

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

January 9, 2015

To: Mr. Said Mobin, Columbia County Detention Center, Post Office Box 310, Appling, Georgia 30802

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 your name.
- 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.

NOTICE OF APPEAL

FROM

Case # CAFN 2010D074

The SUPERIOR COURT OF COLUMBIA COUNTY  
EVANS, GA 30809, (706) 312-7230

IN

THE COURT OF APPEALS OF GEORGIA,  
47 TRINITY AVE., SW, ATLANTA, GA 30334  
(404) 656-3450

RECEIVED IN OFFICE  
015 JAN - 8 PM 3:12  
COURT ADMINISTRATOR  
COURT OF APPEALS OF GA

SAID MOBIN, Appellant vs. SOHAILA MOBIN, Appellee.

- 1- The Appellant "I" am indigent at this time as detailed in my Affidavits of 10/28/2014 and 11/24/2014 and all fees or Courts charges should be waved as my ~ \$600,000 - Separate property is fraudulently Stolen.
- 2- The Appeals Court has Jurisdiction as explained in the writ of Habeas Corpus filed in the Open Court on 8/6/2014 to SET ASIDE all of the orders, warrants, decrees including the ORDER of 11/17/2014 which is also appealed from Per the OCGA, Sect. 17-14-4 et. seq. as well as OCGA, Sect. 18-3-71 et. seq. which the Records be forwarded to the Appeals Court to SET them ASIDE, hopefully. Since OCGA, Sects. 15-1-8 and 15-1-9; as mentioned in the writ filed on 8/6/14 prohibits J. David Roper to sign any order because his conflict of interest; his orders including order of 11/17/14; hopefully be stricken by the Appeals court as I have been held like a Murderer without BOND in violations of the OCGA, Sect. 17-7-50 requiring only (90) days; for ~ 15 months since 10/15/13. I just filed a civil suit in 2010. Am I a Murderer?

SAID MOBIN, P.O. Box 310, Appling, GA 30802.

Respectfully Submitted,

Said Mobin  
SAID MOBIN  
Appellant  
01 / 03 / 2015

Copy To:

- 1- The Court of Appeals to make a case for me.
- 2- Served by mail to J. David Roper, 735 James Brown Blvd., Ste 4204, Augusta GA 30901

**IN THE SUPERIOR COURT OF COLUMBIA COUNTY  
STATE OF GEORGIA  
DOMESTIC RELATIONS DIVISION**

**SAID MOBIN,**

**PLAINTIFF,**

**VS.**

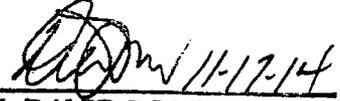
**SOHAILA MOBIN,**

**DEFENDANT.**

**CIVIL ACTION FILE**

**NO. 2010-D-0748**

**Filed with the Court**

  
**J. DAVID ROPER, JUDGE**

**ORDER**

This matter came before the Court on August 6, 2014 for a status hearing. Plaintiff, *pro se*, and Defendant's counsel were present. Although Plaintiff is incarcerated because of contempt and arrest orders in this case, entered December, 21 2010, January 20, 2011, and December 28, 2012, Plaintiff is also incarcerated on felony charges, without bond, Case No. 2014-CR-0612, which are related to his conduct in this case. Plaintiff's criminal attorney was also present, though his assistance was not requested by Plaintiff.

The Court set this matter down for a hearing pursuant to Plaintiff's Petition for Writ of Habeas Corpus filed in this case on June 10, 2014, as well as correspondence from Plaintiff to the Court requesting a hearing.

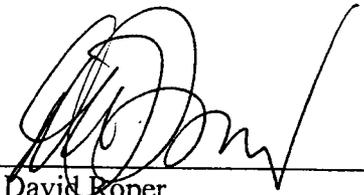
After first advising him of his right not to testify because felony criminal proceedings are pending against him, Plaintiff made a lengthy speech, primarily relating to matters that are already *res judicata* in this case.



The Court finds that Plaintiff's Petition for Writ of Habeas Corpus filed in this case on June 10, 2014 is improper, and is a separate cause of action. The Court notes that Plaintiff has filed a separate Petition for Writ of Habeas Corpus, which is pending before another judge of this Court in Civil Action No. 2014-CV-0508. Plaintiff's Petition for Writ of Habeas Corpus in this case is hereby DENIED AND DISMISSED.

In order to protect Plaintiff's Fifth Amendment rights, the Court declines to try the contempt issues until Plaintiff's criminal proceedings are concluded; therefore, this matter is hereby CONTINUED.

SO ORDERED, this 17<sup>th</sup> day of November 2014, *nunc pro tunc* August 6, 2014.

  
\_\_\_\_\_  
J. David Roper  
Superior Court Judge  
Augusta Judicial Circuit

Prepared and presented by:  
John R. B. Long  
Attorney for Defendant  
Georgia State Bar No: 516133  
411 Telfair Street  
Augusta, Georgia 30901

Order edited by the court.

IN THE COURT OF APPEALS OF GA, 47 TRINITY AVE., SW, SUITE 501, ATLANTA, GA 303

FROM

THE SUPERIOR COURT OF COLUMBIA COUNTY, EVANS, GEORGIA (GA) 36809

APPEAL

Date: 12/15/2014

CASE# CAFN 2010 D 0748

- 1- AS explained in attached APPELLANT; AFFIDAVIT OF SAID MOBIN "I" dated 10/28/14; SECOND AFFIDAVIT dated 11/24/2014 with the Indigence AFFIDAVIT, the APPEALS COURT has JURISDICTION when the Lower Court fabricates Personal Laws from the BENCH to BREAK GA LAWS to fraudulently conspire to steal a plaintiff ~ \$600,000.00 as mine and deny a plaintiff WRIT OF HABEAS CORPUS filed on 8/5/14, and denied on 11/17/14 to coverup the Fraud in Violations of OCGA Sect. 17-7-5
- 2- J. David Roper "Roper" has concocted from the BENCH contents of the OCGA, Sect. 19-5-13 et. seq. as detailed in the attached Affidavits to coverup the fraud and falsified the Official Court orders.
- 3- Roper has omitted the OCGA, Sect. 19-3-9 et. seq. from the order of 12/20/12 as well as GA Constitution Art. I, Sec. I, Para. 26 to coverup the fraudulent theft of my ~ \$600,000 as detailed in Affidavits
- 4- Roper has lied multiple times to falsify court orders as detailed in the attached Affidavits by referring to my Separate property as "Marital" to cover-up the fraudulent theft of my ~ \$600,000 -
- 5- The OCGA, Sect. 17-7-50 et. seq. require; Bail Bond be set after [90] days or [180] days even for violent crime. Is filing a civil lawsuit filed ~ (5) yrs. ago a violent crime to be incarcerated since 10/15/13 ~ 13 months without a BOND? If not, grant a BOND for me on O.R., please.
- 6- A Notice of Appeal is already filed in the Lower Court on 5/16/13 and it is requested; the Clerk of Appeals Court Order any Pleadings to be sent by the lower court to the Appeals court. It is also requested; Clerk of the Appeals Court submit a copy to the Chamber of the Chief Justice or any other authority to expedite granting this WRIT OF HABEAS CORPUS to be Released on O.R. Per Sect. 17-7-50, OCGA and return a court Stamped copy as receipt confirmation; Kindly.

Respect fully,

Sam Mobin

Sam Mobin

INDIGENCE AFFIDAVIT OF SAID MOBIN

IN THE SUPERIOR COURT  
EVANS, GA 30809

SAID MOBIN )  
)  
Appellant. )  
Vs. )  
)  
SOHAILA MOBIN )  
Appellee. )  
\_\_\_\_\_ )

COPY

2013 JUN -6 PM 1:41  
CLERK OF SUPERIOR  
COURTS  
EVANS, GA  
FILED FOR RECORD

Court Case#: C.A.F.N. 2010D0748

Comes now Affiant SAID MOBIN; first being sworn, deposes and states:

- 1- That John R.B. Long, Augusta, GA; has colluded and stolen or frozen my assets in my absence as proven by (Exh.-1) \$111,163.65.
- 2- That \$31,221.95 of the Affiant stolen assets should be in the Superior Court, Evans, GA; as proven by (Exh.-2).
- 3- That the Affiant is indigent and financially unable to pay the filing fees and other costs which should be waived by the Court of Appeals until Affiant's stolen assets are returned and unfrozen by the Superior Court or Appeals Court.
- 4- That in the alternative, the Courts should make Long to pay the fees and costs from the Affiant stolen assets or the Superior Court should pay the fees and costs from \$31,221.95 of the Affiant's money. That the Pauper's or Indigence Affidavit should be send to the Appeals Court, GA; with all of the records by the Superior Court.
- 5- That the Affiant does not have a job, house or an apartment at this time because of the theft and the Affiant will call you from a pay phone about the results. That the statements of this Affidavit are true.  
FURTHER YOUR AFFIANT SAYETH NAUGHT.

Said Mobin  
SAID MOBIN

Sworn to and subscribed before me

This the 3<sup>rd</sup> day of June, 2013.

Vianey Ortiz Notary Public

VIANEY ORTIZ  
NOTARY PUBLIC  
STATE OF NEVADA  
Appt. No. 00-63160-1  
My Appt. Expires Sept. 23, 2016

RECORDED & SCANNED IN  
MINUTES 9/5/13

AFFIDAVIT OF SAID MOBIN

STATE OF GA }  
COUNTY OF COLUMBIA }

IN THE SUPERIOR COURT, EVANS, GA 30804

2014 OCT 30 PM 4:15  
COPY  
CINDY MASON CLERK  
COLUMBIA COUNTY GEORGIA

STATE OF GA V. SAID MOBIN

Comes now THE AFFIANT SAID MOBIN, first being sworn, deposes and states:

- 1- That the Affiant is over age 18, that he just filed a civil lawsuit ~ 5 yrs ago and requested to be dismissed and the Affiant is of a sound mind.
- 2- That the Affiant Attorney (Att.) based on the OCGA, Sect. 19-3-9, GA Constitution; told the Affiant in 2010 that Separate Property is not subject to equitable division in divorce. That GA constitution Art-I, Sect. I, Para. XXVI, U.S. Constitution Amendment 14 et. Seq. as well as OCGA, Sect. 19-5-13; do not require <sup>-any-</sup> inheritance or Property brought into the Marriage be subject to equitable division. That Marital Property is subject to equitable division only if the spouse equally contributed based on the OCGA, Sect. 18-2-3. That the fees of the opposing PRO BONO John RB Long "Long" by Plaintiff; which Long went for gambling to NV and demanded ~ \$ 2800 from Affiant.
- 3- That the Affiant specifically like dozens of times in writing in the past; in the Petition filed in the Court at the Hearing of 8/6/14; brought to the attention of Hon. J. David Roper "Roper" that ~ (\$50K) by Long but; ~ (\$600K) of the Affiant SEPARATE Property fraudulently; is stolen from his Accounts in the Affiant absence. That Roper did not let Affiant to Rebuttal his comments which GA Supreme Court automatically deny an Appeal if not prepared in proper format by an att. and has stated in the transcript that the Affiant stolen money is gone or spent by the conspirators. That the Affiant mailed to Roper chamber copy of pleadings which filed in the court. That the conspirators have knowingly, intentionally by Corruption, willful Perjury and ABUSE of official capacity of the Position have committed the offense of 1st degree Felony in violations of OCGA 16-8-1 et. Seq. to Steal Affiant ~ (\$600K) in his absence. Therefore; Roper name should be cancelled from the witness list or to preside in any related cases both civil or criminal and failed to RECUSE himself as demanded in 2011 also because of conflict of interest.
- 4- That as the Records in case # 2010 D 0748 reveal, Affiant Franklin Co. Account was OPENED on June 30, 1988. That RECORDED INDEXED MINUTES 10-31-14

Acc. was OPENED on June 8, 1987. That Mr. Jud Marshall; Rep# 0009530, Down town, Las Vegas Branch# 00418, Merrill Lynch Co. Dealer# 00250, OPENED an Acc. for Affiant in 1986. When Mr. Marshall moved to Summerlin Br., Affiant acc. was closed which the Affiant moved the money to Morgan Stanley Co. on June 6, 2001.

That the Affiant marriage on the Marriage Contract or Certificate is July 16, 2000 which the stolen money is the Affiant separate property. Absolutely nothing was contributed by the Affiant spouse even in the (\$1000-) shown in Morgan Stanley Co. Letter of 7/29/2013 in a separate acc. which was correctly reported to Long.

Therefore; Affiant should NOT or can not be charged for false swearing in case 2014 CR 0612 or any other cases.

The Affiant can tell that the counts are written by Long and presented to the grand jury which they were not aware of the theft, fraud and BRIBERY as the four counts are similar; Related to the financial matters which should be dropped or dismissed as even the Affiant spouse in the court in 2010 stated that the Affiant was not working till late 2007.

That the Affiant has not seen the child since kidnapped in 2010 and has not or will never abandon him; which all (5) charges including the contempt should be dropped or Dismissed.

5- Motivated by Pecuniary, BRIBE, KICKBACK, fraud and unjust enrichment, the conspirators have abused official Capacity of the Position for personal gain to steal Affiant Separate Property fraudulently in violations of OCGA, Sect. 19-3-9, 19-5-13, 45-10-1 (C), GA and U.S. constitutions which which is 1st degree Felony offense base on Sect. 16-8-1 et. Seq. and no body should be ABOVE the Laws to steal an Appellant or Plaintiff money and incarcerate him for more than a year (10/15/2013) or longer to DEATH.

Motivated by Pecuniary for personal benefits; the conspirators even falsified the contents of an established Law, OCGA, Sect. 19-5-13 in the order of 12/20/2012 to BREAK the Laws of GA General Assembly and the U.S. constitution to justify the fraud which have committed the offense of felony Per Sect. 16-8-1 et. Seq. Refer to P. 10, L-11 of the order.

That Motivated by Kick back, BRIBE, economy, the conspirators also called Falsely Affiant separate property "Marital" assets in the order of 12/20/12 to justify the fraudulent theft by deception which have committed the offence of 1st degree felony Per Sect. 16-8-1 et. Seq. Refer to P. 10, L-9 of the order. No body should be ABOVE the GA Laws to steal. That the conspirators have knowingly, intentionally, corruptly and by willfull perjury stolen ~ \$BOOK of the Victim Affiant by ABUSING Power of the position for Personal benefits.

- 6- That after stealing the Affiant ~ (\$600K) separate Property, the conspirators came up with another strategy as the professional thieves to commit another scheme to ABUSE power of position to detain the Affiant forever till the victim DEATH to SPLIT the money; conveniently. That the Affiant has been held since 10/15/2013; JUST for filing a Civil Suit ~ 5 yrs ago.
- 7- That Nikah Nama means Marriage Contract or certificate. That Mahar means Prenuptial or antenuptial Agreement. That the Affiant MAXIMUM Payment to his spouse to drive her off is PAK Rs. 100K or about ~ \$1600 — which the Affiant brought to the Roper attention again at the Hearing of 8/6/2014 which the transcript proves.
- 8- That Domicile is defined as a permanent Place of Adobe to return even absent temporarily. That the Affiant and the child Domicile is NV. That a civil action be filed in the child County in NV per Nev. 19-9-67 et. Seq. That the Affiant spouse IRA and Bank accounts were separate and the Affiant paid for all of the expenses. That the Affiant has lived in NV for more than (30) yrs. That the Affiant has not received court papers including the warrants ~ since 12/30/2010 until 10/15/2013 and Affiant has not harmed any body including Long for 5 yrs.
- 9- That the conspirators <sup>charges</sup> are Malice and Long Affidavit of 12/16/2013 is false which has committed the offense of Perjury Felony per Nev. Sect. 51-7-40, 16-10-70, 16-8-1 et. Seq. which Long name be cancelled from the witness list. That Long promised NOT to steal if the Affiant give his SS# and birthdate to him which Long Lied and stole Affiant separate property from the Affiant accounts which has committed the offense of Perjury Felony per 16-8-1 et. Seq. Refer to the deposition of 11/8/2010, P. 12, L. 2.

FURTHER YOUR AFFIANT SAYETH NOT.

Sworn to and subscribed before me

This the 28th day of October, 2014.

Said Mobin  
SAID MOBIN

Nupri A. Will  
Notary Public

STATE OF GA }  
COUNTY OF COLUMBIA }

IN THE SUPERIOR COURT, EVANS, GA 30809

STATE OF GA V. SAID MOBIN

Comes now The AFFIANT, SAID MOBIN, first being sworn, deposes and states:

A- That the Affiant "I" is over age 18 with sound mind that he just filed a civil lawsuit # 2010D 0748, ~5 yrs ago and participated by demanding dozens of times as the records prove; to be dismissed as detailed in the Affidavit of 28 Oct. 2014. That the Affiant is an innocent victim of criminal fraud held to DEATH; Long forgotten since 10/15/2013.

That Motivated by Pecuniary gain, Bribe, Kick back and unjust enrichment; the conspirators have continued the ABUSIVE Litigations in my absence to steal and split ~\$ 600K of my separate property by naked abuse of the official Capacity of the positions to commit the fraudulent Scheme to incarcerate me to DEATH which is a Murder attempt or 1st degree Criminal offense Felony Per OCGA, Sect. 16-8-1 et. seq. and Sect. 17-7-40 et. seq. as well as 45-10-1 (F) et. seq.

B- That the Affiant has never defrauded any body as Ponzi Scheme.

C- That Motivated by Economy, Kick back and Bribe; the conspirators has falsified Order of June 6, 2013 also by <sup>mis-</sup>representing the Affiant Separate Property as "marital" Property on P. 1 which is a Lie to justify the fraudulent theft as they have misrepresented in the Order of 12/20/2012 on page 4, P. 10 (twice) and Page 14 "both Parties aquired" which none of the ~\$ 600K stolen was aquired by my spouse. The more the stolen money; the more the Bribe to the Conspirators. That the Conspirators

have knowingly, intentionally by willful misconduct, corruption, Perjury, forgery and naked ABUSE of official Capacity of the Positions have committed multiple Criminal 1st degree Felony in fraudulently stealing Affiant ~ \$600K Separate Property to Pocket the Secret Kickback in Violations of OCGA Sect. 16-5-41, 16-8-1, 16-10-70 and 51-7-40 et. Seq.

That OCGA, Sect. 15-6-6 require both John RB Long "Long" and J. David Roper "Roper" to be under the Oath to follow the GA and the US Laws and constitutions Guaranteeing Life, Liberty, Property to Live in any State including NV, Not to make misleading false statement which is false swearing to falsify an order or a statute as 19-5-13 in the order of 12/20/2012; falsified.

D- That the Affiant under OCGA, Sect. 17-7-40 et. Seq., GA Constitution Art. VI, Sect. VII, Para. VII et. Seq. apply in the Court for arrest Warrant of the conspirators as theft is a probable cause via GA and US. grand Juries indictments by appointing a Special Prosecutor to handle the fraud as no body should be ABOVE the Laws to defraud and incarcerate the innocent VICTIM to DEATH which is a Murder attempt offense Felony. Sect. 17-4-40 et. Seq. require an Affidavit only.

E- That Long Lied in 5/6/2014 Hearing committed Perjury Felony offense that he didn't even had my \$50K.

F- That a Neutral Judge Compensate the Affiant under OCGA, Sect. 16-14-6 (b) et. Seq. That all of the false charges against the Affiant be dismissed including the Contempt. That all of the orders <sup>of</sup> Roper in Civil Lawsuit be SET ASIDE as detailed in the Petition filed on 8/6/2014.

That Roper be Removed or Recused (filed on 2/21/12) from case# 2010 D 0748 or any civil or criminal case related to the Affiant based on conflict of interest.

That any reasonable person under Canon 3 E (1), 25.4 [C], 29.7 et seq. questions Roper impartiality; after the fraudulent theft of my ~ \$600K separate Property.

That if the conspirators BREAK GA Laws in violations of 45-10-1, 15-1-7 et seq., they should close GA General Assembly and US Congress also

FURTHER YOUR AFFIANT SAYETH NOT.

Said Mobin  
SAID MOBIN

Sworn to and subscribed before me

This the 24<sup>TH</sup> day of November, 2014.

James Albert Parobel  
Notary Public

MY COMMISSION EXPIRES: 03-04-2016