

STATE OF GEORGIA COURT OF APPEALS

Arthur Shermaine BUSSEY
Pro-Se Defendant
V.

THE STATE OF GEORGIA

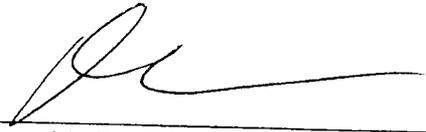
NOTICE OF FILING

Comes Now, Defendant Arthur Shermaine BUSSEY.
Defendant BUSSEY is requesting to file Objection
To Motion TO QUASH Indictment under the
Appellate Practice Act Code Ann. § 6-801, 6-904,
6-905, and under the provisions of code § 6-701.

Please Stamp filed and return defendant's copy
to me?

Arthur Bussey

~~FILED~~



Honorable Dennis Blackmon
Superior Court Judge
Coweta Judicial Circuit

IN THE SUPERIOR COURT OF MERIWETHER COUNTY
STATE OF GEORGIA

Judge Blackman Copy

STATE OF GEORGIA

CRIMINAL ACTION FILE

VS

#/Case# 1501-0066

Arthur Shermaine Bussey
Defendant, Pro-Se

MOTION TO QUASH THE INDICTMENT

PURSUANT TO U.S Constitution Fourth Amendment AND

O.C.G.A 16-10-20 AND O.C.G.A 17-7-113

Comes Now, the above styled defendant and moves this court
for an order to quash the indictment against this defendant
and as grounds therefore states the following:

2015 APR 29 PM 1:30
MERIWETHER COUNTY, GA
FILED AND RECORDED
Kathleen T. Givens
Clerk of Court

FACT: On the face of Warrants 15-000051 and 15-000052
Warrants clearly stated that the defendant's Social Security
Number is 000-00-2588. FACT: Arthur Shermaine Bussey's
Social Security Number IS NOT, 000-00-2588, nor is the
last (4) four digits of Arthur Shermaine Bussey's Social
Security Number 2588, FACT (see exhibit c, filed into the
office of the clerk of court).

FACT: Warrants DO NOT SPECIFY Sex of Person to be arrested,
meaning Male or Female.

FACT: Warrants DO NOT SPECIFY height of Person to be arrested.

FACT: Warrants DO NOT SPECIFY Race of Person meaning White,
Black, Hispanic, etc.

FACT: Warrants DO NOT give a full and correct description of person, "PARTICULARLY DESCRIBING" defendant Arthur Shermaine Bussey, thus the Warrants is null and void on their face.

FACT: Arthur Shermaine BUSSEY defendant's Social Security Number and Information was in the, Meriwether County Detention Center "Eagle System," at the time of the investigation. Eagle System, is a database containing information of persons who have been previously arrested or jailed. Because Arthur Shermaine Bussey had prior arrests, his information was in the Eagle System at the time of investigation.

FACT: A null and void Warrant invalidates the Warrant for the defendant's arrest and thus ANY prosecution of the defendant violates his Fourth Amendment, Constitutional Rights.

FACT: Defendant Bussey have never been charged with Giving False Information.

FACT: Arrest Warrants 15-000051 and 15-000052 do not PARTICULARLY DESCRIBE defendant Bussey as a person securing him to the papers/warrants.

Arthur Bussey
Arthur Shermaine Bussey, Defendant, Pro-Se

DATE: 4/27/15

STATE OF GEORGIA COURT OF APPEALS

Arthur Shermaine BUSsey
Pro-Se Defendant
v.

Clerk of Court Copy
Criminal Action Number

THE STATE OF GEORGIA

2015-CR-0144

OBJECTION TO MOTION TO QUASH INDICTMENT
UNDER THE APPELLATE PRACTICE ACT CODE ANN. § 6-801,
6-904, 6-905, AND UNDER THE PROVISIONS OF CODE
§ 6-701

Comes Now, Defendant Arthur Shermaine BUSsey filing
objection to Superior Court Judge Dennis Blackmon
of the Superior Court of Meriwether County, Georgia
Order Denying Defendant's Motion To Quash The
Indictment Pursuant To U.S. Constitution Fourth
Amendment, O.C.G.A. § 16-10-20 AND O.C.G.A. § 17-7-113.

FACT: On the face of Warrants 15-000051 and 15-000052
Warrants clearly states that the defendant's last
(4) four digits of his Social Security Number is 2588.

FACT: Defendant BUSsey's last (4) four digits of his
Social Security Number is not 2588, it is 2798.

(See Exhibit C for correct Social Security Number)

Opinion By Judge Richard W. Story, United States
District Judge.

The Sheriff's Office Warrant Policy describes a valid
Warrant as one which contains the following
information: Warrant contents. 1. Factual Summary

A valid warrant must contain specific information required by statute and related court decisions. Per O.C.G.A. 17-4-41, such information includes: (1) A warrant number; (2) The authority and/or probable cause under which the warrant is issued; (3) Identity of the person who is to execute the warrant, (generally addressed "To any Sheriff, deputy Sheriff, Coroner, Constable, marshal, or police officer") (4) The name and/or identification of the person to be arrested.

(a) If a name is not known, a full detailed description shall be included (John/Jane Doe warrant); (b) If an arrest warrant is obtained, and the individual is known and has not been arrested, the deputy shall include on the warrant the arrested person's full name, last known address, height, weight, age, sex, and date of birth, Social Security Number and driver's license number, FBI, SID, or PID number, physical characteristics, if unusual, and vehicle, if known;

(5) The offense committed and Georgia State Statute; (6) A description of the offense, including all elements of the offense; (7) The time, date, and place of the occurrence (if known) of the offense, including the county in which it was committed; (8) The victim's identity (could be the name of a person, company, or organization); (9) The deputy's or prosecutor's signature, and (10) Judge's signature. (See U.S. Dist. Court For The Northern Dist. of GA, Atl. Division 2012 U.S. Dist. Lexis 98205 Civil Action No. 1:09-cv-3008-RWS. Judge Richard W. Story)

FACT: Within the Cereenville Police Department Incident Report Officer Justin Wayne Krause lines 26-30 stated, "Initially Harris told me that she wasn't sure who they were but later told me their identities as well as Mr. Milner."

Chief Frazier arrived and spoke with bystanders who told him that they didn't want to be identified but that they knew that the two that were fighting were Arthur Bussey who is also known as "Poo" and Derrick Denson. These names were then confirmed to Chief Frazier and I by Ms. Harris and Mr. Milner."

FACT: On the first line of the Incident Report the date stated is "Tuesday January 20, 2015." Lines 1-55 is speaking of Tuesday January 20, 2015. Lines 26-30 resides inside of lines 1-55, which is speaking of what took place on Tuesday January 20, 2015.

FACT: The warrants was obtained on the 21st day of January, 2015 proving that when the arrest warrants was obtained the individual was known and had not been arrested defendant Bussey's height, weight, age, sex, correct last (4) four digits of his social security number, FBI number and physical characteristics should have been typed on the "FACE" of both warrants thus warrants 15-000051 and 15-000052 within indictment is void making the indictment void and fatally defective. To reissue warrants for defendant Bussey would be double jeopardy.

FACT: Defendant BUSSEY'S last (4) four digits of his Social Security Number "is not" on Warrants 15-000051 and 15-000052, nor is his height, weight, Age, Sex, FBI number or Physical characteristics, Indictment is void and fatally defective.

FACT: Warrants was executed on the 23rd day of January, 2015.

FACT: Arthur Shermaine BUSSEY defendant's Social Security Number and Information was in the, Meriwether County Detention Center "Eagle System," at the time of the investigation. Eagle System, is a database containing information of persons who have been previously arrested or jailed. Because Arthur Shermaine BUSSEY had prior arrests, his information was in the Eagle System at the time of investigation.

FACT: Defendant BUSSEY have never been charged with Giving False Information.

FACT: Arrest Warrants 15-000051 and 15-000052 do not secure defendant BUSSEY in his "person" or the papers/ indictment, thus indictment is fatally defective.

Arthur Bussey
Defendant

DATE 6/10/15

Print Screen

CHANGE MODE

ARREST / PROCESS

PERSONAL DATA

ID# 13479
 Status 1 CURRENTLY BOOKED
 Jail Name Search
 Block/Cell 6 Cell 2

Prev. Booking Date 06/10/2010
 Next Court Date 03/13/2015
 Bank Balance 0.00
 Hold Status

Current User: DAVIS
 Cash Bond Prop. Bond
 Required 0.00 0.00
 Posted 0.00 0.00
 Victims to be Notified?

Name Last BUSSEY
 First ARTHLUR
 Middle SHERMAINE
 SSN 25-49-2798
 Race B Black/Non-Hisp.
 Height 505
 Weight 130
 Hair BLK
 Eyes BRO
 Sex MALE
 Marital Status SINGLE
 DOB 04/14/1984 Calculated Age 30
 Addr 1 72 HUSSEY DR
 Addr 2 PO BOX 894
 City GREENVILLE
 State GA Zip 30222
 Phone 706-672-2325

Scars TAT - R SHLD-DOG,SKULL,CHEST-GODOPWARI
 Alias 1 POOW
 Alias 2 109 HANDLEY ST APT C LAGA
 SID No. GA2912559X NCIC Fingerprint Class.
 FBI No. 57117VB4 NONE
 DLN DLN State
 U.S. Citizen YES Birthplace TROUP
 ICE Country
 INS No. Undocumented Ali
 OCA No. Last Physical Exam 01/23/2015
 Education 11 (years) Skills YARD WORK, ROOFING
 Veteran NO Sex Offender YES
 Remarks NO CONTACT JAN HARRIS

Employer(s)/Associates/Relatives

Employer(s)
Associates/Relatives
View All

CURRENT

Photo	1	of	20
Photo Date	01/23/2015		
Photo ID	111258		
View Large Photo			
View All Photos			

Clear All / No Save

EXHIBIT C

BOND FOR APPEARANCE

State of Georgia, MERIWETHER County. Know all men by these presentments that we, _____ as Principal and _____ as Security agree jointly and severally to pay _____ Dollars and for true payment of which we bind ourselves by these presentments. The condition of the above obligation is such that the above Principal shall personally appear at the _____ Court holden in and for said county on the _____ day of _____ at _____ O'Clock _____ M., and from term to term thereof until discharged by law to answer the offense of _____ as charged in the affidavit of _____, then the obligation to be null and void, else in full force and effect. In addition to all other requirements of the foregoing, we, Principal and Security agree that the above bond and recognizance is conditioned also upon the appearance of the principle before the court at the time fixed for his arraignment. And as to this obligation, we severally waive our rights to the benefits of Homestead Exemption laws of this State and of the United States as fully as we are authorized to do so by the Constitution and laws of this State and the United States.

Signed with our hands and sealed with our seals this _____ day of _____, _____.

Attested by:

_____ (L.S.)

Approved by:

_____ (L.S.)

_____ (L.S.)

_____ (L.S.)

WAIVER

I, _____, the defendant in the within warrant, after being advised of all my rights, do hereby waive committal hearing and acknowledge such hereby.

This _____ day of _____, _____.

Witnessed by:

_____ Defendant

EXAMINATION

After having fully advised the defendant of the accusation against him, his right to have a committal hearing, his right to be represented by an attorney, (and his right to sign a waiver of said committal hearing) (and defendant having elected to sign a waiver of committal for his appearance before the _____ Court located at _____ on the _____ day of _____ at _____ M. Given under my hand and seal

This _____ day of _____, _____.

_____ Judge _____ Magistrate

WITNESSES

JUSTIN WAYNE KRAUSE GPD GREENVILLE GA

BOND: _____	
STATE WARRANT	
15-000051	
THE STATE	
VS.	
ARTHUR SHERMAINE BUSSEY	
109 HANDLEY ST APT C	
LAGRANGE, GA 30240	
DOB: 04/14/1984 SSN: 000-00-2588	
CHARGED	
O.C.G.A. 16-5-21	
AGGRAVATED ASSAULT, a Felony	
JUSTIN WAYNE KRAUSE	
GPD P O BOX 548 GREENVILLE, GA 30222 Phone: H: 0-706-672-4211	
Prosecutor	
Warrant executed on the _____ day of _____	at _____ o'clock _____ M., by _____
_____	_____

1584 WAB

23 2015 #703

15-000051

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

SCANNED

June 16, 2015

To: Mr. Arthur Shermaine Bussey, Meriwether, Georgia Detention Center, Post Office Box 476, Greenville, Georgia 30222

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 of Georgia 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 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 divesting this Court of jurisdiction. The remittitur issued on _____ is therefore final.
- Your mailing/documents indicate that you intended to file your papers in another court rather than the Court of Appeals of Georgia. The address of the Clerk of the _____ is: _____
- If an attorney has been appointed for you and you are concerned with the representation provided by that attorney, you should address that issue to the trial court. As long as you are represented by an attorney, you cannot file pleadings on your own behalf. Your attorney must file a Motion to Withdraw as Counsel and it must be granted, before you can file your own pleadings in this Court.
- 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.

BOND FOR APPEARANCE

State of Georgia, MERIWETHER County. Know all men by these presentments that we, _____ as Principal and _____ as Security agree jointly and severally to pay _____ Dollars and for true payment of which we bind ourselves by these presentments. The condition of the above obligation is such that the above Principal shall personally appear at the _____ Court holden in and for said county on the _____ day of _____ at _____ O'Clock _____ M., and from term to term thereof until discharged by law to answer the offense of _____ as charged in the affidavit _____ then the obligation to be null and void, else in full force and effect. In addition to all other requirements of the foregoing, we, Principal and Security agree that the above bond and recognizance is conditioned also upon the appearance of the principle before the court at the time fixed for his arraignment. And as to this obligation, we severally waive our rights to the benefits of Homestead Exemption laws of this State and of the United States as fully as we are authorized to do so by the Constitution and laws of this State and the United States.

Signed with our hands and sealed with our seals this _____ day of _____

Attested by:

Approved by:

(L.S.)

(L.S.)

(L.S.)

(L.S.)

WAIVER

I, _____, the defendant in the within warrant, after being advised of all my rights, do hereby waive committal hearing and acknowledge such hereby.

This _____ day of _____

Witnessed by:

Defendant

EXAMINATION

After having fully advised the defendant of the accusation against him, his right to have a committal hearing, his right to be represented by an attorney, (and his right to sign a waiver of said committal hearing) (and defendant having elected to sign a waiver of committal for his appearance before the _____ Court located at _____ on the _____ day of _____ at _____ M. Given under my hand and seal

This _____ day of _____

Judge

Magistrate

WITNESSES

JUSTIN WAYNE KRAUSE GPD GREENVILLE GA

15-000052

STATE WARRANT

BOND:

THE STATE

VS.

ARTHUR SHERMANE BUSSEY

109 HANDLEY ST APT C

LAGRANGE, GA 30240

DOB: 04/14/1984 SSN: 000-00-2588

CHARGED

O.C.G.A. 16-11-106

POSSESSION OF KNIFE DURING COMMISSI

JUSTIN WAYNE KRAUSE

Prosecutor

GPD

P O BOX 548

GREENVILLE, GA 30222

Phone H: 0-706-672-4211

Warrant executed on the _____ day of _____

January 2015

at 1620 o'clock P.M. by K. Kelly #7703

#7703

B-8
Pg 84
AWB

EXHIBIT B