

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

March 10, 2015

To: Reverend Adren Bivins, Laymen Brotherhood Second Chance Outreach Center, Inc.,
Post Office Box 7939, Bainbridge, Georgia 39818

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 are no cases pending in the Court of Appeals of Georgia under the name of Donnell King.**
- 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 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 Notice of Appeal must 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.
- 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.
- A request for an out-of-time appeal should be made to the trial court from which you are appealing.** If your motion is denied by the trial court, you can file an appeal of that decision by filing a Notice of Appeal with the clerk of the superior court.

Laymen Brotherhood Second Chance Outreach Center, Inc.

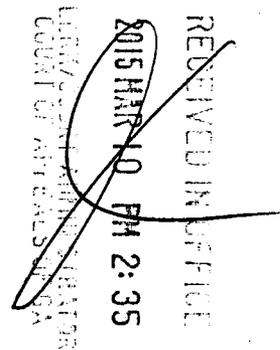
P O Box 7939

Bainbridge, GA 39818

229-254-7606

www.thelaymenbrotherhood.com

March 1, 2015



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

Dear Appellate Court:

This is a case concerning the Superior Court of Decatur County Georgia, the final disposition of Donnell King. Criminal Action: 04-CR-150 --Offense-Statutory Rape at the adjourned November term 2004. The plea was nolo contendere. The felony sentence was given February 7, 2005. He was sentenced to 10 years probation. Included with this letter:

1. Special conditions of probation enclosed. (the district Attorney was Mr. Mike Garrett --Assistant) there is not anything noted in these special conditions that Mr. Donnell King is a sex offender. Although the offense was statutory rape, it's not on there. He was true billed by the grand jury and Kelvin D. Wells was the foreman.
2. Enclosed is a letter dated February 9, 2015 by the so-called victim, Takeria Chukes informing that Donnell King, her cousin did not do anything sexual and she was not permitted to testify and she wants to come clean and submitted a notarized letter to this effect, which is enclosed.

Mr. King is in Wichita, Kansas incarcerated at the Sedgwick County Jail at 141 W. Elms Street in Wichita, Kansas 67203. The telephone number is (316) 660-3900. He is being held there as failing to register as a sex offender. He has been arrested for that charge twice and freed twice because Georgia refuses to extradite him. He and his ex- girlfriend and the mother of his two children got into an altercation and called the Police on him and told them he failed to register as a sex offender. At that time he had been freed by the courts and was working as a salesman, supporting his children until the mother got angry and called the police on him again and he was locked up again.

I have contacted the local district attorney in Decatur County, Bainbridge, Georgia and given him a complete package, including Ms. Chukes letters stating that nothing happened between her and her cousin, Donnell King. I am asking for your assistance to please look into this matter and correct it.

Thank you in advance.

Sincerely,

Reverend Adren Bivins, Sr.
Founder/Director
A non-profit faith based ministry

The Laymen Brotherhood Second Chance Outreach Center, Inc.

P O Box 7939

Bainbridge, GA 39818

(229) 254-7606

www.thelaymenbrotherhood.com

EIN: 26-1477199

SERVICES WE PROVIDE:

Food and clothes when available

One on one mentoring

Anger and Stress: need this class to help them cope with their issues: Example: no father figure, nor role model, no motivation.

Through a private agency, help is available for chemical dependency. For those who are drop outs and want to further their education, we have an agency to help them get their GED or diplomas or equivalent, tutoring.

We provide transportation to Job Corps facility, vocational schools, or to take military exams. We provide a class on sex educations, health and hygiene issues, Health Department volunteers, Defensive Driving classes. We have qualified staff to work with these individuals. We also, mentor to parents, especially young teen parents.

These services are offered to these individuals until they can function and become self-sufficient. We have a clothes closet, a 15 passenger van, 8 passenger van, a telephone answering service that is on call 24/7. We have a web page: www.thelaymenbrotherhood.com. We also have a jail and prison ministry, evangelist street ministry and spiritual preaching/teaching by ordained pastors and deacons. Assist persons who have loved ones who are or have been incarcerated, on probation or parole. Assist in spiritual counseling and marriages.

Assist in court hearings for young people who are in trouble. The ultimate goal is for each individual to turn their life around and live according to fulfilling their God given purpose.

SUBMITTED BY:

REV. ADREN BIVINS, SR.

FOUNDER-DIRECTOR

February 9, 2015

To Whom It May Concern:

I, Takeria Chukes write to inform you that approximately ten years ago my Cousin, Donnell King and I were in a room together talking. I was sitting on the edge of my bed and he was sitting on the floor. My mother entered the room and became upset seeing him in my room. She told him to leave. Nothing more was said that day. The next day when I got home from school there were police officers in the house along with an ambulance. I was transported to the hospital for examination. My parents were trying to say that we had been engaged in sexual intercourse. This was not true and nothing happened between us then or at any other time.

Donnell was arrested. I did not during his trial have an opportunity to speak to tell what did or did not occur. I thought everything was dropped but later learned that the State had charged him with Statutory Rape.

I write this letter today because I am told he is being held due to pending charges in Georgia and was initially falsely accused in the first place.

Signed:

Takeria Chukes 2-9-2015

Takeria Chukes

Notary:

Patricia R. Washington 2/9/2015
Exp. 5/22/2016

IN THE SUPERIOR COURT OF DECATUR COUNTY, GEORGIA

FINAL DISPOSITION

CRIMINAL ACTION NO. 04-CR-150

VS

OFFENSE(S) Statutory Rape.

Donnell King

OFFENDER TRACKING NUMBER 112568422
SID # _____

Adjourned November TERM, 2004

- PLEA:
- NEGOTIATED
 - GUILTY ON COUNT(S) _____
 - NOLO CONTENDERE ON COUNT(S) _____
 - TO LESSER INCLUDED OFFENSE(S) _____
 - ON COUNT(S) _____
- JURY
- NON-JURY
- VERDICT:
- GUILTY ON COUNT (S) _____
 - NOT GUILTY ON COUNT(S) _____
 - GUILTY OF INCLUDED OFFENSE(S) OF _____
 - ON COUNT(S) _____
- OTHER DISPOSITION
- NOLLE PROSEQUI ORDER ON COUNT(S) _____
 - DEAD DOCKET ORDER ON COUNT(S) _____
- (SEE SEPARATE ORDER)

DEFENDANT WAS ADVISED OF HIS/HER RIGHT TO HAVE THIS SENTENCE REVIEWED BY THE SUPERIOR COURT'S SENTENCE REVIEW PANEL

FELONY SENTENCE MISDEMEANOR SENTENCE

WHEREAS, the above-named defendant has been found guilty of the above-stated offense. WHEREUPON it is ordered and adjudged by the Court that The said defendant is hereby sentenced to confinement for a period of 10 years

in the State Penal System or such other institution as the Commissioner of the State Department of Corrections or Court may direct, to be computed as provided by law HOWEVER, it is further ordered by the Court

- 1) THAT the above sentence may be served on probation
- 2) THAT upon service of _____ of the above sentence, the remainder of _____ may be served on probation PROVIDED that the said defendant complies with the following general and other conditions herein imposed by the Court as a part of this sentence.

GENERAL CONDITIONS OF PROBATION

The defendant, having been granted the privilege of serving all or part of the above-stated sentence on probation, hereby is sentenced to the following general conditions of probation:

- 1) Do not violate the criminal laws of any governmental unit.
- 2) Avoid injurious and vicious habits — especially alcoholic intoxication and narcotics and other dangerous drugs unless prescribed lawfully.
- 3) Avoid persons or places of disreputable or harmful character
- 4) Report to the Probation-Parole Supervisor as directed and permit such Supervisor to visit him (her) at home or elsewhere.
- 5) Work faithfully at suitable employment insofar as may be possible
- 6) Do not change his (her) present place of abode; move outside the jurisdiction of the Court, or leave the State for any period of time without prior permission of the Probation Supervisor
- 7) Support his (her) legal dependants to the best of his (her) ability

OTHER CONDITIONS OF PROBATION

IT IS FURTHER ORDERED that the defendant pay a fine in the amount of \$2,000.00 plus \$50 or 10% whichever is less pursuant to O.C.G.A. § 15-21-70, and pay restitution in the amount of _____

See page (2) attached, Stay away from, do not go around nor about the victim Takeria Chukes.

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

The defendant was represented by the Honorable Billy Grantam Attorney at Law Seminole County by (Employment) (Appointment) By the Court February 7, 2005

So ordered this 7 day of February 2005

Lawrence Cox
Judge, Decatur County Superior Court

C. R. Patricia Brewer
D.A. Mike Barrett

RECORDED
BOOK R-86 PAGE 059

Original - Clerk
Duplicate - District Attorney
TriPLICATE - Probation Office
Filed in Open Court this 7 day of February 2005 See 11/10/04
Deputy Clerk

RECORDED
BOOK R-86 PAGE 060

SPECIAL CONDITIONS OF PROBATION

STATE vs. Donnell King

CASE # 04-CR-150

- Defendant shall pay all applicable surcharges and add ons.
- Defendant shall pay fine, surcharge, and/or restitution.
 - Prior to release.
 - In equal periodic increments of \$ 30.00 per week beginning _____
 - In equal periodic increments of \$ _____ per week beginning 30 days after release from incarceration.
 - As directed by the probation Department of this Circuit.
- Defendant shall submit to drug and alcohol screening at any time at the discretion of any member of the Probation Department of this Circuit and bear cost of same.
- Defendant shall voluntarily and cooperatively submit to drug and alcohol abuse treatment and counseling at the Mental Health Clinic in this County, or as otherwise directed by the Probation Department of this Circuit.
- Defendant shall perform Community Service:
 - For _____ consecutive Saturdays as directed by the Probation Department of this Circuit.
 - For _____ hours as directed by the Probation Department of this Circuit.
 - On the 40 hours per week program as directed by the Probation Department of this Circuit until:
 - Defendant has completed _____ hours of Community Service.
 - Defendant becomes employed full time.
- Payment of fine, surcharge, and/or restitution is temporarily suspended until Defendant is full time employed. Until full time employed, Defendant shall submit to the 40 hour per week Community Service Program. When Defendant becomes full time employed, Community Service will terminate and payment of fine, surcharge, and/or restitution will begin. At any time the Defendant becomes unemployed, Defendant shall resume the 40 hour week Community Service Program.
- Defendant shall serve 52 consecutive weekends in jail beginning at 6 P.M. Friday and ending at 6 P.M. Sunday, during which time Defendant shall perform Community Service as directed by the Probation Department of this Circuit.
- Defendant shall not operate a motor vehicle during the term of probation.
- Defendant's drivers license privileges are suspended during the term of probation.
- Defendant shall obtain a high school diploma or its equivalent:
 - Within _____ years.
 - Prior to release from incarceration.
- Defendant is ordered to Intensive Probation supervision.
- Defendant is ordered to the _____ Diversion Center until all monies are paid in full.
- Defendant is ordered to serve not less than _____ days, nor more than _____ days in the _____ Probation Detention Center.
- Defendant is committed to the custody of the Georgia Department of Corrections Special Alternative Incarceration Unit.
- It is the Court's intent that probation be supervised for the full term:
 - For the protection of potential victims of the crime of _____
 - For the protection of the victim(s) and potential victim(s) of the crime of _____
 - For the collection of fine and/or restitution monies.
- Defendant is jointly and severally liable with co-defendant(s) for payment of restitution.
- Defendant shall cooperate and testify truthfully in the trial of any co-defendant(s).
- All general and special conditions of probation are hereafter special conditions and, upon violation of these conditions, the Court can revoke the balance of the probation and order it to be served in the State Penal System.
- It is the Court's intention that defendant remain in jail until a slot becomes available at the Detention Center-however, this is not a condition of defendant's probation.
- Defendant shall submit to evaluations and testing relating to rehabilitation and participate in and successfully complete rehabilitative programming as directed by the department.
- Other: Pursuant to OCGA Section 9-14-12, you are hereby advised that the "Periods of Limitation" for the filing of habeas corpus actions are one year for misdemeanor convictions and four years for felony convictions.
- Other: If probation is transferred, defendant shall report to the Probation Office of this circuit once per quarter between the 1st & 10th day of the first month of each quarter until monies are paid in full.