

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

December 8, 2015

**To:** Mr. Douglas R. Gordy, Disabled American Veteran, 718 Beardsville Road, Sylvania, Georgia 30467

**Docket Number:** A16A0549 **Style:** Douglas Robert Gordy v. Martha Isabel Laines

Your document(s) is (are) being returned for the following reason(s).

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

To: *Douglas R. Gordy*  
Docket Number: *A16A 0548 / A16A0549* Style: *Douglas Gordy v. Martha Laine*

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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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No. A160548

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IN THE COURT OF APPEALS OF GEORGIA

\_\_\_\_\_  
DOUGLAS ROBERT GORDY,

Plaintiff-Appellant

v.

MARTHA ISABEL LAINES,

Defendant-Appellee  
\_\_\_\_\_

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COURT OF APPEALS OF GEORGIA

ON APPEAL FROM THE SUPERIOR COURT OF BULLOCH COUNTY

OGEECHEE JUDICIAL CIRCUIT

SUISDR177T  
\_\_\_\_\_

BRIEF OF DOUGLAS ROBERT GORDY, PLAINTIFF-APPELLANT  
\_\_\_\_\_

DOUGLAS ROBERT GORDY

Pro-Se Disabled American Veteran  
718 Beardsville Road  
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- Imbler v Pachtman*, 424 US 409, 417
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*Melton v. Dallas Area Rapid Transit*, 391 F.3d 669, 671-72 (5<sup>th</sup> Cir. 2004)

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*Roberts v. United States Jaycees*, 468 U.S. 609, 619-20, 82 L. Ed. 2d 462, 104 S. Ct. 3244 (1984)

*Robertson v. Robertson*, 333 Ga. App. 864; 2015 Ga. App. LEXIS 549.

*Santosky v. Kramer*, 455 U.S. 745, 753, 71 L. Ed. 2d 599, 102 S. Ct. 1388 (1982)

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*Tennessee v. Lane*, 541 U.S. 509, 124 S.Ct 1978 (2004).

*United States v. Jewell*, 532 F.2d 697, 700 (9th Cir. 1976)

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#### **STATUTES:**

O.C.G.A. § 9-11-12 (a)

O.C.G.A. § 9-11-26

O.C.G.A. §, 9-11-34

O.C.G.A. § 9-11-37

O.C.G.A. § 19-9-23

#### **REGULATIONS:**

29 U.S.C.S. § 794(b)

42 U.S.C. 12101(a) (7) (emphasis added).

42 U.S.C. 12101(a) (2) and (5).

42 U.S.C. 12101(a) (7) (emphasis added).

42 U.S.C. 12111 (5)

42 U.S.C. 12132.

42 U.S.C. 12134.

42 USC 1981

42 U.S.C. 1983 Deprivation of Civil Rights

28 C.F.R. 35.130(d).

28 C.F.R. Pt. 35, App. B at 685.

28 C.F.R. 35.130 (b) (7).

28 C.F.R. pt. 35, § 35.107 (a)

29 U.S.C. 794

42 U.S.C. 12203

### **CONSTITUTIONAL PROVISIONS**

5<sup>th</sup> Amendment to the United States Constitution

8<sup>th</sup> Amendment to the United States Constitution

11<sup>th</sup> Amendment to the United States Constitution

14<sup>th</sup> Amendment to the United States Constitution

Article I of the Constitution of the State of Georgia

### **MISCELLANEOUS:**

Georgia Uniform Rule of Superior Court 6.2

*“Disability and Socioeconomic Status”*, American Psychological Association, 2015 retrieved from: <http://www.apa.org/pi/ses/resources/publications/factsheet-disability.aspx> citing the United States Census Bureau data from 2006. Viewed on 11/23/2015.

*“A Meaningful Opportunity to Participate: A handbook for Georgia Court officials on Courtroom Accessibility for Individuals with Disabilities”*. Administrative Office of the Georgia Courts, 2005 retrieved electronically from:

[http://municipal.georgiacourts.gov/sites/default/files/municipal\\_judges/ADAHandbk\\_MAY\\_05\\_800.pdf](http://municipal.georgiacourts.gov/sites/default/files/municipal_judges/ADAHandbk_MAY_05_800.pdf) (AOGC)

2014 Fiscal year Budget for State of Georgia, retrieved electronically from

[https://opb.georgia.gov/sites/opb.georgia.gov/files/related\\_files/site\\_page/AFY\\_2015\\_Governors  
BudgetReport.pdf](https://opb.georgia.gov/sites/opb.georgia.gov/files/related_files/site_page/AFY_2015_Governors_BudgetReport.pdf)

## STATEMENT OF THE ISSUES

The Appellant-Plaintiff will address the following issues:

1.

Did Honorable John R. Turner in his capacity as Superior Court Judge of the Ogeechee Judicial Circuit violate Appellant's rights to equal participation in the legal system, Title II of the Americans with Disabilities Act (ADA), 42 U.S.C. 12101 et seq., Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. 794, and their implementing regulations, by never considering, discussing, or ruling upon the request for reasonable accommodations filed by Appellant-Plaintiff? *Bulloch County Index item 5. (Pages: 29-31)*

2.

Did Honorable John R. Turner in his capacity as Superior Court Judge of the Ogeechee Judicial Circuit violate Appellant-Plaintiff's right to Due Process under the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the United States Constitution, and Article I sections I and III of the Georgia Constitution by never considering, discussing, or ruling upon any of his lawful Discovery motions before the September 28<sup>th</sup> 2015 Bulloch County hearing? *Bulloch County Index items 10, 11, 14, 15, 16, 23, 24, 25, and 30. (Pages: 6-70, 71-75, 93-96, 97-100, 101-104, 126-135, 136-141, 142-147, and 167-176.)*

3.

Did Honorable John R. Turner in his capacity as Superior Court Judge of the Ogeechee Judicial Circuit violate Appellant-Plaintiff's right to Due Process under the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the United States Constitution, and Article I of the Georgia Constitution, and O.C.G.A. § 24-9-67.1 by allowing expert witness testimony on behalf of Appellee-Defendant

from expert witnesses not revealed in Discovery and whom also refused to participate in Discovery?

4.

Did Honorable John R. Turner in his capacity as Superior Court Judge of the Ogeechee Judicial Circuit violate Appellant-Plaintiff's right to Due Process under the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the United States Constitution, and Article I of the Georgia Constitution by never ruling upon any of the motions filed by Appellant-Plaintiff prior to or even after the September 28<sup>th</sup> 2015 Bulloch County hearing? *Bulloch County Index items 5, 7, 10-12, 23-25, 27.*

5.

Did the Honorable John R. Turner acting in his capacity as Superior Court Judge of the Ogeechee Judicial Circuit violate the rights of Appellant-Plaintiff to Due Process under the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the United States Constitution and Article I Paragraphs I and III of the Constitution of the State of Georgia and O.C.G.A. § 9-11-12 (a) by allowing Screven County Case 1S15DR091T which was filed on September 24<sup>th</sup>, 2015, four (4) days prior to the September 28<sup>th</sup>, 2015 Bulloch County hearing to be combined with Bulloch County Case SUDR177T *Screven County Index pages 10-40.*

6.

Did the Honorable John R. Turner acting in his capacity as Superior Court Judge of the Ogeechee Judicial Circuit violate Appellant-Plaintiff's Rights to Due Process and Familial Association under the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the United States Constitution and Article I, Paragraphs I and III of the Constitution of the State of Georgia and O.C.G.A. § 9-11-12 (a) by allowing Screven County Case 1S15DR091T which was filed on September 24<sup>th</sup>, 2015, four (4)

days prior to the September 28<sup>th</sup>, 2015 Bulloch County hearing to be combined with Bulloch County Case SUDR177T despite venue being improper? *Screven County Index pages 10-40.*

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## STATEMENT OF THE CASE

Discrimination based on Disability, Deprivation of Due Process,  
Denial of Equal Participation, and  
Deprivation of Familial Association

Appellant-Plaintiff is a service-connected disabled veteran, firefighter/paramedic, and has resided in Screven County Georgia for most of his life. Appellant-Plaintiff filed his Motion for Downward Modification of Child-Support in the Superior Court of Bulloch County on April 23, 2015 *Bulloch County Index item 2* citing increased costs associated to his physical and mental health care and prescribed devices and medications as being the basis. Honorable John R. Turner from the Ogeechee Judicial Circuit was assigned to hear the case. Appellee-Defendant filed an answer and counterclaim on June 5, 2015. Appellee-Defendants' counterclaim included a Motion to Modify Child-Custody *Bulloch County Index item 8*.

Appellant-Plaintiff requested consideration of Reasonable Accommodations but the trial court never responded to the request. Appellant-Plaintiff also filed Motions for Discovery, and Motions to Compel Discovery which also were ignored. Despite multiple requests and objections the Court ultimately scheduled a hearing for September 28<sup>th</sup>, 2015 in the Bulloch County Superior Court *Bulloch County Index items 18, 19, 21, and 22*.

Appellant-Plaintiff experienced a medical emergency related to several of his recognized disabilities during the 9/28/2015 hearing and the hearing was stopped and postponed at that time. Appellant-Plaintiff was evaluated by Bulloch County EMS and was later stable enough to return home without transport to the hospital. Appellant-Plaintiff had follow-up treatment at the Veterans Clinic in Statesboro GA and has received continuing treatment since 9/28/2015.

The current request for Interlocutory appeal and its' sister appeal case, No. A160548 result from what was later revealed to Appellant-Plaintiff to be the existence of a temporary order totally removing rights to shared-legal custody and any visitation with the two (2) minor children of the Appellant-Plaintiff by the Court allegedly made without his knowledge at the September 28<sup>th</sup>, 2015 Bulloch County hearing *Bulloch County Index item 37*.

#### Protections for the Disabled

Appellant-Plaintiff contends that he was and currently is deprived of Constitutional Rights of Due Process, Equal Access to the Courts, and Equal Participation in the Superior Courts of Bulloch and Screven County Georgia. Both Courts are branches of the Ogeechee Judicial Circuit. This case is about equality and fundamental fairness. Disabled Americans face substantial challenges as they attempt to participate in many aspects of life that we all take for granted. Participation in a legal proceeding is by nature a very tedious and stressful event. Appellant-Plaintiff is impoverished and financial realities further limit his ability to equally participate in legal proceedings. Poverty is a common reality that many disabled Americans face. (APA, 2015)

Unfair treatment of the disabled is not a recent trend. The Courts have noted a history of unfair treatment of the disabled in the legal system. In *Tennessee v. Lane*, 541 U.S. 509, 124 S. Ct. 1978, 158 L. Ed. 2d 820 (2004), the Supreme Court of the United States noted: "It is not difficult to perceive the harm that Title II is designed to address. Congress enacted Title II against a backdrop of pervasive unequal treatment in the administration of state services and programs, including systematic deprivations of fundamental rights. For example, "[a]s of 1979, most States . . . categorically disqualified 'idiots' from voting, without regard to individual capacity." The majority of these laws remain on the books, and have been the subject of legal

challenge as recently as 2001. Similarly, a number of States have prohibited and continue to prohibit persons with disabilities from engaging in activities such as marrying and serving as jurors.

The historical [\*36] experience that Title II reflects is also documented in this Court's cases, which have identified unconstitutional treatment of disabled persons by state agencies in a variety of settings, including unjustified commitment, *e.g.*, *Jackson v. Indiana*, 406 U.S. 715, 92 S. Ct. 1845, 32 L.Ed.2d 435 (1972); the abuse and neglect of persons committed to state mental health hospitals, *Youngberg v. Romeo*, 457 U.S. 307, 102 S. Ct. 2452, 73 L.Ed.2d 28 (1982); and irrational discrimination in zoning decisions, *Cleburne v. Cleburne Living Center, Inc.*, 473 U.S. 432, 105 S.Ct. 3249, 87 L.Ed.2d 313 (1985). The ADA was enacted to “provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities” *Henrietta D. v. Bloomberg*, 331 F. 3d 261, 282 (2<sup>nd</sup> Cir. 2003)

Notably, these decisions also demonstrate a pattern of unconstitutional treatment in the administration of justice” 541 U.S. at 525. “Persons with mental disabilities have been subject to historic mistreatment, indifference, and hostility.” *Alexander v. Choate*, 469 U.S. 287, 295 n.12 (1985)

Congress recognized the difficulties that the handicapped faced and responded by enacting several Federal laws granting legal protections against discrimination on the basis of handicap or disability. The pertinent laws and regulations are found under Title II of the Americans with Disabilities Act (ADA), 42 U.S.C. 12101 et seq., Section 504 of the Rehabilitation Act, 29 U.S.C. 794, and their implementing regulations.

## The Americans with Disabilities Act of 1990

The Americans with Disabilities act of 1990 (ADA) states that “[N]o qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” *At 42 U.S.C. 12132*. Any part or other instrumentality of a State or local government is a public entity. The Superior Courts of Bulloch and Screven Counties are part of the Ogeechee Judicial Circuit. The Ogeechee Judicial Circuit is a public entity. Honorable Judge John R. Turner, acting in his capacity as Judge of the Ogeechee Judicial Circuit is an agent of the Ogeechee Judicial Circuit.

The ADA sets forth standards for proving a *prima facie* case of discrimination. In general, to state a *prima facie* claim for discrimination under the ADA, a plaintiff must show:

(1) that he is a qualified individual within the meaning of the ADA; (2) that he is being excluded from participation in, or being denied benefits of, services, programs, or activities for which the public entity is responsible, or is otherwise being discriminated against by the public entity; and (3) that such exclusion, denial of benefits, or discrimination is by reason of his disability.

The ADA standards have been upheld by the Appellate Courts. *Melton v. Dallas Area Rapid Transit*, 391 F.3d 669, 671-72 (5<sup>th</sup> Cir. 2004), *cert. denied*, 544 U.S. 1034, 125 S. Ct. 2273, 161 L. Ed. 2d 1061 (2005). The best way to analyze the ADA is to examine each of the three (3) parts listed above separately.

The **first** prong of the three part test is that the Appellant-Plaintiff must be a “qualified individual”. A “qualified individual” is one who (i) has a physical or mental impairment which substantially limits one or more of such person’s major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment. *Id.* 29 U.S.C. § 706(7)(B)

Appellant-Plaintiff has a total of twenty (20) different documented physical and mental health conditions that are currently being treated. Thirteen (13) of his conditions dramatically limit life activities and are documented by the Social Security Administration, the Department of Veterans Affairs, and multiple civilian physicians. The thirteen (13) conditions are protected under the ADA.

Appellant-Plaintiff is disabled from Post-Traumatic Stress Disorder (PTSD), Anxiety, Bi-Polar Depression, Diabetes mellitus Type II, Facets Disease, Orthostatic hypotension, Spinal-Column injuries, Attention-Deficit Hyperactivity Disorder (ADHD), Relapsing-Remitting Multiple Sclerosis, Cognitive impairment, Gastro-Intestinal dysfunction, Limited Mobility, and Asthma. The **first** prong of the ADA test is met because Appellant-Plaintiff is a “Qualified Individual” see *42 U.S.C. 12132*.

The **second** prong of the ADA test has **two** (2) sub-parts: that either the Appellant-Plaintiff is first, being excluded from participation in, or being denied benefits of, services, programs, or activities for which the public entity is responsible, or secondly is otherwise being discriminated against by the public entity.

The **first part** of the **second prong** of the ADA test requires that the agent or agency be defined as being a “public entity”. Any part or other instrumentality of a State or local government is a public entity. The Superior Courts of Bulloch and Screven Counties are part of the Ogeechee Judicial Circuit. The Ogeechee Judicial Circuit is an instrument of the State of Georgia providing civil and criminal judicial services to Bulloch, Effingham, Jenkins, and Screven Counties in the States of Georgia. By definition, the Ogeechee Judicial circuit and its’ four (4) county branches are public entities under *42 U.S.C. 12101*. The **first part** of the **second prong** of the ADA test is satisfied.

The **second part** of the **second prong** of the ADA test requires that the Appellant-Plaintiff be excluded from participation or denied the benefits of services, programs or activities for which the public entity is responsible or is otherwise being discriminated against by the public entity.

Exclusion from participation comes in several insidious forms. One of the worst forms is by hindering or even denying the ability to properly request the services from the Court to begin with. Title II of the ADA addressed the information issue by mandating the appointment of “ADA Coordinators”. If a public entity has fifty (50) or more employees, it is required to designate at least one responsible employee to coordinate ADA compliance. A government entity may elect to have more than one ADA Coordinator. Although the law does not refer to this person as an “ADA Coordinator” 28 C.F.R. pt. 35, § 35.107(a) (2005).

Superior Court Judges in Georgia are elected officials who serve as part of the Judicial Department of the State of Georgia. The Judicial Department of the State of Georgia has more than fifty (50) employees. The Ogeechee Judicial Circuit is mandated to have an ADA coordinator to assist the Circuit Courts, Judges, Litigants, and Visitors. The Ogeechee Judicial Circuit has no ADA coordinator and is in violation of Title II of the Americans with Disabilities Act of 1990.

Appellant-Plaintiff first requested Reasonable Accommodations on May 6<sup>th</sup>, 2015 by filing his Motion for Compliance with the Americans with Disabilities Act in the Superior Court of Bulloch County on May 6, 2015 *Bulloch County Index item five (5)*. Appellant-Plaintiff chose at that time to not disclose his actual disabilities due to the belief that the information was protected health care information and that Honorable Judge John R. Turner would schedule a hearing where the conditions and possible accommodations could be discussed under seal.

Appellant-Plaintiff responsibly submitted his request for Reasonable Accommodations near the beginning of the case. *Bulloch County Index item five (5)*. Appellant-Plaintiff preserved his ADA rights by submitting his Motion for Compliance with the ADA. Requesting Reasonable Accommodations during the early stages of a legal action has been ruled to be especially compelling as in other cases involving claims of a failure to accommodate disabled persons *Randolph v. Rodgers*, 170 F.3d 850, 858 (8<sup>th</sup> Cir.1999).

Appellant-Plaintiff made diligent attempts to find information on the proper way to request Reasonable Accommodations for his disabilities in the Ogeechee Judicial Circuit and found no information. Information requests were made to the offices of the Clerks of the Superior Courts of Bulloch and Screven County and no information was available. Appellant-Plaintiff filed the Motion for Compliance with the ADA as a last-ditch effort to obtain assistance and accommodations appropriate to his disabilities. Appellant-Plaintiff eventually located an ADA handbook online published by the Administrative Office of the Georgia Courts (AOGC).

Appellant-Plaintiff asserts that state of “willful indifference” towards the rights of the disabled exists in the Superior Courts of the Ogeechee Judicial Circuit. The Court in the Canton case stated that “The act of willful indifference created by failing to create a policy regarding reasonable accommodations amounts to a failure to protect constitutional rights”. 954 F.2d at 1474 (citing *City of Canton v. Harris*, 489 U.S. 378, 388, 103 L. Ed. 2d 412, 109 S. Ct. 1197 (1989)); *see also Monell*, 436 U.S. at 690-91.

Chief Judge William E. Woodrum Jr, has responsibility for ensuring ADA compliance by the Ogeechee Judicial Circuit to include responsibility for ensuring that all Circuit personnel are properly trained on the compliance mandates of the ADA. Each Superior Court Judge has shared

and individual responsibility for ADA compliance in cases assigned to them, that staff related to the hearing are properly trained on the compliance mandates of the ADA, and that the courtrooms themselves are compliant with ADA mandates.

When the Superior Court Judge assigned to a particular case receives a request related to the ADA and/or reasonable accommodations, the Judge has a “duty” to (1) familiar with the requirements of the ADA, and (2) make all efforts to determine what Reasonable Accommodations are needed by the requesting party and how the Reasonable Accommodations will be provided prior to the first formal case hearing.

A choice does not necessarily have a decision to do something. A choice to do nothing is also a choice. The legal term is “Duty to Act.” Honorable John R. Turner “willfully” chose to do nothing to ensure compliance with the ADA requirements and made neither inquiry nor effort to provide any reasonable accommodations to Appellant-Plaintiff. “Willful” Indifference to the disabilities and needs of the disabled Appellant-Plaintiff created a barrier to Due Process, Equal Access, and Equal Participation for the Appellant-Plaintiff and culminated in the medical emergency that occurred during the September 28<sup>th</sup>, 2015 hearing.

Circuit Court Judges have many responsibilities related to their position as Superior Court Judge. One extremely important task is the obligation to review motions and to schedule any appropriate hearings related to the motions and provide direction as to what and how any requested assistance or legal privileges are to be accomplished. Honorable John R. Turner is responsible for reviewing and evaluating the Appellant-Plaintiff’s Reasonable Accommodations motion.

The bottom line is that Appellant-Plaintiff was “excluded” from being able to equally and fairly participate in the legal proceedings in Bulloch County Case SUISTR177T and was unfairly denied receipt of the “Equal” benefits of the Georgia Judicial System.

The **second prong** of the **second part** of the ADA test is satisfied.

This leaves the **third prong** of the ADA test. The third and final prong of the ADA test is that the exclusion, denial of benefits, or discrimination is by reason of his disability. As previously noted, Appellant-Plaintiff has thirteen (13) protected disabilities. The disabilities each have distinct conditions and effects that limit the Appellant-Plaintiff’s ability to participate in both basic life activities and especially in particularly stressful activities such as courtroom proceedings.

Appellant-Plaintiff due to the effects of several of his known disabilities suffered a medical emergency during the September 28<sup>th</sup>, 2015 hearing. Typical litigants do not ask for reasonable accommodations, and most litigants either do not suffer from or declare the existence of disabilities and that by being a disabled litigant who needed and requested reasonable accommodations was discriminated against.

The **third prong** of the ADA is met.

Appellant-Plaintiff is also protected from discrimination by the Rehabilitation act of 1973.

## Section 504 of the Rehabilitation Act of 1973 (“504”)

The Rehabilitation Act was the “first major federal statute designed to protect the rights of . . . the handicapped people of this country.” *Smith v. Barton*, 914 F.2d 1330, 1338 (9<sup>th</sup> Cir. 1990); *see also Consol. Rail Corp. v. Darrone*, 465 U.S. 624, 626, 104 S. Ct. 1248, 79 L. Ed. 2d 568 (1984) (describing the Act as “a comprehensive federal program aimed at improving the lot of the handicapped”).

Although the Rehabilitation Act provides for many of the same protections as the ADA there are distinct differences. One difference is that the Rehabilitation Act does not require the Appellant-Plaintiff to show that the acts of discrimination were or are intentional or deliberate. The Ninth Circuit Court of Appeals ruled in *Mark H. v. Lemahieu*, 513 F.3d at 936 that “§ 504 by itself prohibits actions that deny disabled individuals “meaningful access” or “reasonable accommodation” for their disabilities....the standard may be met by showing “deliberate indifference”, and not only by showing “discriminatory animus”.

Another important difference is that the Rehabilitation Act creates a private right of action for individuals subjected to disability discrimination by any program or activity receiving federal financial assistance. *Kling v. Los Angeles County*, 633 F.2d 876, 878 (9<sup>th</sup> Cir. 1980). The Rehabilitation Act is also much more expansive in scope than the Americans with Disabilities Act (ADA).

The basis for the private right of action for individuals is found in U.S. Const. art. I, § 8, cl. 1. [\*\*9] *See* 29 U.S.C. § 794(a) (regulating “any program or activity receiving Federal financial assistance”); *Constantine v. Rectors and Visitors of George Mason Univ.*, 411 F.3d 474, 491 (4<sup>th</sup> Cir. 2005) (explaining that § 504 of the Rehabilitation Act “ ‘invokes Congress’ power under the Spending Clause to place conditions on the grant of federal funds.’ “ (quoting *Barnes v. Gorman*,

536 U.S. 181, 186, 122 S. Ct. 2097, 153 L. Ed. 2d 230 (2002))) (citation omitted); *see also Barnes*, 536 U.S. at 189-90 & n.3.

Appellant-Plaintiff must meet several conditions to prevail with his claim under the Rehabilitation Act. The **First** Condition is that accused must be a recipient of Federal Funds. The Ogeechee Judicial Circuit and its's Superior Courts are part of the Judicial Branch of Georgia. In fiscal year 2014 alone, the Judicial Branch of Georgia received and distributed over \$2.5 million dollars in federal funding to the various courts and programs in Georgia. (2014 Budget) The **First** Condition is met.

The **Second** condition is that the accused must be a "State instrumentality".

The Rehabilitation Act defines "program or activity" as all of the operations of state instrumentalities, colleges and universities, local education agencies, and an entire corporation, partnership, or other private organization, or an entire sole proprietorship. The coverage is for all of the operations of covered entities, not solely those related to employment. 29 U.S.C.S. § 794(b). The Ogeechee Judicial Circuit and its' member Superior Courts are parts of the Judicial System of Georgia and are by nature "instrumentalities" of the State of Georgia. The **second** condition is met.

The **third** condition is that the complaining individual must be a "qualified disabled individual". The Rehabilitation Act prohibits otherwise qualified disabled individuals from being treated less favorably than nondisabled individuals. *See Johnson by Johnson v. Thompson*, 971 F.2d at 1494. An otherwise qualified individual with a disability is "any person who (A) has a physical or mental impairment which substantially limits one of more of such person's major life activities, (B) has a record of such an impairment, or is regarded as having such an impairment"

The Rehabilitation Act defines major life activities as including: "caring for one's self, walking, seeing, hearing, speaking, breathing, working, performing manual tasks, and learning". Appellant-Plaintiff as noted previously, has a total of twenty (20) conditions, thirteen (13) of which are disabling. Each of the thirteen (13) disabling conditions are covered under the Rehabilitation Act. Finally, The Appellant-Plaintiff has extensive documentation of each disabling condition received from the Social Security Administration and the Department of Veteran's Affairs Medical Programs as well as from numerous prior civilian providers. The **third** condition is met. Appellant-Plaintiff is protected by the Rehabilitation Act.

#### Deprivation of Familial Association

One of the most fundamental of all Rights is the Right to Familial Association. A parent has a "fundamental liberty interest" in "the companionship and guidance of his children". The importance and rational basis for the existence of fundamental rights to "Familial Association" are specifically mentioned in multiple Supreme Court rulings. One instance is where the Court stated that "The fundamental liberty interest in being a parent to ones' own children is sufficient to invoke due process protections". *Mathews v. Eldridge*, 412 U.S. 319, 96 S. Ct. 893, 47 L. Ed 2d 18 (1976); *Goldberg v. Kelly*, 397 U.S. 254, 261-62, 90 S. Ct. 1011, 1017, 25 L. Ed. 2d 287 (1970). See also *Schweiker v. McClure*, 456 U.S. 188, 102 S. Ct. 1665, 1671, 72 [\*\*23] L. Ed. 2d 1 (1982); *Troxel v. Granville*, 500 U.S. 57, 12 S. Ct 2054, 147 L. Ed 2d 49 (2000); *Washington v. Glucksberg*, 521 U.S. 702, 719 (1997); *Meyer v. Nebraska*, 262 U.S. 390, 399, 401 (1923)

Substantive due process analysis is appropriate in cases in which the government arbitrarily abuses its power to deprive individuals of constitutionally protected rights. Even if there is a

deprivation, the Court must also ask whether the governmental action was rationally related to a legitimate governmental interest. *See Simi Inv. Co.*, 236 F.3d at 249. Therefore, reliance on substantive due process must be taken with the utmost care. *Collins v. City of Harker Heights*, 503 U.S. 115, 125, 112 S. Ct. 1061, 117 L. Ed. 2d 261 (1992).

Appellee-Defendant through counsel filed a Motion for Modification of Child Custody in the Superior Court of Screven County on September 24<sup>th</sup>, 2015 *Screven County Index pages 10-40*. The case is numbered as 1S15DR091T. One provision of the filing sought the combination of Screven County Case 1S15DR091T with our current case, Bulloch County Motion for Modification of Child Support case SUISTR177T.

Appellant-Plaintiff objected during the September 28<sup>th</sup>, 2015 hearing in case SUISTR177T to the merger of the two (2) separate cases on several grounds. First, O.C.G.A § 9-11-12 (a) states that “(a) When answer presented. A defendant shall serve his answer within 30 days after the service of the summons and complaint upon him, unless otherwise provided by statute. A cross-claim or counterclaim shall not require an answer, unless one is required by order of the court, and shall automatically stand denied”.

Appellant-Plaintiff asserted his objection to the merger of the two cases and Honorable Robert J. Turner overruled the objection. O.C.G.A. 9-11-12(a) granted the Appellant-Plaintiff the right under statutory authority to have until October 24<sup>th</sup>, 2015.

Honorable Robert J. Turner deprived the Appellant-Plaintiff of his right to Due Process in multiple ways. **First**, Appellant-Plaintiff was deprived of adequate time to file a Motion for Reasonable Accommodations for Screven County case combining the two (2) cases before the expiration of the time allowed under 9-11-12(a). Denial of sufficient time to even consider what

reasonable accommodations might be needed before preparing and submitting a formal request for Reasonable Accommodations also violates the ADA.

The **second** deprivation of Due Process occurred when the two cases were merged without statutorily mandated time depriving Appellant-Plaintiff of sufficient time to adequately prepare to defend himself from a new course of action. Appellant-Plaintiff faced a hearing on the merits of Bulloch County case SUISTR177T. Appellant-Plaintiff is disabled and three of his significant disabilities are Attention-Deficit Hyperactivity disorder, Cognitive Impairment, and Multiple Sclerosis. Multiple Sclerosis by definition is brain-damage. Appellant-Plaintiff requires more time to focus on and complete tasks and only having four (4) days to prepare a defense for a second case while already under intense pressure in the already scheduled case deprived Appellant-Plaintiff of the ability to Fair and Equal participation in both Bulloch County case SUISTR177T and Screven County case 1S15DR091T.

In our present case, Appellee-Defendant and counsel were properly served and in possession of both the initial Motion for Modification of Child Support and the subsequent Motion for Compliance with the ADA and despite having actual knowledge and possession of the filings denied that Appellant-Plaintiff was disabled and failed to make any inquiries through Discovery or other means at all.

Appellee-Defendant and Counsel instead chose to become disabled themselves. Their shared disability is known as "Willful Blindness". The United States Supreme Court recently addressed "Willful Blindness" in *Shelton v. United States*, 2013 U.S. Dist. LEXIS 180034 In particular, the Court points to a treatise from 1961 which states that "[a] court can properly find willful blindness only where it can almost be said that the defendant actually knew." *Global-Tech*, 131 S. Ct. at 2071 (quoting *G. Williams, Criminal Law* § 57, p. 159 (2d ed. 1961).

Additionally, the Court cites a Ninth Circuit decision from 1976 in support of the proposition that "[i]t is also said that persons who know enough to blind themselves to direct proof of critical facts in effect have actual knowledge of those facts." *Id.* at 2069 (citing *United States v. Jewell*, 532 F.2d 697, 700 (9th Cir. 1976) (en banc)).<sup>2</sup> These are two formulations of the same standard, i.e. that willful blindness is a legally sufficient substitute for actual knowledge, and they have been around for decades. Indeed, the language [\*13] Shelton relies on is taken almost word-for-word from the 1961 treatise. Thus, the court finds that the discussion of the willful blindness standard in *Global-Tech* is merely a recitation of a long-standing principle, and makes no changes in the formulation of the willful blindness doctrine.

The **third** deprivation of Due Process to the Appellant-Plaintiff is due to denial of proper and sufficient time to (1) consider the motive for the untimely filing of the Screven County case, and (2) that the motive actually was an act of deception to deny Appellant-Plaintiff the right to challenge the legal venue for hearing a Modification of Child Custody case in the Superior Court of Bulloch County.

A rational first tendency would be to state that Appellant-Plaintiff waived the defense of venue by not raising the issue when Appellee-Defendant initially filed her Answer. "Under OCGA § 9-11-12 (b) the defenses of insufficient service, lack of personal jurisdiction [,] and improper venue must be raised before or at the time of pleading. Failure to raise these defenses either in the answer or by motion filed before or simultaneously with the answer constitutes a waiver of these defenses." (Citations and punctuation omitted.) *Whitley v. Hsu*, 260 Ga. 539, 397 SE2d 694, See also O.C.G.A. § 9-11-12 (h); *Burnett v. McCarter*, 211 Ga.App. 781, 782, 440 Se2d 488 (1994); *Echols v. Dyches*, 140 Ga. App 191, 230 Se2d 315 (1976).

Appellant-Plaintiff however is not required to file an answer to Appellee-Defendant's counterclaim. A cross-claim or counterclaim shall not require an answer, unless one is required by order of the court, and shall automatically stand denied. O.C.G.A. § 9-11-12 (a). Appellant-Plaintiff had no objection to venue in his own original filing of his Motion for Modification of Child Support in Bulloch County case SUISTR177T. The Superior Court of Bulloch County is the proper venue for a Modification of Child support. [T]he language of O.C.G.A. § 19-9-23 is clear, unequivocal, and mandatory and therefore a counterclaim seeking a change of custody in an action brought by the custodial parent in the county of the noncustodial parent is improper because (1) it is not a separate action and (2) it is not brought in the county of the custodial parent's residence. Proper venue for a Modification of Child Custody however is in Screven County. *Colbert v. Colbert*, 321 Ga. App. 841; 743 S.E.2d 505; 2013 Ga. App. LEXIS 419; 2013 Fulton County D. Rep. 1621. Honorable John R. Turner committed reversible error.

The true situation is that there was no urgent pressing matter that required an immediate decision on the issue of child custody. The merger of the two cases failed to follow any type of process consistent with constitutional law and conditions in either of the two cases. *Hagar v. Reclamation Dist.*, 111 U.S. 701, 708 (1884).

"Due process of law is [process which], following the forms of law, is appropriate to the case and just to the parties affected"; It must be pursued in the ordinary mode prescribed by law; it must be adapted to the end to be attained; and whenever necessary to the protection of the parties, it must give them an opportunity to be heard respecting the justice of the judgment sought. Any legal proceeding enforced by public authority, whether sanctioned by age or custom or newly devised in the discretion of the legislative power, which regards and preserves these principles of liberty and justice, must be held to be due process of law." *Id.* at 708; *Accord*,

*Hurtado v. California*, 110 U.S. 516, 537 (1884). *Hagar v. Reclamation Dist.*, 111 U.S. 701, 708 (1884). "Due process of law is [process which], following the forms of law, is appropriate to the case and just to the parties affected.

The last minute filing of Screven County case 1SDR091T by Appellee-Defendant was a deliberate act. The filing was signed by legal counsel prior to its' filing. The last minute filing made neither claim to urgency nor claim to judicial efficiency. The Merger in actually completely isolated Appellant-Plaintiff from his two (2) minor ages 9 and 12. The last minute act without adequate justification was an act of malice devised to deprive the Appellant-Plaintiff of his rights to Due process. The merger is barred under the doctrine of "unclean hands".

At face value to someone unfamiliar to Appellant and Appellee, the last minute filing was an act seeking equity in that the merger would save the Appellee-Defendant the additional time and expense required by separate proceedings. This however is not the case.

The last minute filing by Appellee-Defendant was unjustified. "As a general rule, equity will not grant relief to a party who comes into court with unclean hands, or is guilty of an illegal or immoral act (Code §§ 37-104, 37-112) O.C.G.A. §§ 23-1-7 et seq. This principle forms the basis for the unclean hands doctrine, which "closes the doors of a court to one who is tainted relative to the matter in which he seeks relief, however improper may have been the behavior of the defendant." (*Id.*, citing *E.E.O.C. v. Recruit U.S.A., Inc.*, 939 F.2d 746, 752 (9th Cir. 1991).)

The "unclean hands" doctrine stands for the principle that a guilty plaintiff does not deserve the benefits of equitable balancing. *See Kendall-Jackson Winery, Ltd. v. Superior Court*, 76 Cal. App. 4th 970, 978, 90 Cal. Rptr. 2d 743 [\*10] (1999.) "The doctrine demands that a plaintiff act fairly in the matter for which he seeks a remedy. He must come into court with

clean hands, and keep them clean, or he will be denied relief, regardless of the merits of his claim." *Id.*

An act of "unclean hands" close[] the doors of a court to one who is tainted relative to the matter in which [\*12] he seeks relief, however improper may have been the behavior of the defendant." (Memo at 3, citing *Recruit*, 939 F.2d at 752.) Appellee-Defendant is not entitled to the relief provided by the deprivation of Appellant-Plaintiff's fundamental rights to Due Process and Familial Association.

Furthermore, Appellee-Defendant and her legal counsel were well acquainted with the fact that the Appellant-Plaintiff was disabled and potentially could potentially require Reasonable Accommodations. Appellee-Defendant gained actual knowledge that Appellant-Plaintiff had a disability that would progressively while still married to Appellant-Plaintiff in June 2007 when Appellant-Plaintiff lost eyesight in one of his eyes and was diagnosed with Multiple Sclerosis.

Appellee-Defendant gained further knowledge that that Appellant-Plaintiff was disabled in 2011 when Appellant-Plaintiff successfully filed a Motion for Downward-Modification of Child Support Due to the progression of the Appellant-Plaintiff's disabilities from being partially disabling to totally disabling. Since the 2011 filing, Appellee-Defendant and current counsel have both had multiple opportunities to submit discovery requests for any medical records related to Appellant-Plaintiff's disabilities and have never requested discovery.

In our present case, Appellee-Defendant and counsel were properly served and in possession of both the initial Motion for Modification of Child Support and the subsequent Motion for Compliance with the ADA and despite having actual knowledge and possession of the filings denied that Appellant-Plaintiff was disabled and failed to make any inquiries through Discovery

or other means at all. The only filing made related to Discovery by Appellee-Defendant was her Discovery response filed on

Appellee-Defendant and Counsel instead chose to become disabled themselves. Their shared disability is known as "Willful Blindness". The United States Supreme Court recently addressed "Willful Blindness" in *Shelton v. United States*, 2013 U.S. Dist. LEXIS 180034 In particular, the Court points to a treatise from 1961 which states that "[a] court can properly find willful blindness only where it can almost be said that the defendant actually knew." *Global-Tech*, 131 S. Ct. at 2071 (quoting G. Williams, *Criminal Law* § 57, p. 159 (2d ed. 1961)).

Additionally, the Court cites a Ninth Circuit decision from 1976 in support of the proposition that "[i]t is also said that persons who know enough to blind themselves to direct proof of critical facts in effect have actual knowledge of those facts." *Id.* at 2069 (citing *United States v. Jewell*, 532 F.2d 697, 700 (9th Cir. 1976) (en-banc)).<sup>2</sup> These are two formulations of the same standard, i.e. that willful blindness is a legally sufficient substitute for actual knowledge, and they have been around for decades. Indeed, the language [\*13] *Shelton* relies on is taken almost word-for-word from the 1961 treatise. Thus, the court finds that the discussion of the willful blindness standard in *Global-Tech* is merely a recitation of a long-standing principle, and makes no changes in the formulation of the willful blindness doctrine.

The filing of the Screven County case has back-fired at this point by the revelation of unethical intent to deprive Appellant-Plaintiff of another legal right. Screven County case 1S15DR091T was filed in attempt to deprive Appellant-Plaintiff of the Constitutional right to have a Modification of Child Custody heard in an appropriate venue.

First tendency would be to state that Appellant-Plaintiff waived the defense of venue by not raising the issue when Appellee-Defendant initially filed her Answer. "Under OCGA § 9-11-12 (b) the defenses of insufficient service, lack of personal jurisdiction [,] and improper venue must be raised before or at the time of pleading. Failure to raise these defenses either in the answer or by motion filed before or simultaneously with the answer constitutes a waiver of these defenses." (Citations and punctuation omitted.) *Whitley v. Hsu*, 260 Ga. 539, 397 SE2d 694, See also O.C.G.A. § 9-11-12 (h); *Burnett v. McCarter*, 211 Ga.App. 781, 782, 440 Se2d 488 (1994); *Echols v. Dyches*, 140 Ga. App 191, 230 Se2d 315 (1976).

Appellant-Plaintiff however is not required to file an answer to Appellee-Defendant's counterclaim. A cross-claim or counterclaim shall not require an answer, unless one is required by order of the court, and shall automatically stand denied. O.C.G.A. § 9-11-12 (a). Appellant-Plaintiff had no objection to venue in his own original filing of his Motion for Modification of Child Support in Bulloch County case SUISTR177T. The Superior Court of Bulloch County is the proper venue for a Modification of Child support.

[T]he language of O.C.G.A. § 19-9-23 is clear, unequivocal, and mandatory and therefore a counterclaim seeking a change of custody in an action brought by the custodial parent in the county of the noncustodial parent is improper because (1) it is not a separate action and (2) it is not brought in the county of the custodial parent's residence. Proper venue for a Modification of Child Custody however is in Screven County. *Colbert v. Colbert*, 321 Ga. App. 841; 743 S.E.2d 505; 2013 Ga. App. LEXIS 419; 2013 Fulton County D. Rep. 1621

## Creational of a Constitutional Tort

The failure to even consider providing reasonable accommodations amounts to the creation of a cause of action under "Constitutional Tort Theory". A constitutional tort is any action for damages for violation of a constitutional right against a government or individual defendants. Constitutional tort claims were first recognized after the Civil War when Congress authorized civil damage actions against those "who, under color of" State law or custom, have deprived others of constitutional rights (Act of Apr. 20, [\*178] 1871, ch 22, § 1, 17 US Stat 13).

Those statutes, now codified in 42 USC § 1981 remained relatively until the 1961 decision of the Supreme Court in *Monroe v Pape* (365 US 167). In *Monroe*, the Court held that *HN2* a plaintiff whose constitutional rights have been infringed by one acting under color of State law can bring a Federal action under section 42 U.S.C. 1983 even where the State provides an adequate remedy at common law (*but see*, Whitman, *Constitutional Torts*, 79 Mich L Rev 5, 8).  
42 U.S.C. § 1983

## Civil Rights

Appellant-Plaintiff also has federally protected cause of action due to deprivation of "Civil Rights". Civil Rights are protected under 42 U.S.C. § 1983. §1983 states that "Every person who under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, Suit in equity, or other proper proceeding for redress". In order to state a claim under 42 U.S.C. § 1983, the plaintiff must establish the following elements: (1) conduct attributable at least in part to a person acting under color of state law; and (2) deprivation, as the result of the

challenged conduct, of a right, privilege, or immunity secured by the Constitution or laws of the United States. *Dwares v. City of New York*, 985 F.2d 94, 98 (2d Cir. 1993). Section 1983 "is not itself a source of substantive rights," but merely provides "a method for vindicating federal rights elsewhere conferred." *Graham v. Connor*, 490 U.S. 386, 393-94, 109 S. Ct. 1865, 104 L. Ed. 2d 443 (1989) (quoting *Baker v. McCollan*, 443 U.S. 137, 144, n. 3, 99 S. Ct. 2689, 61 L. Ed. 2d 433 (1979)). The ADA and the Rehabilitation Act are conferred federal rights.

§1983 was intended to create "a species of tort liability" in favor of persons deprived of their constitutional rights (*see, Carey v Piphus*, 435 US 247, 253 [quoting *Imbler v Pachtman*, 424 US 409, 417]). Both the ADA and the Rehabilitation invoke constitutional privileges and the violation of either thus is a "Constitutional Tort".

Appellant –Plaintiff has legal protections under the Eighth Amendment to the United States Constitution, and Paragraph I, Section III of the Georgia State Constitution. "The denial of the constitutional rights of Due process, Equal access to and participation in the legal system, and the failure to provide reasonable accommodations also are in violation to the Eighth Amendment to the United States Constitution", 42 U.S.C. § 1983 and Paragraph I, Section III of the Georgia State Constitution. *Livadas v. Bradshaw*, 512 U.S. 107, 132, 114 S. Ct. 2068, 129 L. Ed. 2d 93 (1994)

In *Flagg Bros., Inc.* the Supreme Court reaffirmed the application of the Eighth Amendment in finding that "To state a claim under § 1983, a plaintiff must allege facts that show (1) deprivation of a right secured by the Constitution and the laws of the United States; and (2) the deprivation occurred under color of state law". *Flagg Bros., Inc. v. Brooks*, 436 U.S. 149, 155, 98 S. Ct. 1729, 56 L. Ed. 2d 185 (1978); *Bass v. Parkwood Hosp.*, 180 F.3d 234, 241 (5th Cir.

1999). In the present action, the Appellant was deprived of the rights to Due Process, Equal Access, and Equal Protection under the law.

### SUMMATION

Appellant-Plaintiff Gordy, a father, and a disabled American Veteran, was discriminated against. He was deprived of his rights to a fair hearing from the beginning when the Superior Court of Bulloch County ignored requests for reasonable accommodations. Appellant-Plaintiff Gordy was deprived of his rights to Due Process and Equal treatment under the law when the Superior Court ignored his motions and denied his basic rights to participate in the Discovery process although opposing counsel and the non-parties never filed any objections to the requested items.

The ultimate disrespect to Appellant-Plaintiff Gordy was the Deprivation of his rights to previously granted shared-legal custody and access to his two (2) minor children without any semblance of due process of law. Appellant-Plaintiff Gordy has neither seen nor spoken with either of the two children since September 20<sup>th</sup>, 2015. He has missed Thanksgiving and birthdays all as a result of the denial of his rights. Appellant-Plaintiff therefore seeks justice in the form of restoration of his rights, a reversal of the temporary order, an order to force ADA compliance, and re-compensation for lost visitation time with his children.

Appellant-Plaintiff Gordy request only two major things from the Court of Appeals of Georgia in this case and sister case A160548. Appellant-Plaintiff first seeks reversal of Bulloch County temporary Modification of Custody order with restoration of fully shared-legal custody and visitation with some recompense for missed visitation time with his children, and secondly,

that Appellant-Plaintiff Gordy and all other similarly situated disabled individuals be treated fairly and equitably in the Ogeechee Judicial Circuit.

Appellant-Plaintiff recommends Mandatory Accredited training of the Americans with Disabilities Act of 1990, The Rehabilitation Act of 1973, and Fundamental Civil Rights of the Disabled for the Judges and Staff of the Ogeechee Judicial Circuit to include the staff of the respective Offices of the Clerks of Superior Court. Appellant-Plaintiff requests that assistance be sought from the United States Department of Justice, ADA section to monitor and ensure compliance and that results be published in visible locations in each Court room and County Clerk Office.

Appellant-Plaintiff also recommends enforcement of the provisions of the American's with Disabilities act of 1990 that mandate the appointment of an "ADA" coordinator for the Ogeechee Judicial Circuit who has clearly defined rules and responsibilities and that the existence and role of the ADA coordinator be provided to every litigant appearing in the Ogeechee Judicial Circuit.

Appellant-Plaintiff Gordy is entitled to a new hearing on the issue of the downward Modification of Child Support due to irreparable prejudice created by the current discrimination and civils rights actions.

Appellant-Plaintiff Gordy is entitled to a Court certified transcript of the Bulloch County case and certified copies of all filings in SUISDR177T at no cost to himself as the possibility of future litigation related to this case. It would appropriate for Appellee-Defendant and her counsel pay for this documentation.

Respectfully filed, this the 2<sup>nd</sup> day of December, 2015

No. A160548

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IN THE COURT OF APPEALS OF GEORGIA

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DOUGLAS ROBERT GORDY,

Plaintiff-Appellant

v.

MARTHA ISABEL LAINES,

Defendant-Appellee

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ON APPEAL FROM THE SUPERIOR COURT OF BULLOCH COUNTY  
OGEECHEE JUDICIAL CIRCUIT

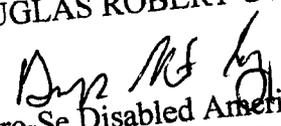
SUISDR177T

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SIGNATURE PAGE OF APPELLANT-PLAINTIFF'S BRIEF

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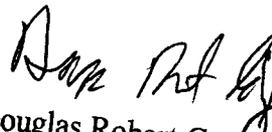
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CERTIFICATE OF SERVICE

Appellant-Plaintiff certifies that I have this day served the Appellee-Defendant in the foregoing matter with a copy of the Brief of Appellant by depositing a copy of the same in the United States Mail with adequate postage thereon and addressed to legal Counsel for Appellee-Defendant to the following address:

April R. Stafford  
117 South Zetterower Avenue  
Statesboro GA 30458

This the <sup>4th</sup> 2<sup>nd</sup> day of December, 2015.



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This the 2nd day of December, 2015

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