

COURT OF APPEALS OF GEORGIA
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January 29, 2015

To: Ms. Deborah Drayton, 206 Stafford Avenue, Brunswick, Georgia 31525

Docket Number: A15A0803 **Style:** Deborah Drayton v. Jaleah Sands, et al.

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CERTIFICATE OF SERVICE

I, Deborah D Drayton, hereby certify that on 01/16/2015, I
[name] [date]

served copies of Brief, Pictures, Certificate, DFCS Letter
[name of document]

on the following parties by way of U.S. Mail:
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[List name and address of each attorney\party served]

Court of Appeal of Georgia
74 Trinity Avenue S.W., Suite 501
Atlanta, Ga 30334

01-16-2015
Date

Deborah Drayton
Signature

IN THE APPEAL COURT OF GEORGIA
STATE OF GEORGIA

FILED IN OFFICE
JAN 14 2015
COURT CLERK
CLERK COURT OF APPEALS OF GA

DEBORAH DENISE DRAYTON

Appeal A15A0803

APPELLANT

CASE NO. JUV 140240

Vs.

JA'Leah Denise Sands

Lia Latwain Sands

Kathy Denise Sands

APPELLEE

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BRIEF

COME now Deborah Denise Drayton, APPELLANT in the above- captioned cause,
Moves the Court of Appeal on the matter that the Juvenile did in error of disallowing the family to
Testify on her behalf MS. ELIZABETH Sands was told not to say nothing during her TPR HEARING
Ms. ELIZABETH SANDS who is the mother of the of the above Appellee had her Parental Rights
Terminated, Before the Terminating the Rights Mrs. Deborah Denise Drayton who name was
Deborah Denise Kirksey before marriage wasn't giving the proper opportunity along with her twin
Sister Lisa Kirksey Teddy Maxwell and the grandmother of the father Ms. Diane Stroud the, Department
Of Family Children Service has error in finding placement for the kids has also place the kids with
unknown Family and refuse to allow the Elizabeth Sands family to have their nieces nephew the
Department of Human Service/ Department of Family Children Service has also put the above Appellee
in (Harms Way

As to allowing Eli Sands who was severely bitten by an oversize doge while in the custody of the
Department of Family Children Service. As the case manager who was on the case has misled the
The Juvenile Court as well the Department of Human Service in thinking that she couldn't find any family
Members that would take the kids in their home. Ms. Brittany Turner who no longer a DFC for the
Department of Human Services has enter a falsified document to show that she was unable as Georgia
Law required her in O.C.G.A. § 15-11-211 to do (a) A diligent search shall be initiated at the outset of a
case under this article and shall be conducted throughout the duration of a case, when appropriate.

(b) A diligent search shall include at a minimum:

(1) Interviews with the child's parent during the course of an investigation, while child protective services are provided, and while such child is in care;

(2) Interviews with the child;

(3) Interviews with identified relatives throughout the case;

(4) Interviews with any other person who is likely to have information about the identity or location of the person being sought;

(5) Comprehensive searches of data bases available to DFCS including, but not limited to, searches of employment, residence, utilities, vehicle registration, child support enforcement, law enforcement, corrections records, and any other records likely to result in identifying and locating the person being sought;

(6) Appropriate inquiry during the course of hearings in the case; and

(7) Any other reasonable means that are likely to identify relatives or other persons who have demonstrated an ongoing commitment to the child.

(c) All adult relatives of the alleged dependent child identified in a diligent search required by this Code section, subject to exceptions due to family or domestic violence, shall be provided with notice:

(1) Specifying that an alleged dependent child has been or is being removed from his or her parental custody;

(2) Explaining the options a relative has to participate in the care and placement of the alleged dependent child and any options that may be lost by failing to respond to the notice;

(3) Describing the process for becoming an approved foster family home and the additional services and supports available for children placed in approved foster homes; and

(4) Describing any financial assistance for which a relative may be eligible.

(d) The diligent search required by this Code section and the notification required by subsection (c) of this Code section shall be completed, documented in writing, and filed with the court within 30 days from the date on which the alleged dependent child was removed from his or her home.

(e) After the completion of the diligent search required by this Code section, DFCS shall have a continuing duty to search for relatives or other persons who have demonstrated an ongoing commitment to a child and with whom it may be appropriate to place the alleged dependent child until such relatives or persons are found or until such child is placed for adoption unless the court excuses DFCS from conducting a diligent search.

Ms. Brittany Tuner who was the case manager did made contact with three of the and had them to move to bigger places where she was supposed to recommend them to the Juvenile Court in April Of year 2010 while the TPA order was in process, After May 1st 2010 just after Eli Sands was born. Eli Sands was place in a Foster home while he and his other brother and sister wait for placement to go back home with the mother Elizabeth Sands and father Walter Sands. After May 15th 2010 while Eli Sands who was only 2 weeks old was severely bitten by an oversize dog and was place in the Care of Savannah Memorial Hospital where he stayed for three months. After the incident with the baby boy (ELI Sands) and his release on August 19th 2010 Ms. Brittany Turner Case Manager (DFC) then place the baby boy ELI Sands with a Foster Parent in Savannah Ga. The DFC in Griffin Ga try to contact Ms. Brittany Tuner to discuss the arrangement for the kids on May 22nd 2010 and she refuse contact the back on any occasion for the father Walter Sands his mother Diane Stroud. Mrs. Deborah Drayton who is the auntie for the kids was also considered a placement for the kids she was also giving no response from DFC Case Manager Ms. Brittany Tuner in 2010, Ms. Brittany Turner didn't inform the Juvenile Courts of the placement for the kids she also misleading the Juvenile Court in that Mrs. Deborah Denise Drayton didn't want her nieces and nephew. Mrs. Deborah Drayton has follow all the guide line that was told to her to do by the DFC. Ms. Lisa Kirksey who is the other auntie for the Sands kids was also told that she lived too far to have her nieces and nephew and the law don't permitted or say how far a placement can go or can't go as long their a family member who is willing to get them or is qualified .The Trail Court has error in disallowing the family member to testify or even giving them the opportunity to reunite them with family. Deborah Drayton request that the Courts of Appeal grant her appeal. Mr. James A Chamberlin attorney at law and Judge G Roundtree and Frances W Dyal and Attorney Litem who all knowing that Case Manager Brittany Turner for the DFC (was). Didn't do the search and they all knowing that ELI Sands was severely bitten by an oversize twice his and they all made a cover up and not allowing the family to take part of the Court case or being able to be there for any Court dates Ms. Sands have written Judge G. Roundtree letters about letting her testify and he denied her to do while she was in Savannah Ga caring for her son who have been bitten. Ms. ELIZABETH SANDS has now gotten herself a job and a home and is a helper in her community. After carefully reviewing each Memorandum and Brief of each party Ms. France W Dyal who is currently the Guardian AD Litem for the Sands kids has improvise in her Brief on Oct 16th 2014 to the juvenile Courts that the DFCS, in their Diligent Search for placement for Eli' Sands in the care of his Auntie Mrs. Deborah Kirksey (Drayton) on the 27th day of May 2010. Eli' Sand who was place in a foster home temporarily until his mother and father could Provide a good and stable place for him and his other and sister. Eli' Sands who was place in a grate (Danger) of the foster home that he was place in by DFCS was summited to the Savannah Memorial Health on May 15th of 2010 for serve dog bites to his growing area as well his face and head and hands DFCS, Has not try to place my Nephew Eli' Sand in my care at any time. After speaking with Walter Sands (Father) he had advise Ms. Brittany Turner (Case Manger) at that time that he was going to sue the DFCS for the Negligence of their child. Ms. Brittany Turner did went back before the courts to have MS. MR. Sand Parental Rights to Terminated. I have been fighting to get my nieces and nephew back since April 20th of 2010 from the last conversation I had with Ms. Brittany Turner in March 11th 2011 that she got back to me and said I was able to start going to Hinesville Ga to the group home where they had the Sands kids house at to start visitation and being able to be consider for placement for second time. I never inform Ms. Brittany Turner that I didn't was my nieces for nephew I have been in their life since day one and even when they was taken by CPS. I was told by Ms. Brittany Turner not to talk about the case to the kids. Then after I had went to see the my nieces and nephew that the in Hinesville GA twice I

was told by Ms. Brittany Turner supervisor I wasn't suppose to be going to see my nieces and nephew Because of my Right was taking a way from me when they had taken MRS & Mr. Sands Rights but I was able to go Eli' Sand birthday party, I was not able to provide the love , comfort and shelter to my nieces and nephew like a Auntie suppose to do.

FACTS

- 1. After over viewing each Argument and Notes there has not been any Ms. Brittany Turner didn't input that I was consider by Mrs.E. Sands the mother of the kids, That I was a good candidate for my nieces and nephew.**
- 2. O.C.G.A. 15-11-211 (e)** After the completion of the diligent search required by this Code section, DFCS shall have a continuing duty to search for relatives or other persons who have demonstrated an ongoing commitment to a child and with whom it may be appropriate to place the alleged dependent child until such relatives or persons are found or until such child is placed for adoption unless the court excuses DFCS from conducting a diligent search.
- 3. The search that was suppose to be done was not done correctly. I never sign to told Ms.B Turner that I didn't want the kids. the Sands kids should never been taking form the their home, There has never any abuse in the home or drugs Mr.& Mrs. Sands Has never been arrested for drugs or violence to their kids. No police report of drug being removed their home at any time. The State defense has claim that their Alochol in the home as well Mr. & Mrs. Sands didn't drink at all.**
- 4. Mrs. Elizabeth Sands who was home with her two baby girls has never them unattended for no reason while her other kids was in school. She always provided a place for kids and never put them a toxic place the water line had busted under the house and by the rules of the Water Department they had to cut the off until the pipe got fix.**
- 5. Ms. Brittany Turner didn't give Ms. Sand time to do nothing Ms. Turner had Mrs. Sands disability checks cut off and that what made it hard for her to provide for her kids even with**

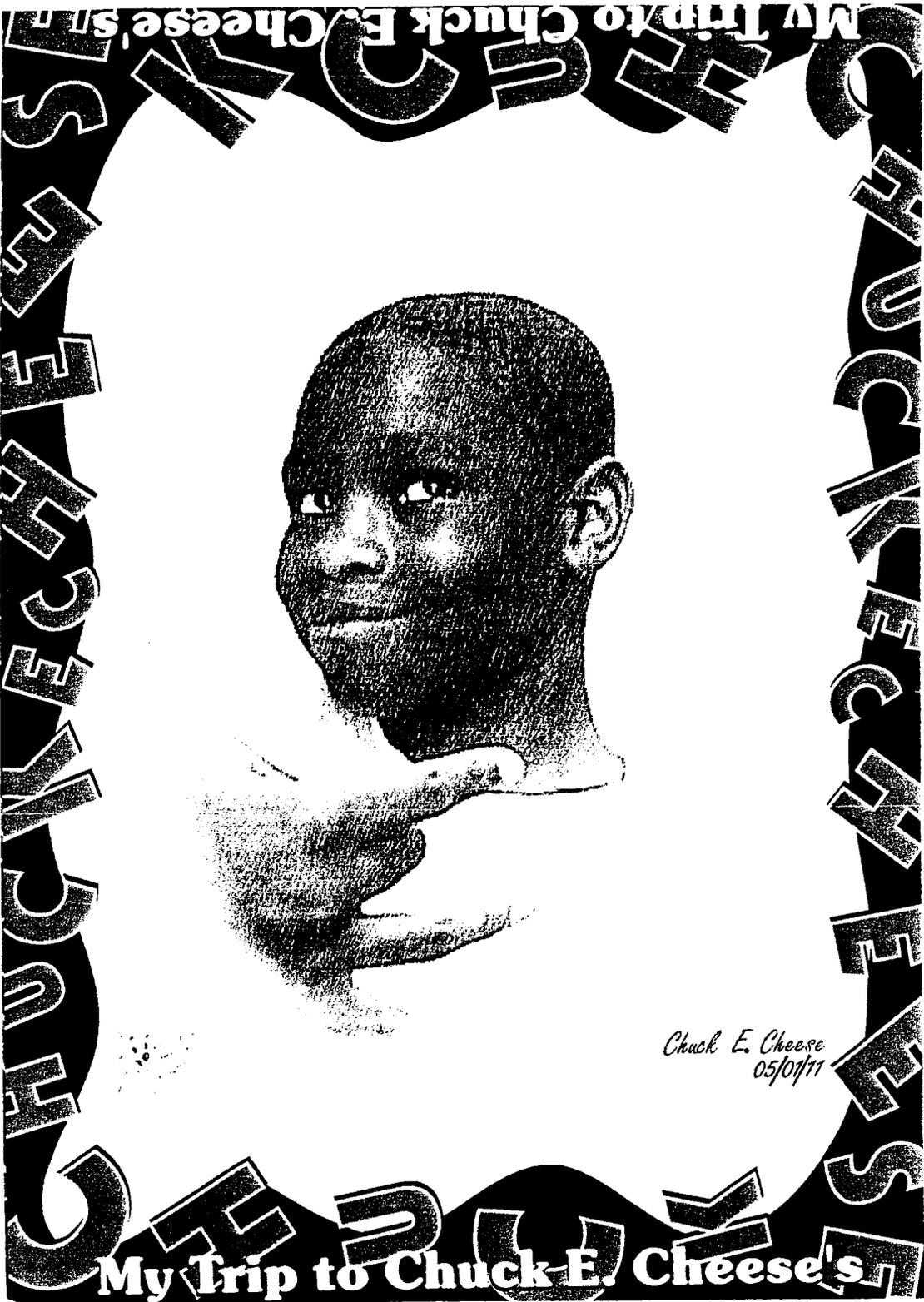
son that she caring in her stomach. Ms. Sands was put up under a lot of stress she almost lost her baby because of Ms.B Turner.

- 6. Mr. Jermaine Drayton background was use in the matter when he don't have nothing with this case. DFCS hasn't proven to the courts or to Mr.Drayton what was on his background for him not to be eligible to be a foster parent as we done ask several times now. I'm not just trying to get my nieces and nephew I been since 2010.**
- 7. After reviewing the search report from the DFCS of Ms. Brittany Turner (Case Manager) that was provided by Ms. Frances W. Dyal in her (Brief in Support) there doesn't show neither party having a conversation on record about Mrs. Deborah D Drayton didn't want her family back search report do show that there is a list of the (Sands kids Uncle's and Aunties.) There is no sign Affidavit, there was visitation that was granted by the Case Manager Ms. Brittany Turner #1. On the Hinesville Camps where they meet every two weeks. # 2. There is even pictures showing where Mrs Deborah D Drayton was allow to having fun with her nieces and Nephew at Chuck E Cheese's back in May 1st 2011. I'm Auntie that always wanted my Nieces and Nephew I will always love them no matter what.**

Now I Deborah D Kirksey (Drayton) come before the courts of Appeal to ask that the case juv140240 be Granted for a new Trail.

This 13 day of January 2015

Deborah Denis Drayton
206 Stafford AVE
Brunswick, Ga 31525



Chuck E. Cheese
05/01/11

My Trip to Chuck-E. Cheese's



Chuck E. Cheese
05/07/11

My Trip to Chuck E. Cheese

CHUCK E. CHEESE



Chuck E. Cheese
05/07/11

My Trip to Chuck E. Cheese's

CHUCK E. CHEESE

Certificate of Completion

Jermaine Drayton

has successfully completed the 20-Hour
IMPACT Pre-Service Training

For Foster and Adoptive Parents

Katherine Oswald

Leader Signature

9.7.2011

Date

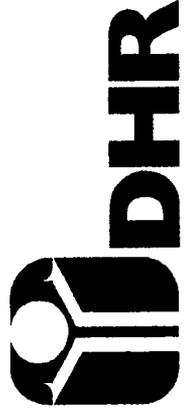
Maria Robinson

Leader Signature

9/7/11

Date

*Strengthening families, protecting children
from abuse and neglect and assuring that
every child has a permanent family.*



*Georgia Department of Human Resources
Division of Family and Children Services*

Certificate of Completion

Deborah Drayton

has successfully completed the 20-Hour
IMPACT Pre-Service Training

For Foster and Adoptive Parents

Katherine Iswald

Leader Signature

9.7.2011

Date

Mari Robinson

Leader Signature

9/7/11

Date

*Strengthening families, protecting children
from abuse and neglect and assuring that
every child has a permanent family.*



*Georgia Department of Human Resources
Division of Family and Children Services*



Clyde L. Reese, III, Esq., Commissioner

Georgia Department of Human Services - Glynn County Family & Children Services - Vicky Riggins, Interim County Director •
4420 Altama Avenue - Suite 9 * P.O. Box 400 * Brunswick, GA 31521-0400 * (912) 262-3251 * (912) 262-3056 (FAX)

10/20/2011

Mr. and Ms. Drayton:

I am sending you the originals of the IMPACT Pre-Service Training for your records. I have copies of them if you lose the originals and need the certificate. They will be kept in the Resource Development Case Manager's Office. Please call me at 912-280-1570 if you have any questions. Thanks

Katherine Oswald

Katherine Oswald
Resource Development Case Manager
Glynn County DFCS

PATIENT NAME: Sands, Eli
MEDICAL RECORD #: 00860392
BILLING #: 001013500697
DICTATING PHYSICIAN: Andrew Coble, M.D.
CO-SIGNING PHYSICIAN: William J. Bromberg, M.D.
ROOM AND BED: EME
DATE OF BIRTH: 05/01/2010

HISTORY AND PHYSICAL

consolable.

SECONDARY SURVEY

VITAL SIGNS: Heart rate was 160 with a temperature of 101.7, 98% saturation on room air.

GENERAL: The patient was alert for his age. He was consolable but crying on the first evaluation.

HEENT: He has a large right ear laceration, basically avulsion of the pinna. Tympanic membranes were negative for hemotympanum. His nasal mucosa was moist. His lips were somewhat edematous. There was obvious florid oral thrush on evaluation of the oropharynx. Occlusion was within normal limits. Pupil irises were equal and reactive to light with accommodation. There was facial, truncal and extremity lacerations, puncture wounds and bruises from the scalp all the way down to the patient's knees, including the perineal, perianal, scrotal, bilateral upper and lower extremities, truncal area, and the head and right ear as previously described.

NECK: His trachea was midline. The thyroid was nonpalpable. There was no tenderness. There was obvious bruising around the throat and the head.

The patient's C-spine was secured and not cleared clinically initially.

CHEST: The patient's respiratory effort was within normal limits. He was clear to auscultation bilaterally. His chest was tender secondary to bruises, abrasions and punctures. The trachea was not deviated.

HEART: He had a tachycardic heart rate but a regular rhythm with a nondisplaced point of maximum impulse.

PULSES: Pulses were 2+ radial, carotid, femoral, posterior tibial, dorsalis pedis.

ABDOMEN: The abdomen was moderately tender secondary to multiple abrasions, contusions and small punctures. There was no obvious subcutaneous discoloration of the abdomen and it was not rigid and did not elicit a great deal of tenderness to palpation. The liver and spleen showed no hepatosplenomegaly and wounds were as previously described. There were deep puncture lacerations to the bilateral perineal areas. There was no obvious drainage or spillage of intraabdominal content. Although there were perineal wounds, there was no direct injury to the patient's rectum.

EXTREMITIES: There were no deformities or instabilities or sensory or motor deficits x4 extremities. The patient deep tendon reflexes were

PATIENT NAME: Sands, Eli
MEDICAL RECORD #: 00860392
BILLING #: 001013500697
DICTATING PHYSICIAN: Andrew Coble, M.D.
CO-SIGNING PHYSICIAN: William J. Bromberg, M.D.
ROOM AND BED: EME
DATE OF BIRTH: 05/01/2010

HISTORY AND PHYSICAL

DATE OF ADMISSION: 05/15/2010

The patient was seen as a transfer from Brunswick Hospital, brought to Memorial Health University Medical Center by ambulance.

TRAUMA TEAM

ATTENDING PHYSICIAN: William Bromberg, M.D.
CHIEF RESIDENT: Miller Hamrick, M.D.
RESIDENT: Andrew Coble, M.D.

CHIEF COMPLAINT

Multiple dog bites.

PRE-HOSPITAL MECHANISM

The patient was in foster care, was being watched over by another individual known to his foster provider and was attacked by the family dog. The patient was transferred secondary to multiple dog bites, although he was also noted to have other scratches and bruises which appeared to be in various states of healing and was also suffering from florid oral thrush.

ALLERGIES

The patient had no known drug allergies.

We were unable to obtain any past medical history or past surgical history, family history or review of systems. The patient was in foster care, as previously described, but was not under the direct supervision of his foster provider when this incident occurred.

PRIMARY EVALUATION

GENERAL: He is awake and alert.

AIRWAY: Normal with normal work of breathing, spontaneous.

CIRCULATION: Pulses are 2+ radial, femoral, carotid. Capillary refill was less than two seconds. The patient was warm to touch.

DISABILITY: His Glasgow Coma Scale was 15, adjusted for age. He was

PATIENT NAME: Sands, Eli
MEDICAL RECORD #: 00860392
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ROOM AND BED: EME
DATE OF BIRTH: 05/01/2010

HISTORY AND PHYSICAL

intact.

NEUROLOGIC: He was alert for age. Unable to evaluate for judgement or insight.

DIAGNOSTIC TESTING

FAST exam ultrasound was performed meticulously and was found to be negative times all views. He had a babygram chest and pelvis x-ray which were negative for acute findings. The patient also had a CT scan performed of his head, C-spine, chest, abdomen and pelvis to look for any internal injury. There were no signs of pneumothorax. No head or cervical spine injury. There was no free air. No free fluid in the patient's abdomen, although he came with a negative 9.0 base deficit.

In summation, this was a 2-week-old African-American male who was apparently assaulted by a dog. He arrived in transfer with multiple puncture wounds over his entire body including a partial avulsion of the right ear. The patient was consolable and hemodynamically stable with a metabolic acidosis. He was pan-scanned with no obvious internal findings. He was resuscitated with intravenous fluids. He was admitted to the Pediatric Intensive Care Unit and will require extensive repair of his multiple lacerations, which will be performed by myself. The patient was also consulted to the Pediatric Intensive Care Unit Team as well as to Pediatric Surgery, Dr. David Carney.

Andrew Coble, M.D.

William J. Bromberg, M.D.

AC/ver

D: 07/09/2010 10:50 A