

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

December 28, 2015

To: Mr. Johnnie Hobbs, GDC1126998, 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 Johnnie Hobbs. 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. We do not have a file to append your copy.
- 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. The mailing address for the Supreme Court of Georgia is: 244 Washington Street, S.W., Suite 572, Atlanta, Georgia 30334.
- 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.

STATE OF GEORGIA GLYNN COUNTY

V.

Johnnie Hobbs

Case Number 1200-560-063

leg

To Court of Appeals of Georgia

The Narcotics Enforcement team lied under

oath to a Judge to get a no knock search warrant

and they also lied again under oath about the

affiant states the affiant observed the CI enter

into the above described location, the affiant

observed the CI enter into the above described location the

affiant observed the CI making the box a short time later

the affiant observed the CI leaving the residence and but

when we went to trial the narcotics changed their story they

~~changed~~ ^{changed} their statement under oath he said he did not

observe the CI enter into the residence or leaving

or make a box. They also stated that I had a violent history.

I never had a violent change on my case record contends that the court

erred in finding that the information in the affidavit was

insufficient to justify the no knock provision we discern

no error and affirm in reviewing a trial court ruling on a

motion to suppress, we construe the appellate review in my case

The District Attorney call the owner of the house in the middle of trial

when she said me win my trial and told him they was going to charge

him with the narcotic so he came to court real upset at me

and lied to the jury and the judge and told his testify under oath

that my name was on the lessee of that house. A power have the real

proof that my name never was on the house the jury believe the and

find me guilty of all charges unavailable to give testimony at

trial the trustworthiness of the hearsay he ~~failed~~ failed

to tell the truth unlawful credibility of witnesses

2pg

They also said I had guns in the house so they can get the no knock search warrant and they said I had cocaine in the house they did not find anything they said was in the residence they told several the affidavit failed to provide any evidence that the search warrant is no good then in violation of my rights under the fourth, fifth, sixth and fourteenth Amendment to the United State Constitution and Article for the Appeal Argument And Citation to Authority Lack of probable cause for Warrantless Arrest Chain of custody of the suspected Drugs Fruit of the Poisonous Tree⁹⁹ and Exclusionary Rule 25 Violation my Attorney did not failed anything^{of} the motion I Ask him to put in motion for new Trial motion for asserted that the Trial Judge had a Conflict of interest since he had served as the district attorney and 2002 and 2007 and 2009 when appellant recidivist and his right to due process was violated when the trial Judge failed to disclose and ~~disqualify him~~ ^{OR} disqualify him self for an apparent conflict of interest A fifth enumeration has been preserved for Appellate Review. Blanket averments in warrant affidavit were insufficient to justify no knock provision in search warrant and information in warrant affidavit did not give rise to reasonable belief that drug suspect had been engaged in felony drug trade the affidavit failed to provide any in regarding the reliability of the anonymous source and deed the agents failed to obtain any evidence that the drug suspect had conducted drug sales during their ~~investigation~~ investigation surveillance of the residence more importantly there was no report that a weapon was present in the residence. my attorney misrepren me on my case He just take money.

§19.25 Judgments, but when reputation evidence is offered to prove that the
 (1) reputed facts are true it is hearsay and inadmissible unless it qualifies
 under one of several limited exceptions.

§19.23 (2) The law rejects this approach, preferring a de novo presentation of evidence
 and finding in each new case nor may the prosecution use a defendant's
 prior conviction to prove similar transaction evidence. If a similar
 transaction is admissible the prosecution must present competent
 proof of that transaction at trial.

7. see §13.3 (3) above for discussion of permissible scope of cross examination, several
 cases have held that a police officer may be cross examined as to his
 testimony being in conflict with the information in the police report even
 though the report was not prepared by the officer not admissible in
 evidence. §16.8

shown beyond a reasonable doubt that the defendant knowingly possessed
 the contraband or shared possession or control with another person and
 helped or procured the other person in possessing and having control
 of the contraband. Johnny Hobbs v State, 130 Ga App. 634, 636 §2.76.20

(5) (a) Except as authorized by this article, it is unlawful for any person
 to purchase, possess, or have under his control any controlled
 substance. 16-13-30. Purchase, possession

(6) circumstances, in fact the witnesses did not testify at all regarding
 the execution of the warrant. And **968 in state v. Ballew
 290 Ga App. 751, 754, 660 SE.2d 732 2008 cited by the state we
 expressly declined to address the issue of a flawed no knock
 warrant because the entry was lawful on this case, however
 does not show that the officers knocked and announced their
 presence for these reasons, the trial court's grant of appellee's
 motion to suppress was not clearly erroneous and we therefore affirm the
 judgment of the trial court. Judgment affirmed less advisable.

IN THE SUPERIOR COURT OF GLYNN COUNTY

STATE OF GEORGIA

STATE OF GEORGIA,

v.

JOHNNIE LEROY HOBBS,

Defendant.

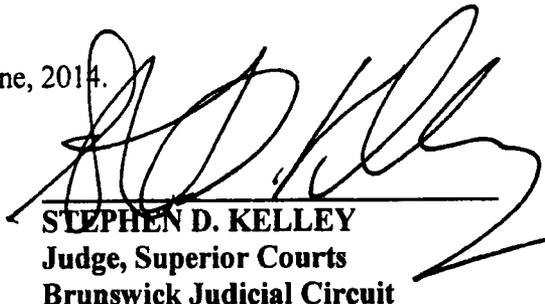
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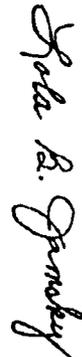
CASE NO. CR-1200669-063

ORDER

An indigent defendant is not entitled to transcripts and other court records at public expense for the purpose of seeking post-conviction relief without a showing of necessity or justification. At a minimum, a request for court records at public expense must include a copy of a pending or proposed *habeas corpus* petition which raises specific issues upon which relief could be granted. General statements of entitlement to post-conviction relief are insufficient.¹ Defendant's "Motion for Discovery, Transcripts, and Case Record" is therefore **DENIED**.

It is so **ORDERED**, this 15th day of June, 2014.


STEPHEN D. KELLEY
Judge, Superior Courts
Brunswick Judicial Circuit

FILED
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2014 JUN 16 PM 3 43

CLERK SUPERIOR COURT

¹ *Shelby v. McDaniel*, 266 Ga. 215 (1996).