

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

June 19, 2015

To: Mr. Ronald Eaton, GDC1001472926, Ware State Prison, 3620 Harris Road, Waycross,  
Georgia 31503

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 the name of Ronald Eaton nor Ronald Eaton Cornish. I am returning your documents to you.
- 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.

In the court of Appeals of Georgia  
state of Georgia

State of Georgia

vs.

Ronald Eaton Cornish

Criminal Action No:

13-9-1118-40

RECEIVED IN OFFICE  
2013 JUN 18 PM 8:21  
CLERK/CLERK ASSISTANT  
COURT OF APPEALS OF GA

Motion to Appeal Judgment

Now comes appellee Ronald Eaton Cornish asking the court of appeals of Georgia to overturn decision made by the honorable judge Robert E Flourney, III of the Cobb county superior court house, Denying Appellee's "Motion to dismiss indictment based on violation of U.S. Constitutional rights," For being moot on the following grounds.

1.

Appellee has attached legal documents showing he asserted his legal right to a fast and speedy trial in a timely fashion repeatedly. The first assertion being made on April, 27 2013, just 36 days after being indicted.

2.

In reviewing these legal documents you will see that dated on May, 10<sup>th</sup> 2013 appellee's Attn. J. Scott Anderson, admits that he would in fact file in appellee behalf the Motion for a fast and speedy trial, Mr. Anderson admits that it was only after further considering his own concerns he failed to do so. Mr. Anderson then gave the false impression that he would still file

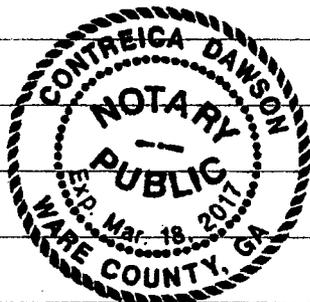
The motion for a fast and speedy trial before the May court term ended.

3.

Consequently Appellee was allowed to languish and suffer undue and oppressive incarceration prior to trial, Appellee suffered anxiety from public accusation, The long delay impaired Appellee's ability to defend himself sufficiently. Witnesses whom could of provided alternate theory's for the jury to consider were unable to be located nor was evidence in favor of defence ~~was~~ allowed to be submitted due to the absence of witnesses, Such as Ex-wife whom sent a email to lead detective Micheal Greer explaining the true intent <sup>of</sup> the whole fabricated scheme.

### Conclusion

In reviewing these legal documents show's and proves that appellee notified proper authority repeatedly and recieved no assistance. Therefore appellee wishes that the court of appeal to examine attached documents and said motion be granted.



*[Handwritten signature]*  
6/9/15

Respectfully submitted  
Ronald Eaton

*[Handwritten signature]*

## Supporting Case Law

*Glover v. United States*, 531 U.S. 198, 203, 148 L.Ed. 2d. 604 (2001) - In assessing whether counsel's deficient performance prejudiced a defendant, "Any amount of actual jail time has sixth amendment significance."

*Barker v. Wingo*, 407 U.S. 514 (1972) - The test requires the court to consider the length of the delay, the cause of the delay, the defendant's assertion of his right to a speedy trial, and the presence or absence of prejudice resulting from the delay.

*United States v. MacDonald*, 456 U.S. 1 (1982) - The speedy trial act has distinct limitations regarding the time that can elapse between arrest to indictment and from indictment to trial.

18 U.S.C. § 3161. Dismissal of the indictment is mandatory when the speedy trial act is violated and dismissal can either be with or without prejudice. *United States v. Taylor*, 487 U.S. 326 (1988)

<sup>Remedy</sup>  
§ 48 - The only remedy for such deprivation is to dismiss the indictment against the accused.

## Certificate of service

This is to certify that I have, this day,  
served a true and correct copy of the  
forgoing motion to Court of appeals of  
Georgia, Department of law 40 capitol square, S.W.  
Atlanta GA 30334-1300

Ronald Eaton #1001472926

Ware state prison

3620 Harris Rd.

Waycross, GA 31503

# ANDERSON LEGAL, P.C.

ATTORNEY AT LAW  
142 FOREST AVENUE  
MARIETTA, GEORGIA 30060

TELEPHONE: (770) 420-9919  
FACSIMILE: (770) 499-7883

EMAIL: algpc@bellsouth.net

May 7, 2013

**Ronald Eaton**

**SOID 1004690**

Cobb County Adult Detention Center  
525 County Services Parkway  
Marietta, Georgia 30060

**RE: State of Georgia v. Ronald Eaton  
Criminal Action File No. 13-91118-40  
Cobb County Superior Court**

Dear Mr. Cornish:

By way of update, I waived formal arraignment and entered a plea of "not guilty" on your behalf this morning in court. Enclosed please find a copy of the waiver for your records.

As you are aware, I have filed a motion for discovery in this case. However, I have not yet received a copy of the state's evidence. The DA informed me this morning that I should receive it soon, and she also showed me the letter that you wrote to Vic Reynolds. It is my view that you should not write letters to anyone in the District Attorney's office or to anyone associated with the Court, as this may harm or hinder your defense.

We discussed your desire to file a "speedy trial" demand in this case, and I am in receipt of your letter dated April 27, 2013 in which you requested that I do so today. However, since I do not yet have a copy of the state's evidence, I am not ready for trial; and it is therefore my opinion that demanding a speedy trial at this juncture would be very unwise. Once I have had an opportunity to review all of the state's evidence, consult and retain any necessary expert witnesses (fingerprints, DNA, etc.), and review that evidence with you at the jail, then, and only then, will I be ready to try your case.

As it stands now, your case is scheduled for motion hearings on June 6, 2013 (if I have any substantive motions), trial calendar call on June 7, 2013, and for a jury trial during the week of June 10, 2013 (if we are reached). I will mail you a copy of the state's evidence once it is received, and I will meet with you at the jail prior to the motion date to discuss these matters.

Ronald Eaton  
May 7, 2013  
Page 2

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With best regards,

Very truly yours,



J. Scott Anderson

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JSA/tn  
Enclosure

# ANDERSON LEGAL, P.C.

ATTORNEY AT LAW

142 FOREST AVENUE

MARIETTA, GEORGIA 30060

TELEPHONE: (770) 420-9919

FACSIMILE: (770) 499-7883

EMAIL: algpc@bellsouth.net

May 10, 2013

**Ronald Eaton**

**SOID 1004690**

Cobb County Adult Detention Center

1825 County Services Parkway

Marietta, Georgia 30060

**RE: *State of Georgia v. Ronald Eaton***  
**Criminal Action File No. 13-91118-40**  
**Cobb County Superior Court**

Dear Mr. Cornish:

The purpose of this letter is to follow up on our telephone conversation on May 7, 2013 and the telephone messages that you left for me today.

In our conversation, we discussed the possibility of filing a speedy trial demand at this time. I explained to you that I have filed a motion for discovery, but that I do not yet have a copy of the state's evidence. All we have now is the transcript of your probable cause hearing. As such, I explained to you that I am not yet ready to try your case.

On the other hand, you stated that you had thoroughly researched this case, that you were aware of all the evidence, and that you were "ready for trial." I understand that you have emphatically maintained your innocence from the beginning, that you are ready to either be acquitted or have this case dismissed, and that you are ready to be released from custody. However, those desires on your part do not translate into readiness to meet (and overcome) the state's evidence at trial. On the contrary, to do so will require careful review of the state's evidence, thoughtfully planning a trial strategy and defense, possibly retaining expert witnesses, and thorough preparation for trial.

I realize that at the conclusion of our five-minute conversation I told you that I would file a speedy trial demand. However, after further consideration, consultation, and research, I have reconsidered this decision. I am now of my original opinion that to do so at this time would not only be unwise, but would also give the DA a substantial advantage in front of a jury.

Ronald Eaton  
May 10, 2013  
Page 2

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This does not mean that I have ruled out a speedy trial demand. Since your case was indicted in the March 2013 term of court, we have until the conclusion of the May term in order to demand a speedy trial. After you and I have had an opportunity to review all of the evidence, then this decision can be made in a competent fashion.

With best regards,

Very truly yours,



J. Scott Anderson

JSA/tn

(3)

Mr Anderson,

I would like to exercise my constitutional right to a fast and speedy trial, I understand your concerns with not wanting to file the motion but still I would like for you to do so, I am a innocent man so what ever the state has cant be much

Thank you -

P.S. I only have 10 days after may 7th to do so.

*[Signature]*

Subscribed and sworn to before me this 12th day of May 2013

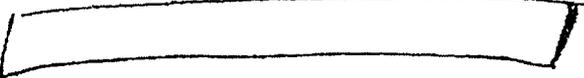
*[Signature]*  
NOTARY PUBLIC  
My Commission Expires January 18, 2016

E-mail from store owner ex-wife

**Freer, Michael**

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**From:** Henson, Russell  
**Sent:** Thursday, October 11, 2012 10:28 AM  
**To:** Freer, Michael  
**Subject:** FW: Alexei Larichev, Cobb Pawn Shop

  
**From:** Y Fedina [mailto:yfedina10@gmail.com]  
**Sent:** Sunday, September 30, 2012 8:04 AM  
**To:** Henson, Russell  
**Subject:** Alexei Larichev, Cobb Pawn Shop

Good morning Detective Henson,

We communicated earlier regarding Alexei Larichev. I've seen on the news robbery at Cobb Pawn Shop and want to share information with Detective Mike Freer. Since I don't have his email address, can you please forward this email to him?

I am emailing in reference to Alexei Larichev, the victim in Cobb Pawn Shop robbery on 9/18/2012.

I know Larichev during many years and want to share facts about his personality in order to understand nature of this robbery. We are from the same home country and were married during short period of time.

Larichev came to United States of America in late 1990<sup>th</sup>. He had rough time to support him family. But he has learned how to use system and people for his benefits. He borrowed money against his credit cards and filed bankruptcy in 2002. He hid the money and supplemented his income during following few years to maintain his life style. In 2007, he actively borrowed money from the bank and received around \$50,000. The debt was never repaid. At the end of 2007, Larichev had car accident. Immediately and concurrently, he started seeing chiropractor to collect insurance money and imitating back injury to collect workers compensation. He collected both checks in 2008, including \$60,000 workers compensation settlement.

I helped him to develop pawn shop business in 2008. In 2009, Larichev claimed poverty and applied for food stamps and Medicaid. He was receiving welfare benefits during 2009 and 2010. He reports about \$10,000 income per year and supports family of two, including his child. Few months ago, Larichev purchased luxury condominium in Sandy Spring for about \$150,000 cash. He owns new BMW. Amazingly, indigent person who just received welfare benefits short time ago was able to pay about \$200,000 for assets, have \$25,000 in jewelry and \$7,000 cash, according to the information released in the media. In 2008, Larichev shared his thoughts about collecting insurance money for the pawn shop if he is robbed. Man is struggling to support luxury life style and came up with the plan to imitate robbery and collect insurance money.

Larichev is very cautious person: He keeps his pawn shop locked. He has camera at the entrance and always looks at the customers before letting them in. He would not open the door to suspicious people who have car on the run. When customers are in, he locks the door to limit visitors. The entire incident violates his daily routine

and proves that it was Larichev's intention to fake it. Bandits did not cause him any physical damage. They could not open the door by themselves to leave.

The facts I listed are public records. I believe that you need to inspect his records, specifically income versus expenses, to prevent crime.

Thank you for your time. If you have any questions, I can be reached at 678-914-3737.

Sincerely,

Yuliya Fedina



CONSUMER ASSISTANCE PROGRAM

March 28, 2014

Mr. Ronald Eaton  
# 001004690  
Cobb County Detention Ctr.  
P.O. Box 100110  
Marietta, GA 30061

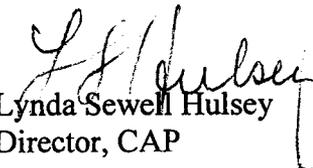
Dear Mr. Eaton,

Thank you for your letter received March 28, 2014. I understand that you need to speak with your attorney and get an update on the status of your case. I forwarded your letter to the attorney to express your concern.

Please be advised that any correspondence sent to the Consumer Assistance Program (CAP) cannot be passed to any other department. CAP is not required to return any original correspondence.

CAP keeps correspondence for only thirty days. After that, it is destroyed.

Sincerely,

  
Lynda Sewell Hulsey  
Director, CAP

LSH/bd

cc: John Scott Anderson, Esq.  
Anderson Legal, PC  
142 Forest Avenue  
Marietta, GA 30060

**HEADQUARTERS**

104 Marietta Street, Suite 100  
Atlanta, Georgia 30303  
(404) 527-8700 ■ (800) 334-6865  
FAX (404) 527-8717  
www.gabar.org

**SOUTH GEORGIA OFFICE**

244 E. Second Street (Zip 31794)  
P.O. Box 1390  
Tifton, Georgia 31793-1390  
(229) 387-0446 ■ (800) 330-0446  
FAX (229) 382-7435

**COASTAL GEORGIA OFFICE**

18 E. Bay Street  
Savannah, Georgia 31401-1225  
(912) 239-9910 ■ (877) 239-9910  
FAX (912) 239-9970



*CONSUMER ASSISTANCE PROGRAM*

March 28, 2014

Mr. Ronald Eaton  
# 001004690  
Cobb County Detention Ctr.  
P.O. Box 100110  
Marietta, GA 30061

Re: John Scott Anderson

Dear Mr. Eaton,

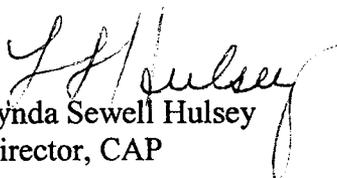
The State Bar of Georgia does not have jurisdiction over matters of trial tactics and strategies. Decisions about which motions to file and when, what witnesses to use and what facts or issues to raise at trial or on appeal are up to the lawyer, not the client.

On the basis of the information you have provided, it does not appear that the attorney has violated the Georgia Rules of Professional Conduct which govern the practice of law in Georgia. The State Bar does not have jurisdiction over this matter at this time.

Please be advised that any correspondence sent to the Consumer Assistance Program (CAP) cannot be passed to any other department. CAP is not required to return any original correspondence.

CAP keeps correspondence for only thirty days. After that, it is destroyed.

Sincerely,

  
Lynda Sewell Hulsey  
Director, CAP

LSH/bd

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FAX (229) 382-7435

**COASTAL GEORGIA OFFICE**

18 E. Bay Street  
Savannah, Georgia 31401-1225  
(912) 239-9910 ■ (877) 239-9910  
FAX (912) 239-9970



STATE BAR OF GEORGIA  
GRIEVANCE  
CONFIDENTIAL

PLEASE TYPE OR PRINT LEGIBLY IN BLACK INK ONLY  
DO NOT ALTER THIS FORM

YOUR NAME: (Mr./Mrs./Ms.) Ronald Eaton

MAILING ADDRESS: P.O. Box 100110 marietta GA 30061  
Street or P. O. Box City State Zip

YOUR PHONE NUMBERS: (W) — (H) —

NAME OF THE ATTORNEY: J. Scott Anderson  
Fill out a separate form for each attorney. Do not list law firms.

ADDRESS OF THE ATTORNEY: 142 Forest Ave marietta, GA 30060

DATE OF FIRST CONTACT WITH ATTORNEY: 1-2-13 DATE OF LAST CONTACT WITH ATTORNEY: Jan, 2014

DOES THIS ATTORNEY CURRENTLY REPRESENT YOU? YES  NO  WAS THIS YOUR ATTORNEY? YES  NO

IS YOUR CASE: CRIMINAL  CIVIL  CASE# 13-9-1118

COUNTY: COBB OR FEDERAL DISTRICT: NORTHERN  MIDDLE  SOUTHERN

CLEARLY DESCRIBE YOUR COMPLAINT AND ATTACH SUPPORTING DOCUMENTS:  
My complaint is that since my Attn. Mr. Scott Anderson  
been my Attn. I've been asking him to file for me a  
motion for a fast and speedy trial (which according to the  
6th amendment "suppose" to be my right) but he denied me  
of it. I have, and is sending to you a notarized letter proven  
I asked him to do so, as well as a letter from him proven  
it also. By him not filing this motion for me I've languished  
in this jail for now 17 months, and I've been trully damaged  
by it and I'm sick and tired of it. I would like to recieve  
new assistance on this matter. Thank you!

If more space is needed, please attach other pages. Please do not write on the back.

Return to: State Bar of Georgia  
Office of the General Counsel  
104 Marietta Street, NW  
Suite 100  
Atlanta, Georgia 30303

"I affirm that I have read and understand the information and instructions.  
The information I have provided here is true to the best of my knowledge."

SIGNATURE: [Signature]  
DATE: 4-1-14

OPTIONAL: PLEASE PROVIDE THE NAME AND PHONE NUMBER OF SOMEONE WE CAN CONTACT IF WE HAVE DIFFICULTY CONTACTING YOU:

NAME OF CONTACT PERSON: \_\_\_\_\_  
PHONE NUMBERS OF CONTACT PERSON: (W) \_\_\_\_\_ (H) \_\_\_\_\_

IF YOU HAVE A DISABILITY AND NEED ASSISTANCE IN THE GRIEVANCE PROCESS,  
PLEASE CONTACT THE ADA COORDINATOR AT (404) 527-8720 OR (800) 334-6865.

# STATE BAR OF GEORGIA

## OFFICE OF THE GENERAL COUNSEL

PAULA J. FREDERICK  
General Counsel

WILLIAM P. SMITH, III  
Ethics Counsel

Bar Counsel  
ROBERT E. McCORMACK  
Deputy General Counsel

JOHN J. SHIPTENKO  
Assistant General Counsel



Disciplinary Counsel  
JENNY K. MITTELMAN  
Deputy General Counsel

JONATHAN HEWETT  
Sr. Assistant General Counsel

REBECCA A. HALL  
A. M. CHRISTINA PETRIG  
WILLIAM J. COBB  
Assistant General Counsel  
CARMEN ROJAS RAFTER  
Grievance Counsel

June 25, 2014

CONFIDENTIAL

Mr. Ronald Eaton  
P. O. Box 100110  
Marietta, GA 30061

Re: John Scott Anderson

Dear Mr. Eaton:

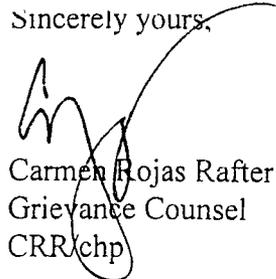
Thank you for submitting your grievance with the Office of the General Counsel of the State Bar of Georgia. We carefully reviewed the grievance you filed with our office against attorney John Scott Anderson.

You complain Mr. Anderson failed to file a Motion for Fast and Speedy Trial in your criminal case. Mr. Anderson responded that he was not ready for trial and did not believe it was in your best interest to file the motion before he was prepared for trial. The State Bar of Georgia does not have the power to review an attorney's effectiveness. Furthermore, the State Bar of Georgia does not have the authority to discipline attorneys for the legal decision made regarding which motions to file, such as when and if to file a Motion for Fast and Speedy trial. Therefore, the grievance is dismissed.

Nevertheless, dismissal of the grievance by our office does not affect any other right you may have under Georgia law. If you continue to believe the attorney has been ineffective, you may address your concerns with the trial and/or appellate courts.

Thank you.

Sincerely yours,

  
Carmen Rojas Rafter  
Grievance Counsel  
CRR/chp

c: John Scott Anderson

5-20-11

Yes hi Judge Flournoy my name is Ronald Eaton and I'm writing you this missive in concerns of why my case is being deliberatively drug out for so long (17 months) when it's clear that not only have my constitutional rights been violated but I'm also an innocent man... My 4<sup>th</sup> amendment which state's "No warrant shall issue, but upon probable cause, supported by oath or affirmation, ect," has been violated because I was the only one arrested as a suspect in this crime due to, two of my finger prints being found on the front of a public pawn shop display case, amongst and overlaped by several unidentifide prints when I have a pawn receipt that was documented and noted by the pawn shop owner himself that clearly show's that not only was I a customer whom brought business to the establishment, but my prints has every right to be there... Out of 17 months of me being incarcerated beat and abused by officer's of the jail and jumped on by other inmates, There's absolutly nothing else tying me at all to this crime which directly violates the OCGA § 17-4-41 (a) see pitts V. state. My warrant has absolutly no validity in it what so ever and it has failed to meet minimal constitutional standards and anyone can see that it is inadequate under well established surpreme court case law. I also believe that I'm being deliberatively punished and held in jail because:

of some bogus allegations that was sprung up by another state that has nothing to do with the state of GA (which is a violation of my due process rights). These allegations are so bogus that I have no hold on me of any kind nor have I been charged with any crime outter state... I feel like everyone is looking at me as the bad guy when I'm the one being done wrong. My sixth amendment was violated by my attn scott anderson (whom was appointed to me by the courts) because he has refused to file the motion for a fast and speedy trail upon being requested to do so by me, not only has he stated for the record at my last bond hearing (Dec 9th) that he done so, I have a notarized letter proving this, Plus I have a letter from Mr. Anderson stating he done so...

Judge Flornoy I've been sitting in this jail for 17 months now (missing my kids birthday's, holiday's ect.) wanting nothing more then to have my day in court.

My last bond hearing Mrs. Ann harris stated that she rather give me a trail date then a bond, so I ask that you demand the state to bring forth my case in front of 12 jurger's or dismiss it.

Thank you sir

- God bless -

Ronald Eaton

