the discovery to back that up, in fact Retitution was given because none of the items was returned, leaving no grounds for a bench trial because the counsel impemented her client as being guilty. Taylor contends he felt he had no discretion and that something Mardamus needs to take place.

May 18th 2014

CERTIFICATE OF SERVICE:

I Javin Taylor the herein Appellant hereby Certify that I have this day, Serviced a Copy of "Appellant's Brief" upon the opposing parties, State of Georgia, by way of U.S. Mail, postage prepaid by me and addressed upon:

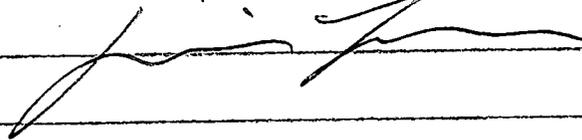
Court of Appeals of Georgia

Suite 501

47 Trinity Avenue

Atlanta, GA 30334

This 17th day of June, 2014



COURT OF APPEALS OF GEORGIA

RETURN NOTICE

June 23, 2014

To: Mr. Lionel L. Madison, GDC 979904, Hays State Prison, Post Office Box 668, Trion, Georgia 30753

Case Number: _____ Lower Court: _____ County Superior Court

Court of Appeals Case Number and Style: _____

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

- 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 trial court clerk.
- 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 actually be 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 _____ The remittitur issued on _____ 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.

CONCURRENT WITH STATEMENT NO. 11

OFFICIAL ALSO COUNSELOR LEE HE DID SERVE AN E-MAIL TO ATLANTA.

COURTS OF APPEALS 26, 1995, REPORTED AT 1995 GA. APP. LEXIS 695
CASE NO. A93A303. ORIGINAL OPINION OF JUNE

Dear, OFFICIALS OR TO WHOMEVER IT MAY CONCERN

I (LIONEL LEE MADISON) ^{GD# 979904} AM WRITING TO ASSURE

TO YOU ALL THAT I FILED A (1983, 42 U.S.C. § 1915(e)(2)(B)) CONCERNING EVENTS

alleged to HAVE OCCURRED AT THE CHARLES B. WEBSTER DETENTION

CTR. (THE SAIL) IN AUGUSTA, GEORGIA. COMPLAINT WAS DISMISSED

BY THE SOUTHERN DISTRICT OF GEORGIA: IN THE UNITED STATES

DISTRICT COURT AUGUSTA DIVISION; STATING SEE U.S.C. § 1915(e)(2)(B)

and 1915(b). A claim is frivolous if it "lacks an arguable basis

either in law or in facts." *Neitzke v. Williams*, 490 U.S. 319, 325

(1989). Failure to state a claim under § 1915(e)(2)(B) is governed

by the same standard as dismissal for failure to state

a claim under Fed. R. Civ. P. 12(b)(6). "To avoid dismissal for

failure to state a claim upon which relief can be

granted, the allegations in the complaint must "state

a claim to relief that is plausible on its face." *Bell-*

Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007). "A claim has

facial plausibility when the plaintiff pleads factual

content that allows the court to draw the reasonable

inference that the defendant is liable for the mis-

conduct alleged." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009).

That is, "[f]actual allegations must be enough to raise a

right to relief above the speculative level." Case see *Cv-113-*

-090 LIONEL LEE MADISON ^{GD# 979904} Plaintiff v. KEVIN NORTH, et al.,

Case # CV 113-070 ^{GD# 979904} where for shows I did (Lionel Lee Madison) make

A STATEMENT towards claiming the alleged, and well so ask to be granted

AND; ALSO I (LIONEL LEE MADISON) AM A INDIGENT TAKE; AND OTHER COMPLAINTS WERE FILED IN THIS ALLEGATION OF CV-113-090. DURING THE TWO YEAR TIME SPAN; WHILE GOING THROUGH THE AUGUSTA (SIA) AND JACKSON STATE PRISON DIAGNOSTIC PROGRAM. THEN AWAY STATE PRISON TO FORWARD THESE ALLEGED ALLEGATIONS WITH NO LEGAL DEFENSE ATTORNEY PRESENT TO INFORM THE ISSUES OF THIS (1983, 42 U.S.C. § 1983). AND SO; I'M ASK TO APPEAL THIS ACTION THROUGH NAACP LEGAL DEFENSE & EDUCATION FUND, INC? ALSO ASK FOR LEGAL REPRESENTATIVE FROM INDIGENT LEGAL DEFENSE TO CONCUR THE ACTIONS INVOLVED OF CV-113-090?

Sincerely,

GDC#979904

LIONEL LEE MADISON

Signature Lionel Lee Madison

THE FOLLOWING ARE SO FORTH BEING FORWARDED TO;
 CIVILIAN COMPLAINT REVIEW BOARD, NAACP LEGAL DEFENSE
 & EDUCATION FUND, INC., AND NATIONAL ASSOCIATION OF BLACKS
 IN CRIMINAL JUSTICE... et al.,
 THANK YOU!!

Considering MY INCARCERATION TIME IN LEGAL LIBRARY REFERENCES IS LIMITED SUBJECT FROM 1 HOUR & HALF - ONCE A WEEK MAYBE TWICE... I COULD NOT FILE THE 1983, 42 U.S.C. § 1983 CONCERNING EVENTS WITH THE CASE WAS HANDLED THROUGH RICHMOND COUNTY COURTS WHICH WAS PROSEC. JAN. 23 2012 IN ORDER TO PROCEED WITH MY COMPLAINT. ASKING TO WAIVER MY TIME BAR AS OF STATUTE OF LIMITATIONS? AS FAR AS THE INV. TESS ALEXANDER-

⁽²⁰⁾
BRUNSON: I ONLY PUT HIM IN MY SUIT PURSUANT AS BEING
AN INVESTIGATOR, BECAUSE THAT WAS RELEVANT FOR
ME. BECAUSE I REFUSED TO GIVE THE INVESTIGATOR
A STATEMENT WITH MY LAWYER PRESENT. AND NOW
I WISH TO BE COUNSELED ON BEHAVE OF THE FOLLOW LAWSUIT
I'AM NOW FILING BECAUSE THE LAST ONE WAS ALSO
DISMISSED ON GROUND OF NOT HAVING COUNSEL BASED
ON PLAINTIFF'S STATED INABILITY TO LITIGATE MY CASE
THROUGH A TRIAL. I WAS DENIED AS MOOT (DOC. NO. 8)

THANK YOU RESPECTFULLY. PLEASE RESPONSE AS SOON
AS AVAILABLE TO ANYONE AT THIS OFFICE. LAWRENCE.

GDC#979804

Samuel Lee Madison

Lionel L. Madison Plaintiff,

v.
Kevin North, et al.,
Defendants

CV 113-090

DEAR: Jolin B. Williams

I (Lionel L. Madison) would like to aware you of my ~~distress~~ distress in the findings of a 42 U.S.C. § 1983 Conveying events alleged to have occurred at the Charles B. Webster Detention Center, A Jail in Augusta, Georgia.

For One I do not know how to proceed without a lawyer. HUD! It was over a year and a half if I took me to get to a stable prison, before I could get prepare for the case in order to pursue. I was denied as time barred subject to dismissal under the statute of limitations applicable in Georgia. State law controls the length of the statute of limitations period in 1983 actions. The incident occurred ~~between 08-2013~~ ²⁰¹³ December 28, 2010, but I did not get to prison to grasp the proper filing materials, which is the actual 42 U.S.C. § 1983 form until March 3, 2012 as an indigent plaintiff without a lawyer for representation. I was also denied as moot, because I did not mention in my statement of claim, A Investigator TESS ALEXANDER-BRUNSON that he had some involvements in conducting an inquiry at the jail regarding the events involving me (Lionel L. Madison) and jail staff on December 28, 2010 because he didn't take participation in the event. (objection) He only came to ask me for information, and I refused because no lawyer present to assure ~~in~~ ⁱⁿ criminalization as called. I Lionel L. Madison did not his name TESS ALEXANDER-BRUNSON down as defendant in the case cause he only did the filing of the incident. I don't see that as being misdirected as moot for a ~~reason~~ ^{reason} reason of dismissal. - to the motion for appointment of counsel. -> OVER

SET FORTH I WOULD LIKE FOR YOU TO DIRECT ME
IN THE RIGHT DIRECTION FOR SOME SUPPORT OR MAYBE
HELP IN COUNSEL'N BECAUSING I'M STILL BEING CHARGED
FOR FILING FEES. AND THERE SHOULD BE A 2YR. STATUTE OF
LIMITATION ON ANY OBJECTIONS TOWARDS DISMISSAL. DEVINE V. PRISON HEALTH
SERVS. INC. 212 F. App'x 890, 892 (11th Cir. 2006) (PER CURIAM) WHICH DO LIMIT ME
APPELLATE RIGHTS. DUPREE V. WARDEN, 715 F.3d 1296, 1300 (11th Cir. 2013).

AND I AM (LIONEL L. MADISON) IS ASK FOR REQUEST FOR THIS EXTENSION OF
TIME TO FILE OBJECTS TO THIS REPORT AND RECOMMENDATION.
SHALL BE FILED WITH THE CLERK OF COURT FOR CONSIDERATION BY
THE UNDERSIGNED. I AM ALSO (LIONEL L. MADISON) IN THE PROSSSS
OF FILING ANOTHER BECAUSE I'VE SUPPOSE TO HAD BEEN GOT
OUT OF PRISON, BUT THEY AREN'T RELEASING ME FOR SOME ODD
REASON. I WOULD LIKE FOR YOU TO AS WELL LOOK OVER IT. WHILE
I'M NOW FILING FOR APPOINTMENT OF COUNSEL TO REPRESENT ME
ON THAT CASE ALSO...

PLEASE BRIEFLY SCAN THESE ACCUSATIONS
AND RESPONSE WHEN TIME IS AT HAND
THANK YOU! LIONEL L. MADISON ^{GDC# 979904}

UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK

MIDDLE DISTRICT OF GEORGIA

475 MULBERRY STREET

P.O. BOX 128

MACON, GEORGIA 31202-0128

GREGORY J. LEONARD

CLERK

PHONE: 912-752-3497

FAX: 912-752-3496

OFFICES

ALBANY	31701
ATHENS	30601
COLUMBUS	31902
MACON	31202
THOMASVILLE	31792
VALDOSTA	31601

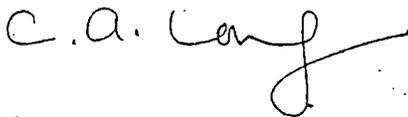
Dear Sir:

If you wish to file a complaint for a violation of your civil rights under 42 U.S.C. § 1983, you should use the enclosed forms. Your complaint would be properly filed in the Middle District of Georgia if a defendant resides in, or if a substantial part of the events or omissions giving rise to your cause of action occurred in, the Middle District of Georgia.

The court requires parties instituting civil actions to pay a \$150.00 filing fee. If you cannot afford the filing fee at this time, you can use the attached affidavit to make a request to proceed in forma pauperis. An authorized officer of the institution in which you are confined must fill in and sign the certificate at the end of the affidavit. Your affidavit will be reviewed by the judge when it is received.

Please be advised that even if your request to proceed in forma pauperis is granted, you will nevertheless be required to pay the entire \$150.00 filing fee. If you cannot pay the full amount at the time of filing, funds will be deducted from your prison account in increments until you have paid the entire \$150.00 filing fee.

Sincerely,



C.A. Long
Pro Se Law Clerk

Enclosures

INSTRUCTIONS FOR PRISONERS FILING A COMPLAINT UNDER 42 U.S.C. § 1983

This packet includes two copies of a complaint form and two copies of an *in forma pauperis* affidavit. To initiate a lawsuit, you must submit the original of your complaint. You should keep the other copy for your own records. Any additional copies of the complaint must be identical to the original, including any attachments or exhibits.

You must complete these forms in accordance with the following instructions when filing the same in the Middle District of Georgia. The Court will not file your complaint if it does not conform to these instructions.

Your complaint can be brought in this Court only if one or more of the named defendants resides in this district. Further, it is necessary for you to file a separate complaint for each claim that you raise unless the claims are all related to the same incident or issue.

The Court requires parties instituting civil actions to pay a filing fee of \$150.00. If you are unable to prepay the full fee of \$150.00, you may ask the Court to allow you to proceed *in forma pauperis*. Two blank affidavits are included for this purpose. Your affidavit should include a certified copy of your inmate trust account statement for the six (6) period immediately preceding the filing of your complaint. Even if you are granted leave to proceed *in forma pauperis*, you must still pay the full \$150.00 filing fee, but the fee will be paid in installments. **EVEN IF YOUR CASE IS DISMISSED, YOU WILL STILL BE REQUIRED TO PAY THE ENTIRE FILING FEE.**

If more than one plaintiff is filing suit and each plaintiff requests to proceed *in forma pauperis*, each plaintiff must submit a separate pauper's affidavit. Additional affidavit forms are available from this office. In addition, all plaintiffs must sign the pleadings.

You must give **FACTS** in your complaint and not conclusions. For example, a complaint setting forth conclusions would be: "The guard beat me up; the doctor denied me the right to obtain necessary medical treatment." A complaint setting forth specific facts would be: "On March 1, 1996, at 5 p.m., guard John Doe struck me in the face with his fist. As a result, I suffered a broken nose. This happened inside Building A. Prisoner Joe Jones was standing next to me and saw the guard hit me." **DO NOT INCLUDE LEGAL ARGUMENTS OR CITATIONS IN YOUR COMPLAINT.** Any legal arguments and case citations can be submitted separately.

When you have completed these forms, mail them to:

Gregory Leonard
Clerk, U.S. District Court
Middle District of Georgia
P.O. Box 128
Macon, GA 31202

You are not required to provide Marshal's Service of Process forms (USM-285) when you submit your lawsuit. If you are allowed to proceed *in forma pauperis*, the Clerk will serve all process for you.

KEEP THE CLERK INFORMED OF CHANGES IN YOUR ADDRESS. Include a reference to the civil action number of your complaint and your present address in all correspondence with the Clerk or the Court.

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

QUESTIONNAIRE FOR PRISONERS PROCEEDING
PRO SE UNDER 42 U.S.C. §1983

LEONEL LEE MADISON
GDC#979904

(GIVE FULL NAME AND PRISON NUMBER OF EACH PLAINTIFF):

Plaintiff(s)

VS.
(GOVERNOR) NATHAN DEAL, (COMMISSIONER) BRIAN OWENS,
(CHAIRMAN) JAMES E. DONALD; OFFICIALS OF
GEORGIA DEPARTMENT OF CORRECTI-
-ONS.
(NAME OF EACH DEFENDANT)

CIVIL ACTION NO.

Defendant(s)

I. GENERAL INFORMATION

1. Your full name and prison number LEONEL LEE MADISON GDC#979904
2. Name and location of prison where you are now confined HAYS STATE PRISON
P.O. BOX 668 UNDERWOOD DRIVE, TRION GEORGIA 30753
3. Sentence you are now serving (how long?) 6 YRS. CC W/ REVOKED SENTENCE** (CREDIT FOR TIME SERVE SINCE NOVEMBER 14 2010. 3 YRS. INCARCERATION 3 YRS. PROBATION.
 - (a) What were you convicted of? 1. THEFT BY RECEIVING STOLEN PROPERTY; 2. GIVING FALSE NAME TO LAW ENFORCEMENT OFFICER(M);
 - (b) Name and location of court which imposed sentence THE SUPERIOR COURT OF RICHMOND COUNTY, AUGUSTA, GEORGIA
 - (c) When was sentence imposed? JANUARY 23, 2012 3:10 ^{PM}
 - (d) Did you appeal your sentence and/or conviction? Yes No
 - (e) What was the result of your appeal? N/A
 - (f) Approximate date your sentence will be completed MRD: 11/12/2013 Pab. 11-12-2016

II. PREVIOUS LAWSUITS

4. Other than the appeal of your conviction or sentence, have you ever submitted a lawsuit for filing in any federal or state court dealing with the SAME FACTS involved in this lawsuit or otherwise related to your imprisonment? Yes No

5. If your answer to question 4. is "Yes," list that lawsuit below, giving the following information: (IF YOU HAVE FILED MORE THAN ONE LAWSUIT, LIST OTHER LAWSUITS ON A SEPARATE SHEET OF PAPER, GIVING THE SAME INFORMATION FOR EACH)

(a) Parties to the previous lawsuit:

Plaintiff(s): LIONEL LEE MADISON GDC# 979904

Defendant(s): ^{DEP.} KEVIN WORTH, ^{DEP.} BRADLEY CAPITOSHI, ^{DEP.} JONATHAN JUDY, ^{Sgt.} GWEN CARTER, ^{DEP.} STEPHEN VIATOR, ^{DEP.} RONALD O'BRIEN, ^{DEP.} MICHAEL MULHERIN, AND ^{INV.} TESS ALEXANDER-BRINSON.

(b) Name of Court: U.S. DISTRICT COURT AUGUSTA DIVISION

(c) Docket Number: CU113-090 When did you file this lawsuit? OCTOBER 11, 2013 10:39AM

(d) Name of judge assigned to case: BRIAN K. EPPS U.S. MAGISTRATE JUDGE

(e) Is this case still pending Yes No

(f) If your answer to (e) is "No," when was it disposed of and what were the results? ^{LM}
(DID YOU WIN? WAS THE CASE DISMISSED? DID YOU APPEAL?) ON THE DATE OF OCT 11, 2013 AT 10:37AM -
COURTS SUBJECT THE COMPLAINT OR SUIT AS BEING TIME-BARRED, AND
DISMISSED UNDER THE STATUTE OF LIMITATIONS PERIOD IN § 1983 ACTIONS;
CASE WAS ALSO DENIED AS MOOT (DOC. NO. 8) APPLICABLE IN GEORGIA STATE LAW.

III. PRESENT CONFINEMENT

6. Where are you now confined? ^{LM} HAYS STATE PRISON

(a) How long have you been at this institution? 14 DAYS/SINCE MAY 23 2014

(b) Does this institution have a grievance procedure? Yes No

(c) If your answer to question 6(b) is "Yes," answer the following:

(1) Did you present your complaint(s) herein to the institution as a grievance?
 Yes No

(2) What was the result? 1-06-2014 CHIEF COUNSELOR LETITIA BELL
GRIEVANCE COORDINATOR DID HAVE LIONEL LEE MADISON ^{GDC# 979904}
TO ACKNOWLEDGE RECEIPT OF A RESPONSE THE COMPUTATION UNIT -
AS BEING DENIED.

(d) What, if anything, have you done to bring your complaint(s) to the attention of prison officials? Give dates and places and the names of persons talked to.

LIONEL LEE MADISON AWARE ALSO WARDEN JERRY JEFFSON;
ASSISTANT BENJIE NOBLES DURING AN INSPECTION OF INST-
ITUTION ON FEBRUARY 14 2014. RESPONSES WERE THAT THEY WILL LOOK INTO IT;
MENTAL HEALTH OFFICIALS COUNSEL LEE ALSO SCAN MY (LIONEL L. MADISON) FACTUAL PAPERWORK
ASSURING MY COMPLAINT. (2-14-2014)

7. In what other institutions have you been confined? Give dates of entry and exit.

STARTED: ^{1941 PHINNEY RD. B-Pod EBLOCK} CHARLES B. WEBSTER DETENTION CTR. ^{CUSTODY DATE} 7-14-2010; UNTIL 9-15-2011
REPORTED CUSTODY TO JACKSON STATE DIAGNOSTIC CTR. RELEASED AND TRANSPORTED ^{LM} CUSTODY TO AVERY STATE PRISON MARCH 3, 2012; TIL SUBJECT TO TIER PROGRAM 5-23-2014 NOW RESIDING CUSTODY AT HAYS STATE PRISON.

IV. PARTIES TO THIS LAWSUIT

8. List the name and address of each plaintiff in this lawsuit.

I (JONEL LEE MADISON) ^{GDC#979904} BEING CONFINED AT HAYS STATE PRISON PARTICIPATING TIER PROGRAM.

9. List the full name, the official position, and the place of employment of each defendant in this lawsuit. (ATTACH ADDITIONAL PAGES IF NECESSARY)

NATHAN DEAL (GOVERNOR), BRIAN OWENS (COMMISSIONER) JAMES E. DONALD (CHAIRMAN) OFFICIALS OF GEORGIA DEPARTMENT OF CORRECTIONS, AND ALSO SENTENCE COMPUTATION REPORTS.

V. STATEMENT OF CLAIM

10. In the space hereafter provided, and on separate sheets of paper, if necessary, set forth your claims and contentions against the defendant(s) you have named herein. Tell the court WHAT you contend happened to you, WHEN the incident(s) you complain about occurred, WHERE the incident(s) took place, HOW your constitutional rights were violated, and WHO violated them? Describe how each defendant was involved, including the names of other persons who were also involved. If you have more than one claim, number and set forth each claim SEPARATELY.

Do not give any legal argument or cite any cases or statutes at this time; if such is needed at a later time, the court will advise you of this and will afford you sufficient time to make such arguments. KEEP IN MIND THAT RULE 8 OF THE FEDERAL RULES OF CIVIL PROCEDURE REQUIRES THAT PLEADINGS BE SIMPLE, CONCISE, AND DIRECT! If the court needs additional information from you, you will be notified.

STATEMENT OF CLAIM (CONTINUED)

Where did the incident you are complaining about occur? That is, at what institution or institutions? AUBRY STATE PRISON Moused in G-2 148 M

When do you allege this incident took place? 3-24-2014 MARCH 24, 2014 10:39 AM
GDC#979904

What happened? I (LIONEL LEE MADISON) WAS AWARDED BY CHIEF COUNSELOR LETITIA BELL; ACKNOWLEDGE RECEIPT OF RESPONSE FROM THE COMPUTATION UNIT AS BEING DENIED FOR SENTENCE ERROR. THE RESPONSE DIRECTED A PAROLE DATE FOR JUNE 30, 2014 AND MAXIMUM RELEASE DATE AS OF AUGUST 16, 2015; WHICH IS A MISUNDERSTANDING TOWARDS MY LEGAL EXPECTATIONS. ACCORDING TO INDICTMENT/ACCUSATIONS #NO. 2010RCCR01779 DISPOSITION SHEET SIGN OFF BY SUPERIOR COURT JUDGE OF AUGUSTA JUDICIAL CIRCUIT MRS. SHERYL B. JOLLY; TO THE APPOSING LIONEL LEE MADISON ON JANUARY 23, 2012 AT 3:10 PM; 6 YRS. CC W/REVOKED SENTENCE *** CREDIT FOR TIME SERVE SINCE NOVEMBER 14, 2010 *** (T.1 THEFT BY RECEIVING STOLEN PROPERTY; T.2 GIVING FALSE NAME TO A LAW ENFORCEMENT OFFICER(M)); I (LIONEL LEE MADISON) DO NOT UNDERSTAND WHY WOULD SENTENCE COMPUTATION OVERSEE MRD:11-12-2013. MY (LIONEL LEE MADISON) REVOKED WAS ONLY 5 YRS. NEW SENTENCE WAS 6 YRS. AND BY LAW ANYTIME A SENTENCE IMPOSE BY JUDGES IS RAN CONCURRENT; THE LARGER SENTENCE OVERRIDE THE SMALLER. GEORGIA DEPARTMENT OF CORRECTIONS WAS AWARE OF THE SAID INDICTMENT AND ACCUSATIONS, BUT THEY WILL NOT CORRECT THE FAATHERINGS; TOO ASSURE MY LIBERATION. I (LIONEL LEE MADISON) WAS ASSIGNED A MAXIMUM RELEASE FOR 11-12-2013 WHICH ~~END~~ ^{IN} 3 YRS. INCARCERATION; FOLLOW BY 3 YRS. OF PROBATION; STATED BY GEORGIA OFFICIALS SUPPOSELY STARTED 11-13-2013 SET FORTH TIL 11-12-2016. WHY I'M (LIONEL LEE MADISON) OVERSERVED THE INCARCERATION EXPIRATIONS I DO NOT NO. WHICH LEAVES ME (LIONEL L. MADISON) WITH THE UNDERSTANDING THAT BEING FALSELY WITHHELD IS FALSE IMPRISONMENT DUE TO GEORGIA LAW. I (LIONEL L. MADISON) ALSO FEEL LIKE THE SAID MISUNDERSTANDING WOULD BE COUNTED ENDANGERING TO MY HEALTH; TOO HAVE OVERSTAYED AT ANY INSTITUTION. REPORTED CUSTODY BY GEORGIA DEPARTMENT OF CORRECTIONS OVER THE SUITABLE AMOUNT OF TIME PERIOD.

11. List the name and address of every person you believe was a witness to the incident(s) you complain about, BRIEFLY stating what you believe each person knows from having seen or heard what happened. (USE ADDITIONAL SHEETS, IF NECESSARY)

MRS. LETITIA BELL CHIEF COUNSELOR/GRIEVANCE COORDINATOR OF AUBRY STATE PRISON ON 3-24-2014 DID HAVE ME SIGNATURE A GRIEVED COMPLAINT # 162918 OF DENIAL TO ACCURACY. ON FEBRUARY 14, 2014 DURING A MORNING INSTITUTION INSPECTION; I (LIONEL L. MADISON) AWARE WARDEN AND ASSISTANT JERRY JEFFERSON & BENJIE NOBLES ABOUT MY RELEASE; BOTH STATED WILL LOOK INTO IT. FACTUAL PAPERWORK ASSURING I WAS SHOWN TO MENTAL HEALTH -

12. BRIEFLY state exactly what you want the court to do for you. That is, what kind of relief are you seeking in this lawsuit? Do not make any legal arguments and do not cite any cases or statutes! (USE ADDITIONAL SHEETS, IF NECESSARY.)

(GDC# 979904) (RELIEF FROM THIS LAWSUIT) (COMPENSATION ^{LM} TOWARDS LOST COMPL.)
I (LIONEL LEE MADISON) PURSUANT TOWARD DEFENDANTS, SUED IN THEIR INDIVIDUAL CAPACITY FOR EMOTIONAL STRESSING, BEING NEGLECTED, AND BEING AWAY FROM FAMILY OVER THE ASSIGNED PERIOD OF TIME AFORESAID BY THE JUDGE. NATHAN DEAL (GOVERNOR), BRIAN OWENS (COMMISSIONER), JAMES E. DONALD (CHAIRMAN) EACH (\$225,000.00) TWO HUNDRED AND TWENTY-FIVE THOUSAND, ^{LM} FOR GEORGIA DEPARTMENT OF CORRECTIONS / SENTENCE COMPUTATION OFFICIALS (\$25,000.00) ONE HUNDRED AND TWENTY-FIVE THOUSAND FOR FALSE IMPRISONMENT; WHICH IS RECKLESS & ENDANGERING TO MY HEALTH.

13. You may attach additional pages if you wish to make any legal argument. However, legal arguments are NOT required in order for you to obtain relief under §1983. If the court desires legal argument from you, it will request it. If any defendant presents a legal argument, you will be afforded an opportunity to respond thereto.

14. KEEP IN MIND THAT ONCE YOUR LAWSUIT IS FILED, THE COURT WILL REQUIRE YOU TO DILIGENTLY PROSECUTE IT. That means that you will be required to go forward with your case without delay. Thus, if you fail to adequately prepare your case before you file it, you may find your lawsuit dismissed for failure to prosecute if you take no action once it is filed. YOU WILL RECEIVE NO FURTHER INSTRUCTIONS FROM THE COURT TELLING YOU WHAT TO DO OR HOW TO DO IT! IT IS YOUR RESPONSIBILITY AND YOURS ALONE TO PROSECUTE YOUR OWN CASE! If you fail to prosecute your case, it will be dismissed under Rule 41 of the *Federal Rules of Civil Procedure*.

Signed this _____ day of _____, 19 _____.

PLAINTIFF

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA

MACON, GA DIVISION

GDC#979904
LIONEL LEE MADISON

Plaintiff/Petitioner

VS.

CIVIL ACTION NO.

NATHAN DEAL (GOVERNOR), BRIAN

- OWENS (COMMISSIONER), JAMES E. D.
- ONALD (CHAIRMAN)

Defendant(s)/Respondent(s)

**AFFIDAVIT IN SUPPORT OF REQUEST
TO PROCEED IN FORMA PAUPERIS**

I, LIONEL L. MADISON ^{GDC#979904}, declare that I am the plaintiff/petitioner in the above-captioned proceeding; that in support of my motion to proceed without being required to prepay fees or 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; and, that I believe that I am entitled to redress.

I further declare that the responses which I make to the questions and instructions below are true.

- 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. N/A
 - b. If the answer is no, state the date of you last worked and the amount of salary or wages per month which you received. N.A. U/PACTIV \$7.80 AN HOUR 2003 MARCH-2004 DECEMBER; 12 HOUR SHIFTS 4 days A WEEK.

2. Have you received within the past TWELVE (12) MONTHS any money from any of the following sources?

- a. Business, profession, or form of self-employment? Yes No
- b. Pensions, annuities, or life insurance payments? Yes No
- c. Rent payments, interest, or dividends? Yes No
- 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 received and state the amount received from each during the past TWELVE (12) MONTHS.

SINCE MY STAY OF INCARCERATION I HAVE RECEIVED CONFLICT-
-OF INTEREST FUNDS FROM DIFFERENT Acquaintances ON
NUMEROUS OCCASIONS, ALSO FAMILY GIFT CERTIFICATES...

3. Do you have any cash, or do you have money in a checking or savings account or prison account? (you must attach a certificate from prison authorities if you have money in a prison account)

Yes No If yes, how much do you have? \$ N/A

4. Do you own any real estate (house and/or property), stocks, bonds, notes, automobiles, or other valuable property, excluding ordinary household goods and furnishings? Yes No

a. If the answer is yes, describe the property and state its approximate value.

N/A
N/A

b. If the answer is yes, list any mortgages, liens, or loans against the property and state the amount you owe.

N/A
N/A

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

SHIRLEY AN MADISON (MOTHER) HOUSE BILLS SUPPORT POSSIBILITY.
ZAPORIAN MADISON GRACE (DAUGHTER) RELIABLE SUPPORT. ROBERT -
-L. RICHMOND (BROTHER) HOUSE HOLD SUPPORT OF INTEREST.

Signed this 05th day of JUNE, 19 2014.

Lionel Lee Madison
SIGNATURE OF PLAINTIFF/PETITIONER

DECLARATION UNDER PENALTY OF PERJURY

YOU MUST DECLARE UNDER PENALTY OF PERJURY THAT THE ANSWERS YOU HAVE GIVEN HEREIN ARE TRUE AND CORRECT. GIVING A FALSE ANSWER OR FALSE INFORMATION IN RESPONSE TO ANY QUESTION WILL SUBJECT YOU TO FEDERAL PERJURY CHARGES. 18 U.S.C. §1621 PROVIDES AS FOLLOWS:

Whoever --

(2) in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true;

is guilty of perjury and shall, except as otherwise expressly provided by law, be fined not more than \$2,000 or imprisoned not more than five years, or both. This section is applicable whether the statement or subscription is made within or without the United States.

Understanding the above, I declare under penalty of perjury that the foregoing answers and information provided by me in support of my request to proceed *in forma pauperis* are true and correct.

Executed this _____ day of _____, 19 _____.

SIGNATURE OF PLAINTIFF/PETITIONER

RETURN TO:

GREGORY J. LEONARD, CLERK
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
POST OFFICE BOX 128
MACON, GEORGIA 31202

Re: LIONELL MADISON / Lionel L. Madison
PLAINTIFF/PETITIONER

GDC# 979904
PRISONER NUMBER

CERTIFICATE

I hereby certify that the plaintiff/petitioner hereinabove named has an average monthly balance for the last 6 months of \$ _____ on account to his/her credit at the _____ institution where (s)he is confined.

I further certify that the plaintiff/petitioner likewise has the following securities to his/her credit according to the records of this institution: _____

(If not confined for a full 6 months, specify the number of months confined, then compute the average monthly balance based on that number of months.) _____

PRESENT BALANCE ON HAND IN PRISONER ACCOUNT: \$ _____

Dated this _____ day of _____, 19 _____.

AUTHORIZED OFFICER OF INSTITUTION

TITLE

ATTACH COMPUTER PRINTOUT OF ACCOUNT IF AVAILABLE



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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 23, 2014

Mr. Curtis Middlebrooks
28 Rosenwald Drive
Hampton, Georgia 30228

RE: A14A1823. Curtis Middlebrooks v. Jeff W. Floyd, et al.

Dear Mr. Middlebrooks:

An improper Certificate of Service accompanied your document. Your Certificate of Service must show service to the opposing counsel and contain the counsel's full name and complete mailing address. You should provide a copy of your filing to: Mr. Larry Mayfield of Smith Welch Webb and White, LC, 404 Thomaston Street in Barnesville, Georgia 30204 and again, include his name and address on your Certificate of Service.

Sincerely,


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

SEC/ld
Enclosures

apart

I

COURT OF APPEALS
OF STATE OF GEORGIA

Curtis Middlebrooks,
Plaintiff,
vs.
Appeal Case No.
No. A14A1823

Jeff W. Floyd, J.D.
Matthews, Radford
Porter, Andy A. P.P.I.
Defendants.

Motion For Appellate Brief

RECEIVED IN OFFICE
2014 JUN 20 AM 10:58
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

I Curtis Middlebrooks on March 2012
I was staying in Atlanta I was trying
to fix and clean up the family home
in Hampton Ga. I hired a electrician
man to put in a new meter box after
the inspection lady stated the box need
to be changed. The next inspection, ms.
J.D. Matthews stated I need a box with
a shut-off suite, after my electrical
worker put the meter box on the inspect-

ion lady ms. Matthews continued to

II

ReJect the work From the Electrical worker. on July 6, 2012 when I went To Hampton For the Inspection, MS. Matthews had taken the meter OFF the house To Keep me From moving in my house.

The OFFICER JEFF Floyd came and Said on July 6, 2012 Someone said They seen Lights on the night before the officer wrote me A Citation Stated that I Damage utility.

MS. Matthews Continual to ReJected because she was moving in the home ACross the street. ms. Matthews had officer Floyd To write me A Citation. SO She Can't Pass the INSPECTION For me to move in.

The Day OF Court OFFICER Floyd did not Testify of the Citation, Floyd was Standing There and did not say any thing. offi. Floyd or J.D. Matthews Did not show the Damage meter or any Documents To the court. MS. Matthews stated that I use \$600.00 of Electricity, offi. Floyd falsified Citation Documents, offi. Floyd and Matthews showed PreJudice and Animosity, showed PreJudice

III

Lied, showed prejudging. I Reported the
Citation To City Hall and Chief of Police
Department Radford Porter, Andy Pippin, But
they went along with offi. Floyd and Matthews,
Radford Porter and Andy Pippin showed
Prejudice, Animosity, Lied.

The Court showed neglect By mailing my
appear to the wrong address to Denial me
the right to appear, showed neglect by
refused to let officer Floyd testify to the
Citation that was here say of the falsified
Documents.

Respectfully Submitted,
June, 2014, Curtis Middlebrooks

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 23, 2014

Mr. Karlos Redding
GDC1216118
Macon State Prison
Post Office Box 426
Oglethorpe, Georgia 31068

Dear Mr. Redding:

There is no case currently filed in the Court of Appeals of Georgia styled in your name.

If an attorney has been appointed for you and you are concerned with the representation provided by that attorney, you should address those issues to the trial court. You should also provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.

I am returning the "Motion to Preserve Rights" to you.

Sincerely,



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

SEC/ld
Enclosure

In The Court of Appeals of Georgia

State of Georgia

versus

Karlas Redding

Case Number: 11SC98560

Motion To Preserve Rights

Now Comes, Karlas Redding
and Files this Motion to Preserve Rights
Pursuant to 14th, 6th Amends of G.A.C. and U.S.C.

RECEIVED IN OFFICE
2014 JUN 23 AM 9:06
CLERK/COUNTY ADMINISTRATOR
COURT OF APPEALS OF GEORGIA

(1)

The Following Motion is based on the
Fact that Appellant counsel Failed to raise critical
issues and have waived Petitioners rights without
Petitioner's consent. Therefore Petitioner
now RespectFully Files this motion to
Preserve his rights, Petitioner States the Following:

(2)

Appellant counsel rendered ineffective counseling
by Failing to raise ineffective counseling on trial
counsel at Petitioner's Motion For New Trial
Therefore Petitioner Now is asking this
Honorable court to Preserve his

Constitutional Rights

or in the Alternative stop this appeal
and allow Petitioner to have a hearing
on this matter Pursuant to the 14th, 6th Amendments
of G.A.C., and U.S.C.

Therefore Petitioner Prays that this Motion
be Granted by the Honorable Court

To: Court Clerk of Court of Appeals and All DA(s) involved.

By: Karlos Reddings GDC#1216118

Macon State Prison

P.O. Box 426

Oglethorpe, G.A. 31068

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 23, 2014

Mr. Sim James Pope, Jr.
GDC369764
CCA/Coffee Correctional Facility
Post Office Box 650
Nicholls, Georgia 31554

RE: A14A0348. Sim James Pope v. The State

Dear Mr. Pope:

The Court of Appeals of Georgia affirmed the judgment of the trial court by this Court's opinion dated May 5, 2014. The remittitur issued from this Court on May 21, 2014, divesting this Court of further jurisdiction.

I am returning your Motion for Reconsideration .

Sincerely,



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

SEC/ld
Enclosures

JUN 19 2014

COURT CLERK
CLERK COURT OF APPEALS OF GA

Sim James Pope, Jr.	1	Action Number
v	1	#A14A0348
The State	1	

RECEIVED IN OFFICE
 2014 JUN 19 PM 2:47
 CLERK/COURT ADMINISTRATOR
 COURT OF APPEALS OF GA

MOTION FOR OUT OF TIME RECONSIDERATION
DUE TO EXTENUATING CIRCUMSTANCES

Comes now, Sim James Pope, Jr., in the above-styled Action requesting this Court, to review his Motion for Reconsideration, showing the following reason's" :

1. The Court of Appeals Denied Defendant's Appeal on May 5, 2014. The Order stated that Defendant could File a Motion for Reconsideration, that Must Be physically Recieved in their Clerk'S Office within Ten Day's of the Decision to be Timely Filed.

2. Defendant has Enclosed, a Mail Log Report showing that the Order that was Ordered on the 5th of May, was recieved on the 8th of May at the Prison, and showing when Defendant Physically Recieved this Ruling, which was on the 13th of May, which is when the 10 Day's to File should have started.

3. O.C.G.A. 9-11-5(b) states," as used in this Code Section, "delivery of a Copy" means handing it to the Person to be Served" Proof of Service used in this prison is, Incoming Logged Mail System.

4. O.C.G.A. 9-11-6(e) entitles an Additional Three Day's because the Motion was Served by Mail, in McRae v Hogan, 317 Ga App. 813, 732 S.E.2d 855, (FN7). McRae v Hogan, srpra.[9](10) states the Effect of Failure to Timely Respond "waives the Opponet's right to Present Evidence in Opposition to the Motion. Cits. Landsberg v Powell, 278 Ga. App.13,15,627S.E.2d922(2006)(FN8).

5. O.C.G.A.1-3-1(a)(3) state's how Time is to be Computed, which would allow Defendant time Day's pass the 23 of May, which Defendant's Motion, was Timely Filed in the Clerk's Office.

To Deny Defendant to have his Motion for Reconsideration from being heard, would be Violating his United States Constutional 5th Amendment Right, as well as Georgia's, Art.1, Section 1, Par. 3.

Respectively Submitted,
Sim James Pope, Jr. 369764
Sim James Pope, Jr. 369764

5. O.C.G.A.1-3-1(a)(3) state's how Time is to be Computed, which would allow Defendant time Day's pass the 23 of May, which Defendant's Motion, was Timely Filed in the Clerk's Office.

To Deny Defendant to have his Motion for Reconsideration from being heard, would be Violating his United States Constutional 5th Amendment Right, as well as Georgia's, Art.1, Section 1, Par. 3.

Respectively Submitted,
Sim James Pope, Jr. 369764
Sim James Pope, Jr. 369764

COFFEE COUNTY CORRECTIONAL FACILITY
MAIL LOG REPORT: INCOMING LOGGED MAIL
REPORT DATE(S): 5/8/14 to 5/8/14

Print Date: 5/8/14
Print Time: 3:22:36PM

UNIT: 7

AGENCY NUMBER	NAME	MAIL TYPE	DATE MAIL RECEIVED/SENT BY FACILITY	FROM/TO	DATE MAIL RECEIVED BY INMATE	INMATE'S SIGNATURE	STAFF INITIALS
369764	POPE, SIM JAMES	INCOMING-LEGAL	05/08/2014 DD/001/T	COURT OF APPEALS, 47 TRINITY AVE., ATLANTA GA 30334,	5-13-2014	Sim A Pope	SP

23

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(s) 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:

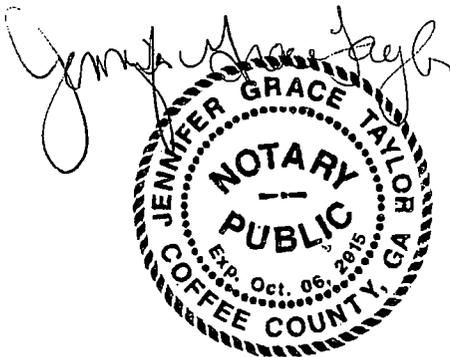
Georgia Court of Appeals
47 Trinity Ave. S.W.
Suite 501
Atlanta, Ga. - 30334

Att. Keith McIntyre
Office of District Attorney
1 Courtland Street
Statesboro, Ga. - 30458

This the 13 day of June 2004.

Sim James Pope, Jr.
SIM. JAMES POPE, JR.

Sim J. Pope, Jr. 369964
P.O. Box 650
Nicholls, Ga. - 31554



~~IN THE COURT OF APPEALS~~
State of Georgia

RECEIVED IN OFFICE
MAY 23 AM 9:02
CLERK COURT OF APPEALS OF GA

Sim James Pope Jr.
v
The State

1
Action Number
1 # P14A 0348

FILED IN OFFICE

MAY 23 2024

CLERK COURT OF APPEALS OF GA

Motion For Reconsideration

Comes Now Defendant, Sim James

Pope Jr. in this above-styled Action, Issues that the Defendant feels, was not totally looked at.

(1) The State contends that Defendant's Brother-in-Law, Mr. Clarke, put Defendant, Mr. Pope, out of Mr. Clarke's Trailer, when Mr. Pope moved back with him, but when April 19, 2010 and May 19, 2010, but the Transcript stating fact's from Deputy Grinders, Mr. Clarke, and Mr. Pope, says

that the Incident did happen, but, it occurred, a few months after Mr. POPE was Released from Prison, which was April 2, 2009, when Mr. POPE first became a SEX OFFENDER, living in DENKINS County. Deputy Grinder T.I. Page 76 L. 2-10 which states Mr. POPE moved in with Mr. Clark in 2009, then Mr. POPE moved out, and lived Elsewhere a while, and moved back with Mr. Clarke, again.

Milton Clarke T.I. Page 91 L. 3-16 states that Mr. POPE lived with him for about three or four months, and Mr. POPE like a spur in his body.

Mr. POPE moved in April 2, 2009, and on July 2, 2009 moved out to a house in Town, after Mr. Clarke put him out, which Mr. POPE Registered 1343 Hwy. 25 North

as his NEW REGISTERED ADDRESS, which
CORRESPOND'S WITH Mr. CLARKE'S TESTIMONY,
ALONG WITH T.T. PAGE 92 L. 6-11; 16-17

THEN Mr. POPE MOVED BACK IN WITH HIM
ON APRIL 19, 2010, AND PAGE 122 L. 13-21

WHEN Mr. CLARKE WAS ASKED, HOW LONG
HAD Mr. POPE MOVED BACK IN WITH HIM,
BEFORE Latrice Mosley CAME UP, AND HE
SAID "IT WAS LIKE TWO OR THREE WEEK'S IN
MY MIND-- IF MY MIND WON'T FAIL ME."

Mr. POPE SENTENCE ENDED SEPTEMBER 28, 2009
AND HE WAS UNDER PAROLE ANY MORE, AND WHEN
THE PAROLE OFFICER CAME BY LOOKING ABOUT
Mr. POPE, WAS WHEN Mr. POPE WAS PUT OUT
AND TRYED TO LIVE IN MILLER. T.T. PAGE 93 L. 4-16.

Mr. POPE STATE'S IN T.T. PAGE 113 L. 11-20
WHERE Mr. POPE MOVED WHEN Mr. CLARKE
TOLD ME TO GET OUT, Gordon Highway/Hwy. 25 N.

Latrice Mosley stated in T.T. Page 60 L. 2-12 that she had went to her Grand-Mother's House for Two Consecutive Day's, and SEEING Mr. POPE'S VEHICLE there the First Day, but came back the 1nd Day, & did not see her Uncle or Mr. POPE then she returned the 3rd day, when EVERYTHING ELSE took place. In T.T. Page 49 L. 17-20 Latrice Mosley saw Mr. POPE'S VEHICLE, NEW LOCK'S and BELONGING'S in the HOUSE. T. T. Page 51 L. 1-12 Latrice Mosley Concluded Mr. POPE lived there by these Facts. The Georgia say's that there has to be a LEASE or Contract, a Utility PHONE or Tax Bill or Anything with the PERSON'S Name on it, to show that you lived there. Mr. POPE had PERMISSION to use the HOUSE to store his BELONGING'S, as well as a Retreat, when FRIEND'S came.

Latrice Mosley stated in T.T. Page 53 L. 18
That she did not want ANYONE to get in
trouble as far as that, by getting the
SHERIFF OFFICE to look into this.

T.T. Page 54 L. 12-16

That Mrs. Mosley, Mr. Clarke and Mr.
POPE, grew up together, and were close,
and she did not know if Mr. POPE talked
to them, and she did not know about
any of that.

Mr. POPE said in N. T. T. Page 21 L. 1-5
that he was not given a TEN DAY NOTICE
to correct my living condition's, prior
to my arrest, which SEX OFFENDER'S
included, which violated MY DUE PROCESS
Right's under U.S. C.A. Const. Amend.
14 Const. Art. 1, § 1, Par. 1, and shown in
Bradshaw v State 284 Ga. 645, 646 (2008), 671 S.E.2d 485 (2008)

When a PERSON USE a PLACE For a Storage of His BELONGING'S, and EVEN if there was a Lock on the Doors, isn't it WISE For a PERSON to Change the Old Lock's to NEW Lock's, so who had PREVIOUS ACCESS, can't come and take your BELONGING'S? Futhermore, if I had gotten a Storage, and MY VEHICLE had BEEN SEEN at the Storage, would I have to REGISTER the Storage Address, as MY NEW RESIDENCE Address, T. T. Page 89 L. 2-12.

DEPUTY GRINDER stated on Page 72 L 15-25 and Page 73 L. 1-6 that he WENT to the HOUSE on the 2nd Day, and Mr. POPE was not there, for he wanted to SPEAK with him, and LEFT his Card in the Door, and the NEXT Day, May 21st Mr. POPE came to Sheriff's OFFICE. DEPUTY GRINDER

Concluded as Latrice Mosley did, that Mr. POPE was Residing at that Address, and that he had not come and Change my Address to the New Residence Address, within 72 Hour's of Moving there.

In O.C.G.A. 42-1-12 (2)(b)(3) say's that the SEX OFFENDER has to give the Information to the SHERIFF "72 Hour's Prior to Moving", whereas (2)(b)(5) state's, 72 Hour's after Establishing a Residence, "IN a New State".

RULE OF LAW

1. The Date was made an ESSENTIAL OVERTMENT of the Indictment and the Trial Court did not Charge the Jury that the Date was not a Material OVERTMENT. McDaniel v State.

The Evidence by the State disclosed any Time during May, 2010, While the Indictment stated May 19, 2010, the 72 Hour's has to be MEASURED against something SPECIFIC.

within 72 Hours, of Changing to a New Address, (RESIDENCE).

The State has No Lease, No Contract, No Utility Bill, or Anything Proving that Mr. POPE, lived at that Address. The State also can not, show that Mr. POPE was at that Address, For More than 72 Hours "CONSECUTIVE", which is Required by Georgia Law. Also, the State does Require More than SEEING a PERSON'S VEHICLE at an Address, New Lock's ON the Door's, and BELONGING'S inside of that Address. For if I had gotten a Storage, put New Lock's ON it, and have My BELONGING'S inside, and SOMEONE saw My Vehicle there, would I have to Change that Address am My NEW RESIDENCE Address, For that is what I was doing with the House.

T. T. Page 73 L. 1-6, Mr. POPE came to the Sheriff's Office and was arrested. N. T. T. Hearing on July 8, 2013, Page 19 L. 24-25, Page 20 L. 1-25, Page 21 L. 1-5 state's for the court the conversation prior to his arrest. N. T. T. Page 20 L. 18-19, was said by Sheriff to Mr. POPE the reason he wanted Mr. POPE to leave the county, that I moved three times in one year. Change's of Registered Address show's Mr. POPE moved in with Mr. Clarke April 2, 2009, Mr. Clarke put Mr. POPE out, and Mr. POPE moved to town July 2, 2009, and moved back in with Mr. Clarke April 19, 2010.

I pray this Court can conclude that Mr. POPE was put out on his 1st stay with Mr. Clarke, and Rule in my favor on this, after seeing this, in the transcript.

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(s) 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:

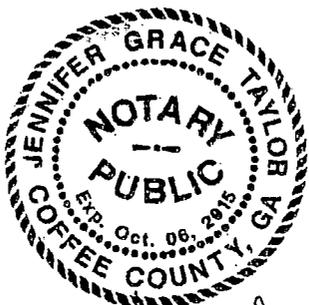
Georgia Court of Appeals
47 Trinity Ave. S.W.
Suite 501
Atlanta, Ga-30334

Att: Keith McIntyre
Office of the District Attorney
1 Courtland Street
Statesboro, Ga-30458

This the 16 day of May 20014.

~~Sim James Pope, Jr.~~
Sim JAMES POPE, Jr.

Sim J. POPE 369764
P.O. Box 650
Nicholls, Ga-31554



Jennifer Grace Taylor

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

June 23, 2014

To: Mr. Lionel L. Madison, GDC 979904, Hays State Prison, Post Office Box 668, Trion, Georgia 30753

Case Number: _____ Lower Court: _____ County Superior Court _____

Court of Appeals Case Number and Style: _____

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

- 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 trial court clerk.**
- 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 actually be 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

Dear, officials or to whom ever it may concern

I (LIONEL LEE MADISON) ^{GDC# 979904} AM WRITING TO ASSURE

TO YOU ALL THAT I FILED A (1983, 42 U.S.C. § 1915(e)(2)) CONCERNING EVENTS

alleged to HAVE OCCURRED AT THE CHARLES B. WEBSTER DETENTION

ctr. (THE SAIL) IN AUGUSTA, GEORGIA. COMPLAINT WAS DISMISSED

BY THE SOUTHERN DISTRICT OF GEORGIA: IN THE UNITED STATES

DISTRICT COURT AUGUSTA DIVISION; STATING SEE U.S.C. § 1915(e)(2)

and 1915(e)(6). A claim is frivolous if it "lacks an arguable basis

either in law or in facts." *Neitzke v. Williams*, 490 U.S. 319, 325

(1989). FAILURE TO STATE A CLAIM UNDER § 1915(e)(2)(B)(i) IS GOVERNED

BY THE SAME STANDARD AS DISMISSAL FOR FAILURE TO STATE

A CLAIM UNDER FED. R. CIV. P. 12(b)(6). "TO AVOID DISMISSAL FOR

FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE

granted, THE ALLEGATIONS IN THE COMPLAINT MUST "STATE

a claim to relief that is plausible on its face." *Bell-*

Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007). "A claim has

facial plausibility when the Plaintiff pleads factual

content that allows the court to draw the reasonable

inference that the defendant is liable for the mis-

-conduct alleged." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009).

THAT IS, "Factual allegations must be enough to raise a

right to relief above the speculative level." Case SEE CIV-113

-090 LIONEL LEE MADISON ^{GDC# 979904} Plaintiff V. KEVIN NORTH, et al., -

DEFENDANTS. WHERE FOR SHOWS I DID (LIONEL LEE MADISON) MAKE

A STATEMENT towards Claiming the Alleged, and well so ASK TO BE granted

relief. —

GDC#979904

AND; ALSO I (LIONEL LEE MADISON) AM A INDIGENT IMATE; AND OTHER COMPLAINTS WERE FILED IN THIS ALLEGATION OF CV-113-090. DURING THE TWO YEAR TIME SPAN; WHILE GOING THREW THE AUGUSTA (SIA) AND JACKSON STATE PRISON DIAGNOSTIC PROGRAM. THEN AUTAY STATE PRISON TO FOWARD THESE ALLEGED ALLEGATIONS. WITH NO LEGAL DEFENSE ATTORNEY present to inform the issues OF THIS (1983, 42 U.S.C. § 1983). AND SO; I'M ASK TO APPEAL THIS ACTION THREW NAACP Legal Defense & EDUCATION FUND, INC? ALSO ASK FOR LEGAL REPRESENTATI FROM INDIGENT LEGAL DEFENSE TO CONCUR THE ACTIONS INVOLVED OF CV-113-090?

SINCERELY,

GDC#979904

LIONEL LEE MADISON
 Signature, Lionel Lee Madison

THE FOLLOWING ARE SO FORTH BEING FOWARDED TO:
 CIVILIAN COMPLAINT REVIEW BOARD, NAACP LEGAL DEFENSE & EDUCATION FUND, INC., AND NATIONAL ASSOCIATION OF BLACKS IN CRIMINAL JUSTICE... et, al..

THANK YOU!!

CONSIDERING MY INCARCERATION TIME IN LEGAL LIBRARY REFRENCES IS LIMITED SUBJECT FROM 1 HOUR & HALF - ONCE A WEEK MAYBE TWICE... I COULD NOT FILE THE 1983, 42 U.S.C. § 1983 CONCERNING EVENTS UNTIL THE CASE WAS HANDLED THREW RICHMOND COUNTY COURTS WHICH WAS PROSEC. JAN. 23 2012 IN ORDER TO PROCEED WITH MY COMPLAINT. ASKING TO WAIVER MY TIME BAR AS OF STATUE OF LIMITATION? AS FAR AS THE INV. TESS ALEXANDER-

COURTS OF APPEALS OF GEORGIA SUITE 501
 47 TRINITY AVENUE ATLANTA, GEORGIA 30324

BRUNSON: I ONLY PUT HIM IN MY SUIT PURSUANT AS BEING
AN INVESTIGATOR, BECAUSE THAT WAS EVIDENT FOR
ME. BECAUSE I REFUSED TO GIVE THE INVESTIGATOR
A STATEMENT WITH MY LAWYER PRESENT. AND NOW
I WISH TO BE COUNSELED ON BEHAVE OF THE FOLLOW LAWSUIT
I AM NOW FILING BECAUSE THE LAST ONE WAS ALSO
DISMISSED ON GROUND OF NOT HAVING COUNSEL BASED
ON PLAINTIFFS STATED INABILITY TO LITIGATE MY CASE
THROUGH A TRIAL. I WAS DENIED AS MEET (DOC. NO. 8)

THANK YOU RESPECTFULLY PLEASE RESPONSE AS SOON
AS AVAILABLE TO ANYONE AT THIS OFFICE LOUISIANA

GDC#979804

James Lee Madison

Lionel L. Madison Plaintiff,

Kevin North, et al.,
Defendants

CV 113-090

Dear: Jolin B. Williams

I (Lionel L. Madison) would like to advise you of my distress in the findings of a 42 U.S.C. § 1983 Confining events alleged to have occurred at the Charles B. Webster Detention Center, A Jail in Augusta, Georgia.

For One I do not know how to proceed without a lawyer. TWO: It was over a year and a half if I took me to get to a state prison, before I could get prepare for the case in order to pursue. I was denied as time barred subject to dismissal under the statute of limitations applicable in Georgia. State law controls the length of the statute of limitations period in 1983 actions. The incident occurred ~~in 1983~~ ^{in 1983} period in 1983 actions. But I did not get to prison to grasp the proper filing materials, which is the actual 42 U.S.C. § 1983 form until March 3, 2012 as an indigent Plaintiff without a lawyer.

For representation. I was also denied as moot, because I did not mention in my statement of claim, a lawyer for TESS ALEXANDER-BRUNSON that he had some involvements in conducting an inquiry at the jail regarding the events involving me (Lionel L. Madison) and jail staff on December 28, 2010 because he didn't take participation in the event (objection) He only came to ask me for information, and I refused because no lawyer present to assure information was called. I Lionel L. Madison did not his name TESS ALEXANDER-BRUNSON down as defendant in the case cause he only did the filing of the incident. I don't see that as being misdirected as moot for a reason of dismissal - to the motion for appointment of counsel. -> OVER

SET FORTH I WOULD LIKE FOR YOU TO DIRECT ME

IN THE RIGHT DIRECTION FOR SOME SUPPORT OR MAYBE

HELP IN COUNSELING BECAUSING I'M STILL BEING CHARGED

FOR FILING FEES. AND THERE SHOULD BE A 2YR. STATUTE OF

LIMITATION ON ANY OBJECTIONS TOWARDS DISMISSAL. *Devine v. Prison Health*

Services, Inc. 212 F. App'x 890, 892 (11th Cir. 2006) (PER CURIAM) WHICH DO LIMIT ME

APPELLATE RIGHTS. *Dupree v. Warden*, 715 F.3d 1296, 1300 (11th Cir. 2013).

AND I AM (LIONEL L. MADISON) IS ASK FOR REQUEST FOR THIS EXTENSION OF

TIME TO FILE OBJECTS TO THIS REPORT AND RECOMMENDATION.

SHALL BE FILED WITH THE CLERK OF COURT FOR CONSIDERATION BY

THE UNDERSIGNED. I AM ALSO (LIONEL L. MADISON) IN THE PROCESS

OF FILING ANOTHER BECAUSE I'VE SUPPOSE TO HAD BEEN GOT

OUT OF PRISON, BUT THEY AREN'T RELEASING ME FOR SOME ODD

REASON. I WOULD LIKE FOR YOU TO AS WELL LOOK OVER IT. WHILE

I'M NOW FILING FOR APPOINTMENT OF COUNSEL TO REPRESENT ME

ON THAT CASE ALSO...

PLEASE BRIEFLY SCAN THESE ACCUSATIONS

AND RESPONSE WHEN TIME IS AT HAND

THANK YOU! Lionel L. Madison
COC# 979904

UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK

MIDDLE DISTRICT OF GEORGIA

475 MULBERRY STREET

P.O. BOX 128

MACON, GEORGIA 31202-0128

GREGORY J. LEONARD

CLERK

PHONE: 912-752-3497

FAX: 912-752-3496

OFFICES

ALBANY	31701
ATHENS	30601
COLUMBUS	31902
MACON	31202
THOMASVILLE	31792
VALDOSTA	31601

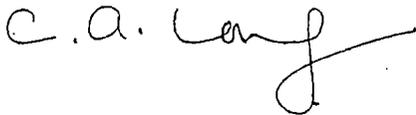
Dear Sir:

If you wish to file a complaint for a violation of your civil rights under 42 U.S.C. § 1983, you should use the enclosed forms. Your complaint would be properly filed in the Middle District of Georgia if a defendant resides in, or if a substantial part of the events or omissions giving rise to your cause of action occurred in, the Middle District of Georgia.

The court requires parties instituting civil actions to pay a \$150.00 filing fee. If you cannot afford the filing fee at this time, you can use the attached affidavit to make a request to proceed in forma pauperis. An authorized officer of the institution in which you are confined must fill in and sign the certificate at the end of the affidavit. Your affidavit will be reviewed by the judge when it is received.

Please be advised that even if your request to proceed in forma pauperis is granted, you will nevertheless be required to pay the entire \$150.00 filing fee. If you cannot pay the full amount at the time of filing, funds will be deducted from your prison account in increments until you have paid the entire \$150.00 filing fee.

Sincerely,



C.A. Long
Pro Se Law Clerk

Enclosures

INSTRUCTIONS FOR PRISONERS FILING A COMPLAINT UNDER 42 U.S.C. § 1983.

This packet includes two copies of a complaint form and two copies of an *in forma pauperis* affidavit. To initiate a lawsuit, you must submit the original of your complaint. You should keep the other copy for your own records. Any additional copies of the complaint must be identical to the original, including any attachments or exhibits.

You must complete these forms in accordance with the following instructions when filing the same in the Middle District of Georgia. The Court will not file your complaint if it does not conform to these instructions.

Your complaint can be brought in this Court only if one or more of the named defendants resides in this district. Further, it is necessary for you to file a separate complaint for each claim that you raise unless the claims are all related to the same incident or issue.

The Court requires parties instituting civil actions to pay a filing fee of \$150.00. If you are unable to prepay the full fee of \$150.00, you may ask the Court to allow you to proceed *in forma pauperis*. Two blank affidavits are included for this purpose. Your affidavit should include a certified copy of your inmate trust account statement for the six (6) period immediately preceding the filing of your complaint. Even if you are granted leave to proceed *in forma pauperis*, you must still pay the full \$150.00 filing fee, but the fee will be paid in installments. **EVEN IF YOUR CASE IS DISMISSED, YOU WILL STILL BE REQUIRED TO PAY THE ENTIRE FILING FEE.**

If more than one plaintiff is filing suit and each plaintiff requests to proceed *in forma pauperis*, each plaintiff must submit a separate pauper's affidavit. Additional affidavit forms are available from this office. In addition, all plaintiffs must sign the pleadings.

You must give FACTS in your complaint and not conclusions. For example, a complaint setting forth conclusions would be: "The guard beat me up; the doctor denied me the right to obtain necessary medical treatment." A complaint setting forth specific facts would be: "On March 1, 1996, at 5 p.m., guard John Doe struck me in the face with his fist. As a result, I suffered a broken nose. This happened inside Building A. Prisoner Joe Jones was standing next to me and saw the guard hit me." **DO NOT INCLUDE LEGAL ARGUMENTS OR CITATIONS IN YOUR COMPLAINT.** Any legal arguments and case citations can be submitted separately.

When you have completed these forms, mail them to:

Gregory Leonard
Clerk, U.S. District Court
Middle District of Georgia
P.O. Box 128
Macon, GA 31202

You are not required to provide Marshal's Service of Process forms (USM-285) when you submit your lawsuit. If you are allowed to proceed *in forma pauperis*, the Clerk will serve all process for you.

KEEP THE CLERK INFORMED OF CHANGES IN YOUR ADDRESS. Include a reference to the civil action number of your complaint and your present address in all correspondence with the Clerk or the Court.

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

QUESTIONNAIRE FOR PRISONERS PROCEEDING
PRO SE UNDER 42 U.S.C. §1983

LIONEL LEE MADISON
GDC#979904

(GIVE FULL NAME AND PRISON NUMBER OF EACH PLAINTIFF):

Plaintiff(s)

VS.
(GOVERNOR) NATHAN DEAL, (COMMISSIONER)
BRIAN OWENS,
(CHAIRMAN)
JAMES E. DONALD; OFFICIALS OF
GEORGIA DEPARTMENT OF CORRECTI-
-ONS.

(NAME OF EACH DEFENDANT)

Defendant(s)

CIVIL ACTION NO.

I. GENERAL INFORMATION

1. Your full name and prison number LIONEL LEE MADISON GDC#979904
2. Name and location of prison where you are now confined HAYS STATE PRISON
P.O. BOX 668 UNDERWOOD DRIVE, TRION GEORGIA 30753
3. Sentence you are now serving (how long?) 6 YRS. CC W/REVOKED SENTENCE** (CREDIT FOR
TIME SERVE SINCE NOVEMBER 14 2010. 3 YRS. INCARCERATION 3 YRS. PROBATION.
 - (a) What were you convicted of? CT. 1 THEFT BY RECEIVING STOLEN PROPERTY; CT. 2 GIVING
FALSE NAME TO LAW ENFORCEMENT OFFICER(M);
 - (b) Name and location of court which imposed sentence THE SUPERIOR COURT OF
RICHMOND COUNTY, AUGUSTA, GEORGIA
 - (c) When was sentence imposed? JANUARY 23, 2012 3:10 ^{LM} PM
 - (d) Did you appeal your sentence and/or conviction? Yes No
 - (e) What was the result of your appeal? N/A
 - (f) Approximate date your sentence will be completed MKD: 11/12/2013 PAB. 11-12-2016

II. PREVIOUS LAWSUITS

4. Other than the appeal of your conviction or sentence, have you ever submitted a lawsuit for filing in any federal or state court dealing with the SAME FACTS involved in this lawsuit or otherwise related to your imprisonment? Yes No

5. If your answer to question 4. is "Yes," list that lawsuit below, giving the following information: (IF YOU HAVE FILED MORE THAN ONE LAWSUIT, LIST OTHER LAWSUITS ON A SEPARATE SHEET OF PAPER, GIVING THE SAME INFORMATION FOR EACH)

(a) Parties to the previous lawsuit:

Plaintiff(s): LIONEL LEE MADISON GDC# 979904

Defendant(s): DEP. KEVIN NORTH, DEP. BRADLEY CAPITOSHI, DEP. JONATHAN JUDY, SGT. GWEN CARTER, DEP. STEPHEN VIATOR, DEP. RONALD O'BRIEN, DEP. MITCHEAL MULLERIN, AND INV. TESS ALEXANDER-BRINSON.

(b) Name of Court: U.S. DISTRICT COURT AUGUSTA DIVISION

(c) Docket Number: CV 113-090 When did you file this lawsuit? OCTOBER 11, 2013 10:39 AM

(d) Name of judge assigned to case: BRIAN K. EPPS U.S. MAGISTRATE JUDGE

(e) Is this case still pending Yes No

(f) If your answer to (e) is "No," when was it disposed of and what were the results? ^{LM}
(DID YOU WIN? WAS THE CASE DISMISSED? DID YOU APPEAL?) ON THE DATE OF OCT 11 2013 10:39 AM -
COURTS SUBJECT THE COMPLAINT OR SUIT AS BEING TIME-BARRRED, AND DISMISSED UNDER THE STATUTE OF LIMITATIONS PERIOD IN § 1983 ACTIONS;
CASE WAS ALSO DENIED AS MOOT (DOC. NO. 8) APPLICABLE IN GEORGIA STATE LAW.

III. PRESENT CONFINEMENT

6. Where are you now confined? ^{LM} HAYS STATE PRISON

(a) How long have you been at this institution? 14 DAYS/SINCE MAY 23 2014

(b) Does this institution have a grievance procedure? Yes No

(c) If your answer to question 6(b) is "Yes," answer the following:

(1) Did you present your complaint(s) herein to the institution as a grievance?
 Yes No

(2) What was the result? 1-06-2014 CHIEF COUNSELOR LETITIA BELL GRIEVANCE COORDINATOR DID HAVE LIONEL LEE MADISON GDC# 979904
- TO ACKNOWLEDGE RECEIPT OF A RESPONSE THE COMPUTATION UNIT - AS BEING DENIED.

(d) What, if anything, have you done to bring your complaint(s) to the attention of prison officials? Give dates and places and the names of persons talked to.

LIONEL LEE MADISON AWARE ALSO WARDEN JERRY JEFFSON,
- ASSISTANT BENJIE NOBLES DURING AN INSPECTION OF INST-
- ITUTION ON FEBRUARY 14 2014. RESPONSES WERE THAT THEY WILL LOOK INTO IT;
MENTAL HEALTH OFFICIALS COUNSEL LEE ALSO SCAN MY (LIONEL L. MADISON) FACTUAL PAPERWORK
- ASSURING MV COMPLAINT. (2-14-2014)

7. In what other institutions have you been confined? Give dates of entry and exit.

STARTED: ^{1941 PHINNEY RD. B-Pod E-BLOCK} CHARLES B. WEBSTER DETENTION ^{CUSTODY DATE} (FR. 7-14-2010; UNTIL 9-15-2011)
REPORTED CUSTODY TO JACKSON STATE DIAGNOSTIC CHR. RELEASED AND TRANS
PORTED ^{LM} CUSTODY TO ALABAMA STATE PRISON MARCH 3, 2012; til subject to TIER
PROGRAM 5-23-2014 NOW RESIDING CUSTODY AT HAYS STATE PRISON.

IV. PARTIES TO THIS LAWSUIT

8. List the name and address of each plaintiff in this lawsuit.

I (KIONEL LEE MADISON) ^{GDC#979904} BEING CONFINED AT HAYS STATE
PRISON PARTICIPATING TIER PROGRAM.

9. List the full name, the official position, and the place of employment of each defendant in this lawsuit. (ATTACH ADDITIONAL PAGES IF NECESSARY)

NATHAN DEAL (GOVERNOR), BRIAN OWENS (COMMISSIONER) JAMES E.
DONALD (CHAIRMAN) OFFICIALS OF GEORGIA DEPARTMENT OF CORRECT-
IONS, AND ALSO SENTENCE COMPUTATION REPORTS.

V. STATEMENT OF CLAIM

10. In the space hereafter provided, and on separate sheets of paper, if necessary, set forth your claims and contentions against the defendant(s) you have named herein. Tell the court WHAT you contend happened to you, WHEN the incident(s) you complain about occurred, WHERE the incident(s) took place, HOW your constitutional rights were violated, and WHO violated them? Describe how each defendant was involved, including the names of other persons who were also involved. If you have more than one claim, number and set forth each claim SEPARATELY.

Do not give any legal argument or cite any cases or statutes at this time; if such is needed at a later time, the court will advise you of this and will afford you sufficient time to make such arguments. KEEP IN MIND THAT RULE 8 OF THE *FEDERAL RULES OF CIVIL PROCEDURE* REQUIRES THAT PLEADINGS BE SIMPLE, CONCISE, AND DIRECT! If the court needs additional information from you, you will be notified.

STATEMENT OF CLAIM (CONTINUED)

Where did the incident you are complaining about occur? That is, at what institution or institutions? ANTRU STATE PRISON HOUSED IN G-2 148 M

When do you allege this incident took place? 3-24-2014 MARCH 24, 2014 10:39 AM
GDC#979904

What happened? I (LIONEL LEE MADISON) WAS AWARDED BY CHIEF COUNSELOR LETITIA BELL; ACKNOWLEDGE RECEIPT OF RESPONSE FROM THE COMPUTATION UNIT AS BEING DENIED FOR SENTENCE ERROR. THE RESPONSE DIRECTED A PAROLE DATE FOR JUNE 30, 2014 AND MAXIMUM RELEASE DATE AS OF AUGUST 16, 2015; WHICH IS A MISUNDERSTANDING TOWARDS MY LEGAL EXPECTATIONS. ACCORDING TO INDICTMENT/ACCUSATIONS #NO. 2010RCLR01779 DISPOSITION SHEET SIGN OFF BY SUPERIOR COURT JUDGE OF AUGUSTA JUDICIAL CIRCUIT MRS. SHERYL B. JOLLY; TO THE APPOSING LIONEL LEE MADISON ON JANUARY 23, 2012 AT 3:10 PM; 6 YRS. CC W/REVOKED SENTENCE * ** (CREDIT FOR TIME SERVED SINCE NOVEMBER 14, 2010 * ** (T.1 THEFT BY RECEIVING STOLEN PROPERTY; CT.2 GIVING FALSE NAME TO A LAW ENFORCEMENT OFFICER(M)); I (LIONEL LEE MADISON) DO NOT UNDERSTAND WHY WOULD SENTENCE COMPUTATION OVERSEE MRD: 11-12-2013. MY (LIONEL LEE MADISON) REVOKED WAS ONLY 5 YRS. NEW SENTENCE WAS 6 YRS. AND BY LAW ANYTIME A SENTENCE IMPOSE BY JUDGES IS RAN CONCURRENT; THE LARGER SENTENCE OVERRIDE THE SMALLER. GEORGIA DEPARTMENT OF CORRECTIONS WAS AWARE OF THE SAID INDICTMENT AND ACCUSATIONS, BUT THEY WILL NOT CORRECT THE FAATHERINGS; TOO ASSURE MY LIBERATION. I (LIONEL LEE MADISON) WAS ASSIGNED A MAXIMUM RELEASE FOR 11-12-2013 WHICH END 3 YRS. INCARCERATION; FOLLOW BY 3 YRS. OF PROBATION; STATED BY GEORGIA OFFICIALS SUPPOSELY STARTED 11-13-2013 SET FORTH TIL 11-12-2016. WHY I'M (LIONEL LEE MADISON) OVERSERVED THE INCARCERATION EXPIRATIONS I DO NOT NO. WHICH LEAVES ME (LIONEL L. MADISON) WITH THE UNDERSTANDING THAT BEING FALSELY WITHHELD IS FALSE IMPRISONMENT DUE TO GEORGIA LAW. I (LIONEL L. MADISON) ALSO FEEL LIKE THE SAID MISUNDERSTANDING WOULD BE COUNTED ENDANGERING TO MY HEALTH; TOO HAVE OVERSTAYED AT ANY INSTITUTION. REPORTED CUSTODY BY GEORGIA DEPARTMENT OF CORRECTIONS OVER THE CRIMINAL MURDER OF TIME PERIOD.

11. List the name and address of every person you believe was a witness to the incident(s) you complain about, BRIEFLY stating what you believe each person knows from having seen or heard what happened. (USE ADDITIONAL SHEETS, IF NECESSARY)

MRS. LETITIA BELL CHIEF COUNSELOR/GRIEVANCE COORDINATOR OF AUBRY STATE PRISON ON 3-24-2014 DID HAVE ME SIGNATURE A GRIEVED COMPLAINT #162918 OF DENIAL TO ACCURACY. ON FEBRUARY 14, 2014 DURING A MORNING INSTITUTION INSPECTION; T (LIONEL L. MADISON) AWARE WARDEN AND ASSISTANT JERRY JEFFERSON; BENJIE NOBLES about my release; BOTH STATED WILL LOOK INTO IT. FACTUAL PAPERWORK ASSURING WAS SHOWN TO MENTAL HEALTH -

12. BRIEFLY state exactly what you want the court to do for you. That is, what kind of relief are you seeking in this lawsuit? Do not make any legal arguments and do not cite any cases or statutes! (USE ADDITIONAL SHEETS, IF NECESSARY).

GDC# 979904 (RELIEF FROM THIS LAWSUIT) (COMPENSATION TOWARDS LOST COMPT.)
I (LIONEL LEE MADISON) PURSUANT TOWARDS DEFENDANTS, SUED IN THEIR INDIVIDUAL CAPACITY FOR EMOTIONAL STRESSING, BEING NEGLECTED, AND BEING AWAY FROM FAMILY OVER THE ASSIGNED PERIOD OF TIME AFORESAID BY THE JUDGE. NATHAN DEAL (GOVERNOR), BRIAN OWENS (COMMISSIONER), JAMES E. DONALD (CHAIRMAN) EACH (\$225,000.00) TWO HUNDRED AND TWENTY-FIVE THOUSAND; FOR (GEORGIA DEPARTMENT OF CORRECTIONS / SENTENCE COMPUTATION OFFICIALS (\$25,000.00) ONE HUNDRED AND TWENTY-FIVE THOUSAND FOR FALSE IMPRISONMENT; WHICH IS RECKLESS & ENDANGERING TO MY HEALTH.

13. You may attach additional pages if you wish to make any legal argument. However, legal arguments are NOT required in order for you to obtain relief under §1983. If the court desires legal argument from you, it will request it. If any defendant presents a legal argument, you will be afforded an opportunity to respond thereto.

14. KEEP IN MIND THAT ONCE YOUR LAWSUIT IS FILED, THE COURT WILL REQUIRE YOU TO DILIGENTLY PROSECUTE IT. That means that you will be required to go forward with your case without delay. Thus, if you fail to adequately prepare your case before you file it, you may find your lawsuit dismissed for failure to prosecute if you take no action once it is filed. YOU WILL RECEIVE NO FURTHER INSTRUCTIONS FROM THE COURT TELLING YOU WHAT TO DO OR HOW TO DO IT! IT IS YOUR RESPONSIBILITY AND YOURS ALONE TO PROSECUTE YOUR OWN CASE! If you fail to prosecute your case, it will be dismissed under Rule 41 of the *Federal Rules of Civil Procedure*.

Signed this _____ day of _____, 19_____.

PLAINTIFF

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

^{GDC#979904}
LIONEL LEE MADISON

Plaintiff/Petitioner

VS.

CIVIL ACTION NO.

NATHAN DEAL (GOVERNOR), BRIAN

- OWENS (COMMISSIONER), JAMES E. D.
- ONALD (CHAIRMAN)

**AFFIDAVIT IN SUPPORT OF REQUEST
TO PROCEED IN FORMA PAUPERIS**

Defendant(s)/Respondent(s)

I, ^{GDC#979904} LIONEL L. MADISON, declare that I am the plaintiff/petitioner in the above-captioned proceeding; that in support of my motion to proceed without being required to prepay fees or 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; and, that I believe that I am entitled to redress.

I further declare that the responses which I make to the questions and instructions below are true.

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. N/A

b. If the answer is no, state the date of you last worked and the amount of salary or wages per month which you received. N/A
2003 MARCH-2004 DECEMBER; 12 HOUR SHIFTS 4 days A WEEK

2. Have you received within the past TWELVE (12) MONTHS any money from any of the following sources?

- a. Business, profession, or form of self-employment? Yes No
- b. Pensions, annuities, or life insurance payments? Yes No
- c. Rent payments, interest, or dividends? Yes No
- 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 received and state the amount received from each during the past TWELVE (12) MONTHS.

SINCE MY STAY OF INCARCERATION I HAVE RECEIVED CONFLICT-
-OF INTEREST FUNDS FROM DIFFERENT Acquaintances ON
NUMEROUS OCCASIONS, ALSO FAMILY GIFT CERTIFICATES...

3. Do you have any cash, or do you have money in a checking or savings account or prison account? (you must attach a certificate from prison authorities if you have money in a prison account)

Yes No If yes, how much do you have? \$ N/A

4. Do you own any real estate (house and/or property), stocks, bonds, notes, automobiles, or other valuable property, excluding ordinary household goods and furnishings? Yes No

a. If the answer is yes, describe the property and state its approximate value.

N/A
N/A

b. If the answer is yes, list any mortgages, liens, or loans against the property and state the amount you owe.

N/A
N/A

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

SHIRLEY AN MADISON (MOTHER) HOUSE BILLS SUPPORT POSSIABILITY.
ZAFORIAN MADISON GRACE (DAUGHTER) RELIABLE SUPPORT. ROBERT-
L. RICHMOND (BROTHER) HOUSE HOLD SUPPORT OF INTEREST.

Signed this 05th day of JUNE, 19 2014.

Lionel Lee Madison
SIGNATURE OF PLAINTIFF/PETITIONER

DECLARATION UNDER PENALTY OF PERJURY

YOU MUST DECLARE UNDER PENALTY OF PERJURY THAT THE ANSWERS YOU HAVE GIVEN HEREIN ARE TRUE AND CORRECT. GIVING A FALSE ANSWER OR FALSE INFORMATION IN RESPONSE TO ANY QUESTION WILL SUBJECT YOU TO FEDERAL PERJURY CHARGES. 18 U.S.C. §1621 PROVIDES AS FOLLOWS:

Whoever --

(2) in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true;

is guilty of perjury and shall, except as otherwise expressly provided by law, be fined not more than \$2,000 or imprisoned not more than five years, or both. This section is applicable whether the statement or subscription is made within or without the United States.

Understanding the above, I declare under penalty of perjury that the foregoing answers and information provided by me in support of my request to proceed *in forma pauperis* are true and correct.

Executed this _____ day of _____, 19 _____.

SIGNATURE OF PLAINTIFF/PETITIONER

RETURN TO:

GREGORY J. LEONARD, CLERK
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
POST OFFICE BOX 128
MACON, GEORGIA 31202

Re: LIONELL L. MADISON / Lionel L. Madison
PLAINTIFF/PETITIONER

GDC # 979904
PRISONER NUMBER

CERTIFICATE

I hereby certify that the plaintiff/petitioner hereinabove named has an average monthly balance for the last 6 months of \$ _____ on account to his/her credit at the _____ institution where (s)he is confined.

I further certify that the plaintiff/petitioner likewise has the following securities to his/her credit according to the records of this institution: _____

(If not confined for a full 6 months, specify the number of months confined, then compute the average monthly balance based on that number of months.) _____

PRESENT BALANCE ON HAND IN PRISONER ACCOUNT: \$ _____

Dated this _____ day of _____, 19 _____.

AUTHORIZED OFFICER OF INSTITUTION

TITLE

ATTACH COMPUTER PRINTOUT OF ACCOUNT IF AVAILABLE

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 23, 2014

Mr. Curtis Middlebrooks
28 Rosenwald Drive
Hampton, Georgia 30228

RE: A14A1823. Curtis Middlebrooks v. Jeff W. Floyd, et al.

Dear Mr. Middlebrooks:

An improper Certificate of Service accompanied your document. Your Certificate of Service must show service to the opposing counsel and contain the counsel's full name and complete mailing address. You should provide a copy of your filing to: Mr. Larry Mayfield of Smith Welch Webb and White, LC, 404 Thomaston Street in Barnesville, Georgia 30204 and again, include his name and address on your Certificate of Service.

Sincerely,


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

SEC/ld
Enclosures

copy

I

COURT OF APPEALS OF STATE OF GEORGIA

Curtis Middlebrooks,
Plaintiff,

APPEAL Case NO.
NO. A14A1823

VS.

Jeff W. Floyd, J.D.
Matthews, Radford
Porter, Andy Pippin,
Defendants.

RECEIVED IN OFFICE
2014 JUN 20 AM 10:58
CLERK/COUNT ADMINISTRATOR
COURT OF APPEALS OF GA

Motion For Appellate Brief

I Curtis Middlebrooks ON March 2012
I was staying in Atlanta I was trying
to fix and clean up the family home
in Hampton Ga. I hired a Electricity
man to put in a new meter box after
the inspection lady stated the box need
to be changed. The next inspection, ms.
J.D. Matthews stated I need a box with
a shut-off swite, after my electrical
worker put the meter box ON the inspect-
ion lady ms. Matthews continual to

II

Reject the work from the Electrical worker. on July 6, 2012 when I went to Hampton for the inspection, MS. Matthews had taken the meter off the house to keep me from moving in my house.

The officer Jeff Floyd came and said on July 6, 2012 someone said they seen lights on the night before the officer wrote me a citation stated that I damage utility.

MS. Matthews continual to be rejected because she was moving in the home across the street, MS. Matthews had officer Floyd to write me a citation. so she can't pass the inspection for me to move in.

The Day of court officer Floyd did not testify of the citation, Floyd was standing there and did not say anything. offi. Floyd or J.D. Matthews did not show the Damage meter or any Documents to the court. MS. Matthews stated that I use \$600.00 of Electricity, offi. Floyd falsified citation Documents, offi. Floyd and Matthews showed Prejudice and Animosity, showed Prejudice

III

Lied, showed Prejudging. I Reported the Citation To City Hall and Chief of Police Department Radford Porter, Andy Pippin, But they went a Long with offi. Floyd and Matthews, Radford Porter and Andy Pippin showed PreJudice, Animosity, Lied.

The Court showed Neglect By mailing my APPEAR to the wrong Address To Denial me the right To Appeals, showed Neglect by refused To Let officer Floud testify to the Citation that was here say of the Falsified Documents.

Respectfully Submitted,

June , 2014 Curtis Middlebrooks

Court of Appeals of Georgia
State of GA.

Curtis Middlebrooks,
Plaintiff,

VS.

- Direct Appeal
- Case NO. A14A1823

Jeff W. Floyd, J. D. Matthews,
Radford Porter, Andy Pippin,
Defendants.

Certificate of Service

I hereby certify that I have this day served a copy of the above and foregoing, in request a briefs of appellant in the Court of Appeals of Georgia. By depositing a true copy in the mail, proper postage.

Respectfully Submitted,

June 2014, Curtis Middlebrooks

DDS-32 (01/10)

GEORGIA

UNIFORM TRAFFIC CITATION, SUMMONS AND ACCUSATION

120501142

GA0750300

01400066

Case Number HAMPTON POLICE DEPARTMENT Citation Number
Upon Month May (Day) 4 (Year) 2012 at 1051

Operator License No. 055981095 License Class or Type C State GA Endorsements Expires 11/02/2013

Name MIDDLEBROOKS CURTIS (Last) (First) (Middle) Address 3258 KATOMARICK City ATLANTA State GA Zip Code 30354

DOB 11/02/1951 Hair BLK Hgt 600 Wgt 180 Race B Sex M Eyes BRN Veh. Yr. 0 Make Model Color

Registration No. Yr. 2012 State GA CDL YES NO ACCIDENT YES NO INJURIES YES NO FATALITIES YES NO

2-LANE ROAD DRIVER REQUESTED ACCURACY CHECK VASCAR LASER RADAR Within the State of Georgia, did commit the following offense: SPEEDING - Clocked by PATROL VEHICLE OTHER

DUI (Test Administered: BLOOD BREATH URINE OTHER) DUI Test Results

TEST ADMINISTERED BY (If Applicable): OFFENSE (Other than above) DAMAGE TO/INTERFERENCE W/UTILITY PROPERTY

In Violation of Code Section 54-4 of State Law Local Ordinance

SUBJECT HAD ILLEGAL METER ON RESIDENCE AFTER BEING DENIED BY CODE ENFORCEMENT DUE TO IMPROPER WIRING.

PLEASE READ INSTRUCTIONS CAREFULLY

Table with columns: WEATHER, (A) ROAD, (B), TRAFFIC, LIGHTING, COMMERCIAL VIOLATION INFORMATION. Includes checkboxes for Clear, Cloudy, Raining, Other, Dry, Wet, Ice, Other, Concrete, Blacktop, Dirt, Other, Light, Medium, Heavy, Daylight, Darkness, Other, 16+ Passengers, Commercial Vehicle Violation, Hazardous Material Violation.

County of HENRY and 0.0 miles of (city) HAMPTON on ROSENWALD DR. at or near mile post or within (city) HAMPTON

OFFICER (Print) FLOYD, JEFF W Badge # 319 Div. You are hereby ordered to appear in Court to answer this charge on the 6th day of July 2012 at 0830 AM in the HAMPTON MUNICIPAL COURT at 20 EAST MAIN STREET HAMPTON, GA 30228

City HAMPTON Georgia

NOTICE: This citation shall constitute official notice to you that failure to appear in Court at the date and time stated on this citation to dispose of the cited charges against you shall cause the designated Court to forward your driver's license number to the Department of Driver Services, and your driver's license shall be suspended.

LICENSE DISPLAYED IN LIEU OF BAIL YES NO RELEASED TO COPY SIGNATURE ACKNOWLEDGES SERVICE OF THIS SUMMONS AND RECEIPT OF COPY OF SAME

ARRESTING OFFICERS CERTIFICATION The undersigned has just and reasonable grounds to believe, and does believe, that the person named herein has committed the offense set forth, contrary to law. SIGNATURE Signature of Arresting Officer Badge # 319

AUTHORIZED AND APPROVED PURSUANT TO: CODE 40-13-1 D.D.S. REG 375-4-01 DEFENDANT COPY

PLEASE READ INSTRUCTIONS CAREFULLY

You have been issued a citation by the City of Hampton Police Department. Officers of the Hampton Police Department are not authorized to set or accept cash bonds.

The following are some offenses that are "must appear in court" offenses and cannot be paid prior to your court date:

- 1. Aggressive Driving
2. Any felony in which a vehicle is used
3. Any person 21 years of age and under
4. Driving on a suspended or revoked license
5. Driving under the influence of alcohol or drugs
6. Fleeing or attempting to elude officer
7. Fraudulent or fictitious use of driver's license
8. Hit and Run
9. No Insurance
10. Possession of marijuana less than 1 oz.
11. Racing
12. Reckless Driving
13. Speeding in excess of 30 miles over the speed limit
14. Suspended Registration

Other violations may be paid prior to your court date either in person, or on-line @ www.ticketfastpay.com or by mailing payment to:

Hampton Police Department
4 McDonough Street
Hampton, GA 30228

Payments mailed must be recieved in our office "before" your court date.

Payment shall be in cash, money order or cashier's check. Visa/MC (debit or credit) accepted for on-line payments. We do not accept personal checks nor do we accept debit/credit card payments at the office window. Payments for citations are accepted until 4:00 p.m. the day before your court date.

Our office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday

If you fail to pay the citation(s) before your court date and you fail to appear in court at your scheduled time, your driver's license will be suspended and a warrant may be issued for your arrest.

All other questions, please call 770-946-4513

Handwritten signature and initials: D. J. Floyd, Jeff W. Floyd

Vertical handwritten notes on the left margin: SIM, SECTION 5, SECTION 6, SECTION 7, SECTION 8, SECTION 9, SECTION 10, SECTION 11, SECTION 12, SECTION 13, SECTION 14, SECTION 15, SECTION 16, SECTION 17, SECTION 18, SECTION 19, SECTION 20

Vertical numbers on the right margin: 0, 1, 4, 0, 0, 0, 6, 6, G, A, 0, 7, 5, 0, 3, 0, 0, 0, 1, 4, 0, 0, 6, 6

IN THE STATE COURT OF APPEALS
STATE OF GEORGIA

In re: Court of Appeals Case No. A14A1823

POVERTY AFFIDAVIT

Comes now, Curtis Middlebrooks, the Petitioner in the above styled case, being first duly sworn, deposes and says:

1. That I, by reason of my poverty, am unable to pay the cost required by O.C.G.A. 15-6-77 to file a civil case, in the Courts of Henry County.
2. That I am 61 years of age, and my monthly household income is \$ 764.00.
A copy of my last two pay stubs/employment checks are attached.
3. That I live at 28 Rosenwald Dr. and pay \$ 00 per month as rent.
4. My household consists of 01 number of people.
5. That I pay the following bills each month:

Name of Bill	Amount of Bill
<u>Social Security</u>	<u>773.00</u>
<u>Auto Insurance</u>	<u>80.12</u>
<u>Ga. Auto Pawn</u>	<u>bal. 4043.51</u>
<u>Henry Co. Tax House</u>	<u>bal. 400.00</u>
<u>Life Insurance</u>	<u>26.52</u>

6. That I hereby request that I be able to proceed in this action without having to pay filing fees and associated costs.

THIS THE 17 DAY OF June, 2014

Curtis Middlebrooks

Sign your name here in front of the notary

Sworn to and subscribed before me,

This 17 day of June, 2014.

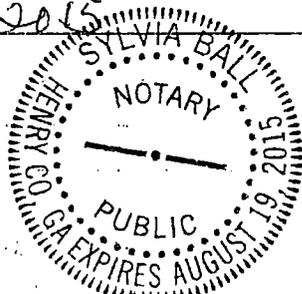
Sylvia Ball

Notary Public

My commission expires:

Aug 19, 2015

(Notary Seal)



RECEIVED IN OFFICE
2014 JUN 20 AM 10:57
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Social Security Administration

Date: March 6, 2013
Claim Number: XXX-XX-0582A
XXX-XX-0582DI



1BEV010000252 0.345 SP 0.460 T



CURTIS MIDDLEBROOKS JR
28 ROSENWALD DR
HAMPTON GA 30228-2944



You asked us for information from your record. The information that you requested is shown below. If you want anyone else to have this information, you may send them this letter.

Information About Current Social Security Benefits

Beginning December 2012, the full monthly Social Security benefit before any deductions is \$ 773.00.

We deduct \$0.00 for medical insurance premiums each month.

The regular monthly Social Security payment is \$ 773.00.
(We must round down to the whole dollar.)

Social Security benefits for a given month are paid the following month. (For example, Social Security benefits for March are paid in April.)

Your Social Security benefits are paid on or about the third of each month.

If You Have Any Questions

If you have any questions, you may call us at 1-800-772-1213, or call your local Social Security office at 866-331-7028. We can answer most questions over the phone. You can also write or visit any Social Security office. The office that serves your area is located at:

SOCIAL SECURITY
6670 MERCHANTS WAY
MORROW, GA 30260

5000252 *0101IP SIL002923* BEVAFP MAILP SIL R130306 1st

See Next Page





RECEIPT

Ace Auto Insurance
3737 Main Street
College Park, GA 30337

Receipt No: 2601000000368

To: Curtis Middlebrooks
28 Rosenwald Dr,
Hampton GA 30228

Date: 04/02/2014
Time: 11:41AM CT
Office Number: 2601
Merchant ID: 227003185997
Terminal ID: 001
By: Benjamin Crump
Total Receipt: \$80.12

Note Number: 62
Policy Number: GABD260100067

Comments:

EIGHTY and 12 / 100
Next Payment Amount: \$80.12
Next Payment Date: 05/03/2014

CHARGES:

Description
MONTHLY PAYMENT

\$ 80.12

PAYMENTS:

Description
Credit Card

Date

Reference No
3107

Amount
\$ 80.12

Trace # Authorization: 193040

REMAINING SCHEDULED PAYMENTS

<u>Date Due</u>	<u>Amount Due</u>	<u>Date Due</u>	<u>Amount Due</u>	<u>Date Due</u>	<u>Amount Due</u>
05/03/2014	80.12	06/03/2014	80.12	07/03/2014	80.12
08/03/2014	80.12	09/03/2014	80.12	10/03/2014	80.12
11/03/2014	80.12	12/03/2014	80.12	01/03/2015	80.12
02/03/2015	80.12				

GABD260100067

Effective Date: 03/03/2014

Georgia Auto Pawn, Inc.

730 CLEVELAND AVENUE, SW
ATLANTA, GA 30315

PAYMENT RECEIPT

(404) 761-0472 (phone)

(404) 761-4897 (fax)

ACCOUNT INFORMATION

Name: CURTIS MIDDLEBROOKS

Account #: TL-GA0352-120525-5817-03

Address: 28 ROSENWALD DR
HAMPTON, GA 30228

Transaction #: 944095747

Payment date: 04/02/2014

Phone: (404) 287-6674

Payment amount: \$ 144.00

PAYMENT DETAILS

A payment of 144.00 has been applied to your account as follows:

	Principal	Finance Charges	Other Charges	Total
Starting balance	1,043.97	143.54	0.00	1,187.51
Payments	0.46	143.54	0.00	144.00
Credits	0.00	0.00	0.00	0.00
Ending balance	1,043.51	0.00	0.00	1,043.51

Employee

CURTIS MIDDLEBROOKS

Date

Date

MESSAGES

Thank you for your payment!

Printed: 3/4/2014 11:29:25

Register: 4 Clerk: GM

Official Tax Receipt
David Curry
Henry Tax Commissioner

Phone: (770) 288-8180

Fax: (770) 288-8190

140 Henry Parkway
McDonough, GA 30253

Trans No	Property ID/District Description	Original Due	Interest & Penalty	Prev Paid	Amount Due	Amount Paid	Transaction Balance
142218 Year-Bill No 2013 - 50554	H10-01005000 / 004 LLot: 113 LDist: 3 FMV: \$41,400.00	634.09	70.93 Fees 30.00	160.00	575.02	25.00	550.02
						Paid Date 3/4/2014 11:29:24	Current Due 550.02
Transactions:	142218 - 142218 Totals	634.09	100.93	160.00	575.02	25.00	550.02

Paid By :

MIDDLEBROOKS CURTIS*

MIDDLEBROOKS CURTIS & CYNTHIA D &
NOLLEY GERALDINE M & MARY
28 ROSENWALD DR
HAMPTON, GA 30228

Cash Amt:	25.00
Check Amt:	0.00
Charge Amt:	0.00
Change Amt:	0.00
Refund Amt:	0.00
Overpay Amt:	0.00

Check No
Charge Acct



Lincoln Heritage

LIFE INSURANCE COMPANY

PO Box 53591 Phoenix, AZ 85072-3591 1-800-438-7180

Payment Due Notice

Keep top portion for your records

Payment Due Date: 02/07/14

Total Amount Due: 26.52

Curtis Middlebrooks Jr
28 Rosenwald Dr
Hampton GA 30228-2944

Amount Paid: \$ _____

Date Paid: _____

Check #: _____

Please make your check payable to
Lincoln Heritage Life Insurance Company

Policy Number	Description	Amount	Pays For Months	Total Due
27-0001826362	Life Ins	26.52	1	26.52

Upon receipt of a check for payment, Lincoln Heritage reserves that right to convert your check into electronic payment. Funds may be deducted from your bank on the same day the payment is received. Your original check will not be returned to you.



Lincoln Heritage

LIFE INSURANCE COMPANY

Notice Date: 01/03/14
Invoice Number: 00103201400704
Total Due: 26.52
Policy Owner: Curtis Middlebrooks Jr

Payment Due Date: 02/07/14

Total Amount Due: 26.52

Amount Remitted: \$



Lincoln Heritage Life Insurance Company

PO Box 53591

Phoenix, AZ 85072-3591

Detach and Return This Portion With Your Payment



IN THE MAGISTRATE COURT OF HENRY COUNTY

STATE OF GEORGIA

FILED IN OFFICE
MAGISTRATE COURT
HENRY COUNTY, GA

FEB 26 2013

FOR
MICHELE B. GARDNER, CLERK
MAGISTRATE COURT, HENRY COUNTY, GA

CURTIS MIDDLEBROOKS,)
)
 Plaintiff,)
)
 vs.)
)
 OFFICER JEFF W. FLOYD,)
 J. D. MATTHEWS, *et al.*,)
)
 Defendants.)
)
 _____)

CASE NO. 2012-5967CC

ANSWER OF DEFENDANTS RADFORD PORTER AND ANDY PIPPIN

COME NOW RADFORD PORTER and ANDY PIPPIN, Defendants in the above-styled matter, and file this their Answer to Plaintiff's Statement of Claim showing this Court the following:

FIRST DEFENSE

Plaintiff's Statement of Claim fails to state a claim upon which relief may be granted.

SECOND DEFENSE

Plaintiff's Complaint is barred by the doctrine of Res Judicata in that Plaintiff was convicted after a bench trial in the Hampton Municipal Court on August 15, 2012, and failed to properly appeal his conviction.

THIRD DEFENSE

Plaintiff's Statement of Claim is barred and should be dismissed for his failure to provide an *ante litem* notice to the Defendants as required by O.C.G.A.

§ 36-11-1.

FOURTH DEFENSE

Defendants assert the defenses of official qualified and sovereign immunity.

FIFTH DEFENSE

Defendants respond to the individual allegations made in Plaintiff's Statement of Claim as follows:

1.

Defendants deny each and every allegation contained in Plaintiff's Statement of Claim.

2.

Defendants deny that they owe the Plaintiff the money alleged in his Statement of Claim or any other money whatsoever.

WHEREFORE, Defendants pray:

- (a) That Plaintiff's Statement of Claim be dismissed as filed;
- (b) For attorney's fees and costs incurred in defending this meritless action; and
- (c) For such other and further relief as this Court deems just and appropriate.

This 25th day of February, 2013.

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 23, 2014

Mr. Virgil Lamar Maddox
GDC1000577031 K-2
Smith State Prison
Post Office Box 726
Glennville, Georgia 30427

RE: A12A1741. Virgil Lamar Maddox v. The State

Dear Mr. Maddox:

The Court of Appeals of Georgia dismissed the above referenced appeal on July 3, 2012.
The remittitur issued from this Court on July 19, 2012, divesting this Court of jurisdiction.

Sincerely,


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

SEC/ld
Enclosures

Friday 20 June 2014

**COURT OF APPEALS
PRO SE INFORMATION SHEET**

COURT OF APPEALS CASE: A12A1741

STYLE: VIRGIL LAMAR MADDOX v. THE STATE

DATE OF DOCKETING: 2012-05-02

JUDGMENT DATE: 2012-07-03

ASSIGNED JUDGE: C. J. Herbert E. Phipps, (70-069)

LOWER CT#: 11CR00226

CALENDAR DATE: 0912

REMITTITUR SENT: 2012-07-19

Mr. VIRGIL LAMAR MADDOX

GDC #1000577031 K-2

SMITH STATE PRISON

P.O. BOX 726

GLENNVILLE GA 30427

TELEPHONE:

EMAIL:

*Dismissed 7/3/2012
Remit Date 7/19/2012*

CLERK

SUPREME COURT OF GEORGIA
244 WASHINGTON STREET
ROOM 572 STATE OFFICE ANNEX BUILDING
ATLANTA, GEORGIA 30334

GA. COURT OF APPEALS CASE NO:

A12A1741

RE: 11CR00226 JFL003

DEAR CLERK OF COURT:

THE DEFENDANT VIRGIL L. MADDOX REQUEST THAT THIS CASE BE PLACED ON THE COURT'S CALENDAR FOR ORAL ARGUMENT PURSUANT TO THE RULE 51 OF THIS COURT.

~~THE DEFENDANT FURTHER STATES TO THE COURT THAT THIS CASE WAS ORIGINALLY~~ STARTED IN THE SUPERIOR COURT FOR FLOYD COUNTY GEORGIA AND THAT THE DEFENDANT CANNOT GET THAT COUNTY COURT AND THE PUBLIC DEFENDER'S OFFICE TO RESPOND TO ANY OF THE DEFENDANT'S NEEDS, EVER SINCE JUNE 09, 2011.

THE DEFENDANT CERTIFIES THAT FORMER PUBLIC DEFENDER FOR THE DEFENDANT FAILED TO RESPOND TO THE DEFENDANT'S REPEATED REQUEST TO DO A TIMELY MOTION TO WITHDRAW GUILTY PLEA AND FAILED TO FILE A TIMELY NOTICE OF AN APPEAL AND FORMER PUBLIC DEFENDER REMOVED HIMSELF AND HIS OFFICE ON JANUARY 23, 2012, [IN WRITING] OFF OF THE DEFENDANT'S CASE, SEE C.F., PHILLIPS VS THE STATE, 238 GA. 497 233 S.E. 2d 758.

FORMER PUBLIC DEFENDER HAS BEEN NOTIFIED OF THE DEFENDANT'S INTENTION TO ARGUE THE CASE ORALLY OF FORMER PUBLIC DEFENDER INEFFECTIVENESS AND COMMITTING THE ACT OF FRAUD AND BREACH OF PLEA AGREEMENT ON MARCH 29, 2012 OF THE DEFENDANT'S CASE. AND THAT INQUIRY HAS BEEN MADE WHETHER SAID FORMER COUNSEL INTENDS ALSO TO ARGUE THE CASE ORALLY, THAN THE DEFENDANT REQUEST THAT THE SUPREME COURT WOULD SET A TIME AND DATE FOR THE CASE TO BE ORAL ARGUED.

THANK YOU FOR YOUR ASSISTANCE IN THIS MATTER.

RESPECTFULLY SUBMITTED THIS 30TH DAY OF May 2014

C.C. ROME JUDICIAL CIRCUIT
ROME PUBLIC DEFENDER OFFICE
MR RANDALL WILLIAMS
12 EAST 4TH AVENUE SUITE 610
ROME, GEORGIA 30114



THE DEFENDANT PRO SE

IN THE SUPREME COURT FOR THE
STATE OF GEORGIA

MR. RANDALL WILLIAMS,
PLAINTIFF

VS

VIRGIL L. MADDOX,
DEFENDANT

DECLARATION UNDER PENALTY OF PERJURY

THE DEFENDANT, VIRGIL L. MADDOX DOES DECLARE UNDER PENALTY OF PERJURY THAT THE INFORMATION THAT THE DEFENDANT IS GIVEN HEREIN IS TRUE AND CORRECT. THE DEFENDANT UNDERSTANDS THAT GIVING FALSE INFORMATION CAN AND WILL SUBJECT THE DEFENDANT, VIRGIL L. MADDOX TO PERJURY CHARGES UNDER BOTH FEDERAL AND THE STATE OF GEORGIA LAW.

THE DEFENDANT, VIRGIL L. MADDOX DOES UNDERSTAND THE ABOVE, AND THE DEFENDANT WILL DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IN THE REQUEST FOR ORAL ARGUMENT PROVIDED BY THE DEFENDANT, VIRGIL L. MADDOX IS TRUE.

RESPECTFULLY SUBMITTED THIS 30TH DAY OF MAY, 2014.


THE DEFENDANT - VIRGIL L. MADDOX - PRO SE

ADDRESS OF THE DEFENDANT:

VIRGIL L. MADDOX

G.D.C.# 10005791031

SMITH STATE PRISON

POST OFFICE BOX 726

GLENNVILLE, GEORGIA 30429

C.C. ROME JUDICIAL CIRCUIT

ROME PUBLIC DEFENDER OFFICE

MR. RANDALL WILLIAMS

12 EAST 4TH AVENUE 'SUITE 610

ROME GEORGIA 30161

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 24, 2014

Mr. Harvey Mapp
GDC401334
Richmond County Correctional Institution
2314 Tobacco Road
Augusta, Georgia 30906

Dear Mr. Mapp:

As you stated in your letter, 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.

I have enclosed a copy of the Rules of the Court of Appeals for your review.

Sincerely,



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

SEC/ld
Enclosure



2014

Georgia Court of Appeals

RULES

Last Update: May 15, 2014

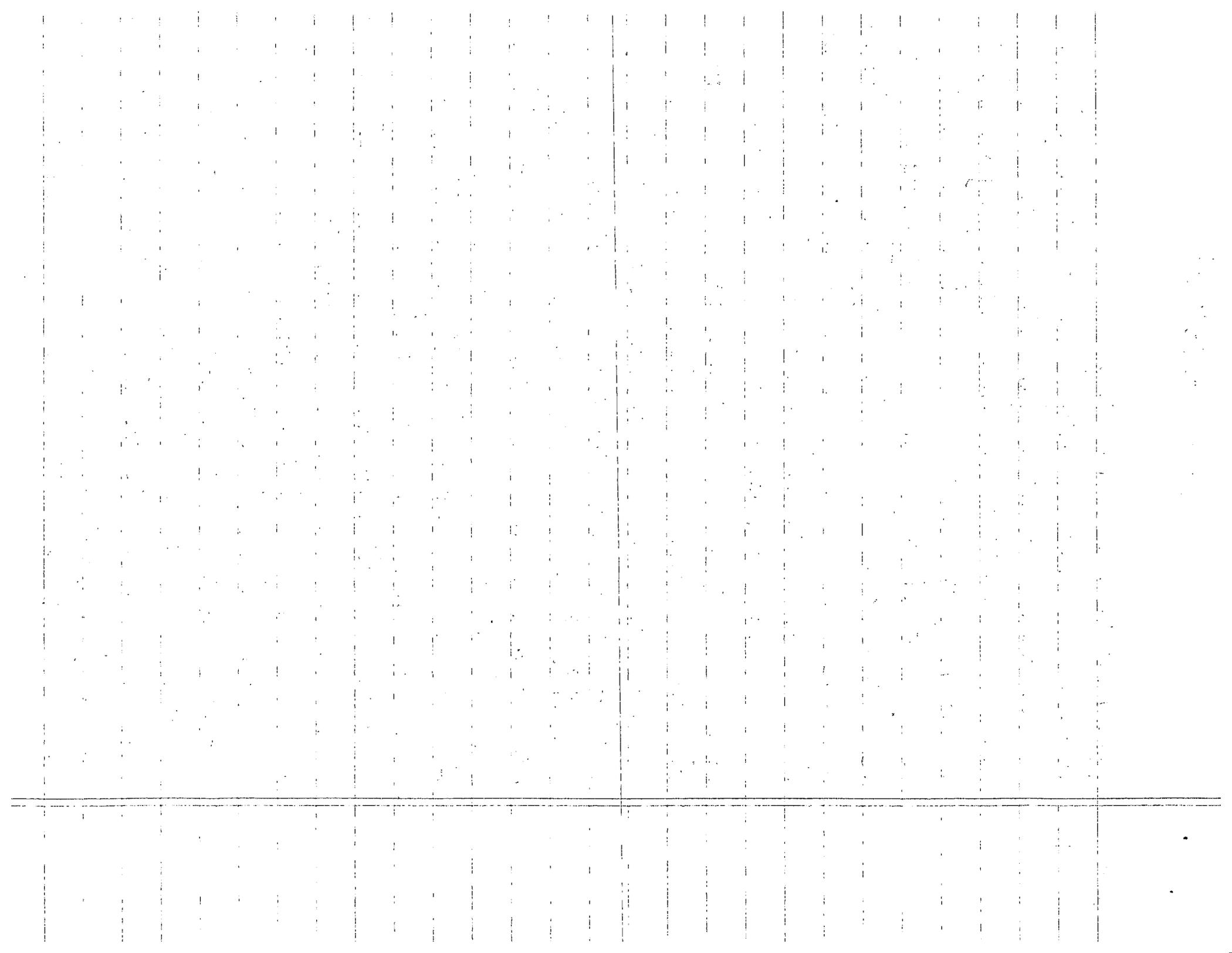
Date 6-19-2014

RECEIVED IN OFFICE
2014 JUN 23 PM 01:16
DEPT. COURT APPEALS
COURT OF APPEALS

whom it may concern, My name is Harvey Mapp, #401334 and I am presently incarcerated at Richmond County

C.I. Augusta Georgia. I am writing you in concern(s) of Sentencing and Punishment

that is affiliated in my probation revocation hearing in Henry County. I was sentenced to 2 years case closed. I am not disputing those fact(s). I am requesting a discretionary review application be filed on my behalf. Or that I be sent a discretionary review application. For the following reason(s). Upon my discovery of Floyd v. The State, Court of Appeals of Georgia No. A12A1233. Upon reading the fact(s) from her appeal. I am going through some of the same similar problem(s) as in her case. My reason(s) are; on July 18, 2012 I was detained and jailed on other charges. Later those charges was dismissed, I spent 9 months and 2 days in Henry County jail until my probation revocation hearing was heard. And that was on April 16, 2013. Upon requesting a computation release date readout, I discovered that it said April 16, 2015. I was discriminated in concern(s) of my release date. So I wrote to the court(s) Henry County



requesting the 9 months and 2 days to
be credited to my period of confinement,
via mail. The court(s) Henry County
refused to credit those 9 months and 2
days to my confinement and revocation
of probation. So, upon these facts) of
similarity, Floyd v. The State. I am
requesting the court(s) to intervene on
my behalf also. I have no other remedy,
nor help. I pray that the court(s) would
expeditiously move on my behalf swiftly.

Sincerely
Yours Truly

Harvey Mapp #401334

Richmond County C.I.
2314 Tobacco Road

Augusta Georgia 30906

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

Date: June 24, 2014

To: Mr. Michael Lee Powell, GDC736204, Georgia Department of Corrections, Post Office Box 310,
Valdosta, Georgia 31603

Docket Number: A14A1874 **Style:** Michael L. Powell 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 **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 June 19, 2014.**

Michael Lee Powell
P.O. Box 310
Valdosta, Ga. 31603
G.D.C. # 736204

BRIEF OF APPELLANT

DOCKET NO: A14A1874

STATE OF GEORGIA
APPELLEE

VS-

MICHAEL LEE POWELL
APPELLANT

IN THE COURT OF APPEALS
STATE OF GEORGIA

RECEIVED IN OFFICE

2016 JUN 24 PM 1:10

CLERK OF COURT ADAMS, JENNIFER BR
COURT REPORTERS DIVISION

"CERTIFICATE OF SERVICE"

This is to certify that I have this

date sent a copy to the:

District Attorney
93 Front St. STE. 160
Cuthbert, Ga. 39840
- David R. Roden

by placing a copy of the same in the

U.S. Mail with adequate postage to ensure

delivery.

Respectfully Submitted this ^{18th} day of June 2014,

Michael Lee Powell

Michael Lee Powell
G.D.C. #

P.O. Box 310

Valdosta, Ga. 31603

James Walker
2/18/14

PF 50
JEF

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 25, 2014

Mr. Bruce Robbins, Sr.
GDC175480
Ware State Prison
3620 North Harris Road
Waycross, Georgia 31503

Dear Mr. Robbins:

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. I am returning your "Motion for Appointment of Counsel" to you.

Sincerely,



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

SEC/ld
Enclosure

IN THE COURT OF APPEALS OF GEORGIA

BRUCE ROBBINS.
V.
STATE OF GEORGIA

)
)
)
)
)
CASE NO:
2006CR01455-6
APPEAL A14AD128

MOTION FOR THE APPOINTMENT OF COUNSEL

Appellant Bruce Robbins, sr Pursuant to § 1915 requests this court to appoint counsel to represent him in this case for the following reasons:

- 1) The Appellant is unable to afford counsel.
- 2) The Appellant as a segregation inmate, has extremely limited access to the Law library.
- 3) The issues involved in this case are complex.
- 4) The Appellant has a limited knowledge of the Law.
- 5) Appellant has made efforts to obtain a lawyer.

RECEIVED IN OFFICE
2014 JUN 23 PM 03 34
CLERK OF COURT APPELLATE
COURT OF APPEALS OF GA

CONCLUSION

WHEREFORE, Petition Prays and Show cause why Appointment of counsel is need As a inmate at Ware State Prison I can only send and receive mail as the instilulienal mailroom allows me..... Mail is being stamped and date at there convients Appointment of counsel is needed being that Ware State Prison has a I/m Population of (1500) Fifteen hundred inmates with A 24% rate of inmates trying to obtain time in the Legal Law Library 39% being 600I/ms Petitioner Pray that Appointment of counsel be giving to help with the Certiorari

Respectfully Submitted

Court of Appeal
47 Trinity Ave S.W suite
501 A+1, GA 30334

Bruce Robbins, sr
G.D.C 175480
c/o: Ware State Prison
3620 Harris Road
Waycross, Ga 31503

CERTIFICATE OF SERVICE

I do hereby certify that I have this day served a copy of the Petitioner Motion for the Appointment of Counsel by Place a copy in the Prison official hand for mailing, And Properly Addressed As follows:

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

This 18 Day of June 2014

Bruce Robbins, SR
G.D.C. 175480
Ware State Prison
3620 N Harris Rd
Waycross, GA 31503

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 25, 2014

Mr. Ladon Michael Love
2482 East Old Bainbridge Road
Jakin, Georgia 39861

Dear Mr. Love:

In response to your communication dated May 18, 2014 received in this office on June 24, 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 or the trial court.

I am returning your correspondence to you.

Sincerely,



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

SEC/ld
Enclosures

May 18, 2014

To: Whom it may Concern:

Please be advised that I would like to appeal my case # 2013-06-29723. 10 ct. aggravated assault, Hit N Run, wreckless driving. Early County ga.

RECEIVED IN OFFICE
2014 JUN 24 PM 3:22
CLERK OF SUPERIOR COURT
DEPT. OF APPEALS OF GA

There was false statements during the trial and written statement by Officer Hunt.

Officer Hunt wrote that she confirmed James story with Lynn Carver and on witness stand Lynn Carver stated she did not kill James that but she would of like to of saw the kids.

The District attorney made false statement to the jury by reading James statement and in correctly read it and did not make intent to correct.

The pictures officer Hunt provided was wrong dated. The pictures of tire marks was also false. The pictures she had was me spinning when I turned around on the grass going back on Hwy Not marks of myself slam on breaks and brakes locked up.

Mrs Hunt miss the hole accident and I would like to investigate the accident scene. spin marks and skid marks are different.

Also be advised that my insurance company paid this accident due to half of police report, The insurance company

did not receive the hole report. I also advised my insurance company NOT to pay. I also asked that my insurance conversation to be recorded.

officer Hunt brought guns in Court room and wasn't used a evidence, nor in the crime.

Nobody made statement I used gun for no reason.

District Attorney misbehaved by yelling and aggressive to the witness James Webb.

Also James and Gabby made statement they was threatened by District Attorney Bishop and Officer Hunt.

Ladon Love - (In Jail)
2482 E Old Bainbridge Rd
Jakin, Ga.
39861

229-309-1456

229-793-2730

Latrina Lisenby

I requested to be separated from other defendant also and my attorney didn't comply. (Benn Harrell.) Attorney.

Thanks in advance
Ladon Love.

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

NOTICE OF APPEAL

IN THE Superior (SUPERIOR, STATE, ETC.) COURT
OF Early COUNTY

STATE OF GEORGIA

PLAINTIFF

*

CASE NUMBER

State of Georgia

*

213-06-29723

vs.

*

DEFENDANT

Ladon Michael Love

*

NOTICE OF APPEAL

Notice is given that Ladon Michael Love (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 29 day of May, 2014.

The clerk shall omit nothing (omit nothing from the record on appeal/will omit from the record on appeal the following: Convictions of aggravated assault 10 counts.)

A transcript of evidence and proceedings will not (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 mistaken intimate 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 Clerks office (opposing party or attorney) with a copy of this Notice of Appeal by Mail (hand delivery/mailling a copy first class mail postage prepaid) to him/her at: 47 trinity Ave. 501 Atlanta, Ga. 30334 (complete address of party served).

This the 18 day of may, 2014.

Ladon M Love (Sign your name.)

FORM 4 - NOTICE OF FILING CERTIORARI

COURT OF APPEALS OF GEORGIA

Ladon Michael Love

*

APPELLANT

*

vs. State of Georgia

*

CASE NUMBER

*

213-06-29723

APPELLEE

NOTICE OF FILING PETITION OF CERTIORARI

Comes now Ladon M Love (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 18 day of May, 2014.

(Sign your name.)

2482 E Old Bainbridge Rd.
Jakin, Ga. 39861

(Your complete address.)

CERTIFICATE OF SERVICE

I certify that I have this day served State of Georgia (opposing party or attorney) with a copy of this Notice of Filing Petition of Certiorari by mail

(hand delivery/ mailing a copy first class mail postage prepaid) to him/her at: _____

47 Trinity Ave. Suite 501
Atlanta, Ga. 30334

(complete address of party served).

This the 18 day of May, 2014.

Ladon M Love

(Sign your name.)

FORM 3 - NOTICE OF INTENT

COURT OF APPEALS OF GEORGIA

Landon Michael Love

*

APPELLANT

*

vs. State of Georgia

*

CASE NUMBER

*

213-06-29723

APPELLEE

NOTICE OF INTENT

Comes now Landon Michael Love (Appellant/Appellee) in the above appeal and files this Notice of Intent to apply for certiorari to the Supreme Court of Georgia.

This the 18 day of May, 2014.

(Sign your name.)

2482 E Old Bainbridge Rd

Jakin, Ga. 39861

(Your complete address.)

CERTIFICATE OF SERVICE

I certify that I have this day served State of Georgia (opposing party or attorney)

with a copy of this Notice of Intent by Mail (hand delivery/ mailing a copy

first class mail postage prepaid) to him/her at: 47 Trinity Ave Suite 301

Atlanta, Ga. 30334

(complete address of party served).

This the 18 day of May, 2014.

Landon M Love

(Sign your name.)

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 25, 2014

Mr. Hoke Thomas
115 Snapping Shoals Road
Covington, Georgia 30016

Dear Mr. Thomas:

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

Your letter was addressed to Ms. Holly K. O. Sparrow, who retired as Clerk/Administrator of the Court of Appeals in August, 2013.

This Court does not initiate investigations. We handle appeals from lower court judgments.

I am returning your communication and I hope that you can provide them to someone who is better able to assist you.

Sincerely,



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

SEC/ld
Enclosures

June 20, 2014

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

RECEIVED IN OFFICE
2014 JUN 24 PM 3:26
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Attn: Holly K.O. Sparrow, Clerk/Court Administrator

From: Hoke & the Late Mike Thomas
115 Snapping Shoals Road
Covington, GA 30016
Phone #404-386-1256
Fax #770-787-7988
Email: hokethomasjr@aol.com

Subj: Request for extension of time for your court to review the Henry County Superior Court's (HCSC) Summary Judgment, 13-CV-3901-WC, in the requested lawsuit, Hoke S. Thomas, Jr. The Estate of J. Michael Thomas, and Thomas Brothers Hydro, Inc., Plaintiffs, vs. John M. Hanger, Defendant, dated May 27, 2014

1. Sirs, I humbly request a six months extension for the deadline that your court, The Appeals Court of Georgia, will review subject HCSC judgment, once again against the Thomas Brothers (TB) and for the Henry County Water and Sewerage Authority (HCWSA) and private Henry County resident, J.M. Hanger, the solicited pro bono client of the private Henry County law firm of Smith, Welch, White and Webb (SWWW). As before, in the previous lawsuit HCWSA vs TB lasting 3 years, both your court and the HCSC ruled in favor of the HCWSA, as represented by SWWW, as said Henry County government agency posthumously purchased portions of TB's Newton County properties, water rights ownership, riverbed and improvements; and 20.4 acres of riverbed and riparian water rights belonging to 8 other Snapping Shoals (SS) contiguous dry land owners in both Henry and Newton Counties, from the aforesaid J.M. Hanger, also represented by SWWW, pro bono. Over the aforesaid 3 years period of time, in TB's defense, all the Case laws and violations of State laws by the HCWSA, as identified by TB's attorneys, were all rejected by the HCSC, in favor of the Plaintiff's attorneys, ending with the HCSC changing one item in Mr. Hanger's property transaction, the Judge granted TB an easement to use the water rights, not specifying consumptive or non-consumptive.

2. Due to the fact Mr. Hanger was not a litigant in the lawsuit HCWSA vs TB, in an effort to regain our SS assets, TB's filed a lawsuit against Mr. Hanger for fraud and monetary damages. As you Judges remember, Mr. Hanger obtained the properties that he sold to the HCWSA for the pre-arranged price of \$25,000.00, via a December of 2007 meeting of solicitation with SWWW attorney A.J. Welch, Jr. followed by the mail-order quitclaim authored at no financial charge for said Hanger by SWWW that included 273.6 acres of SS properties going back in time 74 years to 1934, when the previous common property vendor, Whitehead Die Casting Company, Ltd. (WDCCL) only owned 160 acres for 27 years from 1964 to 1991 when Mr. Hanger purchased the last portion, 89.2 dry Henry County acres represented by a warranty deed, closing statement, affidavit stating all lines and corners were correct and a survey and plat paid for by Mr. Hanger.

3. Via a SWWW January 30, 2008 letter of instructions to correct a newly found "clerical error", the 13 heirs of WDCCL, 11 grandchildren and 2 senior living WDCCL past principals of 7, 5 now deceased, while thinking they were doing the "right thing" as requested by SWWW, forsook the terms of the WDCCL deeds covering 160 acres and 11 property holders to defend said holder's property rights against the claims of all persons whomsoever, and foolishly signed a bogus (116 acres of property WDCCL never owned), mail-order February 11, 2008 SWWW authored quitclaim giving to Mr. Hanger, the properties and assets contained on the aforesaid 160 acres, plus an additional 116 acres that WDCCL never owned. The 13 heirs had no legal right in February of 2008 to sign Mr. Hanger's quitclaim without first consulting with the 11 present day property owners that purchased their respective properties from WDCCL as far back as 1976.

4. Previously, over the aforementioned 27 years, WDCCL had sold to TB, said brother's 8 riverfront neighbors and John M. Hanger himself, the entire 160 acres. WDCCL was dissolved in 1994. Three (3) of the heirs and the two senior WDCCL past principals previously signed Mr. Hanger's 1991 deed for 89.2 acres and also foolishly signed, at SWWW's request, Mr. Hanger's 2008 SWWW authored, mail-order quitclaim for 273.6 acres; this is perjury for TB's deeds from WDCCL obligate said heirs to defend TB's titles, not to give TB's properties to J.M. Hanger 34 years after said brother's purchase date. The fraudulent issues here are the facts that J.M. Hanger through his attorney, A.J. Welch, Jr. obviously knew of discrepancies or omissions in some of the old WDCCL deeds within the 160 acres and said Hanger approved of the SWWW attorneys to fraudulently obtain the signatures of the 13 heirs on 273.6 acres under the guise to correct a "clerical error" in Mr. Hanger's 1991 Henry County deed from WDCCL for 89.2 acres.

5. Once the entire 273.6 acres was successfully, clandestinely quitclaimed, the SWWW attorneys formulated a March 10, 2008 limited warranty deed and using the antiquated “less and except” method of acquiring land, excluded Mr. Hanger’s own 89.2 acres and sold selected portions of the remaining properties and assets to an unsuspecting HCWSA without a survey or plat, no clear title, no appraisal and no Resolution from the HCWSA to use taxpayer monies and acquire any properties at SS. SWWW informed the HCWSA of their most fortunate purchase one day later on March 11, 2008 and the TB and their 8 SS neighbors were informed 3 months later in HCSC of their respective losses. Said limited warranty deed was recorded as a “full-blown” warranty deed in both Henry and Newton Counties on March 30, 2008, by SWWW attorneys, but having no known acreage or location and signed by J.M. Hanger, making said Hanger totally responsible or liable for said warranty deed’s contents! For halting an April 26, 2008, trespass and survey attempt of TB’s Newton County properties by surveyors under the orders of SWWW attorney A.J. Welch, Jr., 3 SWWW attorneys, on behalf of the HCWSA, sued the TB and on June 25, 2008 the HCSC discovered that all the aforesaid property transactions from December 2007 (date attorney A.J. Welch, Jr. solicited J.M. Hanger for the aforementioned \$25,000.00) to the aforesaid HCSC court date of June 25, 2008 were conducted illegally without a resolution. Rather than dismiss the entire dilemma on the grounds of illegality, the HCSC judge granted the SWWW attorneys time to re-group and obtain an HCSC suggested after the fact or posthumous resolution from the HCWSA to retroactively make an unauthorized, illegal transaction, legal. On July 8, 2008, the HCWSA issued a Posthumous Resolution, thus retroactively completing the SS property and natural resource purchase from J.M. Hanger, with SWWW representing both parties. During the course of 3 years, the lawsuit HCWSA vs TB was changed from permission or an HCSC order to survey across county lines, to a property and natural resource dispute, to total vindication of the pro bono client of SWWW, J.M. Hanger; although said Hanger was not a litigant in said lawsuit. Unlike the previous lawsuit which took 3 years, subject requested lawsuit against Mr. Hanger began with a May 22, 2014 court appearance and ended 5 days later on May 27, 2014 with the HCSC judge ruling for the defendant, J.M. Hanger, on all counts and so stating that J.M. Hanger was an innocent purchaser of the aforesaid 273.6 SS acres and that TB failed to state a claim upon which any relief could be granted. SWWW claimed that any lawsuit by TB would be a violation of attorney client privileges between attorney A.J. Welch, Jr. and said Welch’s solicited, pro bono client, J.M. Hanger.

6. TBs purchased their Newton and Henry Counties properties from WDCCL in 1976 and 1977, additional properties in Newton County in 2004/2006 and was

granted the closed portion of Old Snapping Shoals Road by the Newton County BOC in 2007; so says Newton County tax map #19-10. Since the dates of purchase, TB has spent a life-time of daily using and hundreds of thousands of dollars in improving the infrastructures of the circa 1821 dam, canal, roadways and hydroelectric station in order for "Thomas Brothers Hydro, Inc." a 34 year old Georgia registered "C" corporation to manufacture hydraulic turbines and generate electricity via the aforementioned dam, water rights, state and federal water use permits. After the June 17, 1991 purchase of his 89.2 dry Henry County acres, J.M. Hanger sold ½ to family members and to lower his property taxes, put the recombined total in the Henry County Timber Conservation program, where said property remains today, unmolested waiting to be sold to Henry County with SWWW representing both parties. The remaining 8 SS contiguous land and riverbed owners enjoyed their river-front properties and riparian water rights.

7. What did J.M. Hanger sell to the HCWSA?

From TB's 1976 and 1977 purchases:

The entire 1977 purchase of 4.82 Newton County acres. As taken from Mr. Hanger's year 2008 quitclaim and limited warranty deeds: All improvements (buildings & hydroelectric station and metal penstock, per Newton County deed book 29, page 379), water rights, access to dam and dam area, **the dam**, upper trash racks and canal, and the right to use River Road a/k/a Hafley Road and any and all other roads, easements ways and interest owned by grantor. A portion of TB's 2004/2006 property never previously owned by WDCCL, not a part of J.M. Hanger's quitclaim and outside the HCSC approved area for attorney A.J. Welch, Jr. to survey, and the 2007 closed portion of Old SS Road. The TB's 1977 plat having metes and bounds was recorded in 1977, but the 1977 deed for some unknown reason was not recorded by the WDCCL attorney, but later found in the old WDCCL safe at SS, notarized and signed by all 7 principals of WDCCL, shown to SWWW attorneys and recorded on June 5, 2008. However the HCSC Judge ruled that Mr. Hanger's Whitehead heir's bogus, mail-order and per TB's opinion, unfunded (In 2008, Mr. Hanger paid the 13 heirs, different property vendors than WDCCL in 1991, no consideration) and from a different property vendor since WDCCL was dissolved in 1994, quitclaim; and Mr. Hanger's March 10, 2008 limited warranty deed recorded on March 30, 2008 by SWWW attorneys, superseded TB's original 1977 deed for 4.82 acres from the principals of WDCCL. This judgment call by the HCSC equates to J.M. Hanger owning TB's properties all way back to 1976 and 1977, 15 years before said Hanger made his 1991 purchase from WDCCL for 89.2 dry Henry County acres! How else can such a transaction be explained? Mr. Hanger sold to the HCWSA the very same SS properties in 2008, that via a written offer in 2004, the HCWSA made to TB.

As a result of the actions of J.M. Hanger and his pro bono law firm, SWWW, TB after 34 years of successful operations, now has the only Georgia registered “C” corporation having a hydroelectric station without a dam, canal, supporting appurtenances and water rights ownership. In fact the terms of said Hanger’s year 2008 quitclaim and limited warranty deeds have transferred ownership of TB’s improvements (hydroelectric station, buildings and metal penstock) to the HCWSA. Operating of their own volition, the SWWW law firm control the HCWSA as said law firm buys and sell properties, for said HCWSA from private, solicited, pro bono clients, without the required resolution to do so. By controlling the HCWSA in such a fashion, said law firm also control the waters in the South River, waters due to inter basin transfer from the Chattahoochee River, legally belong to the states of **Georgia, Florida and Alabama**. Having literally obliterated TB, the HCSC has ruled that Mr. Hanger committed no fraud; neither did said Hanger monetarily damage TB. The Georgia Appeals Court agreed. This is truly unbelievable; for it is like saying the Pope is not Catholic.

From the other 8 SS contiguous landowners past purchases:

The illegal separation of a combined total of 20.4 acres of non-taxable riverbed and riparian water rights from the attached taxable contiguous dry land, protected by OCGA 44-8-2 regardless of the deed and plat description, is against the law. However, in conflict with a contractual boundary established per The Georgia Real Estate Law & Procedures, Pindar, 1971, said 20.4 acres of riverbed remained in the possession of WDCCL until the Whitehead heirs unknowingly signed away said riverbed to JMH on February 11, 2008, following the instructions given to the heirs via a SWWW fraudulent, January 30, 2008, letter of instructions.

From J.M. Hanger’s past 1991 purchase:

Mr. Hanger lost nothing, sold only TB and his 8 neighbor’s properties and natural resources to the HCWSA for the sum of \$25,000.00, retained his own 89.2 acres and according to SWWW attorney White, said Hanger’s 89.2 acres will be purchased by Henry County to build a water treatment plant on the South River that the HCWSA’s past year 2004 environmental study rejected in perpetuity, due to excessive pollution. On March 10, 2008, Mr. Hanger sold TB’s enhanced properties and improvements to the HCWSA for less money than TB paid to WDCCL 34 years previously when the property was in “shambles”. No doubt, Henry County really got a “steal”.

8. FABRICATED LIES

With respect to ownership of the Snapping Shoals River bed there are two distinct possibilities, but both relate to the fact that in order to preserve TB’s 1976 deeded

water rights, WDCCL sold TB, according to said brother's deeds and plats, their river front properties contiguous to the centerline of the South River. But according to Mr. Hanger's, and the other 7 contiguous landowners WDCCL deeds and plats, WDCCL sold only to the high water mark on the bank of the South River. TB's 1976 recorded deed reads as follows: "Together with existing water rights, access to dam and dam area, upper trash racks and canal and all other easements". This WDCCL "arrangement", coupled to TB's 1977 purchase (4.82 acres) from WDCCL placed TB's owning 24.38 acres in Newton County, the dam, canal, hydroelectric station, all man-made improvements and deeded water rights going back to 1821 and WDCCL retaining ownership of 20.4 acres of riverbed, about 4 acres situated between the centerline of the river and the 89.2 dry Henry County acres that J.M. Hanger purchased in 1991 and the balance of 20.4 acres situated upstream of the dam. That was the property arrangement when Mr. Hanger purchased his 89.2 acres in 1991 from WDCCL represented by a deed, plat and closing statement stating that said Hanger purchased 89.2 acres for a total payment of \$135,073.86 or \$1,514.28 per acre, no more, no less.

Following SWWW attorney A.J. Welch, Jr's December of 2007 solicitation meeting with said Hanger and the acceptance by Mr. Hanger of \$25,000.00 for any additional property above the aforementioned 89.2 acres, that SWWW might obtain pro bono for said Hanger, provided said Hanger would transfer ownership of same to the HCWSA; Mr. Hanger began "chatting" that his 1991 purchase from WDCCL was from an "Estate Sale" from the Whitehead family members for additional properties, not a "fixed" sale from WDCCL for exactly 89.2 dry acres.

Two distinct possibilities of riverbed ownership:

(1) OCGA 44-8-2 states that on a non-navigable river, the non-taxable riverbed and the taxable contiguous dry land are one piece of property and cannot be separated and sold separately. This law implies that Mr. Hanger and his 8 neighbors own the respective riverbed contiguous to the centerline of the South River, regardless of the wording in the past WDCCL deeds and plats.

(2) Georgia Real Estate Law & Procedures, Pindar, 1971, states that such a separation, riverbed to dry contiguous land, is possible if some other boundary is established via a contract. WDCCL's contract was the wording of the deeds and plats used to sell Mr. Hanger and his 8 neighbors their dry land and no riverbed. WDCCL WAS DISSOLVED IN 1994.

The SWWW property "puzzle" began to take shape when SWWW sent a January 30, 2008 letter to the unsuspecting heirs stating: "Our firm represents Mr. John Hanger. In 1991, Mr. Hanger purchased all the remaining property that the

WDCCL has an interest in. Due to a clerical error at the time of purchase, title to a portion of the property Mr. Hanger paid for was not transferred to him". Based on the aforementioned facts, this SWWW letter to the innocent grandchildren of the late principals of WDCCL, is the "biggest lie" that a law firm could possibly author. But it worked, the heirs were totally fooled, signed the SWWW authored, mail-order, bogus February 11, 2008 quitclaim, and Mr. Hanger got himself some free property. Obviously, SWWW totally ignored OCGA 44-8-2 and the Georgia Real Estate Law & Procedures, Pindar, 1971, laws and clandestinely went straight for the "jugular vein" of TB and said brother's 8 neighbors. However, to make the fabricated lie a truth, said quitclaim must be "funded" via a monetary payment, of which was not done, or "consideration" of some other financial means; otherwise said quitclaim is merely a "fraudulent exhibit".

"CONSIDERATION"

No doubt about it, in 1976 WDCCL sold to TB the deeded water rights to the South River, granted said brothers an easement to use the dam and any other needed assets for the production of water power. Then per the Henry County Superior Court Judge's ruling, and approved by the Georgia Appeals Court; previously on June 17, 1991, 15 years later (after 1976), WDCCL **resold** the same deeded water rights and easements to J.M. Hanger; that is how the Judge justified J.M. Hanger erroneously giving the Whitehead heirs "consideration" for said heirs signatures, 17 years later, on J.M. Hanger's February 11, 2008 bogus, mail-order, "un-funded" quitclaim deed.

When TB sued J.M. Hanger on May 22, 2014, the Judge and SWWW attorneys re-opened the prior lawsuit "HCWSA vs TB" in an effort to "clear" Mr. Hanger of fraud and monetarily damaging TB. Now that the Judge made the past lawsuit a part of the new lawsuit, "TB vs J.M. Hanger"; TB must go back to the Appeals Court to show the totally incorrect decision made by both courts; that is to say, WDCCL cannot sell the same property, water rights and easements to two different individuals, the TB in 1976 and 15 years later in 1991 to J.M. Hanger, and the heirs cannot legally issue a quitclaim deed representing the same 1976 and 1991 transactions 34 years later in 2008, and the judgment or transaction be considered legal. It now appears that TB must legally go back to the Georgia Appeals Court on this "bad judgment" for the lawsuit "HCWSA vs TB", in lieu of the TB vs Hanger lawsuit for fraud and monetary damages.

Bottom line: as a result of the December of 2007 solicitation meeting called by attorney A.J. Welch, Jr. for his pro bono client, J.M. Hanger, the TB have been totally and monetarily destroyed and the Henry County taxpayers have invested

over 3 years of legal fees in a totally un-necessary lawsuit with SWWW prosecuting a “self-generated” lawsuit over property that said law firm’s pro bono client never owned and for sure, never purchased from WDCCL. In TB’s opinion, these are federal offenses.

9. Due to the loss of the most strategic parts of TB’s properties, improvements and water rights, coupled to 4 years of expensive, fruitless, defensive legal bills, TB has spent their entire lifetime of monetary savings fighting J.M. Hanger’s quitclaim actions as pro bono tutored and directed by the SWWW attorneys, who for all practical purposes initiated the HCWSA vs TB lawsuit for their private, pro bono client, J.M. Hanger and was paid for 3 years by the Henry County taxpayers to prosecute the same lawsuit for their other client, the HCWSA.

10. Financially, TB, said brother’s respective families and said brother’s 34 year old “C” corporation are devastated and left with no future financial hopes. Without additional monies, TB can no longer sustain a fight to recover what is rightfully theirs. Immediately following the May 27, 2014 ruling by the HCSC stating that J.M. Hanger has been totally vindicated by said court of all wrong doings, is not guilty of fraud or monetary damages to TB; the SWWW law firm informed TB’s attorney that if TB would not take the HCSC Judge’s May 27, 2014 ruling to the Appeals Court, that SWWW would not make TB pay for J.M. Hanger’s legal fees. It is TB’s opinion that such a threat is nothing more than “monetary blackmail”, especially when you have already been financially ruined by said SWWW law firm. In order to raise monies to pay TB’s attorney to Appeal the HCSC Judge’s recent ruling, pay the SWWW attorneys an unspecified financial demand for representing J.M. Hanger, TB is presently negotiating with an individual in Honduras to purchase said brother’s machine shop equipment. TB attempted to have Coldwell Banker real estate sell what remains of their 2004/2006 Newton County properties, but said real estate company stated that due to the claims of Mr. Hanger’s limited warranty deed, determination of exactly what TB now owns is impossible. These are the reasons that TB needs additional time to appeal the HCSC Judge’s ruling. Presently, TB simply cannot afford the price of justice.

11. Lastly, by default, the property owner owns the state and federal water use permits. Therefore, the new owner, the HCWSA, owns all of TB permits as sold to the HCWSA by J.M. Hanger. **From a position of much concern, when TB swore to the state and federal regulating agencies that they (TB) owned the SS land, said brothers had no earthly idea that they were mistaken or just plain lying, that according to the HCSC court’s recent ruling, not TB but J.M. Hanger had owned SS since 1991, possibly 1976 and according to the aforementioned**

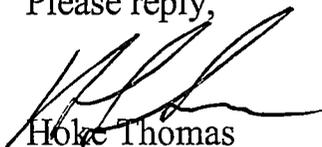
bogus quitclaim as far back as 1934, and that all it took was the SWWW attorneys to “trick” and get the grandchildren of the late principals of WDCCL to agree to such an arrangement via the aforesaid bogus, mail-order quitclaim. Lying or committing perjury to the state and federal government is very serious business, a felony followed by imprisonment. As a result of HCWSA vs TB, TB has indeed lost their lifetime of work, savings and entrepreneurship interest in manufacturing, the very last thing I (Hoke) fears is that at age 74, I might now be convicted of a felony and imprisoned. It is for this reason alone, that I (Hoke) am addressing this issue straight forward before the SWWW attorneys do so to both the state and federal governments. Per Newton County tax map #19-10, I honestly thought that my late brother and I owned our SS properties, for we purchased and paid WDCCL for said properties, have deeds and plats and have paid county, state and federal taxes on said property and its manufacturing capabilities for the past 34 years; we researched and found that J.M. Hanger prior to the year 2008 had only a deed and plat and paid property taxes only on 89.2 dry Henry County acres for the past 17 years since 1991. Mr. Hanger has never paid any property taxes in Newton County in his entire life nor owned any property in said county! How Mr. Hanger came northward across the South River over into Newton County and took possession of TB’s and 8 other SS landowner’s properties and sold same to the HCWSA, without notifying or paying any of the property losers for their respective properties is truly unbelievable. The Thomas family and their 34 year old “C” corporation is financially ruined, but according to the HSCS’s May 27, 2014 judgment vindicating Mr. Hanger of all “wrong doings”, TB questions, if Mr. Hanger did not commit fraud and monetarily damage TB, then WHO DID? I can assure the Appeals Court that TB did not “self-inflict” their own financial demise! Therefore, I am enclosing a copy of this letter to all the state and federal regulating agencies holding permits on what was TB’s properties and water rights ownership, in hopes of avoiding a felony charge, I am also enclosing copies to the FBI, the US Attorney and the U.S. Supreme Court. I maintain my innocence and close by saying: take my property and civil rights, as has been done; but please not my freedom.

12. CUT TO THE CHASE

May I please suggest: If you Judges would refrain from focusing so much on Case Law and read the contents of the SWWW year 2008 quitclaim and limited warranty deeds for J.M. Hanger, you can understand that Mr. Hanger with malice and forethought has sold both fraudulently obtained quitclaimed properties, natural resources and stolen properties to a government agency, an agency that did not know they purchased said property until one day after the fact, but was allowed by the HCSC to posthumously approve of the intentional misuse of taxpayer monies

by accepting said properties retroactively. Furthermore, this entire dilemma created by SWWW for said law firm's solicited, pro bono client J.M. Hanger is nothing more than a plan to illegally use taxpayer monies in the form of legal fees paid to SWWW attorneys to monetarily enhance Mr. Hanger's legally owned 89.2 dry acres of Henry County property by attaching said property to what was TB's dam, water rights and hydroelectric capabilities and associated state and federal water use permits; and selling said enhanced 89.2 dry Henry County acres to Henry County for a water treatment plant and according to the HCWSA's own environmental study, located on an unusable, polluted river, for an undisclosed price, with the Henry County law firm of SWWW representing all parties. A similar dilemma occurred back in 2005, when this same law firm representing the HCWSA, using "insider information" gained from their position of public trust, was a party to rejecting SS as a water source for Henry County due to water pollution, convinced the HCSC to approve of \$60,000,000.00 in revenue bonds and constructed the Tussahaw Creek Reservoir located about 3 miles from SS, and simultaneously SWWW attorney A.J. Welch, Jr. using his own law firm as closing attorneys and an LLC named "Henry Cork", made a personal monetary profit of over \$10,000,000.00 in enhanced property sales shared with a local investor and a now convicted felon. In closing may I also suggest; it is not my personal responsibility, using my lifetime of financial savings to enforce the laws for both the state and federal governments. Please take another look at this entire dilemma, for said dilemma is not just a "quiet title" action for properties, but a violation of personal property and civil rights guaranteed us all under the US Constitution. Please forward this letter of information to the respective state and federal law enforcement agencies for investigation. Snapping Shoals is not a polluted "mud puddle", but a potential municipal water supply for 7 different Georgia Counties including Metro Atlanta; not just a future water supply for Henry County and a "get rich quick" scam for Mr. Hanger and certain SWWW participating attorneys. Snapping Shoals has both hydroelectric and potable water potentials, fully developed by TB over 34 years of personal sacrifice and financial investments. What I have now written to you Appeal Court Judges, is to the very best of my knowledge, the truth and nothing but the truth, so help me God.

Please reply,



Holc Thomas

US Army COFE
P.O. Box 889
100 West Oglethorpe Ave
Savannah, GA 31402

Attn: Permits Section

The Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

The Georgia EPD
2 Martin Luther King Drive
Suite 1152
Atlanta, GA 30334

Attn: Mr. Judson Turner, Director

Chief Justice John Roberts
US Supreme Court
Building 1 First Street NE
Washington, DC 20543

US Attorney's Office
75 Spring St SW
Richard B. Russell Building
Atlanta, GA 30303

Attn: Attorney Sally Q. Yates

The FBI
2635 Century Parkway N.E.
Suite 400
Atlanta, GA 30345

Attn: Mark Giuliano, Special Agent in Charge

U.S. District Court, District of Minnesota
734 Warren E. Burger Federal Building
and U.S. Courthouse
316 North Robert Street
Saint Paul, Minnesota 55101

Attn: Judge Paul A. Magnuson, Senior Judge

Clerk : Williams J. Martin III

Will you please send me the Appeals Court filing requirements on filing a Brief with the Court of Appeals. I need this information so I can comply with said rules of the Court.

DATE 6-23-14 Respectfully

David Robinson
David Robinson # 310363
WHEELER C.F. 700-Y
P.O. Box 4166
ALAMO, GA. 30411

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COURT OF APPEALS OF GA

James R. Pender
6/27/14

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

Date: June 26, 2014

To: Mr. Eddie Lou Morris, 355 North Avenue, N.E., Apartment #1006A, Atlanta, Georgia 30308

Docket Number:

Style:

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 **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: Your Reply Brief exceeds the page limits. There is a 15-page limit which includes exhibits. Rule 24(f). I have enclosed a copy of the Rules for your review.**

FILED IN OFFICE

JUN 26 2014

**CLERK, COURT OF
APPEALS OF GEORGIA**

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**IN THE COURT OF APPEALS
STATE OF GEORGIA**

CASE NO. A14A1591

EDDIE LOU MORRIS,

Appellant;

V.

J. TRAVIS CROW, ET AL.

Appellees.

**APPELLANT'S REPLY BRIEF IN RESPONSE UNTO
APPELLEES COUNTER BRIEF AND IN OPPOSITION
OF THE SUPERIOR COURT'S DIRECTED VERDICT
IN FAVOR OF DEFENDANT/APPELLEES.**

INDEX OF EXHIBITS

First Exhibit – 1998 letter from Secretary of State Corporation Division Director, Warren H. Rary. Referenced pg. 2.

Second Exhibit – U.S. Trustee letters. Referenced pg. 3. Including the September 26, 2000 Creditor's Petition

Third Exhibit – Northern District Court Docket Page for Default as 1:88CV78ODE. Referenced pg. 4.

Fourth Exhibit – Bankruptcy Judge's October 11, 1990 Order 'not to attempt to collect judgment,' Referenced pg. 4.

Fifth Exhibits – Expert Affidavit of property transfer/purchases with notice to defendants of trial date and list of specific purchases. Referenced pg. 5.

Sixth Exhibit – Articles of Incorporation. Referenced pg. 5.

Seventh Exhibits – May 29, 2007 and May 1, 2013 Order. Referenced pg. 12.

Eight Exhibits – Order for Estate Substitutions by Judges. Referenced pg. 9.

REPLY BRIEF OF APPELLANT

Part 1

Here upon I, appellant/plaintiff (86) eighty-six year old Plaintiff/Appellant responds to the appellee/defendants June 9, 2014 counter brief in a timely fashion and reply to such counter brief as the following, as for Statement of Proceedings and Material Facts Relevant to Appeal and as to the very first statement of appellee/defendants in their counter brief is that even though the ruling of the lower court was delayed as 2011CV208848 re-filed as of December 5, 2011 was because of the fact that the previous attorney could not go forward with a scheduled jury trial as for the 6th of June 2011, because as has been the usual unscrupulous and dishonest behavior and actions of these most conspiring defendant/appellees would not produce financial documents so ordered by the lower Fulton Superior Court as civil action 2006CV114788, so ordered May 29, 2007, which in turn is the reason for so many delays as to the going forward as these actions to properly dissolve the corporation as Nexus Real Estate Mortgage and Investment Co., Inc. with original officers as James M. and Ann T. Crow, Sr., that was first filed in September of 2000 as civil action 2000CV28514 in the Superior Court of Fulton County upon the discovery of Nexus being administratively dissolved as of January 1992, by way of the Director of the Secretary of State's Office in about 1998. (See letter from Director Warren H. Rary as to such administrative dissolution. My very first notice or knowledge of any such dissolution of Nexus. Its

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

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

June 30, 2014

Mr. Daniel W. Taylor
GDC1000332837
Johnson State Prison
Post Office Box 344
Wrightsville, Georgia 31096

RE: A14A0497. Daniel W. Taylor v. The State

Dear Mr. Taylor:

As stated to you in my letter to you dated June 4, 2014, your case is still pending before the Court.

Again, if you would like a copy of the Case History in the above appeal, please send your check or money order in the amount of \$4.00 to the above letterhead address. Specify what copy you are purchasing and your information will be sent to you by return mail.

Sincerely,



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

SEC/ld

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CLERK/COURT AFFAIRS DIVISION
COURT OF APPEALS OF GA

Daniel W. Taylor 100352837
JOHNSON STATE PRISON
PO BOX 344
WRIGHTSVILLE, GA. 31096
June 25, 2014

To: Clerk of Court of Appeals
OF GEORGIA

DEAR SIR;

I've filed several Motions in the

Province of this Court to be ruled on

in Case A14A0497, A Motion for Contempt,

A Motion for a Supersedeas Bond, A Motion

to expand the Record for the Clerk failure

to transmit all the records. I've wrote

for a stay of these motions that should

have been ruled on. Please notify me

with a ruling on these filed motions.

ps: Send me a
Docket Summary

Sincerely,
Daniel W. Taylor

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

Date: June 30, 2014

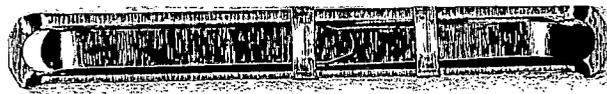
To: Mr. Gege Odion, 2851 Candler Road, Suite 205, Decatur, Georgia 30034

Docket Number: A11A1178 **Style:** Gege Odion v. Sabi Varon, et al.

Your documents 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 **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. **Other: Your appeal was disposed by opinion on September 29, 2011. The Court of Appeals affirmed the decision of the trial court. The Remittitur issued on June 14, 2012, divesting this Court of any further jurisdiction. The case is therefore, final.**

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



IN THE SUPERIOR COURT OF DEKALB COUNTY
STONE MOUNTAIN JUDICIAL CIRCUIT

And

COURT OF APPEALS

STATE OF GEORGIA

GEGE ODION, individually and d/b/a)	
SIRIS PROPERTY MANAGEMENT, LLC	)	Superior Court Civil Action
Plaintiffs,	)	File No. 10- CV-6297-3
V.	)	JUDGE C. SEELIGER
SABI VARON, HIGHLAND FINANCIAL)	
CAPITAL GROUP LLC, CANDLER POINT,	)	Court of Appeals Civil Action
LLC, CANDLER MEDICAL CENTER, LLC	)	File No. A11A1178.
GIL CHAIM VARON, HIGHSHORE)	
MEDICAL CENTER, LLC, LAW OFFICE)	
OF GIL VARON, GIL VARON LLC,)	
MATTHEW T. MASHBURN, STITES &)	
HARBISON PLC, CLAY WEIBEL, WEIBEL)	
& ASSOCIATES INC, CHRISTOPHER)	
ENGLISH, SHARON SILVERMINTZ,)	
BRANCH BANKING & TRUST COMPANY,)	
CONSULTING ENTERPRISES, CORP.)	
Defendants]	

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GEGE ODION, Plaintiff

2851 Candler Road, Suite 205
Decatur GA 30034
770 265 6450

CERTIFICATE OF SERVICE

I hereby certify that I have sent copy of 'Plaintiffs' motion to set aside based on fraud' to defendants by affixing adequate postage to the packaged document and sending it by U.S. Mail to:

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Wasson, Sours & Harris, P.C
300 Galleria Parkway, N.W
Suite 1000
Atlanta, GA 30339-5917

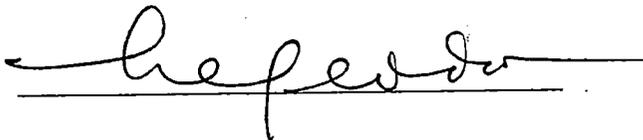
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June 27th, 2014



GEGE ODION, Plaintiff