

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

April 2, 2015

To: Mr. Spencer Giles, 1705 Riverside Court, N.E., Conyers, Georgia 30013

Docket Number: A15A1297

Style: Spencer Giles v. Daniel Giles

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.**
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IN THE GEORGIA COURT OF APPEALS

STATE OF GEORGIA

FILED IN OFFICE
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Plaintiff: Spencer Giles

vs.

Appeal case #: A15A1297

Defendant: Daniel Giles

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COURT OF APPEALS OF GEORGIA

APPELATE BRIEF

PART ONE: PROCEDURAL HISTORY AND STATEMENT OF FACTS

(1) It is suspected that the State Court received the case which contained false information and/or false documents. This case has been transferred in between Rockdale Magistrate Court, a court television show, back to magistrate, over to State Court in Rockdale County and then over to the Georgia State Court of Appeals. I was made aware of by a person named David working in the Rockdale Magistrate Court office that there were some pages missing in my file. He went on to explain that he had to create some new pages, which did not sit well with me, to transfer the case over to State Court, prior to the case being appealed here. Phinia Aten in the Rockdale Magistrate Court should have rescued herself from this process but did not and these earlier proceedings

have been ex parted. Phinia is an old enemy and there are two African American females working in the court house that are her accomplices. On a warrant application these females managed to try to reduce what is an assault with a weapon charge to a simple battery. In another case these females tried to switch up the evidence and try to make me liable to pay a person to live in a home I had just inherited. What we should be looking at is a civil case which was first filed on 05/19/14 for being a private nuisance under ga. Code section 41-1-1 / ga. Code section 41-1-4. The civil charges were added to on 08/22/14 for pain and suffering for an assault stemming from an assault with a weapon on March 31st. In the case transcript you should be looking at six color pictures, proof of missed performances 05/14 – 01/15, the police report, nine Rockdale Medical bills, wheel chair prescription, a Resurgeons bill, Emerginet bills, prescription receipts, no medical notes were accepted and proof of student loan debt was not accepted. Plaintiff moves the court to set aside the judgment returned herein on Dec., 23rd, 2014 and to grant a appeal on the following grounds:

PART TWO: ENUMERATION OF ERRORS

(1) The verdict is contrary to the evidence. I'm the only person that presented any evidence. Daniel Giles has confessed to these things at every proceeding prior to this appeal and in the police report when he is asked what happed, and he says that I'm not going to disrespect him in his. When the truth is he never paid for the house in a divorce from my other who has passed and I have now inherited this home. I've presented pictures and medical documents that should be present in the case transcript. Nevertheless I have included those

same pictures and additional paperwork that shows that Daniel Giles did assault me with a weapon, this is my blood in all of these pictures, there is roughly \$11,000 in doctor's bills and pharmacy receipts, a pre-existing bullet that is lodged on my spine was shifted in this altercation causing me to be in pain everyday and risking me being paralyzed. I have permanent scars above my left eye and on my neck due to this incident. He's filed three frivolous suites against me for dispossession, which are not a part of this claim. I'm permanently disabled now that this bullet has been driven deeper and I'm no longer able to use the \$100,000 worth of Criminal Justice education that I have. Not just one career has been ruin but two have. I'm also unable to do the stage performances that I have for Afton booking and Pushplay. I also had to pull my music from the radio because I unable to do the promotional show through Afton Booking. Daniel Giles has put all of the mail on hold and stolen my mail. He made my bills late and I've had to report him to the Division of aging services. The medical notes clearly state that I've been assaulted.

(2) No real evidence was considered. Judge Nancy Bills would not consider my lost wages for stage shows that I was being book for as I am working for a popular band named Pushplay through Afton Booking. She would not review any information on the illegal eviction from a home and the illegal set-out as well. Because I do believe that the illegal eviction is a separate issue, I will not present any information on that matter, but I do at this point, believe that Nancy Bills may have been misled about the case by the way that it was transferred over and for that reason she has made an adverse decision. I ask

that if the court can not grant the full \$100,000 that is being asked for that the court award what amount it deems to be adequate.

(3) The court is believed to be biased. Here in Rockdale we've had to experience the Klu Klux Klan coming and protesting on the steps of the Rockdale Superior and State Court. To me it's a shame to have to see these images and to be dealing this type of subject matter, but however, this is believed to be the nature of the decision. These things came just after the news of the movie Selma being filmed here in Conyers at the county courthouse. This is one of the links to those rally reports:

<http://www.rockdalecitizen.com/news/2010/may/07/group-to-protest-at-courthouse/>. It for this reason, the citizens of this County find the court to be biased according to race. There used to be a time when these things were done privately but out of all of the places to protest these Klan members chose those steps to protest the filming of Selma here at the county courthouse.

PART THREE: ARGUMENT

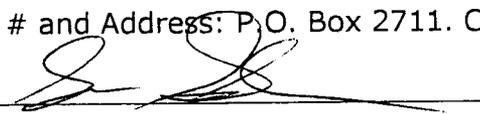
The argument is plain and simple. The first thing I had to ask when I saw the verdict was, "What was this verdict based upon because when I'm the only person that submitted any evidence and the testimony of Daniel Giles was only to say that he had did this?" I'm having the hardest time understand how someone's mother could die after a fight with cancer. Six months later Daniel Giles starts a fight with him over a house that he had inherited. He's injured in this altercation and loses two careers due to a bullet on his spine from a home invasion that has been shifted further into the spine due to the reckless acts of

Daniel Giles. I'm in pain everyday and I haven't been awarded for any bills, lost wages, pain and suffering or anything that has been guaranteed under our current laws. How brutal and savage is it to allow this person who is not my biological father, to ruin two careers, one which I'm in \$100,000 worth of student loan debt for, put permanent scars on my body, cause me these medication cost, doctor's cost and the list just goes on? If not full relief there should at least be some type relief that is fair. I was already injured prior to this incident and Daniel has attacked me knowing of my injuries and the risk of paralysis. Daniel Giles has not presented one shred of evidence to support this decision that Nancy Bills has made and there must be some underling reason for those things. Despite those reasons, there has been an admission of guilt on several occasions and for that reason, it is felt that reasonable and adequate relief should be awarded to the plaintiff. What this officer claims to be a knot in the report is a laceration in the my medical notes and for that reason foul play is suspected.

Dated: 03/25/15

Person Filing: Spencer Giles

Phone # and Address: P.O. Box 2711. Covington, Ga. 30015 (770) 929 -1663

Sign: 

I WAS UNABLE TO PRINT
2 PHOTOS OF MY PERMANENT
SCARS IN TIME TO SEND THEM
WITH THIS BUT IF REQUESTED
I CAN SEND THEM AT A LATER
TIME, OR IF NEEDED.

SPENCER GILLES

(770) 929-1663