COURT OF APPEALS OF GEORGIA
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June 30, 2015

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Docket Number: A15A1868 **Style**: Mike Redford v. The State

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IN GEERGTIA COURT OF APPEALS
STATE OF GEERGTIA

MIKE J.A. REDFERD, JR, ISD
APPELLANT
VS.
STATE OF GEERGTIA
APPELLEE

CASE NO: A15A1868
DOUGLAS COUNTY SUPERIOR COURT
CASE NO: 14CR245

PART ONE - PART 2

STATEMENT OF CASE

A. SUMMARY OF PROCEDURE

APPELLANT FILED THE FOLLOWING PRETRIAL MOTIONS AMONG WHICH THE COURT HEARD TO WIT FROM WHICH APPEAL IS TAKEN:

1. MOTION TO DISMISS DEFECTIVE ORDER/INDICTMENT/QUASH WARRANT
2. MOTION TO DISMISS INDICTMENT AND RELEASE FROM INCARCERATION FOR DENIAL OF CONSTITUTIONAL RIGHT OF PRELIMINARY
3. DEMAND FOR SPEEDY TRIAL
4. MOTION TO SET ASIDE STATE'S MOTION TO QUASH SUBPOENA AND ANY ORDER FOR MOTION TO QUASH INDICTMENT
5. MOTION FOR UNCONSTITUTIONALITY OF O.C.G.A. 16-5-90, 16-5-91
6. MOTION TO SET ASIDE ALL JUDGMENTS/ORDERS OF OCTOBER 22, 2014 HEARING
7. MOTION TO HAVE THE RECORD COMPLETED TO REFLECT ON TRANSCRIPT
8. PETITION FOR WRIT OF MANDAMUS
9. MOTION FOR DISQUALIFICATION/RECUSE OF JUDGE ROBERT J. JAMES
10. BOND MOTIONS
11. MOTION ON CIVIL TRANSCRIPT

MOTION HEARINGS

1. AUGUST 27TH, 2014 2. OCTOBER 22NA, 2014 3. NOVEMBER 12TH, 2014
4. NOVEMBER 19TH, 2014 5. MARCH 18TH, 2015

ORDERS

1. ORDER ON MOTIONS, 1, 2, 3, 4, 5, 6
2. ORDER ON MOTION 7
3. ORDER ON MOTION 9
4. ORDER ON MOTION 10
5. ORDER ON MOTION 11
6. MEMORANDUM ON PETITION 8 LOST BY LAW LIBRARY GIVEN TO MAKE COPY.

B. STATEMENT OF THE FACTS

APPELLANT USE CARROLLTON FAMILY REGISTRY FOR MAKING PAYMENT OF CHILD SUPPORT. ON OR ABOUT APRIL, 2013 COMMONWEALTH OF VIRGINIA, DEPARTMENT OF SOCIAL SERVICES, DIVISION OF CHILD SUPPORT ENFORCEMENT, DCSE#0004454420, COURT DOCKET#: JA121628 SOUGHT AND OBTAINED WARRANT TO ARREST APPELLANT FOR CONTINUING CHILD SUPPORT PAYMENT THROUGH CARROLLTON GEORGIA. APPELLANT WAS IN VIRGINIA FOR TWO MONTHS CONTRACT WORK WHEN THIS HAPPENED RESULTING IN THE LOST OF THAT JOB. SEE APPELLANT EXHIBIT "1" VA ORDER. IN JUNE OR EARLIE ANOTHER ACTION WAS COMMENCED IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY, PENNSYLVANIA, DOMESTIC RELATIONS DIVISION DOCKET NUMBER: 12-14362, PACSES CASE NUMBER: 500113601, OTHER STATE ID NUMBER: 26001160891. SEE APPELLANT EXHIBIT "2" PA. ORDER. AT THE SAME TIME, GWINNETT COURT CHILD SUPPORT CONTINUED INCARCERATION ON CONTEMPT ORDER TO PAY ARREARS IN FULL CONTRARY TO THE DIVERCE DECREE THAT ONE HUNDRED DOLLARS BE PAID TOWARD THE ARREARS. SEE APPELLANT EXHBIT "3". THE SISTER TO THE APPELLAN ON JUNE 5, 2013 INSISTED THAT CUSTODIAN PARENT ALLOWED VISITATION RIGHT AS WAS DECREED IN GWINNETT COUNTY DIVORCE AND CEASED ALL LEGAL HARASSMENT. CUSTODIAN PARENT TOOK A STALKING ORDER FOR EXERCISING VISITATION RIGHTS ON A COURT DEDICATED DAY AND TIME DOUGLAS COUNTY SUPERIOR COURT JUDGE ROBERT J. JAMES CLAIMED JURISDICTION OVER VISITATION RIGHT AND ISSUED STALKING ORDER UNDER O.C.G.A. 16-5-90, 19-13-4(G)(6)(10). WHEN APPELLANT FLEW IN FROM PHILADELPHIA, PA. TO RESCIND THE WARRANT AND HE HAS BEEN LOCKED UP SINCE, FEBRUARY 18, 2014. JUDGE R. TIMOTHY HAMIL CLAIMED RESPONSIBLE FOR ALL THE WARRANTS ACCROSS THE COUNTRY.

C. PRESERVATION OF THE ISSUES FOR APPEAL

THE ERRORS PRESENTED WERE PRESERVED BY INTERJECTING WITH OBJECTIONS AND GENERAL ASSERTION. " I WILL LIKE TO PRESERVE ALL OBJECTIONS FOR APPELATE REVIEW" ON ALL THE MOTIONS IN THE RECORD OF THIS CASE.

IN THE COURT of APPEALS
STATE of GEORGIA

MIKE REDFORD
APPELLANT
Vs.
STATE OF GEORGIA
APPELLEE

CASE NO. A15A1868
DIRECT APPEAL FROM
SUPERIOR COURT ORDERS
DENYING PRETRIAL MOTIONS.
DOUGLAS COUNTY CASE NO. 14CR243

ENUMERATION OF ERRORS AND BRIEF OF APPELLANT

PART TWO

ADDRESS OF APPELLANT
DR. MIKE I. A. REDFORD, JD, JSD, JURISPRUDENT
DOUGLAS COUNTY JAIL
UNIT 3C
8472 EARL D. LEE BLVD
DOUGLASVILLE, GEORGIA, 30134

ADDRESS OF APPELLEE
MS. ANNA C. VAUGHAN, DOUGLAS COUNTY ASSISTANT DISTRICT ATTORNEY
DOUGLAS COUNTY JUDICIAL CIRCUIT
8700 HOSPITAL DRIVE
DOUGLASVILLE, GEORGIA, 30134

PART 2

TABLE OF CONTENTS ENUMERATION OF ERRORS

PART 2

ENUMERATION OF ERRORS O.C.G.A. 5-6-40

THE TRIAL COURT ERRED AS FOLLOWS DURING PRETRIAL MOTIONS HEARING IN THIS CASE. JURISDICTION OF THIS APPEAL IS IN THIS COURT AND NOT IN THE SUPREME COURT SINCE THE ISSUES INVOLVE ERRORS OF LAW COMMITTED BY THE SUPERIOR COURT IN ITS DENIAL OF JURIST MIKE REDFORDS MOTIONS IN THIS CASE. JURISDICTION IS THEREBY CONFERRED UPON THE COURT OF APPEALS BY THE 1983 CONSTITUTION OF THE STATE OF GEORGIA ARTICLE VI, SECTION VI, PARAGRAPH III, AND ARTICLE VI, SECTION VI, PARAGRAPH III.

NOTATIONS AND ABBREVIATIONS

1. T-JUL-2-2013 TRANSCRIPT JULY 2013 CASE NO. 13-CV-01566 FAMILY VIOLENCE HEARING.
2. T-AUG-27-2014 TRANSCRIPT AUGUST 2014 CRIMINAL CASE NO. 14CR243
3. T-OCT-22-2014 TRANSCRIPT OCTOBER 2014 CRIMINAL CASE NO. 14CR243
4. T-NOV-19-2014 TRANSCRIPT NOVEMBER 2014 CRIMINAL CASE NO. 14CR243
5. T-MAR-18-2015 TRANSCRIPT MARCH 2015 CRIMINAL CASE NO. 14CR243

1. BOND

ERROR 1: THE TRIAL COURT ERRED BY DENYING DEFENDANT BOND ON THE GROUND THAT "HE WILL HARASS AGAIN" T-OCT, P43

ERROR 2: THE TRIAL COURT ERRED BY NOT ADDRESSING REQUIRED FOUR QUESTION OF LAW IN MOTION FOR BOND IN A CASE THAT IS BONDABLE

ERROR 3: THE TRIAL COURT ERRED BY RULING IN MOTION FOR SUPERSEDEAS BOND EX-PARTE WITHOUT CONDUCTING FORMAL HEARING.

ERROR 4: THE TRIAL COURT ERRED BY NOT ADDRESSING THE FOUR DUE PROCESS CRITERIA BEFORE DENYING MOTION FOR APPEAL BOND

2. CALL OF WITNESSES

ERROR 5: THE TRIAL COURT ERRED BY HOLDING THAT DEFENDANT CANNOT CALL WITNESSES IN PRETRIAL MOTIONS HEARING. T-AUG. P7, 1-4.

3. CERTIFICATE OF IMMEDIATE REVIEW

ERROR 6: THE TRIAL COURT ERRED IN DENYING EX PARTE COMMUNICATION MOTION FOR EXTENSION OF TIME TO FIND THE MISSING CERTIFICATE OF IMMEDIATE REVIEW. T-MAR, P19, 14-25, P20, 3-4

ERROR 7: THE TRIAL COURT ERRED BY MISSTATING GEORGIA COURT OF APPEAL RULE 30, "IN GEORGIA HANDWRITTEN CERTIFICATE OF IMMEDIATE REVIEW IS ACCEPTABLE."

4. CONSTITUTIONAL PARENTAL RIGHTS

ERROR 8: THE TRIAL COURT ERRED BY HOLDING THAT THERE IS NO SUCH THING AS UNITED STATES AND GEORGIA CONSTITUTIONAL PARENTAL RIGHTS. T-JUL, P14, T-25, P15

ERROR 9: THE TRIAL COURT ERRED BY HOLDING THAT THERE IS NO NEED FOR THE FATHER TO BE IN THE LIFE OF HIS CHILDREN. T-JUL, P7, 4; IN EDUCATION, RELIGION, HEALTH AND BENDING, T-JUL, P26, 8-25, WHERE MOTHER'S EDUCATION IS LIMITED TO GED AND THE FATHER HAS JURISCIENCE DEGREE IN CRIMINAL LAW AND HE IS A WORLD KNOWN JURIST. T-JUL, P7, 4; P26, 8-25

ERROR 10: THE TRIAL COURT ERRED BY HOLDING STATUTE FOR STALKING TO ABROGATE CONSTITUTIONAL RIGHT TO PAY CHILD SUPPORT AND FATHER'S RELATIONSHIP WITH MAINTENANCE OF HIS CHILDREN TO BE REGULATE BY LAW IN GEORGIA. T-AUG, P26, T-JUL P18, 11-25, P19, 1-6, P7, 4

ERROR 11: THE TRIAL COURT ERRED BY NOT RELYING IN DEFENDANT'S CASE LAW ON NATURAL PARENT'S FUNDAMENTAL LIBERTY INTEREST PROTECTED BY CONSTITUTION IN THE CARE, CUSTODY AND MANAGEMENT OF THEIR CHILDREN ESPECIALLY WHEN ORDERED BY THE COURT TO DO SO. T-OCT. P21, P22, P23, 1-11, P24, 12, P24, 18-25, P25, 1-24, P26

5. CONTEMPT ORDER / JURISDICTION

ERROR 12: THE TRIAL COURT ERRED BY ASKING DEFENDANT TO GO GWINNETT COUNTY TO ENFORCE THIS BY CONTEMPT, WHILE DOUGLAS COUNTY AND GWINNETT COUNTY BOTH DIVEST THEMSELVES JURIS IN REM AND JURIS IN PERSONAM. T-JUL, P13, P17, 1-3, P30, P31

ERROR 13: THE TRIAL COURT ERRED BY ISSUING A VOID STALKING ORDER FOR PAYMENT OF CHILD SUPPORT WHEN MS. THERESA CANNIE RECORD HAS TAKEN CONTEMPT ORDER IN GWINNETT COUNTY, VIRGINIA AND PENNSYLVANIA TO HAVE PAYMENT MADE TO HER DIRECTLY. T-JUL, P31, P32, T-AUG. P27, 14-25, P28

6. MALICIOUS DELAYS

ERROR 14: THE TRIAL COURT ERRED BY VIOLATING APPELLANT PROCEDURAL AND SUBSTANTIVE DUE PROCESS BY DELIBERATELY CALLING THE JULY 2, 2013 STALKING HEARING BY 4:30 PM. WHEN HE KNEW APPELLANT AND HIS SISTER FLEW FROM PHILADELPHIA, PENNSYLVANIA THE PREVIOUS DAY AND WERE IN THE COURT SINCE 8:30 AM THAT DAY WITH 5:30 PM RETURN FLIGHT. T-JUL. P48

ERROR 15: THE TRIAL COURT ERRED BY UPHOLDING SURREPTITIOUS FIVE MONTH STRATAGEM EXTRANEOUS PRETRIAL INCARCERATION TO HEAR MOTION FOR INDIGENT BEFORE IT COULD AUTHORIZE CRIMINAL TRANSCRIPT FOR THIS APPEAL. T-MAR, P11, P12, P13, P14, P15

7. ESSENTIAL ELEMENTS OF CRIME/STALKING ORDER

~~ERROR 16:~~ ERROR 16: THE TRIAL COURT ERRED BY HOLDING THAT SUDDEN PRESENCE ON WEDNESDAY JUNE 5, 2013 IS A THREAT TO LIFE TO EXERCISE COURT ORDERED VISITATION RIGHT. T-JUL. P11, P12, P13, P14

ERROR 17: THE TRIAL COURT ERRED BY ATTAINING TO DETERMINE IF THERE WAS ELEMENT OF STALKING BY LOOKING FOR HARASSING AND INTIMIDATING OR ACTION THAT HAS NO LEGITIMATE PURPOSE & TO FATHER'S SENDING OF BIRTHDAYS, CHRISTMAS CARDS, CHILD SUPPORT TO HIS CHILDREN. T-JUL. P24, 20-25, P25, T-OCT, P16, 21-2

ERROR 18: THE TRIAL COURT ERRED BY HOLDING THAT STALKING ORDER COULD BE ISSUED ON ALLEGATION THAT "SHE'S AFRAID OF YOU." THAT YOU COME AROUND UNANNOUNCED AND SHE'S AFRAID OF YOU." WHEN THE TRIAL COURT REFUSED THE EVIDENCE OF HER OFFERING HER PHONE NUMBER TO THE POLICE ON THE SCENE AND APPELLANT REFUSE TO ACCEPT IT BECAUSE SHE ALLEGE PREVIOUSLY THAT CALLING TO INFORM HER THAT HE WOULD BE PICKING UP THE CHILDREN WAS REPORTED TO THE POLICE TO BE HARASSING CALL. T-JUL. P27, P28, T-OCT. P33

ERROR 19: THE TRIAL COURT ERRED BY HOLDING THAT NORMAL COMMUNICATION HAS NO LEGITIMATE ENDS IN COURT ORDERED VISITATIONS AND CHILD SUPPORT IS UNAUTHORIZED UNDER GEORGIA STALKING STATUTE. T-AUG. P12; P13, 1-14; P29, 10-25; P30

ERROR 20: THE TRIAL COURT ERRED BY ISSUING AN ORDER FOR STALKING WHICH WAS FRAUDULENT SECURED AND SIGNED BY PETITIONER WHICH CONTENTS WERE NOT VERIFIED AS TO ITS TRUENESS AND CORRECTNESS. T-AUG. P31, 14-25.

8. ERROR OF LAW

ERROR 21. THE TRIAL COURT ERRED BY FAILING TO APPLY EQUITY PROVISION IN CIVIL ASPECT OF A MATTER BEFORE IT WHERE ALLEGED CRIMINAL ACT WAS TRIGGERED BY SIMULTANEOUS CIVIL ACTION. T-OCT. P16, 9-13

ERROR 22: THE TRIAL COURT ERRED BY GOING CONTRARY TO HIS OWN STALKIN ORDER WHEN HE STATED "YOU CONTACTED HER AT HER HOME WITHOUT CONSENT." T-OCT. P17, P31, 1-20, P31, P32.

ERROR 23: THE TRIAL COURT ERRED BY NOT QUASHING INDICTMENT BECAUSE OF MISINTERPRETATION OF THE LAW. T-OCT. P27, P28, 1-15

ERROR 24: THE TRIAL COURT ERRED BY INTERPRETING MOTION TO QUASH AS GENERAL DEMURRER OR WHERE GRAND JURY HAS FAILED TO INDICT TWO TIMES IN A ROW. T-OCT. P35

ERROR 25: THE TRIAL COURT ERRED BY STATING THAT THE CHARGES IN THE WARRANT DOES NOT HAVE TO MATCH THE COUNTS IN THE INDICTMENT. T-OCT, P62.

ERROR 26: THE TRIAL COURT ERRED BY STATING THAT THERE IS NO SIXTH AMENDMENT RIGHT TO STANDBY COUNSEL OR CO-COUNSEL TO A LAWYER DEFENDANT. T-OCT. P81

ERROR 27: THE TRIAL COURT ERRED BY STATING THAT MAILBOX RULE DOES NOT APPLY TO INMATE INCARCERATED AT DOUGLAS COUNTY JAIL, WHO TIMELY FILED MOTIONS THAT MYSTERIOUSLY VANISHED BUT ENDED UP IN THE HANDS OF MS. ANNA C. VAUGHAN, DOUGLAS COUNTY ASSISTANT DISTRICT ATTORNEY. T-NOV. P4, P5

9. EX PARTE RULINGS

ERROR 28: THE TRIAL COURT ERRED BY QUASHING DEFENDANT'S WITNESS SUBPOENAS BY STATING STATE BROUGHT IT TO HIM AND IT WAS URGENT WITHOUT GIVING DEFENDANT HIS DAY IN COURT AND THE OPPORTUNITY TO BE HEARD. T-AUG. P3, P4

ERROR 29: THE TRIAL COURT ERRED BY DENYING THE FOLLOWING MOTION MOTION FOR EXTENSION OF TIME TO FILE THE MISSING CERTIFICATE OF IMMEDIATE REVIEW, MOTION FOR SUPERSEDEAS OR RECOGNIZANCE BOND PENDING APPEAL; AND PETITION FOR WRIT OF MANDAMUS. T-MAR. P19, 14-25, P20, 3-4 MOTION TO MODIFY CIVIL CASE TRANSCRIPT ORDER.

10. FRAUD

ERROR 30: THE TRIAL COURT ERRED KNOWING THAT THE STALKING ALLEGATION WAS FRAUDULENTLY ORCHESTRATED AND ENGINEERED BY THIRD PARTY INTEREST OF THE PERSON OF JUDGE R. TIMOTHY HAMIL OF GWINNETT COUNTY SUPERIOR COURT WHO IS IN PERSONAL VENDETTA TO DESTROY CAREER OF DR. MIKE REDFERN AS A REKNOWN JURIST. T-OCT.

11. JUDICIAL MISCONDUCT

ERROR 31: THE TRIAL COURT ERRED BY FAVORING THE STATE. T-OCT, P44, T-OCT, P45, 21-22.

ERROR 32: THE TRIAL COURT ERRED BY ARGUING THE MOTIONS AGAINST THE DEFENDANT ON THE BEHALF OF THE STATE. T-JUL, T-AUG. T-OCT, T-NOV., T-MAR.

12. JUDGE'S OPINION

ERROR 33: THE TRIAL COURT ERRED BY ARGUING THE MOTIONS AGAINST THE DEFENDANT ON THE BEHALF OF THE STATE. T-JUL, T-AUG. T-OCT, T-NOV., T-MAR. THE JUDGE SAID, "WELL, I HAVEN'T SEEN ANYTHING YET THAT WOULD GRANT THAT MOTION," T-AUG P30, 23-24

ERROR 34: THE TRIAL COURT ERRED BY EXPLAINING AWAY DEFENDANT'S MOTIONS INSTEAD OF ALLOWING DEFENDANT AND THE STATE TO ARGUE ITS MOTIONS, SINCE THE MOTIONS ARE VALID UNDER THE DUE PROCESS.

13. QUASHING INDICTMENT

ERROR 35: THE TRIAL COURT ERRED BY NOT GRANTING MOTION TO QUA INDICTMENT. T-OCT. P35

ERROR 36: THE TRIAL COURT ERRED BY ASSERTING THAT A MOTION TO QUASH THE INDICTMENT IS BASED ON TECHNICAL THINGS T-AUG, P16, 19-25, P7, 9-25, P8, P9, P10.

ERROR 37: THE TRIAL COURT ERRED BY STATING THAT THE STATE DO NOT NEED TO BE SPECIFIC IN RETAILING THE MANNER IN WHICH THE CRIME WAS COMMITTED. T-AUG, P11, P12, 1-6, P18, P19, 1-15

ERROR 38: THE TRIAL COURT ERRED BY HOLDING THAT THE VALIDITY OF AN INDICTMENT IS BASED ON THE VERBIAGE NOT THE SUBSTANC AND THE LEGALITY OF THE INDICTMENT. T-OCT. P8.

ERROR 39: THE TRIAL COURT ERRED BY NOT DISMISSING THE INDICTME A PRODUCT OF SIMULTANEOUS PROCEEDINGS. T-OCT. P15

ERROR 40: THE TRIAL COURT ERRED BY CONSTRUING THAT DEFENDANT PAID CHILD SUPPORT WITHOUT HER CONSENT FOR THE PURPOS OF HARASSING AND INTIMIDATING THERESA REDFORD. T-OCT. P16

ERROR 41: THE TRIAL COURT ERRED BY HOLDING THAT HARASSING AND INTIMIDATING CONDUCT THAT CAUSES SUBSTANTIAL EMOTIONAL DISTRESS TO A VICTIM IS SUFFICIENT. T-OCT, P20, 6-8

ERROR 42: THE TRIAL COURT ERRED BY HOLDING ~~THAT HARASSING AND INTIMIDATING CONDUCT~~ ON STATE ARGUMENT THAT CONTACT MEAN TO GET IN TOUCH WITH OR TO COMMUNICATE WITH, SO SENDING A LETTER AT HER HOME OBVIOUSLY WOULD SUFFICE AS CONTACT. T-OCT. P20, 20-22, P20, 25-25.

ERROR 43: THE TRIAL COURT ERRED BY PROCEED WITH INDICTMENT THAT IS DEFECT ON ITS FACE AND HAS BECOME NULLITY. T-OCT, P28, 16-25, P29.

ERROR 44: THE TRIAL COURT ERRED BY HOLDING THAT UNDER O.C.G.A. 17-6-17, O.C.G.A. 17-6-2 AND O.C.G.A. 17-6-22 TO PRODUCE EVIDENCE OR MODIFY INDICTMENT UNDER O.C.G.A. 16-5-91 AND EXCULPATORY INFORMATION TO PROVE THAT THE INDICTMENT WAS A FRAUD AND SHOULD NOT HAVE BEEN DENIED ON RENEWED ORAL MOTION TO QUASH INDICTMENT. T-OCT, P53, 9-12

ERROR 45: THE TRIAL COURT ERRED BY HOLDING THAT "I DENY IT" WHICH WAS RENEWED OR ORAL DEMURRER TO QUASH INDICTMENT DEFECT ON ITS FACE. T-OCT, P53, 21-25, P54, P55, P56, 1-16

ERROR 46: THE TRIAL COURT ERRED BY NOT GRANTING MOTION TO DISMISS DEFECTIVE ORDER, INDICTMENT AND QUASH WARRANT. THE JUDGE DID NOT KNOW WHICH MOTION HE RULED ON. T-OCT. P63, 9-25.

14. MOTION FOR DIRECTED VERDICT/DENIAL OF MOTIONS

ERROR 47: THE TRIAL COURT ERRED BY DENYING RENEWED MOTION FOR DIRECT VERDICT OF ACQUITTAL AND ABSOLUTE DISCHARGE AND IMMEDIATE RELEASE FROM INCARCERATION ON THE GROUND THAT EX-WIFE STOPPED PAYMENT THROUGH CHILD SUPPORT AGENCY, TOOK CONTEMPT ORDER IN GWINNETT COUNTY, OBTAIN VIRGINIA COURT ORDER FOR DIRECT PAYMENT KNOWING THAT SHE TOOK TPO IN DOUGLAS COUNTY TO DEPRIVE APPELLANT HIS VISITATION RIGHTS. T-OCT, P6, P7, P55.

ERROR 48: THE TRIAL COURT ERRED BY DENYING DEFENDANT'S MOTION TO SET ASIDE STATES MOTION TO QUASH SUBPOENA. T-OCT. P57, 12-25.

ERROR 49: THE TRIAL COURT ERRED BY DENYING DEFENDANT'S MOTION TO QUASH INDICTMENT, T-OCT, P57, 18-20

ERROR 50: THE TRIAL COURT ERRED BY DENYING DEFENDANT'S MOTION TO DISMISS THE DEFECTIVE ORDER/INDICTMENT/ QUASH WARRANT, T-OCT. P58, P59, 1-5, BECAUSE ALLEGED VICTIM SUBPOENAED TO BE THERE WAS TOLD BY THE STATE NOT TO SHOW UP. T-OCT. P58, 15, P59, 6

15. POLICE INCIDENT REPORT/EVIDENCE

ERROR51: THE TRIAL COURT ERRED BY NOT USING POLICE INCIDENT REPORT TO VERIFY THE VALIDITY OF ALLEGED STALKING BASED ON DIVORCE DECREE VISITATION EVERY WEDNESDAY OF THE WEEK TO DENY STALKING ORDER FOR INSUFFICIENCY OF EVIDENCE. T-JUL. P16, 9-25.

ERROR52: THE TRIAL COURT ERRED BY ALLOWING MS. THERESA CHINWE REDFORD TO INTRODUCE BIRTHDAY AND CHRISTMAS CARDS SENT BY FATHER TO HIS CHILDREN AS SUFFICIENCY TO ISSUE STALKING ORDER. T-JUL.

ERROR53: THE TRIAL COURT ERRED BY HOLDING THAT THERE IS NO NEED TO PROOF OF PHYSICAL OR CIRCUMSTANTIAL EVIDENCE TO JUSTIFY AN ALLEGATION. T-JUL, P29, 12-25, P30, 1-12.

ERROR54: THE TRIAL COURT ERRED BY NOT EXAMING MS. THERESA CHINWE REDFORD'S PHONE NUMBER WRITTEN DOWN BY THE POLICE OFFICER AT THE SCENCE TO BE GIVEN TO MR. REDFORD IF SHE BELEIVED THAT MR. REDFORD PRESENCE WAS A THREAT TO HER. JUL. P32, 21-25, P33, 1-16.

16. PROSECUTORIAL MISCONDUCT

ERROR55: THE TRIAL COURT ERRED BY DENYING MOTION ON PROSECUTOR MISCONDUCT. T-OCT. P36, P37, P38, P39, P40, P57, 11

ERROR56: THE TRIAL COURT ERRED BY OBJECTING TO MS. ANNA C. VAUGHAN, ASSISTANT DISTRICT ATTORNEY OF DOUGLAS COUNTY TAKE A STAND AND ANSWER DEFENSES QUESTIONS ON HER KNOWLEDGE OF THE MISSING CERTIFICATE OF IMMEDIATE REVIEW, NOTICE OF APPEAL AND MOTION TO DISQUALIFY MS. ANNA C. VAUGHAN ASSISTANT DISTRICT ATTORENEY. T-NOV. P4

17. PROCEDURAL ERROR

ERROR57: THE TRIAL COURT ERRED BY HOLDING IN GEORGIA THERE IS NO PRETRIAL CONFERENCE IN CRIMINAL TRIAL. T-AUG. P14.

ERROR 58: THE TRIAL COURT ERRED BY HOLDING THAT THE EXCULPATORY EVIDENCE THAT WILL FREE DEFENDANT WILL NOT BE COMPEL UNTIL TEN DAYS BEFORE TRIAL. T-AUG. P14, 20-25, P15, 1-8, P29, 23-25, P30

ERROR 59: THE TRIAL COURT ERRED BY COMBINING THREE DISTINCT MOTION AT A TIME TALKING ABOUT THEM IN SUCH A WAY TO CONFUSE ISSUE WITH THE PROSECUTOR MOUNTING TO BOTH JUDICIAL MISCONDUCT AND PROSECUTORIAL MISCONDUCT. T-OCT. P56, 17-25, P57, 1-2 MOTION FOR GENERAL DEMURRER WAS NOT BEFORE THE COURT BUT DEFENDANT MADE ORAL MOTION TO GENERAL DEMURRER. T-OCT. 57

18. SPEEDY TRIA

ERROR 60: THE TRIAL COURT ERRED BY HOLDING THAT SERVICE REQUIREMENT OF O.C.G.A. 17-7-170 SPECIFICALLY STATED THAT SERVICE IS TO BE MADE TO THE JUDGE AS A PLAINTIFF IN THE CASE OR AS A PRIVY IN LAW AND SIMPLY MAILING A COPY OF THE MOTION TO THE JUDGES CHAMBER DOES NOT SATISFY O.C.G.A. 17-7-170. T-AUG. P19, P20, P21, P22 P18, 20-25, T-OCT. P69, 18-21, P69, 12-14, P70, P71, P72, 3-7, P72, 14, P73 WHAT OF CONSTITUTIONAL U.S.C.A.

19. TRANSCRIPT CIVIL

ERROR 61: THE TRIAL COURT ERRED BY HOLDING THAT IN STATE OF GEORGIA WE ARE NOT AUTHERIZED TO ISSUE FREE CIVIL TRANSCRIPT EXCULPATORY TO AN INDIGENT CRIMINAL DEFENDANT. T-MAR. P12, 14-25, P13, P14 AND NOT EVEN UNDER GEORGIA RECIPROCAL DISCOVERY. P15, P16, 1-10, T-MAR

ERROR 62: THE TRIAL COURT ERRED BY DENYING MOTION TO SUPPLEMENT THE TRANSCRIPT. T-MAR, P16, 20-25, P18, P20, 14-25, P21

20. UNCONSTITUTIONALITY OF STALKING STATUTE AS APPLIED

ERROR 63: THE TRIAL COURT ERRED BY MISINTERPRETING JOHNSON V. STATE ON UNCONSTITUTIONALLY VAGUE OR OVERBROAD. T-OCT. 19, 17-25, P20, 1-4

ERROR 64: THE TRIAL COURT ERRED BY RULING THAT IT IS NOT UNCONSTITUTIONAL AS APPLIED BY THE STATE ON PAYMENT OF CHILD SUPPORT AND NORMAL COMMUNICATION THAT HAS A LEGITIMATE PURPOSE BASED ON VARIOUS GEORGIA AND UNITED STATES CONSTITUTIONAL RIGHTS. T-OCT. P30.

ERROR 65: THE TRIAL COURT ERRED BY DENYING MOTION FOR UNCONSTITUTIONALITY. T-OCT. P35

21. DISQUALIFICATION/RECUSE OF JUDGE ROBERT J. JAMES

ERROR 66: THE TRIAL COURT ERRED BY NOT DISQUALIFYING/RECUSING HIMSELF WHERE HIS ORDER IS IN CONTROVERSY AND HE HAS BEEN CALLED AS A WITNESS IN THE CASE. T-JUL, T-AUG, T-NOV, T-MAR.

ERROR 67: THE TRIAL COURT ERRED BY NOT DISQUALIFYING/RECUSING HIMSELF WHEN HE HAS PERSONALLY BEEN INVOLVED IN THE CASE AND HIS RELATIONSHIP AND CONSTANT EX PARE COMMUNICATION WITH JUDGE R. TIMOTHY HAMIL OF GWINNETT COUNTY JUDICIAL CIRCUIT TAKING INSTRUCTION FROM HIM TO DESTROY A JURIST. T-JUL, T-AUG, T-NOV, T-MAR.

22. MANDAMUS

ERROR 68: THE TRIAL COURT ERRED BY HOLDING THAT PETITION FOR A WRIT OF MANDAMUS IS NOT ACTIONABLE

P1

PART THREE OF PART 2

BRIEF IN SUPPORT OF PART 2

APPELLANT ELUCIDATES THE APPARENT DANGER IN FURTHERANCE OF AN EBULIENT MALICIOUS PROSECUTION ARISING FROM PERSONAL VENDETTA BY GROUP OF JUDGES AGAINST A REKNOWN EMINENT LEGAL SCHOLAR. THIS COURTS JURISDICTION ATTACHES WHEN: 1. THE ISSUE TO BE REVIEWED APPEARS TO BE DISPOSITIVE OF THE CASE; 2. THE ERROR APPEARS ERRONEOUS AND WILL PROBABLY CAUSE A SUBSTANTIAL ERROR AT TRIAL; 3. THE ESTABLISHMENT OF A PRECEDENT IS DESIRABLE 4. WILL ADVERSELY AFFECT THE RIGHTS OF THE APPEAL PARTY UNTIL ENTRY OF FINAL JUDGMENT IN WHICH CASE THE APPEAL WILL BE EXPEDITED, COURT OF APPEALS RULE 30(a)(ii).

ARGUMENT AND CITATIONS

ERROR 1. IT HAS BEEN SAID THAT IN THIS NATION THE LAW OF THE LAND IS A LAW WHICH HEARS BEFORE IT CONDEMNS. THE TRIAL COURT SHOULD NOT HAVE DENIED APPELLANT IN A CHARGE THAT IS BONDABLE ON THE WORD OF THE PROSECUTOR THAT "HE WILL HARASS AGAIN" MALICIOUSLY SPOKEN AGAINST AN AMERICAN WORLD KNOWN JURIST OUT OF INVIDIOUS DISCRIMINATION. STRONG STATEMENTS OF THE DUTY OF A PROSECUTOR TO RECOGNIZE THE RIGHTS OF A DEFENDANT TO A FAIR AND IMPARTIAL BOND HEARING WHEN THE STATUTORY PRESUMPTION OF INNOCENCE MAY OPERATE AS LAW. STATE V. GOSHEA, 137 Vt. 6, 16, 398 A.2d 259, 294-94 (1979), IN RE J.S. 140 VT. 230 (1981); GALLI V. PARKER 231 F.3d 265 (2000); CARWELL 181 F.3d AT 737, STATING THAT A PROSECUTOR CANNOT "EXPRESS A PERSONAL OPINION CONCERNING THE GUILT OF THE DEFENDANT."

ERROR 2. IN PURSUANT TO AYALA V. STATE, 262 GA. TECH 425 S.E.2d 28. (1993) AND O.C.G.A. 17-6-1 THE STATE MUST PROVE WITH PREPONDERANCE OF THE EVIDENCE TO WIT: a) DEFENDANT POSES SIGNIFICANT RISK OF FLIGHT FROM THE JURISDICTION OF THE COURT; b) DEFENDANT POSES SIGNIFICANT RISK OF COMMITTING ANY FELON PENDING TRIAL; c) DEFENDANT POSES SIGNIFICANT RISK OF INTIMIDATING WITNESSES OR OBSTRUCTING JUSTICE; d) DEFENDANT POSES SIGNIFICANT THREAT OR DANGER TO ANY PERSON, PROPERTY OR COMMUNITY.

ERROR 3. TRIAL COURT VIOLATED CANONS 3, 7(a)(i)(ii) THE JUDGE FAILED THE STATE TO GAIN PROCEDURAL OR TACTICAL ADVANTAGE AS A RESULT OF THE EX PARTE COMMUNICATION. THE JUDGE DISCUSSES THE DEFENDANT MOTIONS WITH THE STATE AND RULED ON THE MOTION PER SUPERSEDEAS BOND ON A MEMORANDUM FOLLOWED BY ORDER FILED MAY 5, 2015 WITH DOUGLAS COUNTY SUPERIOR COURT CLERK.

MARKED APPELLANT EXHIBIT "1" WHICH STATES, "FINDING THAT NONE OF THE STATUTORY BASIS APPLY, DEFENDANT'S MOTION FOR SUPERSEDEAS ON RECOGNIZANCE BOND PENDING APPEAL IS DENIED." WHILE THERE IS NO CONSTITUTIONAL RIGHT TO BOND PENDING APPEAL, LUKE V. STATE, 282 GA. APP. 749, 639 S.E.2d 645 (2006), IN GENERAL, THERE IS A STATUTORY RIGHT TO BAIL, O.C.G.A. 17-6-1. HOWEVER, ONCE A STATE MAKES PROVISION BY STATUTE OR BY DECISION OF ITS HIGHEST APPELLATE COURT FOR STATE PRISONERS TO BE RELEASED ON BAIL PENDING APPEAL, THE EIGHTH AND 14TH AMENDMENTS REQUIRE THAT BAIL NOT BE ARBITRARILY OR UNREASONABLY DENIED. WILCOX V. CARTER, 545 F. SUPP. 1043 (M.D. GA. 1982); BROWNING V. STATE, 254 GA. 478, 330 S.E.2d 879 (1985). THE CONSTITUTION OF THE UNITED STATES AND OF GEORGIA OF 1983. THERE IS NO INTEREST WHICH DOUGLAS COUNTY SEEKS TO PROTECT BESIDES PERSONAL VENDETTA AGAINST BLACKMAN. U.S. V. SALERNO, 481 U.S. 739, 107 S.Ct. 2095, 95 L.Ed. 2d 697 (1987).

ERROR 4. THE TRIAL COURT MUST ADDRESS FOUR QUESTIONS WHEN DETERMINING TO ALLOW AN APPEAL BOND, TO WIT: A) IS THERE A SUBSTANTIAL RISK THAT THE APPELLANT WILL FLEE? B) IS THERE A SUBSTANTIAL RISK THAT THE APPELLANT WILL POSE A DANGER TO OTHERS OR TO THE COMMUNITY C) IS THERE A SUBSTANTIAL RISK THE APPELLANT WILL INTIMIDATE WITNESSES OR OTHERWISE INTERFERE WITH THE ADMINISTRATION OF JUSTICE AND, D) DOES IT APPEAR THAT THE APPEAL IS FRIVOLOUS OR IS TAKEN ONLY FOR PURPOSE OF DELAY? BIAGE V. STATE, 238 GA. 88, 230 S.E.2d 895 (1976); BRANAN V. STATE, 285 GA. APP. 117, 647 S.E.2d 606 (2007); LUKE V. STATE, 282 GA. APP. 749, 639 S.E.2d 645 (2006); EDWARDS V. STATE, 272 GA. APP. 540, 612 S.E.2d 565 (2005); WHITE V. STATE, 269 GA. APP. 113, 603 S.E.2d 686 (2004); CRAFT V. STATE, 252 GA. APP. 854, 558 S.E.2d 18 (2001). IN LIEU OF SETTING A HIGHER BOND, WHICH MAY PRECLUDE AN INDIGENT APPELLANT FROM BEING RELEASED, THE TRIAL COURT SHOULD GRANT O.R. BOND. MORGAN V. STATE, 285 GA. APP. 254, 645 S.E.2d 745 (2007). APPELLANT FLED TO ATLANTA, GEORGIA PRIOR TO HIS NATO CONFERENCE ON CYBER WAR IN ESTONIA, EUROPE TO RESOLVE VINDICTIVE WARRANT TAKEN BY EX-WIFE AFTER HE REMARRIED A YOUNGER BEAUTIFUL MODEL. THE FACT THAT A JURIST TURNED HIMSELF IN WAS A GROUND FOR AUTOMATIC O.R. BOND. THIS COURT WILL FIND THAT THE TRIAL COURT HAD ERRONEOUSLY FAILED TO EXERCISE ITS DISCRETION UNDER THE STATUTE.

ERRORS ON CALL OF WITNESSES, THE TESTIMONY OF A SINGLE WITNESS IS GENERALLY SUFFICIENT TO ESTABLISH A FACT. O.C.G.A. 24-4-8 WHEN EVALUATING THE SUFFICIENCY OF EVIDENCE, THE PROPER STANDARD FOR REVIEW IS WHETHER A RATIONAL TRIER OF FACT COULD HAVE FOUND PETITION FOR THE STALKING ORDER ACQUIESCE WITH PREPONDERANCE OF THE EVIDENCE. CF., DEAN V. STATE, 273 GA. 806(1), 546 S.E. 2d 499 (2001); JACKSON V. VIRGINIA, 443 U.S. 307, 99 S. CT. 2781, 61 L.Ed. 2d 560 (1979). THE FUNCTION OF LEGAL PROCESS IS TO MINIMIZE RISK OF ERRONEOUS DECISIONS. U.S. C.A. CONST. AMEND. 14. THE FUNCTION OF A STANDARD OF PROOF, AS THAT CONCEPT IS EMBODIED IN THE DUE PROCESS CLAUSE AND IN THE REALM OF FACTFINDING IS TO "INSTRUCT THE FACTFINDER CONCERNING THE DEGREE OF CONFIDENCE OUR SOCIETY THINKS HE SHOULD HAVE IN THE CORRECTNESS of FACTUAL CONCLUSIONS FOR A PARTICULAR TYPE OF ADJUDICATION." IN RE WINSHIP, 397 U.S. 358, 370, 90 S. CT. 1068, 1076, 25 L.Ed. 2d 368 (1970); ADDINGTON V. TEXAS, 441 U.S. 418, 99 S. CT. 1804, 60 L.Ed. 2d 323 (1979). TO END OF REDUCING RISK of LOSS of PERSONAL LIBERTY THROUGH ERROR, AND TO OTHER ENDS, REASONABLE-DOUBT STANDARD OF CRIMINAL LAW IS INDISPENSABLE. U.S. C.A. CONST. AMEND. 14. THE STANDARD PROMOTES CONCRETE SUBSTANCE FOR THE PRESUMPTION OF INNOCENCE, THAT BEDROCK 'AXIOMATIC AND ELEMENTAL PRINCIPLE WHOSE "ENFORCEMENT LIES AT THE FOUNDATION OF THE ADMINISTRATION OF OUR CRIMINAL LAW.' IN RE WINSHIP, SUPRA; COFFIN V. UNITED STATES, 156 U.S. 432, 15 S. CT. 394, 39 L.Ed. 481 (1895); APPELLANT SERVED THE PROSECUTOR WITH A WITNESS LIST CONTAINING SPECIFIC INFORMATION. O.C.G.A. 17-16-8(a); ACEY V. STATE, 281 GA. APP. 19, 635 S.E. 2d 814 (2006). WITNESSES COULD BE CALLED IN PRETRIAL HEARING KLINECT V. STATE, 269 GA. 570, 572(2), 501 S.E. 2d 810 (1998). TESTIFYING AS A WITNESS IS A PUBLIC DUTY AND IT IS NOT FOR THE STATE TO DECIDES WHEN DEFENDANT CAN CALL WITNESS OR WHETHER DEFENDANT WITNESSES ARE OVERLY OPPRESSED AND UNREASONABLE. HURTADO V. U.S. 410 U.S. 578, 93 S. CT. 1157, 35 L.Ed. 2d 508 (1973).

ERROR 6 ON CERTIFICATE OF IMMEDIATE REVIEW, THE TRIAL COURT VIOLATED CANON 3.(7) BY RULING ON THIS MOTION THROUGH EX PARTE COMMUNICATION WITH THE PROSECUTOR. PARTIES WHOSE RIGHTS ARE TO BE AFFECTED ARE ENTITLED TO BE HEARD AND IN ORDER THAT THEY MAY ENJOY THAT RIGHT THEY MUST FIRST BE NOTIFIED. BALDWIN V. HALE, 1 WALL 223, 233, 17 L.Ed. 531 (1864). NO BETTER INSTRUMENT [illegible] FOR ARRIVING AT TRUTH THAN TO GIVE A PERSON

IN JEOPARDY OF SERIOUS LOSS NOTICE OF THE CASE AGAINST HIM AND OPPORTUNI TO IT: JOINT ANTI-FASCIST COMMITTEE V. MCGRATH, 341 U.S. 123 AT 170, 172-173, 71 S.CT. AT 647-649 (1951). ASSISTANT DISTRICT ATTORNEY MS. ANNA C VAUGHAN INTERCEPTED DEFENDANTS CERTIFICATE OF IMMEDIATE REVIEW AND OTHER MOTIONS BECAUSE SHE WANTED TO PREVENT DEFENDANT FROM HAVING PRETRIAL MOTIONS. THE JUDGE ROBERT J. JAMES KNEW THIS AND FAILED TO INVESTIGATE. THE JUDGE INTENDED TO PREJUDICE THE STATE "A MORE FAVORABLE OPPORTUNITY TO CONVICT THE DEFENDANT," OREGON V. KENNEDY, 456 U.S. 667, 674-676(11), 102 S.CT. 2083, 72 L.ED.2d 416 (1982); PAUL V. STATE, 266 GA.APP. 126, 596 S.E.2d 676 (2004); KEITH V. STATE, 222 GA.APP. 360-361, 474 S.E.2d 256 (1996); BENFORD V. STATE, 164 GA.APP. 733, 734-735, 298 S.E.2d 39 (1982) (SUGGESTING THAT THE SAME STANDARDS APPLY TO BOTH PROSECUTORIAL AND JUDICIAL MISCONDUCT).

ERROR 7 ON HANDWRITTEN CERTIFICATE OF IMMEDIATE REVIEW, WHERE APPELLANT INFORMED THE COURT OF THE INADEQUACY OF THE LAW LIBRARY LACK OF COMPUTER TO TYPE UP THE CERTIFICATE AND NONE EXISTENCE OF A PHYSICAL LAW LIBRARY IN DOUGLAS COUNTY JAIL. REFUSAL OF THE TRIAL COURT TO TYPE UP A HANDWRITTEN CERTIFICATE NO PURSUANT TO GEORGIA COURT OF APPEAL RULE 30, VIOLATED APPELLANT CONSTITUTIONAL RIGHT OF ACCESS TO THE COURT, THIS RIGHT IS A DENIAL OF DUE PROCESS OF LAW UNDER THE FOURTEENTH AMENDMENT, MCCENICO V. MARTIN, 716 SO.2d 222, 98 A.L.R. 5TH 753 (ALA.CIV.APP. 1998); CLARK V. STATE 278 GA.APP. 412, 629 S.E.2d 103 (2006); FAY V. STATE, 229 GA.APP. 341, 494 S.E.2d 95 (1997); MYRON V. STATE, 248 GA.120, 281 S.E.2d 600 (1981) PORTIS V. EVANS, 250 GA.239, 297 S.E.2d 248 (1982). BOUNDS V. SMITH 430 U.S. 817, 97 S.CT. 1491, 52 L.ED.2d 72 (1977).

ERROR 8 ON CONSTITUTIONAL PARENTAL RIGHTS. PARENTS HAVE A FUNDAMENTAL CONSTITUTIONALLY PROTECTED INTEREST IN CONTINUI OF LEGAL BOND WITH THEIR CHILDREN. MATTER OF RELANEY, 617 P.2d 886, OKLAHOMA (1980); FATHER ENJOYS THE RIGHT TO ASSOCIATE WITH HIS CHILDREN WHICH IS GUARANTEED BY FIRST AMENDMENT AS INCORPORATED IN 14TH AMENDMENT, OR WHICH IS EMBEDDED IN THE CONCEPT OF "LIBERTY" AS THAT WORD IS USED IN THE DUE PROCESS CLAUSE OF THE 14TH AMENDMENT AND EQUAL PROTECTION CLAUSE OF THE 14TH AMENDMENT. MABRA V. SCHMIDT, 356 F.SUPP. 620, N.D. OH (1973) TROXEL V. GRANVILLE, 530 U.S. 57 (2000). MCCORKUM V. JONES, 274 GA APP. 815, 619 S.E.2d 313 (2005). O.C.G.A. 29-2-3; O.C.G.A. 19-7-1(a). THE RELATIONSHIP BETWEEN PARENT AND CHILD IS CONSTITUTIONALLY PROTECTED. QUILLOIN V. WALCOTT

WALCOTT, 434 U.S. 246, 98 S. Ct. 549, 54 L. Ed. 2d 511 (1978). PARENTS HAVE THE JOINT RIGHT TO CUSTODY AND CONTROL OF THEIR MINOR CHILDREN. O.C.G.A. 19-7-1(a), COLEMAN V. WAY, 217 GA. 366, 122 S.E. 2d 104 (1961). THE RIGHT TO RAISE ONE'S CHILD HAS BEEN DESCRIBED BY THE GEORGIA COURTS AS A FIERCELY GUARDED RIGHT THAT CAN ONLY BE INFRINGED UPON UNDER THE MOST COMPELLING CIRCUMSTANCES IN INTEREST OF I.C., 242 GA. 737, 251 S.E. 2d 299 (1978).

ERROR 9 NO BOND IS MORE PRECIOUS AND NONE SHOULD BE MORE ZEALOUSLY PROTECTED BY THE LAW AS THE BOND BETWEEN PARENT AND CHILD. CARSON V. ELROD, 411 F. SUPP. 645, 649; DC E.D. VA (1976). THE U.S. SUPREME COURT IMPLIED THAT "A (ONCE) MARRIED FATHER WHO IS SEPARATED OR DIVORCED FROM A MOTHER AND IS NO LONGER LIVING WITH HIS CHILD" COULD NOT CONSTITUTIONALLY BE TREATED DIFFERENTLY FROM A CURRENTLY MARRIED FATHER LIVING WITH HIS CHILD. QUILLOIN V. WALCOTT, 98 S. Ct. 549, 434 U.S. 246, 255-56 (1978). IN

ERROR 10 JUDGES MUST MAIN A HIGH STANDARD OF JUDICIAL PERFORMANCE WITH PARTICULAR EMPHASIS UPON CONDUCTING LITIGATION WITH SCRUPULOUS FAIRNESS AND IMPARTIALITY. 28 USCA § 2411; PFIZER V. LORD, 456 F. 2d 532 (1972). STATE JUDGES, AS WELL AS FEDERAL, HAVE THE RESPONSIBILITY TO RESPECT AND PROTECT PERSONS FROM VIOLATIONS OF FEDERAL CONSTITUTIONAL RIGHTS. GROSS V. STATE OF ILLINOIS, 312 F. 2d 257 (1963). O.C.G.A. 19-9-3. IS ABOUT BEST INTEREST OF THE CHILDREN CENTERED AROUND SOUND EDUCATION, RELIGION, HEALTH AND BONDING.

ERROR 11. RIGHTS TO MARRY, HAVE CHILDREN AND MAINTAIN RELATIONSHIP WITH CHILDREN ARE FUNDAMENTAL RIGHTS PROTECTED BY THE FOURTEENTH AMENDMENT AND THUS, STRICT SCRUTINY IS REQUIRED OF ANY STATUTES THAT DIRECTLY AND SUBSTANTIALLY IMPAIR THESE RIGHTS. P.O.P.S. V. GARDNER 998 F. 2d 764 C 9TH CIR. 1993). NOR CAN ONE PARENT OR THE COURT TAKE AWAY A CHILD'S RIGHT TO BE PROVIDED FOR BY BOTH PARENTS. DEPARTMENT OF HUMAN RESOURCES V. MITCHELL, 232 GA. APP. 215, 501 S.E. 2d 508 (1998); CRUMB V. GORDEN, 157 GA. APP. 839, 278 S.E. 2d 725 (198 MCCOLLUM V. JONES, 274 GA. APP. 815, 619 S.E. 2d 313 (2005).

ERROR 12: ON CONTEMP ORDER / JURISDICTION. WHEN A QUESTION OF LAW IS AT ISSUE, A REVIEWING COURT DOES NOT GIVE ANY DEFERENCE TO THE TRIAL COURTS RULING AND MUST APPLY THE PLAIN LEGAL ERROR STANDARD OF REVIEW. SUAREZ V. HALBERT, 246 GA. APP. 82 543 S.E. 2d 733 (2000). BACA V. BACA, 256 GA. APP. 514, 568 S.E. 2d 746 (2002) CAPITALIZED THAT SUCH PROTECTIVE ORDER SHOULD BE [illegible] BEST INTERESTS OF CHILD. O.C.G.A. 19-9-3(a)(3), 19-3-1 ETS

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APPELLANT CHALLENGES THE GWINNETT COUNTY SIMULTANEOUS CONTEMPT AUTHORITY AND DOUGLAS COUNTY DENIAL OF DIVERCE DECREE VISITATION RIGHTS. WHEN THE CHILD SUPPORT AND DIVERCE DECREE ARE IN PHILADELPHIA COMMONWEALTH PLEA COURT OF PENNSYLVANIA HAS REGISTERED THE DECREE. SEE BRIEF PART I EXHIBIT "2". GEORGIA COULD NOT EXERCISE JURISDICTION OVER APPELLANT IN PURSUANT TO O.C.G.A. 19-9-46(a) ET THE UNIFORM CHILD CUSTODY JURISDICTION ACT ("UCCJA") O.C.G.A. 19-9-40 ET SEQ. PENNSYLVANIA IS THIS CONTROVERSY POINTED IN ITS ORDER A JURISDICTIONAL CONFLICT BETWEEN GEORGIA AND PENNSYLVANIA BY ORDER OF CONTEMPT FOR CHILD SUPPORT ISSUED BY GWINNETT COUNTY. DYER V. SURRATT, 266 GA. 220, 221, 466 S.E. 2d 584 (1996); ASHBURN V. BAKER, 256 GA. 507, 509, 350 S.E. 2d 437 (1986), WHICH RAISES THAT COURT AUTHORITY TO MAINTAIN A CONTEMPT ORDER AGAINST APPELLANT. GOLDSTEIN V. GOLDSTEIN, 229 GA. APP. 862, 494 S.E. 2d 745 (1997). A "PLAINTIFF, BY VOLUNTARILY INSTITUTING SUIT", GIVES THE COMMONWEALTH OF PENNSYLVANIA WHERE IT IS SO INSTITUTED JURISDICTION OF HER PERSON SUFFICIENT TO ANSWER ALL THE ENDS OF JUSTICE RESPECTING THE SUIT ORIGINALLY INSTITUTED, SUCH PROCEEDINGS IN EQUITY BEING ANCILLARY TO OR DEFENSIVE OF THE AGGRAVATED STALK PENDING IN DOUGLAS COUNTY. CASWELL V. BUNCH, 77 GA. 504(a) (1886); TERHUNE V. PETTIT, 195 GA. 793, 25 S.E. 2d 660 (194. LEDFORD V. BOWERS, 248 GA. 804, 806, 286 S.E. 2d 293 (1982). YOUNT V. MULLE, 266 GA. 729, 470 S.E. 2d 647 (1996); GAITHER V. GAITHER, 206 GA. 808, 58 S.E. 2d 834 (1950). THE JURISDICTIONAL PROVISIONS OF THE UCCJA CONFER JURISDICTION UPON PENNSYLVANIA TRIBUNAL SURROGATING "HOME STATE" OF THE CHILD O.C.G.A. 19-9-43(a). RICHARDSON V. RICHARDSON 257 GA. 101(2), 355 S.E. 2d 666 (1987); BINNS V. SMITH, 251 GA. 561, 310 S.E. 2d 225 (1984). MS. THERESA CHINIVE OF UCCJA RESPONDENT'S GENERAL APPEARANCE IN PENNSYLVANIA AND HER SUBMISSION THEREIN TO THAT JURISDICTION WAIVED ALL DEFENSES IN ABATEMENT UNDER O.C.G.A. 9-11-12(b)(2),(3)(4) AND (7). COMPARE TO ASHBURN V. BAKER, SUPRA. AT 509, 350 S.E. 2d 437. IN BOTH DYER V. SURRATT, 266 GA. 220, 221, 466 S.E. 2d 584 (1996) AND RUCKSTUHL V. CORLEY, 218 GA. APP. 660, 462 S.E. 2d 795 (1995). LONG-ARM STATUTE PROVIDES NO PERSONAL JURISDICTION IN ACTION FOR CONTEMPT OF DIVERCE DECREE. FINALLY DOUGLAS COUNTY AGGRAVATED STALKING IS VOID AND NULL. A JUDGMENT WHICH IS VOID FOR ANY CAUSE IS A MERE NULLITY AND IT MAY BE SO HELD IN ANY COURT WHERE IT BECOMES MATERIAL TO THE INTEREST OF THE PARTIES.

TO CONSIDER IT. ENGLISH V. STATE, 282 GA. APP. 552, 639 S.E. 2d 551 (2006), CURTIS V. STATE, 275 GA. 576, 578 (1), 571 S.E. 2d 376 (2002), JONES V. STATE, 278 GA. 669, 670, 604 S.E. 2d 485 (2004).

ERROR IS CRIMINAL CONTEMPT PROCEEDING IN GWINNETT COUNTY SUPERIOR COURT TRIGGERED THE FIFTH AMENDMENTS DOUBLE JEOPARDY BAR TO SUBSEQUENT PROSECUTION. U.S.C.A. CONST. AMEND. 5 UNDER BLOCKBURGER TEST. BLOCKBURGER V. UNITED STATES, 284 U.S. 299, 52 S.Ct. 180, 76 L.Ed 306 (1932). U DARKER V. STATE, 248 GA. APP. 659, 658 (1), 548 S.E. 2d 354 (2001) FULTON COUNTY CHARGED OF AGGRAVATED STALKING IS SIMILARLY WITH THIS CASE. THANKS V. STATE, 292 GA. APP. 177, 663 S.E. 2d 812 (2008) ANALYSIS LET THE COURT T AVER, O.C.G.A. 16-5-91(a), "AS THE PROOF OF A VIOLATION OF THE PROTECTIVE ORDER IS AN ELEMENT OF THE CRIMINAL OFFENSE, A VIOLATION OF THE PROTECTIVE ORDER IS ENTIRELY INCLUDED IN THE PROOF OF VIOLATION OF THE STATUTE (I.E THE PROTECTIVE ORDER VIOLATION CONTAINS NO ELEMENTS NOT CONTAINED IN THE CRIMINAL OFFENSE)." FURTHER, THE PROTECTIVE ORDER SPECIFICALLY ENJOINED APPELLANT FROM CONTACTING HER FOR THE PURPOSE OF HARASSING AND INTIMIDATING, AS IS THE MANDATE OF O.C.G.A. 16-5-91(9). AS SUCH, THE UNITED STATES SUPREME COURT PRECEDENT, IT IS PURE SURMISE THAT THE INDICTMENT FOR AGGRAVATED STALKING, PREDICATED ON THE SAM ACT ON WHICH A PRIOR GWINNETT CONTEMPT PROCEEDING WAS BASED, IS SUBJECT TO THE FIFTH AMENDMENTS DOUBLE JEOPARDY CLAUSE. THANKS V. STATES, ERRORS ON MALICIOUS DELAYS, DUE PROCESS DRAWS A BOUNDARY BEYOND WHICH STATE RULES CANNOT STRAY, IT DOES NOT DISPLACE THE LAW OF EVIDENCE WITH A CONSTITUTIONAL BALANCING TEST. STATE RULES ARE DESIGNED NOT TO FRUSTRATE JUSTICE, BUT TO PROMOTE I PERRY V. RUSHEN, 713 F. 2d 1447 (1983); CHAMBERS V. MISSISSIPPI, 410 U.S. AT 298, 93 S.Ct. AT 1047, WASHINGTON V. TEXAS, 388 U.S. AT 24, 87 S.Ct. AT 1926. THE FOURTEENTH AMENDMENT FORBIDS THE STATE TO DEPRIVE ANY PERSON OF LIFE, LIBERTY OR PROPERTY WITHOUT DUE PROCESS OF LAW. THE DUE PROCESS CLAUSE ALSO FORBIDS ARBITRARY DEPRIVATION. HONOR, OR INTEGRITY IS AT STAKE BECAUSE OF WHAT THE GOVERNMENT IS DOING TO HIM, THE MINIMAL REQUIREMENTS OF THE CLAUSE MUST BE SATISFIED. WISCONSIN V. CONSTANTINEAU, 400 U.S. 433, 437, 91 S.Ct. 507, 510, 27 L.Ed 2d 515 (1971), GOSS V. LOPEZ, 419 U.S. 565, 95 S.Ct. 729, 42 L.Ed. 2d 725 (1975), BOARD OF REGENTS V. ROTH, 408 U.S. 564, 577, 92 S.Ct. 2701, 2709, 33 L.Ed. 2d 548 (1972) 5 MONTHS DELAY TO DETERMINE IF.

IF CRIMINAL DEFENDANT IS QUALIFIED FOR FREE TRANSCRIPT WAS A MALICIOUS EXTENSION OF PRETRIAL INCARCERATION WHEN ANY PERSON WHO WALKS INTO DOUGLAS COUNTY JAIL AND COMPLETES INDIGENT FORM BECOME INDIGENT AUTOMATICALLY. THIS IS MORE OF A CRIMINAL ENTERPRISE BETWEEN JUDGE R. TIMOTHY HAMIL OF GWINNETT COUNTY SUPERIOR COURT AND JUDGE ROBERT J. JAMES AND DOUGLAS COUNTY DISTRICT ATTORNEY'S OFFICE IN VIOLATION OF O.C.G.A. 16-14-4 (RICO) AS WAS HELD BY GEORGIA SUPREME COURT IN CALDWELL V. STATE, 253 GA. 400, 321 S.E. 2d 704 (1984).

ERROR 15: THE FIVE MONTHS DELAY RAISED A PRESUMPTION OF PREJUDICE WHICH REQUIRED A FULL ANALYSIS OF THE FOUR FACTORS OF PREJUDICE ~~WHICH~~ SET OUT IN BARKER V. WINGO, 407 U.S. 514 (1972), CULBREATH V. STATE, CASE NO. A14A0349 (JULY 10, 2014). IF THESE JUDGES PUT DOUGLAS COUNTY DEPUTY SHERIFF KENNETH LYNNE CONNER TO EXECUTE FALSE FUGITIVE WARRANT AGAINST APPELLANT WHO PAID CHILD SUPPORT ORDERED BY THE SAME COURT ON ITS TRO, WHAT ELSE COULD THEY NOT DO. COX V. STATE, 279 GA. 223, 610 S.E. 2d 521 (2005).

ERROR 16 ON ESSENTIAL ELEMENTS OF CRIME/STALKING ORDER EXERCISE OF ORDERED DIVORCE DECREE VISITATION RIGHT PROPER COULD NOT BE MISCONSTRUED AS SUDDEN PRESENCE WHEN WEDNESDAY JUNE 5, 2013 WAS THE RIGHT DAY TO PICKUP KIDS. THERE IS NO THREAD ASSOCIATED WITH BOTH NOT BEING THE ELEMENT OF STALKING. THE UNDERLYING STALKING ORDER IS NULLITY AND AGGRAVATED STALKING MUST FALL WITH IT. ENGLISH V. STATE, CURTIS V. STATE, SUPRA. IF THE ALLEGED PREDICATE ACTS ARE FOUND TO BE LAWFUL PRACTICES, THESE PRACTICES CANNOT CONSTITUTE A CRIME FOR WHICH APPELLANT COULD BE PROSECUTED. JOHNSON V. FLEET FINANCE, INC. 785 F. SUPP. 1005 (S.D. GA. 1992).

ERROR 17 INDICTMENT BECAUSE THIS COUNT FAILED TO CHARGE A NECESSARY ELEMENT OF THE CRIME, IT WAS VOID. IN RE. E.S. 262, GA. APP. 768, 586 S.E. 2d 691 (2003). THE COURT OF JOHNSON V. STATE, 264 GA. 590, 449 S.E. 2d 894 (1994) DELINEATES THE ESSENTIAL ELEMENTS TO BE HARASSING AND INTIMIDATING, KNOWING AND WILLFULL SERVES NO LEGITIMATE PURPOSE, IN REASONABLE FEAR OF DEATH OR BODILY TO HERSELF OR TO A MEMBER OF HER

IMMEDIATE FAMILY. WHAT IS NOT AN ELEMENT IN JOHNSON CASE IS NEITHER AN OVERT THREAT OR CAUSE SUBSTANTIAL EMOTIONAL DISTRESS STATE V. MILLS 260 GA. 669, 673(2), 398 S.E. 2d 547 (1990), O.C.G.A. 16-5-90, 16-5-91, CONSTANTINO V. STATE, 243 GA. 595, 598(1), 255 S.E. 2d 710 (1979), MONROE V. STATE 290 GA. 301, 34(1)(b), 295 S.E. 2d 512 (1982), LEMON V. STATE, 255 GA. 741, 76(3), 218 S.E. 2d 818 (1975). BAKER V. WILLIAMS, 279 GA. 782, 621 S.E. 2d 449 (2005) GIVES THE OLD AND THE NEW DEFINITION OF BOTH STATUTE.

ERROR 18: WHEN CUSTODIAN PARENT CONTINUES TO MOVE FREQUENTLY WITHOUT OBEYING COURT DIVORCE DECREE THAT REQUIRES HER TO FILE WITH GWINNETT COUNTY SUPERIOR COURT HER NEW ADDRESS SO THAT NONCUSTODIAN PARENT CAN EXERCISE HIS VISITATION RIGHTS. DOUGLAS COUNTY POLICE INVESTIGATOR HAS ONCE CONFRONTED CUSTODIAN PARENT ABOUT NOTIFYING NONCUSTODIAN PARENT OF HER NEW ADDRESS SO THAT HE COULD EXERCISE HIS VISITATION RIGHT AS THE FATHER OF THOSE CHILDREN. SHE REPLIED "NO." O.C.G.A. 19-13-4(a)(6) "ORDER EITHER PARTY TO MAKE PAYMENTS FOR THE SUPPORT OF A MINOR CHILD AS REQUIRED BY LAW" JUDGE ROBERT T. JAMES SAID IF YOU DO NOT PAY CHILD SUPPORT WE THROW YOU IN JAIL. APPELLANT PAID CHILD SUPPORT, HE STILL LOCKED UP APPELLANT. BESIDES GWINNETT EQUALLY ISSUED CONTEMPT TO LOCKED UP APPELLANT.

ERROR 19. PAYMENT OF CHILD SUPPORT AND COURT ORDERED VISITATIONS BOTH HAVE LEGITIMATE PURPOSES. JOHNSON V. STATE, CONSTANTINO V. STATE MONROE V. STATE, LEMON V. STATE, SUPRA.

ERROR 20. MS. THERESA CANNE RECORD HEARSAY STATEMENTS TO LAW ENFORCEMENT OFFICER, KENNETH LYNNE CONNER WERE NOT SUFFICIENTLY TRUSTWORTHY TO OBTAIN STALKING ORDER OR AGGRAVATED STALKING WARRANT. FENIMORE V. STATE, 463 S.E. 2d 55 (1995). THE ALLEGATIONS OF THE FAMILY VIOLENCE MUST BE PROVEN BY A PREPONDERANCE OF THE EVIDENCE. HERVEY V. STATE, 308 GA. APP. 290, 707 S.E. 2d 189 (2011). THE INTERPRETATION OF A STATUTE IS A QUESTION OF LAW, WHICH IS REVIEWED DE NOVO ON APPEAL. CLARK V. STATE, 328 GA. APP. 268, 761 S.E. 2d 826 (2004).

ERROR 21 ON ERROR OF LAW, GEORGIA REGISTRATION OF DIVORCE DECREE IN VIRGINIA AND PENNSYLVANIA DIVESTED IT JURISDICTION AND IT CANNOT ARBITRARY LITIGATE THE SAME SUBJECT MATTER SIMULTANEOUSLY O.C.G.A. 19-9-87, TO PREVENT A MULTIPLICITY OF SUITS AT LAW. STATON V. TUCKER, 144 U.S. 533, 12 S.Ct. 720, 36 L. Ed.

532; ILLINOIS STEEL CO. V. SCHROEDER, 133 WIS. 561, 113 N.W. 51, 14 L.R.A.N.S. 239 SHINGLER V. SHINGLER, 184 GA. 671(4), 192 S.E. 824, " THE PREVENTION OF VEXATIOUS, OPPRESSIVE AND RUINOUS LITIGATION IS A FREQUENT CAUSE FOR THE EXERCISE OF EQUITY JURISDICTION AND INJUNCTIONS TO RESTRAIN A MULTIPICITY OF SUITS IN SUCH CASES ARE NOT ONLY PERMITTED, BUT FAVORED, BY THE COURTS."

ERROR 22 THE JUDGES OWN ORDER SEE EXHIBIT "4" OF PART I EXCLUDING THE PARTIES' MINOR CHILDREN CHILD SUPPORT IS FOR THE CHILDREN AND SHE SHOULD HAVE KNOWN THAT. JUDGE JAMES REFUSED TO HAVE CHILD SUPPORT SENT TO THE MINOR CHILDREN DIRECTLY. CUSTODIAN PARENT HAS TERMINATED PAYMENT THROUGH THE CHILD SUPPORT AGENCY DEMANDING IN VIRGINIA COUR TO HAVE CHILD SUPPORT MAILED DIRECTLY TO HER, SEE EXHIBIT "1" OF PART I O.C.G.A. 19-13-4(a)(6) IF IT MEANS WHAT IT SAYS THIS IS ERROR OF LAW

ERROR 23. TRIAL COURT SHOULD HAVE ASKED MS. THERESA CHAVINE REDFORD TO LET NONCUSTODIAN PARENT AND THE SISTER TO SEE THE CHILDREN, SINCE THEY WERE OUT OF TOWN. ALTHOUGH TRIAL COURT MAY MODIFY, SUA SPONTE, VISITATION WITH MINOR CHILD UNDER CERTAIN CIRCUMSTANCES; STATUTORY PROVISION ALLOWING FOR SUCH MODIFICATION ONLY COME INTO PLAY WHEN JURISDICTION AND VENUE ARE ALSO PROPER. O.C.G.A. 19-9-1(6), 19-9-3(b), 19-9-23(a). ROGERS V. BAUDET, 215 GA. APP. 214, 449 S.E.2d 900 (1994) DOUGLAS COUNTY JUDICIAL CIRCUIT REFUSED AND RETURNED APPELLANT'S PETITION FOR CONTEMPT, CHANGE OF CUSTODY AND DOMESTICATION. DOUGLAS COUNTY JUDICIAL CIRCUIT AND GWINNETT COUNTY JUDICIAL CIRCUIT BOTH DIVESTED THEMSELVES OF JURISDICTION ON THIS MATTERS. APPELLANT IS STILL PAYING CHILD SUPPORT FOR HIS CHILDREN OVER 20 YEARS.

ERROR 24. THE HEAVY STANDARD APPLIED IN CRIMINAL CASES MANIFEST OUR CONCERN THAT THE RISK OF ERROR TO THE INDIVIDUAL MUST BE MINIMIZED EVEN AT THE RISK THAT SOME WHO ARE GUILT MIGHT GO FREE. PATTERSON V. NEW YORK, 432 U.S. 197, 208, 97 S.Ct. 2319, 2326, 53 L.Ed. 2d 281 (1977). MORE, WE MUST BE MINDFULL THAT THE FUNCTION OF LEGAL PROCESS IS TO MINIMIZE THE RISK OF ERRONEOUS DECISIONS. MATHEWS V. ELDRIDGE, 424 U.S. 319, 335, 96 S.Ct. 893, 905, 47 L.Ed. 2d 18 (1976); SPEISER V. RANDALL, 357 U.S. 513, 525-526, 78 S.Ct. 1332, 1341-1342, Ed 2d 1460 (1958).

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ERROR 25. IF A DEFENDANT CAN ADMIT ALL THE ALLEGATIONS CONTAINED IN THE INDICTMENT AND STILL NOT BE GUILTY OF A CRIME, THEN THE INDICTMENT HAS FAILED TO SUFFICIENTLY ALLEGE THAT THE DEFENDANT COMMITTED A CRIME AND THE RESULTING CONVICTION OR GUILTY PLEA IS VOID. WRIGHT V. HALL, 281 GA. 318, 638 S.E.2d 270 (2006), STINSON V. STATE, 279 GA. 177, 611 S.E.2d 52 (2005), KEMP V. STAMPSON 278 GA. 439, 603 S.E.2d 267 (2004) THE PURPOSE OF AN INDICTMENT IS TO ENABLE THE DEFENDANT TO PREPARE HIS DEFENSE INTELLIGENTLY AND TO PROTECT HIM FROM DOUBLE JEOPARDY. USCA. CONST. AMEND. 5TH. STATE V. MARSHALL, 304 GA. APP. 865, 698 S.E.2d 337 (2010).

ERROR 26. UNDER THE 1983 GA. CONST. ART. I, SEC. I, PAR. XII, CARGILL V. STATE, 255 GA. 616(3), 340 S.E.2d 891 (1986); CHERRY V. COAST HOUSE, LTD, 257 GA. 403 (3), 359 S.E.2d 904 (1987) A LAWYER HAS RIGHT, SUBJECT TO THE AUTHORITY OF THE TRIAL COURT TO LIMIT THE EXERCISE OF THAT RIGHT IN ORDER "TO INSURE THE ORDERLY DISPOSITION OF MATTERS BEFORE IT.." A LAWYER CAN AS A CO-COUNSEL. IMPLICIT IN THE FIFTH AMENDMENTS GUARANTEE OF DUE PROCESS OF LAW AND IMPLICIT ALSO IN THE SIXTH AMENDMENTS GUARANTEE OF A RIGHT TO THE ASSISTANCE OF COUNSEL IS 'THE RIGHT OF THE ACCUSED PERSONALLY TO MANAGE AND CONDUCT HIS OWN DEFENSE IN A CRIMINAL CASE. FARETTA V. CALIFORNIA, 422 U.S. 806, 95 S.Ct. 2525, 45 L.Ed.2d 562 (1975). UNITED STATES V. PLATTNER 330 F.2d 271; HASLAM V. UNITED STATES, 451 F.2d 362, 365 (CA.9); UNITED STATES V. WARNER, 428 F.2d 730, 733 (CA8); UNITED STATES V. STERMAN 415 F.2d 1165, 1169-1170 (CA6).

ERROR 27: WHAT IS MORE IMPERTANT IS THAT JUSTICE BE EQUITABLY ADMINISTERED. THE JUDGE SHOULD HAVE INVESTIGATED ASSISTANT DISTRICT ATTORNEY'S INTERCEPTION CERTIFICATE OF IMMEDIATE RECUSAL AND MOTION TO DISQUALIFY MS. ANNA C. VAUGHAN. THUS, IF IT BE SHOWN THAT A LETTER PROPERLY STAMPED HAS BEEN MAILED THERE IS A PRESUMPTION THAT IT REACHED THE PERSON ADDRESSED. DUNLOP V. U.S. 165 U.S. 486 (1897). MACGREGOR V. KELLY 3 EXCH. 794, SKIBECK V. GARBETT, 79 B 846.

ERROR 28 ON EX PARTE RULINGS THE TRIAL COURT CONTINUES TO RULE ON MOST DEFENDANT MOTIONS AFTER PRIVATE DISCUSSIONS WITH THE ASSISTANT DISTRICT ATTORNEY. ALL ATTORNEYS IN SURROUNDING JUDICIAL CIRCUIT WILL TESTIFY TO THIS MODUS OPERANDI THAT DOUGLAS COUNTY DISTRICT ATTORNEY'S OFFICE TELLS JUDGES IN DOUGLAS COUNTY CIRCUIT WHAT TO DO AND WRITE UP THE COURT ORDERS IN WAYS FAVORABLE TO THEIR OWN UNINDICTMENT INDICTMENT CANON 3.7 THIS ALSO INVOLVES THE SEPARATION OF POWERS DOCTRINE AND HIS ILL

CONST. AMENDM. FULLWOOD V. SIVLEY, 271 GA. 248, 517 S.E. 2d 511 (1999).
ERROR 29. THE TRIAL COURT CANNOT RULE EX-PARTE CRITICAL DEFENDANT MOTIONS BECAUSE THE ASSISTANT DISTRICT ATTORNEY CANNOT ARGUE THE MOTION AGAINST A JURIST. CODE OF JUDICIARY CONDUCT PREAMBLE STATES, OUR LEGAL SYSTEM IS BASED ON THE PRINCIPLE THAT AN INDEPENDENT FAIR AND COMPETANT JUDICIARY WILL INTERPRET AND APPL THE LAWS THAT GOVERN US. THE JUDGE IS AN ARBITER OF FACTS AND LAW FO THE RESOLUTION OF DISPUTES AND A HIGHLY VISIBLE SYMBOL OF GOVERNMENT UNDER THE RULE OF LAW. CANON 3, 7. JUDGES SHALL ACCOR TO EVERY PERSON WHO HAS A LEGAL INTEREST IN A PROCEEDING THE RIGHT TO BE HEARD ACCORDING TO LAW. JUDGES SHALL NOT INITIATE EX-PARTE COMMUNICATIONS. FULLWOOD V. SIVLEY SUPRA. ON DOCTRINES OF SEPARATION OF POWERS. PARTIES WHOSE RIGHTS ARE TO BE AFFECTED ARE ENTITLED TO BE HEARD AND IN ORDER THAT THEY MAY ENJOY THA RIGHT THEY MUST FIRST BE NOTICED. BALDWIN V. HALE, 1 WALL 223, 23 17 L.Ed 531 (1864). O.C.G.A. 15-6-21, IF ANY JUDGE REPEATEDLY FAILS TO DECIDE THE VARIOUS MOTIONS. IT IS A GROUNDS FOR IMPEACHM ERROR 30 ON FRAUD. THE VIRGINIA, PENNSYLVANIA, GWINNETT COUNTY ANX DOUGLAS COUNTY ALL WERE THE PRODUCT OF ORCHESTRATED IN A VIOLATION OF O.C.G.A. 16-14-4 GEORGIA RICO ACT. THE RICO ACT. COVERED THE ACTIVITIE OF A PUBLIC OFFICIAL, CALDWELL V. STATE, 253 GA. 800 321 S.E. 2d 704 (1984), REAUGH V. INNER HARBOUR HOSPITAL LTD, 214 GA. APP. 259 447 S.E. 2d 617 (199 & THE FACT THAT THE ORCHESTRATORS ARE JUDICIAL CIRCUIT MEMBERS DO NOT INSULATE IT FROM RICO LIABILITY EMPHASIS APPLIED. O.C.G.A. 51-6-1 ANX RELIEF FROM JUDGMENTS. O.C.G.A. 9-11-60 (a) (d. 2), ONE OF THE BASIC ELEMENTS OF THE CONSTITUTIONAL REQUIREMENT OF A FAIR TRIAL IS A LEGALLY COMPETENT TRIBUNAL HAVING JURISDICTION OF THE CASE. POWELL V. STATE OF ALA., 287 U.S. 45, 53 S.Ct. 55, 77 L.Ed. 158, 84 A.L.R 527 (1932), SEE ROSE V. CLARK, 478 U.S. 570, 106 S.Ct. 3101, 92 L.Ed. 2d 460 (1986), JEFFSON-EL V. STATE, 330 MD. 99, 622 A.2d 737 (1993) ON IMPARTIAL JUDGE.
ERROR 31: ON JUDICIAL MISCONDUCT WHEN HE ENGAGED APPELLANT IN RACIAL COMBAT THAT THOUGH HE IS JURISPRUDENT THAT HE IS STILL BLACK AND IGNORANT. THROUGHOUT HE ARGUED THE CASE FOR THE STATE AND THE TRANSCRIPTS SPEAK FOR THEMSELVES. THE RIGHT TO AN IMPARTIAL DECISION MAKER IS REQUIRED BY DUE PROCESS ARNETT V. KENNEDY 416 U.S. 134, 94 S.Ct. 1633, 40 L.Ed 2d 15 (1974).

TUMEY V. OHIO, 273 U.S. 510, 47 S. Ct. 437, 71 L. Ed. 749 (1927); WARD V. VILLAGE OF MONROEVILLE, 409 U.S. 57, 93 S. Ct. 80, 34 L. Ed. 2d 267 (1972). IT VIOLATES THE SEPARATION OF POWERS DOCTRINE OF ART. II, SEC. I, PAR. III OF THE GEORGIA CONSTITUTION. NOTHING IS MORE FUNDAMENTAL THAN THAT THE JUDGES MUST STAY WITHIN THE BOUNDS OF THEIR CONSTITUTIONAL POWER. RD-DR. CORP. V. SMITH, 183 F. 2d. 562 (1950).

ERROR 32 JUDICIARY IS A BRANCH OF STATE GOVERNMENT SEPARATE AND INDEPENDENT. FORTSON V. WEEKS, 232 GA. 472, 208 S.E. 2d 68 (1974). IN SIMILAR CASE PAUL V. STATE, 272 GA. AT. 849 (3), 537 S.E. 2d 58 (2000), THE SUPREME COURT CONCLUDED THE TRIAL JUDGE" TOOK A PROSECUTORIAL ROLE IN THE HEARING." ID. AT 846 (1), 537 S.E. 2d 58. JUDGE INTENDED TO PROVIDE THE STATE "A MORE FAVORABLE OPPORTUNITY TO CONVICT THE DEFENDANT." OREGON V. KENNEDY, 456 U.S. 667, 674-676 (1), 102 S. Ct. 2083, 72 L. Ed. 416 (1982). PAUL V. STATE, SUPRA, KEITH V. STATE, BENFORD V. STATE, SUPRA.

ERROR 33 ON JUDGE'S OPINION, STATUTE PROHIBITING COURT FROM MAKING COMMENTS ON APPELLANT'S GUILT OR HAVING COMMITTED A CRIME. COURT'S COMMENT ASSUMED CERTAIN THINGS AS FACTS AND ON WHAT HE BELIEVES EVIDENCE TO BE O.C.G.A. 17-8-52, JOHNSON V. STATE, 222 GA. APP. 722, 475 S.E. 2d 918 (1996). PAUL V. STATE, 272 GA. 845, 537 S.E. 2d 58 (2000).

ERROR 34. THE ROLE OF THE JUDICIAL BRANCH IS TO APPLY STATUTORY LANGUAGE NOT TO REWRITE IT. HARRIS V. GARNER, 216 F. 3d 970 (2000). IT IS NOT ROLE OF JUDICIARY TO REMEDY LEGISLATIVE STATUTE BY OPINION. MATTER OF JONES 192 B.R. 289 (1996). JUSTICE MUST SATISFY THE APPEARANCE OF JUSTICE AND DUE PROCESS REQUIRES NO LESS. IN RE MURCHISON, 349 U.S. 133, 136, 75 S. Ct. 623, 625, 99 L. Ed. 942, 946 (1955). HERE THERE WAS A RUNNING CONTROVERSY BETWEEN THE APPELLANT, ASSISTANT DISTRICT ATTORNEY AND THE TRIAL JUDGE AS THERE WAS IN TAYLOR V. HAYES, 418 U.S. 488, 501, 94 S. Ct. 2699, 2704, 41 L. Ed. 2d 897, 909 (1974).

ERROR 35 ON QUASHING INDICTMENT IN THE COURT OF STATE V. THOMAS --S.E. 2d-- (2015), NO. A14A1974, MARCH 17, 2015 " BECAUSE WE ARE REVIEWING THE INDICTMENT ON INTERLOCUTORY APPEAL, BEFORE ANY TRIAL, WE MUST APPLY THE RULE THAT A DEFENDANT WHO HAS TIMELY FILED A SPECIAL DEMURRER IS ENTITLED TO AN INDICTMENT PERFECT IN FORM AND SUBSTANCE BLACKMAN V. STATE, 272 GA. APP. 854, 855, 614 S.E. 2d 188 (2005). IF THE INDICTMENT IS SO DEFECTIVE THAT JUDGMENT UPON IT WOULD BE ARRESTED ATTENTION MAY BE CALLED TO THIS DEFECT AT ANY TIME DURING THE TRIAL AND IT MAY BE QUASHED ON ORAL MOTION.

STATE V. SHABAZZ, 291 GA. APP. 751, 662 S.E. 2d 828 (2008).

ERROR 36 ALL EXCEPTIONS WHICH GO MERELY TO THE FORM OF AN INDICTMENT SHALL BE MADE BEFORE TRIAL. O.C.G.A. 17-7-111, UNIFORM SUPERIOR COURT RULE 31.1. ROSS V. STATE, 235 GA. APP. 7, 508 S.E. 2d 424 (1998). OBJECTIONS TO OVERRULING ARE REVIEWABLE BY THE APPELATE COURTS UNDER THE INTERLOCUTORY PROCEDURES OF O.C.G.A. 5-6-34(b). IVEY V. STATE, 210 GA. APP. 782, 783, 437 S.E. 2d 810 (1993). AN ORAL MOTION TO DISMISS OR QUASH IS IN THE NATURE OF A GENERAL DEMURRER. BARTON V. STATE, 79 GA. APP. 380, 387, 53 S.E. 2d 707 (1949). ANY ORAL MOTION MAY BE MADE AT ANY TIME DURING TRIAL AND PRESUMABLY AT ANY TIME PRIOR TO TRIAL. GILMORE V. STATE, 118 GA. 299, 45 S.E. 226 (1903); SHEPPARD V. STATE, 95 GA. APP. 507, 98 S.E. 2d 169 (1957).

ERROR 37. MOTION TO QUASH THE INDICTMENT IS PROPER WHERE IT FAILS TO PROVIDE SUFFICIENT NOTICE REGARDING THE MANNER THAT IS STATUTORY MANDATED CHILD SUPPORT WAS MAILED TO THE CHILDREN IN PURSUANT TO O.C.G.A. 19-13-4(a)(6) LACKING SUCH SUFFICIENT PARTICULARITY IN PURSUANT TO STATE V. LAYMAN, 279 GA. 340, 340-341, 613 S.E. 2d 639 (2005), STATE V. THOMAS SUPRA. BY CHARGING IN AN INDICTMENT A CRIME CAPABLE OF BEING COMMITTED IN MORE THAN ONE WAY, A FAILURE TO CHARGE THE MANNER IN WHICH THE CRIME WAS COMMITTED SUBJECTS THE INDICTMENT TO A PROPER SPECIAL DEMURRER. STATE V. BLACK, 149 GA. APP. 389, 391(4), 254 S.E. 2d 506 (1979); ENGLAND V. STATE, 232 GA. APP. 842, 502 S.E. 2d 770 (1998). IF THE STATE HAVE NOT MALICIOUSLY CIRCUMVENTED THE PRELIMINARY EXAMINATION, PROPER CAUSE DOES NOT APPEAR, THE MAGISTRATE SHOULD HAVE DISCHARGED APPELLANT AND DISMISS THE CHARGE WITHOUT PREJUDICE AM. JUR. 2d CRIMINAL LAW. UNIF. MAG. CT. R. 25.2B(6); UNIF. SUPERIOR COURT R. 262(A)(7). SEE JOHNSON V. STATE, 242 GA. 822, 251 S.E. 2d 563 (1979) AN INDICTMENT COUPLED WITH ORAL GENERAL DEMURRER CHALLENGED THE SUFFICIENCY OF THE SUBSTANCE AND THE VERY VALIDITY OF THE INDICTMENT. MCKAY V. STATE, 234 GA. APP. 556, 507 S.E. 2d 484 (1998); ROSS V. STATE, 235 GA. APP. 7, 508 S.E. 2d 424 (1998); STATE V. BLACK, 149 GA. APP. 389, 391(4), 254 S.E. 2d 725 (1994). IT WAS SUBSTANTIVELY DEFECTIVE IN THAT IT DID NOT SET FORTH AN OFFENSE AND THEREFORE, TRIAL COURT SHOULD HAVE GRANTED APPELLANT'S MOTION TO QUASH INDICTMENT. PULLEN V. STATE, 199 GA. APP. 881, 406 S.E. 2d 283 (1991).

ERROR 39. THE EQUAL PROTECTION CLAUSE OF BOTH THE FEDERAL AND GEORGIA CONSTITUTIONS REQUIRES THAT SIMILARLY SITUATED INDIVIDUALS BE TREATED IN A SIMILAR MANNER. CITY OF ATLANTA V. WATSON, 267 GA. 185, 187(1), 475 S.E.2d 896 (1996). ETKIND V. SUAREZ, 271 GA. 352, 519 S.E.2d 210 (1999). NO PERSON IS FREE TO ABUSE THE RIGHT BY HAULING OTHER PERSONS INTO COURT FOR THE PURPOSE OF HARASSMENT. IN RE LAWSUITS OF CARTER 235 GA. APP. 551, 510 S.E.2d 91 (1998). MULTIPLICITY OF SUITS HERE RESULTED IN "DAMN IF YOU DO! DAMN IF YOU DON'T". CODE 17-37-1501, SUBD. 2, SHARON V. TUCKER, 144 U.S. 533, 12 S.Ct. 720, 36 L.Ed. 532.

ERROR 40. BOTH THIS COURT AND THE SUPREME COURT OF THE UNITED STATE HAVE STATED THAT THE STARTING POINT FOR DETERMINING LEGISLATIVE PURPOSE IS PLAINLY AN APPRECIATION OF THE "MISCHIEF" THAT THE LEGISLATIVE WAS SEEKING TO ALLEVIATE. HENDERSON V. ALEXANDER 2 GA. 81, 85, I.C.C. V. J.T. TRANSPORT CO. 368 U.S. 81, 107, 82 S.Ct. 204, 7 L.Ed. 2d 147; FORTSON V. WEEKS, 232 GA. 472, 208 S.E.2d 68 (1974). THE POWER TO CREATE CRIMES AND TO PRESCRIBE PUNISHMENT THEREFORE IS LEGISLATIVE. THE JUDGE IS A MERE AGENT OF THE LAW. KNIGHT V. STATE, 243 GA. 770, 771, 251 S.E.2d 182 (1979). THE LEGISLATIVE BRANCH IS VESTED WITH EXCLUSIVE POWER TO ENACT, AMEND OR REPEAL LAWS. BRABHAM V. STATE, 240 GA. APP. 526, 524 S.E.2d 1 (1999).

ERROR 41. THE STALKING STATUTES WHICH OUR GENERAL ASSEMBLY HAS CHOSEN TO ENACT DO NOT SPECIFICALLY REQUIRE THAT THE PROSCRIBED CONDUCT CONSTITUTE AN "OVERT THREAT" OR CAUSE SUBSTANTIAL "EMOTIONAL DISTRESS" THEY DO SPECIFICALLY REQUIRE THAT SUCH CONDUCT PLACE THE VICTIM "IN REASONABLE FEAR OF DEATH OR BODILY HARM TO HIMSELF OR HERSELF OR TO MEMBER OF HIS OR HER IMMEDIATE FAMILY." JOHNSON V. STATE, 264 GA. 590, 449 S.E.2d 94 (1994).

ERROR 42. THE TWO STALKING STATUTES DO NOT PROHIBIT THE MERE ACT OF "GETTING IN TOUCH WITH" OR "COMMUNICATING WITH" ANOTHER PERSON WITHOUT CONSENT, BUT PLAINLY STATE THE ONE IS PROHIBITED FROM DOING SO ONLY FOR A "HARASSING AND INTIMIDATING" PURPOSE. OR CONTACT THAT SERVES NO LEGITIMATE PURPOSE. CONSTANTINO V. STATE, 243 GA. 595, 598(1), 255 S.E.2d 710 (1979). SO AS TO REMOVE FROM THE PROSCRIPTION OF THE TWO STALKING STATUTES "THOSE PERSONS WHO HAVE A LEGITIMATE PURPOSE--, OR THOSE WHO ONLY INADVERTENTLY" MAKE NON CONSENSUAL CONTACT WITH ANOTHER PERSON. LEMON V. STATE, 235 GA. 744 763), 218 S.E.2d 818 (1975), JOHNSON V. STATE, SUPRA.

ERROR #3 BECAUSE THIS COUNTS FAILED TO CHARGE A NECESSARY ELEMEN OF THE CRIME, IT WAS VOID. IN RE E.S., 262 GA. APP. 768, 586 S.E. 2d 691 (2003). AN INDICTMENT UPON CONTENTIONS THAT THE STATUTE INVOLVED IS NULL AND VOID ON ITS FACE AS APPLIED TO THE APPELLANT. HARDEMAN V. STATE, 272 GA. 361, 529 S.E. 2d 368 (2000); ROBLES V. STATE, 277 GA. 415, 421 (9), 589 S.E. 2d 566 (2003). LIBERTY INTEREST IS ONE THAT THE FOURTEENTH AMENDMENT PRESERVES AGAINST ARBITRARY DEPRIVATION BY THE STATE. VITEK V. JONES, 445 U.S. 480, 100 S. Ct. 1254, 63 L. Ed. 2d 552, WOLFF V. MCDONNELL, 418 U.S. 539, 94 S. Ct. 2963, 41 L. Ed. 2d 935. ERROR 44 DUE PROCESS CLAUSE FORBIDS ANY CONDUCT THAT A MAJORITY OF THE COURT BELIEVES, UNFAIR, INDECENT OR SHOCKING TO THEIR CONSCIENCES. ROCHIN V. CALIFORNIA, 342 U.S. 165, 172, 72 S. Ct. 205, 209, 96 L. Ed. 183 (1951); GOLDBERG V. KELLY, 397 U.S. 254, 90 S. Ct. 1011, 25 L. Ed 2d 287 (1970). HAD THE DRAFTERS OF THE DUE PROCESS CLAUSE MEANT TO LEAVE JUDGES SUCH AMBULATORY POWER TO DECLARE LAW UNCONSTITUTIONALLY THE CHIEF VALVE OF A WRITTEN CONSTITUTION, AS THE FOUNDERS SAW IT, WOULD HAVE BEEN LOST. IN FACT, IF THAT VIEW OF DUE PROCESS IS CORRECT, THE DUE PROCESS CLAUSE COULD EASILY SWALLOW UP ALL OTHER PARTS OF THE CONSTITUTION. AND TRULY THE CONSTITUTION WOULD ALWAYS BE "WHAT THE JUDGES SAY IT IS AT A GIVEN MOMENT, NOT WHAT THE FOUNDERS WROTE INTO THE DOCUMENT. A WRITTEN CONSTITUTION, DESIGNED TO GUARANTEE PROTECTION AGAINST GOVERNMENT ABUSES, INCLUDING THOSE OF JUDGES, MUST HAVE WRITTEN STANDARDS THAT MEAN SOMETHING DEFINITE AND HAVE AN EXPLICIT CONTEN ERROR 45 THE EXTENT TO WHICH PROCEDURAL DUE PROCESS MUST BE AFFORDED THE RECIPIENT IS INFLUENCED BY THE EXTENT TO WHICH HE MAY BE" CONDEMNED TO SUFFER GRIEVOUS LOSS." JOINT ANTI-FASCI REFUGEE COMMITTEE V. MCGRATH, 341 U.S. 123, 168, 71 S. Ct. 624, 647, 95 L. Ed. 817 (1951). IF THERE IS ACTUAL MALICE, IT MEANS DELIBERATE INTENTION TO COMMIT AN ILLEGAL OR WRONGFUL ACT. THE INDICTMENT WAS IMPERMISSIBLY BROADEN IN SUCH A WAY THAT IT WILL AUTHORIZE THE STATE TO CONVICT DEFENDANT IN MANNER OTHER THAN PAY CHILD SUPPORT BY THE ORDER OF FOUR COURTS OF COMPETENT JURISDICTIONS. PAUL V. STATE, 308 GA. APP. 275, 707 S.E. 2d 171 (2011) ERROR 46 MOTION TO QUASH THE INDICTMENT ON THE GROUND THAT IT IS DEFECTIVE BECAUSE OF VAGUE AND UNCERTAIN ALLEGATION

AND AN INSUFFICIENT DESCRIPTION OF THE OFFENSE. THE COURT SHOULD HAVE QUASHED THE INDICTMENT FOR ITS FAILURE TO SPECIFICALLY IDENTIFY THE FORM OF CONTACT, AT WHAT TIME, WHO WERE INVOLVE, WHAT WAS SAID OR WAS DONE, OR WHAT HAPPENED AND WHETHER THE ALLEGED OFFENSES ARISES OUT OF A SERIES OF EVENT OR A SINGLE OCCURRANCE STATE V. STAMEY, 211 GA. APP. 831 (1994), LYLES V. STATE, 215 GA. 229, 251(1), 109 S.E. 2d 785 (1959); BRADDY V. STATE, 102 GA. 568, 27 S.E. 670 (1897). THE STALKING ORDER WAS BASED ON UNCORROBORATED ADMISSIONS TESTIFIED TO BY AN ADVERSE PARTY ARE NOT LOOKED UPON WITH FAVOR BY THE COURTS, AND WHEN DENIED BY THE PARTY WHO IS ALLEGED TO HAVE MADE THEM, THEY DO NOT CARRY THE ISSUE TO WHICH THEY RELATE TO THE JURY. ERICKSON V. BARNES 6 WASH. 2d 251, 107 P. 2d 348 (1940).

ERROR 47 ON MOTION FOR DIRECTED VERDICT/DENIAL OF MOTIONS, THE TRIAL COURT ABUSED HIS DISCRETION BECAUSE HE MUST TAKE INTO ACCOUNT THE LAW AND THE PARTICULAR CIRCUMSTANCES OF THE CASE AND IS DIRECTED BY THE REASON AND CONSCIENCE OF THE JUDGE TO A JUST RESULT. SOLOMON V. STATE, 237 GA. APP. 655, 516 S.E. 2d 376 (1999). TEAGUE V. STATE, 169 GA. APP. 285, 312 S.E. 2d 818 (1983); SCOTT V. STATE, 131 GA. APP. 504, 206 S.E. 2d 137 (1974). THE STANDARD OF REVIEW FOR THE DENIAL OF A MOTION FOR A DIRECTED VERDICT OF ACQUITTAL IS THE SAME AS THAT FOR REVIEWING THE SUFFICIENCY OF THE EVIDENCE TO SUPPORT A CONVICTION. "WHERE THE EVIDENCE DEMANDS A VERDICT OF ACQUITTAL THE FAILURE OF A TRIAL JUDGE TO SO DIRECT A VERDICT IS REVERSIBLE ERROR." MATTHIESSEN V. STATE, 277 GA. APP. 54, 625 S.E. 2d 422 (2005). CLEVELAND V. STATE, 155 GA. APP. 267(1)(a), 270 S.E. 2d 687 (1980).

ERROR 48 APPELLATE COURT WOULD REVIEW FOR ABUSE OF DISCRETION TRIAL COURT'S DECISION TO EXCLUDE DEFENSE WITNESS' TESTIMONY. GRIER V. STATE, 276 GA. APP. 655, 624 S.E. 2d 149 (2005). THE RIGHT TO PRESENT A DEFENSE IS FUNDAMENTAL. CHAMBERS V. MISSISSIPPI, 410 U.S. 284, 294, 93 S. Ct. 1038, 1045, 35 L. Ed. 2d 928, 980 (9th Cir. 1975), UNITED STATES V. BALLESTEROS-ACUNA, 527 F. 2d 928, 930 (9th Cir. 1975), UNITED STATES V. GARNER, 581 F. 2d 481, 488 (5th Cir. 1978), UNITED STATES V. THOMAS, 488 F. 2d 334, 335 (6th Cir. 1973). EX PARTE RULINGS IS WHAT CONFRONTATION CLAUSE WAS DESIGNED TO GUARD. CALIFORNIA V. GREEN, 399 U.S. 149, 156, 90 S. Ct. 1930, 1934, 26 L. Ed. 2d 469 (1970); U.S. V. MICKENS 857 F. Supp. 745 (1993).

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THERE IS A CONSTITUTIONAL RIGHT TO COMPULSORY PROCESS TO OBTAIN THE TESTIMONY OF HIS WITNESSES. GA. CONST. OF 1983. ART. I, SECTION I, PAR XIV; KEELER V. STATE, 267 GA. 147, 148 (4), 475 S.E. 2d 593 (1996); FOWLER V. STATE, 195 GA. APP. 874 (2), 395 S.E. 2d 33 (1990); BYRAM V. STATE, 229 GA. APP. 795, 495 S.E. 2d 125 (1997).
ERROR 49 TO OBTAIN STALKING PROTECTIVE ORDER, PETITIONER MUST ESTABLISH ELEMENTS OF THAT OFFENSE, GARNSEY V. BUICE, 306 GA. APP. 565, 566 (1), 703 S.E. 2d 28 (2010). MS. THERESA CHINWE REDFORD HAS USED THE SAME ABUSIVE PROCESS TO DENY APPELLANT VISITATION RIGHTS FOR 14 YEARS. DOUGLAS COUNTY POLICE OFFICERS HAVE IN SEVERAL OCCASIONS ASKED HER TO RELEASE THE CHILDREN IN THEIR PRESENCE AND FOR THEM TO BE CALLED WHEN CHILDREN ARE RETURNED. SHE SAID "NO" AND THOSE LAW ENFORCEMENT MADE SURE TO INCLUDE THESE INCIDENCES ON THEIR REPORTS AND ARE WILLING TO APPEAR AND TESTIFY BUT THE COURT IS THE ONE STOPPING THEM FROM TESTIFYING. THE TRIAL COURT DID NOT EMPLOY THE PROPER STANDARD IN EVALUATING THE EVIDENCE AND IT DID ABUSE ITS DISCRETION IN ISSUING THE PROTECTIVE ORDER. GRANT OR DENIAL OF MOTION FOR PROTECTIVE ORDER IS REVIEWED FOR ABUSE OF DISCRETION. PILCHER V. STRIBLING, 282 GA. 166, 167, 647 S.E. 2d 8 (2007). THE COURT DID NOT CORRECTLY EMPLOYED THE "PREPONDERANCE OF THE EVIDENCE STANDARD IN ISSUING THE PROTECTIVE ORDER. SEE GARNSEY V. BUICE 306 GA. APP. AT 565-566 (1), 703 S.E. 2d 28. MS. THERESA CHINWE REDFORD SAID THAT JUDGE R. TIMOTHY HAMIL GAVE HER A LETTER NOT TO ALLOW APPELLANT TO SEE THE CHILDREN AFTER THE FIVE CHILDREN IN 2001 COMPLAINED TO THEIR FATHER THAT TWO GWINNETT COUNTY SHERIFF DEPUTIES BY NAME MATTHEW AND CARDALE BOTH PARTNERS IN DOMESTIC VIOLENCE DIVISION WERE PICKING THEM UP FROM THEIR FORMER FAMILY HOME AT 1206 KELLY NELSON CT, LAWRENCEVILLE GA. 30043 AND DELIVERED TO A PLACE WHERE THEY WERE LOCKED UP IN A DARKROOM. THE MEN THREATEN THEM THAT IF THEY TELL THEIR FATHER THEY (WOULD KILL THEIR FATHER AND KILL THEM. AFTER APPELLANT FILED CHILD MOLESTATION COMPLAINT WITH CHIEF SUPERIOR COURT JUDGE DAWSEN JACKSON AND CHIEF MAGISTRATE DAVIS. GWINNETT COUNTY LAW ENFORCEMENT FIRED TWO BULLETS INTO APPELLANT EXPEDITION NEW VEHICLE AND TOOK VEHICLE FROM APPELLANT AND ASKED THE DEALER TO SELL IT THE NEXT WEEK ON THE AUCTION. JUDGE ROBERT J. JAMES IS AWARE OF R. TIMOTHY HAMIL CRIMES AND SO IS THE D.A.

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ERROR 50. O.C.G.A. 19-9-24(a,b) A PHYSICAL CUSTODIAN SHALL NOT BE ALLOWED TO MAINTAIN AGAINST THE LEGAL CUSTODIAN ANY ACTION FOR DIVORCE ALIMONY, CHILD CUSTODY, CHANGE OF ALIMONY, CHANGE OF CHILD CUSTODY, OR CHANGE OF VISITATION RIGHTS OR ANY APPLICATION FOR CONTEMPT OF COURT SO LONG AS CUSTODY OF THE CHILD IS WITHHELD FROM THE LEGAL CUSTODIAN IN VIOLATION OF THE CUSTODY ORDER FOR THE PAST 14 YEARS. A JUDGMENT VOID ON ITS FACE MAY BE ATTACKED IN ANY PERSON. O.C.G.A. 9-11-60(g). IN A DIVORCE ACTION, OR NONRESIDENT HAS NOT AFFIRMATIVELY CONCEDED OR CONFIRMED THE JURISDICTION OF THE COURT THE JUDGMENT IS SUBJECT TO ATTACK AS BEING VOID FOR LACK OF JURISDICTION, COMPARE JOHNSON V. JOHNSON, 230 GA. 204, 196 S.E. 2d 394 (1973); ABUSHMAIS V. ERBY, 282 GA. 619, 622, 652 S.E. 2d 549, 552 (2007). THE GEORGIA SUPREME COURT HAS DEFINED THE TERM "VOID ON ITS FACE," TO MEAN JUDGMENTS WHICH LACK EITHER PERSONAL OR SUBJECT MATTER JURISDICTION." MURPHY V. MURPHY, 263 GA. 250, 252, 430 S.E. 2d 749 (1993), SEE WHERE THE JUDGMENT WAS VOID FOR LACK OF JURISDICTION, IN WHICH CASE THE JUDGMENT CAN BE ATTACKED AT ANY TIME. BUCKHORN VENTURES, LLC V. FORSYTH COUNTY, 262 GA. APP. 299, 301, 585 S.E. 2d 229, 231 (2003). "ANY RULING BY THE SUPREME COURT OR THE COURT OF APPEAL IN A CASE SHALL BE BINDING IN ALL SUBSEQUENT PROCEEDINGS IN THAT CASE IN THE LOWER COURT AND IN THE SUPREME COURT OR THE COURT OF APPEALS AS THE CASE MAY BE." HENDERSON V. JUSTICE, 237 GA. APP. 248, 514 S.E. 2d 713 (1999). IN GEORGIA A DEFENDANT HAS A RIGHT TO BE TRIED UPON AN INDICTMENT WHICH IS PERFECT IN FORM AND SUBSTANCE. STATE V. BLACK, 149 GA. APP. 389, 391(4), 254 S.E. 2d 506 (1979), STATE V. STANLEY, 211 GA. APP. 837, 838(1), 440 S.E. 2d 725 (1994). STALKING ORDER IS NOT PROPER TOOL TO TERMINATE PARENTAL RIGHTS - STATUTORY SCHEME THAT CONDITIONED PARENTS RIGHTS HELD UNCONSTITUTIONAL. M.L.B. V. S.L.J. 519 U.S. 102, 119-2, 117 S.Ct. 555 (1996) INDICTMENT VOID FOR FAILURE TO CHARGE THE ESSENTIAL ELEMENTS OF THE CRIME. IN RE. E.S. 262 GA. APP. 768, 586 S.E. 2d 691 (2003), BARTON V. STATE, 79 GA. APP. 380, 387, 53 S.E. 2d 707 (1949) LOCAL TO MOTION TO DISMISS OR QUASH; GILMORE V. STATE, 118 GA. 299(1), 45 S.E. 226 (1903), & SHEPPARD V. STATE, 95 GA. APP. 507, 98 S.E. 2d 169 (1957). L INDICTMENT SO DEFECTIVE Y.C.G.A. 16-13-32.5(b), 17-7-111, 17-7-113, - UNIFORM SUPERIOR COURT RULE 31.1. WILLIAMS V. STATE, 162 GA. APP. 350, 351, 291 S.E. 2d 425 (1982), ECHOLS V. STATE 187 GA. APP. 870, 871-872, 371 S.E. 2d 682 (1988). A REVERSAL IS MANDATED WHERE THE CHARGE AS A WHOLE DOES NOT LIMIT THE JURY'S CONSIDERATION TO SPECIFIC MANNER OF COMMITTING THE CRIME ALLEGED IN THE INDICTMENT. CF. SCHNEIDER V. STATE, 312 GA. APP. 504 (2011).

ERROR 51 ON POLICE INCIDENT REPORT/EVIDENCE. THERE ARE A TRANSCRIPT OF MS. THERESA C. REDFORD ABUSE OF CALLING 911. THE ONLY DOMESTIC VIOLENCE IN THE MARRIAGE WAS WHEN THE BOY FRIEND ASKED HER TO KILL APPELLANT WHILE SLEEPING SO THAT THEY COULD CLAIM HIS $12.75 MILLION LIFE INSURANCE. SHE WAS ARRESTED BY GWINNETT COUNTY LAW ENFORCEMENT AND WAS CONVICTED. THE TRIAL COURT REFUSED TO ADMIT A CERTIFIED COPIES OF THAT CONVICT. THE OTHER RECIPROCAL DOMESTIC VIOLATION WAS WHEN SHE EVICTED HER BROTHER LIVING WITH US AND A PASTOR LIVING IN THE IN-LAW SUITE OF THE ESTATE AT 1208 KELLY NELSON CT. LAWRENCEVILLE GA. 30043. GEORGIA FAVORS THE ADMISSION OF EVIDENCE EVEN WHERE ITS RELEVANCY OR COMPETENCY IS DOUBTFUL, WHEN IT LOGICALLY TENDS TO ELUCIDATE OR THROW LIGHT UPON A MATERIAL ISSUE. WORTH V. STATE, 183 GA. APP. 681 358 S.E. 2d 251 (1987), CURTIS V. STATE, 102 GA. APP. 790, 795(4), 118 S.E. 2d 264 (1960), LA PANN V. STATE, 167 GA. APP. 288, 290(3), 306 S.E. 2d 375 (1983)" EVIDENCE IS RELEVANT IF IT RENDERS THE DESIRED INFERENCE MORE PROBABLE THAN IT WOULD BE WITHOUT THE EVIDENCE." BARL V. STATE, 145 GA. APP. 234, 243 S.E. 2d 672 (1978); BAKER V. STATE, 246 GA. 317, 319(3), 271 S.E. 2d 360 (1980). ERROR 52. TEMPERARY PROTECTIVE ORDER CANNOT BE BASED ON HEARSAY EVIDENCE. ALLEN V. CLERK, 275 GA. APP. 896, 898(1), 66 S.E. 2d 213 (2005). MS. THERESA CHINWE REDFORD ON HER VERIFICATION AFFIDAVIT GIVEN TO THE MAGISTRATE BY DEPUTY SHERIFF KENNETH LYNNE CONNER ALLEGED THAT APPELLANT WAS KNOCKING, YELLING AT THE DOOR, NO NEIGHBORS CAME OUT OR WAS CALLED TO TESTIFY. SHE HAS A HISTORY OF MAKING UNFOUNDED ALLEGATIONS, TO FULFIL HER THREAT TO THE APPELLANT, "IF YOU DIVORCE ME, I WILL NEVER ALLOW YOU TO SEE THE CHILDREN." PERLMAN V. PERLMAN 318 GA. APP. 731, 734 S.E. 2d 560 (2012). THE JUDGE ARGUED THAT THE FACT THAT APPELLANT ASKED THE CHILDREN TO CONTRACT HIM ON HIS PHONE NUMBER ON THE BIRTHDAY CARD TO WISH DAY HAPPY BIRTHDAY AND THAT THEY ARE BEING LIED TO THAT THEIR FATHER DOES NOT WANT THEM." ABOVE ALL ELSE, THE FIRST AMENDMENT MEANS THAT GOVERNMENT HAS NO POWER TO RESTRICT EXPRESSION BECAUSE OF ITS MESSAGE, ITS IDEAS, ITS SUBJECT MATTER OR ITS CONTENT." COLLIN V. SMITH, 578 F. 2d 1197, 1202 (7TH CIR. 1978), STATE V. MILLER, 260 GA 669, 398 S.E. 2d 547 (1990). THE TRIAL ERRED BY ASKING CHILDREN TO CALL FATHER ON THEIR BIRTHDAY AND CHRISTMAS WAS STALKING. O.C.G.A. 16-5-94(9) STATES "THAT THE CONDUCT IS DONE FOR THE PURPOSE OF HARASSING AND INTIMIDATING THE OTHER." EDGECOMB V. STATE, 319 GA. APP. 801, 738 S.E. 2d 645 (2013).

IN CONSTANTINO V. STATE, 243 GA. 595, 255 S.E. 2d 710 (1979) THE COURT HELD THAT ISSUE TO BE DETERMINED WITH RESPECT TO OFFENSE "FOR PURPOSE OF HARASSMENT IS NOT THE VICTIM'S SUBJECTIVE IDEAS ON WHAT IS OR IS NOT HARASSING BUT THE INTENT OF THE DEFENDANT TO HARASS. CODE §§ 26-2610, 26-2610 (e), 104-9901. DUE PROCESS ONLY REQUIRES THAT A STATUTE CONVEY A "SUFFICIENTLY DEFINITE WARNING AS TO THE PROSCRIBED CONDUCT WHEN MEASURED BY COMMON UNDERSTANDING AND PRACTICES." UNITED STATES V. PETRILLO, 332 U.S. 1, 8, 67 S. Ct. 1538, 1542, 91 L. Ed. 1877 (1947). IT IS A LONG-STANDING RULE THAT CRIMINAL STATUTES MUST BE STRICTLY CONSTRUED AGAINST THE STATE AND LIBERALLY IN FAVOR OF THE ACCUSED PALMER V. STATE, 260 GA. 330, 331, 393 S.E. 2d 251 (1990); KNIGHT V. STATE, 243 GA. 770, 775 (2), 257 S.E. 2d 182 (1979); BAKCOM V. DEFORE, 219 GA. 641, 642 (2), 135 S.E. 2d 425 (1964).

ERROR 53. THERE MUST BE EVIDENCE OF PHYSICAL OR CIRCUMSTANTIAL EVIDENCE OF STALKING OR AGGRAVATED STALKING BESIDES OBEYING THE FOUR COURTS' ORDER TO PAY CHILD SUPPORT OR BE LOCKED UP FOR CONTEMPT. ONE CANNOT ASK FOR SOMETHING TO BE DONE AND TURN AROUND AND COMPLAIN ABOUT IT (CITATION MISSING). THERE MUST BE SUFFICIENT CONNECTION BETWEEN THE INDEPENDENT ACT AND THE CHARGED CRIME, SUCH THAT PROOF OF THE FORMER TENDS TO PROVE THE LATTER. O.C.G.A. 24-4-404(b). TO SHOW MS. THERESA CHINNE REDFORD'S TRUE IDENTITY, STATE OF MIND, COMMON DESIGN OR SCHEME AND INTENT SHE HAS EXPERIENCED PROBLEMS WITH THE FORMER HUSBAND AND OUT OF THE WEDLOCK SON FATHER OF JASON RELATIONSHIPS, ENGAGED IN EXTRA-MARITAL AFFAIRS, AND OPENLY THREATENED BOTH MEN. BRAGG V. STATE, 295 GA. 676, 763 S.E. 2d 476 (2014). O.C.G.A. 24-4-404(b). MANGRUM V. STATE, 285 GA. 676, 678 (2), 681 S.E. 2d 130 (2009) (STATING THAT A THREAT OF INJURY WITHIN THE MEANING OF THE STATUTE REFERS TO A THREAT OF PHYSICAL OR MENTAL HARM). MS. THERESA CHINNE REDFORD WRITTEN DOWN BY THE POLICE OFFICER SHE CALLED. "TESTIMONY WOULD HAVE BEEN RELEVANT AND FAVORABLE." SMITH V. STATE, 273 GA. 356, 358 (3), 541 S.E. 2d 362 (2001). HILL V. STATE, 291 GA. 160, 728 S.E. 2d 225 (2012). THE TRIAL COURT SHOULD HAVE ADMITTED POLICES WRITTEN PHONE TO ESTABLISH THAT THERE WAS NO THREAT AND ONLY EXCUSE GIVEN BY MS. REDFORD WAS THAT APPELLANT DID NOT CALL HER BEFORE COMING TO SEE CHILDREN THE SAME ACT OF CALLING HER, SHE MISCONSTRUED TO BE HARASSING IN THE PAST. UNDER THE TOTALITY OF THE CIRCUMSTANCES OF THE PREPONDERANCE OF THE EVIDENCE STANDARD. VERGARA V. STATE 283 GA. 175, 176, 657 S.E. 2d 863 (2008).

SOSNIAK V. STATE, 287 GA. 279, 695 S.E. 2d 604 (2010). THAT WOULD HAVE ELUCIDATED FALSE SWEARING, GIVING A FALSE STATEMENT IN CONNECTION WITH HER APPLICATION. CARTER V. STATE, 237 GA. APP. 703, 516 S.E. 2d 556 (1999), O.C.G.A. 16-10-70(G). THE AFFIDAVIT SUBMITTED BY LAW ENFORCEMENT KENNETH LYNNE CONNER WAS INSUFFICIENT TO PROVIDE PROBABLE CAUSE FOR MAGISTRATE TO ISSUE FUGITIVE WARRANT U.S.C.A. CONST. AMEND. 4TH, JOHNSON V. STATE, 283 GA. APP 524, 642 S.E. 2d 170 (2007).

ERROR 55 ON PROSECUTORIAL MISCONDUCT. THE PROSECUTORS KNEW THAT THERE ARE FOUR DIFFERANT COURT ORDERS TO PAY CHILD SUPPORT OR FOR THE APPELLANT TO BE INCARCERATED UNDER DOUGLAS COUNTY JUDGE ROBERT I. JAMES ON OCTOBER 1, 2003 IN PURSUANT TO O.C.G.A. 19-13-4(G)(6) AND THE TRIAL COURT SHOULD HAVE GIVEN THE FULL FAITH AND CREDIT PROVISION OF CONSTITUTION MEANS THAT NOT SOME BUT FULL CREDIT MUST BE GIVEN IN EACH STATE TO JUDICIAL PROCEEDINGS OF OTHER STATE 28 U.S.C.A. 71738, U.S.C.A. CONST. ART. 4TH 71. DAVIS V. DAVIS, 305 U.S. 59 S.Ct. 3, 118 A.L.R. 1518, 83 L.Ed. 26 (1938). GEORGIA RELINQUISHED ITS JURISDICTION TO VIRGINA AND PENNSYLVANIA HAD ULTIMAT JURISDICTION THE DIVORCE DECREE IS REGISTERED BY GEORGIA. ACCORDING TO JUDGE KATHYRN SCHRADER GWINNETT COUNTY JUDICIAL CIRCUIT JUDGE R. TIMOTHY HAMIL IS RESPONSIBLE FOR THIS MALICIOUS PROSECUTION BECAUSE APPELLANT "SAID THAT HE WAS SLEEPING WITH YOUR WIFE!" HAMIL HAS OFFICE OF DOUGLAS COUNTY DISTRICT ATTORNEY ALL ENTANGLED ON THIS CASE. SIXTH AND FOURTEENTH AMENDMENTS IS THE PRINCIPLE THAT ONE ACCUSED OF A CRIME IS ENTITLED TO HAVE HIS GUILT OR INNOCENCE DETERMINED SOLELY ON THE BASIS OF THE EVIDENCE AND NOT ON GROUNDS OF OFFICIAL SUSPICION, BRIBERY, JUDICIAL CORRUPTION, INDICTMENT, CONTINUED CUSTODY, OR OTHER CIRCUMSTANCES NOT ADDUCED AS PROOF. TAYLOR V. KENTUCKY, 436 U.S. 478, 485, 98 S.Ct. 1930, 1934, 56 L.Ed. 2d 468 (1978), HALBROOK V. FLYNN, 475 U.S. 560, 106 S.Ct. 1340, 89 L.Ed. 2d 525 (1986). WE HAVE RECOGNIZED THAT CERTAIN PRACTICES POSE SUCH A THREAT TO THE "FAIRNESS OF THE FACTFINDING PROCESS" THAT THEY MUST BE SUBJECTED TO "CHOSE JUDICIAL SCRUTINY." ESTELLE V. WILLIAMS, 425 U.S. 501, 505-504, 96 S.Ct. 1691, 1692-1693, 48 L.Ed. 2d 126 (1976).

ERROR 56, THE ASSISTANT DISTRICT ATTORNEY'S INTERCEPTING CERTIFICATE OF IMMEDIATE REVIEW TO STOP INTERLOCUTORY APPEAL AFTER STATING "I CAN'T FIGHT YOU WITH LAW BUT I CAN SURELY SHOW YOU I KNOW HOW TO FIGHT DIRTY." IN ACCORD,

UNITED STATES, 318 U.S. 236, 248, 63 S. Ct. 561, 566, 87 L. Ed. 734 (1943) Cf. ABA MODEL RULES OF PROFESSIONAL CONDUCT, RULE 3.8 COMMENT (1984) L PROSECUTOR HAS THE RESPONSIBILITY OF A MINISTER OF JUSTICE AND NOT SIMPLY THAT OF AN ADVOCATE). INTERFERENCE WITH FEDERAL MAILS IS A FEDERAL OFFENSE. WHEN PROSECUTORS OUT OF EDUCATIONAL HATRED OF A JURISPRUDENT MANIFEST GROSS MISCONDUCT AND FLOUT PROFESSIONAL CANONS THAT SERIOUSLY AFFECTED THE INTEGRITY OR PUBLIC REPUTATION OF THE JUDICIAL PROCEEDINGS. UNITED STATES V. ATKINSON, 297 U.S. AT 160, 56 S. Ct. AT 392; UNITED STATES V. FRADY, 456 U.S. AT 162, N. 11, 102 S. Ct. AT 1591, N. 11; BRASFIELD V. UNITED STATES, 272 U.S. 448, 450, 47 S. Ct. 135, 136, 71 L. Ed. 345 (1926); BERGER V. UNITED STATES, 295 U.S. 78, 88, 55 S. Ct. 629, 633, 79 L. Ed. 1314 (1935). MS. ANNA C. VAUGHAN ENGAGED IN AN EXTENSIVE PATTERN OF INAPPROPRIATE CONDUCT IN THE COURSE OF PRETRIAL MOTION HEARING WHEN SHE COMMITTED OFFENSE OF UNITED STATES POST OFFICE LAW VIOLATION. CARR V. STATE, 267 GA. 701, 482 S.E. 2d 314 (1997). WHERE PROSECUTER HAS ACQUIRED A PERSONAL INTEREST OR STAKE IN THE APPELLANT'S CONVICTION. VERMONT V. HOFFMAN, 138 VT. 502, 420 A. 2d 852 (1980); FULTTT V. STATE, 255 GA. 311, 319 S.E. 2d 829 (1984). ERROR SI ON PROCEDURAL ERROR AT OR AFTER THE ARRAIGNMENT PRETRIAL CONFERENCES MAY BE SCHEDULED AS THE JUDGE DEEMS APPROPRIATE. IF POSSIBLE, THE JUDGE SHALL SET A FIRM TRIAL DATE. FEDERAL CONSTITUTION REQUIRES THAT CRIMINAL DEFENDANTS BE AFFORDED A MEANINGFUL OPPORTUNITY TO PRESENT A COMPLETE DEFENSE. U.S.C.A. CONST. AMEND. 6TH. STATE V. PERKINS, 271 CONN. 218, 856 A. 2d 917 (2004). PRIMA FACIE CASE LIES ON THE TOTALITY OF THE RELEVANT FACTS GIVE RISE TO AN INFERENCE OF DISCRIMINATORY. CF. WHATLEY V. STATE, 266 GA. 568, 569 (3), 468 S.E. 2d 751 (1996); JACKSON V. STATE, 265 GA. 897, 898 (2), 463 S.E. 2d 699 (1995); PURKETT V. ELEM. 514 U.S. 765, 115 S. Ct. 1769, 131 L. Ed. 2d 834 (1995). A FUNDAMENTAL REQUIREMENT OF DUE PROCESS IS THE OPPORTUNITY TO BE HEARD; GRANNIS V. ORDEAN, 234 U.S. 385, 394, 34 S. Ct. 779, 783, 58 L. Ed. 1363 (1914); "IT IS AN OPPORTUNITY WHICH MUST BE GRANTED AT A MEANINGFUL TIME AND IN A MEANINGFUL MANNER." ARMSTRONG V. MANZO, 380 U.S. 545, 552, 85 S. Ct. 1187, 1191, 14 L. Ed. 2d 62 (1965). APPELLANT WAS CONCERNED WITH THE TRIAL COURT AND DISTRICT ATTORNEY'S ARBITRARINESS OF DRAWING CONCLUSIONS WITHOUT HEARINGS.

ERROR 58, STATE HAS EVIDENCE THAT HAMIL MOLESTED APPELLANT CHILDREN. THEY HOLD EVIDENCE GATHERED DURING THEIR INVESTIGATION. THEY KNOW THAT THE SAME HAMIL HAS BEEN TERRORIZING APPELLANT AND HIS CHILDREN. THIS COURT IN HARRIDGE V. STATE, 243 GA. APP. 658, 534 S.E. 2d 113 (2000), BECAUSE OF A BRADY VIOLATION BY THE STATE. Id AT 659, 534 S.E. 2d AT 115 (1). THE STATE POSSESSED EVIDENCE FAVORABLE TO THE DEFENSE (2); THE ACCUSED DID NOT POSSESS THE EVIDENCE AND COULD NOT HAVE OBTAINED IT THROUGH REASONABLE DILIGENCE; (3) THE STATE SUPPRESSED THE FAVORABLE EVIDENCE AND (4) A REASONABLE PROBABILITY EXISTS THAT DISCLOSURE OF THE EVIDENCE WOULD HAVE ALTERED THE OUTCOME OF THE PROCEEDINGS. Id AT 660, 534 S.E. 2d AT 116. PERHAPS THE MOST HEINOUS FORM OF PROSECUTORIAL MISCONDUCT WHICH ALSO CONSTITUTES ONE TYPE OF BRADY VIOLATION, CONSISTS OF THE PROSECUTER'S KNOWING USE OF FALSE INFORMATION OR PERJURED TESTIMONY TO OBTAIN A CONVICTION. WILLIAMS V. STATE, 258 GA. 305, 369 S.E. 2d 252 (1988), UNITED STATES V. AGUR 427 U.S. 97, 96 S.Ct. 2392, 49 L.Ed. 2d 342 (1976); MOONEY V. HOLOHAN 294 U.S. 103, 55 S.Ct. 340, 79 L.Ed. 791 (1935).

ERROR 60 ON SPEEDY TRIAL, THE CODE OF JUDICIARY CONDUCT PREAMBLE, THE JUDGE IS AN ARBITER OF FACTS AND LAW FOR THE RESOLUTION OF DISPUTE AND A HIGHLY VISIBLE SYMBOL OF GOVERNMENT UNDER THE RULE OF LAW. HE CANNOT BE MADE A PLAINTIFF A LONG WITHIN A CASE HE SITS AS A JUDGE. COURTS OF LAST RESORT MUST FREQUENTLY CONSTRUE THE LANGUAGE OF A STATUTE. BUT SUCH COURTS MAY NOT SUBSTITUTE BY JUDICIAL INTERPRETATION LANGUAGE OF THEIR OWN FOR THE CLEAR UNAMBIGUOUS LANGUAGE OF THE STATUTE, SO AS TO CHANGE THE MEANING. FRAZIER V. SOUTHERN RY CO. 200 GA. 590, 37 S.E. 2d 774 (1946). IT DID NOT SAY PUT JUDGES NAME IN THE CERTIFICATE OF SERVICE OR MAKE HIM PLAINTIFF WHICH IS WHAT CERTIFICATE OF SERVICE IS FOR. UNAMBIGUOUS WORDS OF CRIMINAL STATUTE MAY NOT BE ALTERED BY JUDICIAL CONSTRUCTION SO AS TO PUNISH ONE NOT OTHERWISE WITHIN ITS REACH. TREADWELL V CITY OF SOCIAL CIRCLE, 105 GA. APP. 673, 120 S.E. 2d 197 (1961), WALDRUP V. STATE, 198 GA. 144, 145, 30 S.E. 2d 896, 897, 153 A.L.R. 914; VIERECK V. UNITED STATES 318 U.S. 236 (6), 63 S.Ct. 561, 87 L.Ed. 734. IF THE TRIAL COURTS ALLEGED VIOLATION OF THE STATUTE CONSTITUTES PLAIN ERROR, IT REQUIRES REVERSAL. CHUMLEY V. STATE, 282 GA. 555, 655 S.E. 2d 83 (2008)

ERROR 61 ON TRANSCRIPT, CIVIL. IN GRIFFIN V. ILLINOIS, 351 U.S. 12, 76 S.Ct. 585, 100 L.Ed. 891 (1956) AND ITS PROGENY. THE COURT INVALIDATED STATE LAWS THAT PREVENTED AN INDIGENT CRIMINAL

DEFENDANT FROM ACQUIRING A TRANSCRIPT OR AN ADEQUATE SUBSTITUTE FOR A TRANSCRIPT FOR USE AT SEVERAL STAGES OF THE TRIAL AND APPEAL PROCESS. THE PAYMENT REQUIREMENTS IN EACH CASE WERE FOUND TO OCCASION DE FACTO DISCRIMINATION AGAINST THOSE WHO, BECAUSE OF THEIR INDIGENCY, WERE TOTALLY UNABLE TO PAY FOR TRANSCRIPT. MAYER V. CITY OF CHICAGO, 404 U.S. 189, 92 S.Ct. 410, 30 L.Ed 2d 372 (1971); WILLIAMS V. OKLAHOMA CITY, 395 U.S. 458, 89 S.Ct. 1818, 23 L.Ed. 2d 440 (1969). KLER V. STATE, 240 GA. APP. 152, 153, 525 S.E. 2d 102 (1999); BRITT V. NORTH CAROLINA, 404 U.S. 226, 92 S.Ct. 431, 30 L.Ed. 2d 400 (1971)

ERROR 62: IN SMITH V. STATE, 311 GA. APP. 184, 715 S.E. 2d 434 (2011), WHERE THE TRANSCRIPT OR RECORD DOES NOT FULLY DISCLOSE WHAT TRANSPIR AT TRIAL, THE BURDEN IS ON THE COMPLAINING PARTY TO HAVE THE RECORD COMPLETED IN THE TRIAL COURT, AND, WHEN THIS IS NOT DONE, THERE IS NOTHING FOR APPELLATE COURT TO REVIEW. O.C.G.A. 5-6-41(f), BOONE V. STATE 250 GA. APP. 133, 139 (11), 549 S.E. 2d 713 (2001) (WHEN THIS IS NOT DONE, THERE IS NOTHING FOR [THIS COURT] TO REVIEW" TRIAL COURT SHOULD HAVE CONDUCTED HEARING ON WHAT WAS SAID THAT WERE ERITED OUT OF THE TRANSCRIPT LIKE "CAN I PAY CHILD TO MY MINOR CHILD, AGE 16 COURT NO, CAN YOU ISSUE ORDER NOT TO PAY CHILD SUPPORT IF YOU ISSUE TPO COURT, LAUGHTER, YOU KNOW I CAN'T DO THAT," YOU HAVE TO PAY CHILD SUPPORT TO THE CUSTODIAN PARENT. IF YOU DON'T PAY AND IF THAT IS WHY WE ARE HERE I WILL THROW YOU JAIL." "TO HEARING, JULY 2, 2013 IN OCTOBER 22, 2014, MS. ANNA C. VAUGHAN." IF I CAN BEAT YOU BY LAW, I WILL SHOW YOU I KNOW HOW TO FIGHT OUR

ERROR 63 ON UNCONSTITUTIONALITY OF STALKING STATUTE AS APPLIED. O.C.G.A. 16-5-90, 16-5-91 AND O.C.G.A. 19-13-4(9)(6)(10). WHERE THE TRIAL COURT ORDERED APPELLANT TO OBEY HIS OCTOBER 1, 2013 ORDER IN PURSUANT OF O.C.G.A. 19-13-4(9)(6) AND 19-13-4(9)(10). APPELLANT OBEYED BOTH STATUTORY MANDATE. 19-13-4(9)(10) AND NOT VIOLATE NEITHER O.C.G.A. 16-5-90 NOR 16-5-91 BUT DEPUTY SHERIFF KENNETH LYNNE CONNER SOUGHT AND OBTAIN FUGITIVE WARRANT THAT O.C.G.A. 19-13-4(9) VIOLATED O.C.G.A. 16-5-90 AND 16-5-91. IN CITY OF CHICAGO V. MORALES 527 U.S. 41, 119 S.Ct. 1849, 144 L.Ed 2d 67 (1999). LIKE IN THIS CASE, ILLINOIS SUPREME COURT EMPHASIZED THE LAW'S FAILURE TO DISTINGUISH BETWEEN INNOCENT CONDUCT AND CONDUCT THREATENING HARM. IT IS PERSUASIVE THAT THE POWER TO DETERMINE THE MEANING OF

A STATUTE CARRIES WITH IT THE POWER TO PRESCRIBE ITS EXTENT AND LIMITATIONS AS WELL AS THE METHOD BY WHICH THEY SHALL BE DETERMINE STALEY V. KANSAS, 196 U.S. 447, 455, 25 S.Ct. 289, 49 L.Ed. 546 (1905). APPELLANT CHALLENGES THE UNCONSTITUTIONALITY OF STALKING STATUTE ON TWO LAWS: (1) LACK of IMPRECISE STANDARD OF ENFORCEMENT AND (2) FACIAL CHALLENGE. GEORGIA SUPREME HAS NOT DECIDED THE CONFLICT ARISING OUT OF THE APPLICATIONS of O.C.G.A. 16-5-90, 16-5-91 AND 19-13-4 SIMULTANEOUSLY BEFORE. ITS RELIANCE ON JOHNSON V. STATE, 264 GA. 590, 449 S.E.2d 94 (1994) A CASE ON UNCONSTITUTIONALLY VAGUE OR OVER BROAD. WHERE THE STATUTE THAT THE ACT OF "GETTING IN TOUCH WITH" OR "COMMUNICATING WITH" ANOTHER PERSON WITHOUT CONSENT, WHERE STATUTES PLAINLY STATED THAT ONE WAS PROHIBITED FROM DOING SO ONLY FOR "HARASSING AND INTIMIDATING" PURPOSE. AGGRAVATED STALKING STATUTES PROSCRIBED COMMUNICATIVE CONDUCT, THE RESTRICTION WAS CLEARLY LIMITED TO "KNOWING AND WILLFUL" COURSE OF HARASSMENT AND INTIMIDATION, WHICH WAS NOT PROTECTED EXPRESSION UNDER FIRST AMENDMENT. O.C.G.A. 16-5-90, 16-5-91, U.S.C.A. CONST. AMEND. THE COURT OF APPEAL CERTIFY THIS QUESTION TO GEORGIA SUPREME COURT FOR DECISION.

ERROR 64. THE TRIAL COURT ERRED IS NOW ANALYZED WHEN CHILD SUPPORT IS ORDERED TO BE PAID AND NORMAL COMMUNICATION THAT HAS A LEGITIMATE PURPOSE AND UNITED STATES CONSTITUTIONAL RIGHTS. AS IN SABEL V. STATE, 248 GA. (0, 282 S.E.2d 61 (1981), THE STATUTE INVITES SELECTIVE AND DISCRIMINATORY ENFORCEMENT AND IS THEREFORE FACIALLY VOID AND UNCONSTITUTIONAL. THEY POSSESS SOME FEATURE OF IMPRECIS OR AMBIGUOUS STANDARD, THAT INVITES IRRATIONAL OR ARBITRARY PATTERS OF ENFORCEMENT. JOYCE V. UNITED STATES, 454 F.2d 971, 983 (D.C. CIR. 1971). COX V. LOUISIANA 379 U.S. 559, 562, 85 S.Ct. 476, 479, 13 L.Ed. 2d 487 (1965). THE UNDERLYING PRINCIPLE IS THAT NO MAN SHALL BE HELD CRIMINALLY RESPONSIBLE FOR CONDUCT WHICH HE COULD NOT REASONABLY UNDERSTAND TO BE PROSCRIBED. RIDLEY V. STATE, 252 GA 646, 208 S.E.2d 466 (1974); UNITED STATES V. HARRISS, 347 U.S. 612, 617, 74 S.Ct. 808, 812, 98 L.Ed 989 (1953). THE EQUAL PROTECTION CLAUSE OF THE FOURTEENTH AMENDMENT DOES NOT TAKE FROM THE STATE THE POWER TO CLASSIFY IN THE ADOPTION OF POLICE LAW, BUT ADMITS OF THE EXERCISE OF A WIDE SCOPE OF DISCRETION IN THAT REGARD AND AVOIDS WHAT IS DONE ONLY WHEN IT IS WITHOUT ANY REASONABLE BASIS AND THEREFORE IS

PURELY ARBITRARY. MOREY V. DOUD, 354 U.S. 457, 463, 77 S.Ct. 1344, 134
1 L.Ed. 2d 1185. AS DEPUTY SHERIFF KENNETH LYNNE CONNER PUT IT "WE
MAY NOT CONVICT YOU, BUT WE WILL SURELY DRAG YOU SO THAT
YOU CAN SPEND SOME MONEY." BOTH STATUTE DELEGATED TO POLICEMEN
JUDGES AND DISTRICT ATTORNEYS FOR RESOLUTION ON AN AD HOC AND
SUBJECTIVE BASIS. ROEMHILD V. THE STATE, 251 GA. 569, 572, 308 S.E. 2d 154
(1983), GRAYNED V. CITY OF ROCKFORD, 408 U.S. 104, 108; 92 S.Ct. 2294,
2298-99, 33 L.Ed. 2d 222 (1972). WHEN THERE IS NO SUFFICIENTLY
DEFINITE STANDARDS FOR THOSE WHO WOULD APPLY IT, THUS IS
SUSCEPTIBLE TO ARBITRARY AND SELECTIVE ENFORCEMENT. GRAYNED,
408 U.S. AT 108-09, 92 S.Ct. AT 2298-99; ROEMHILD, 251 GA. AT 572, 308 S.E
2d 154; PAPACHRISTAU V. CITY OF JACKSONVILLE, 405 U.S. 156, 162, 92 S.Ct
839, 843, 31 L.Ed. 2d 110 (1972), ROSE V. LOCKE, 423 U.S. 48, 159,
96 S.Ct. 243, 248, 46 L.Ed 2d 185 (1975). THE DUE PROCESS CLAUSE
PROHIBITS STATUTES THAT, BY AVOIDING THE REQUISITE DEFINITE STANDARD
"ALLOW THE NET TO BE CAST AT LARGE, TO ALLOW MEN TO BE CAUGHT
WHO ARE VAGUELY UNDESIRABLE IN THE EYES OF POLICE AND PROSECUTION"
PAPACHRISTOU, 405 U.S. AT. 166, 92 S.Ct. AT 845, WINTERS V. NEW YORK,
333 U.S. 507, 68 S.Ct. 665, 92 L.Ed. 840 (1948). BOTH STATUTES WHEN
COMBINE ARE UNCONSTITUTIONAL NOT ONLY THAT THEY PROVIDE NO
STANDARDS TO GUIDE THE POLICE BUT THEY VIOLATE DUE PROCESS OF LAW
IN THEY IMPERMISSIBLY PROFFER ARBITRARY AND SELECTIVE APPLICATION
AGAINST MINORITIES RESULTING ON CONSTITUTIONAL ENCROACHMENT OF
FEDERAL AND GEORGIA PROTECTED RIGHTS AND AN ARBITRARY
RESTRICTION ON PERSONAL LIBERTIES. AS A CRIMINAL STATUTE, THE LAW
"MUST BE STRICTLY CONSTRUED AGAINST THE STATE." JOHNSON V.
FLEET FINANCE, INC. 785 F. SUPP. 1003 (1992). MITCHELL V. STATE, 239
GA. 3, 235 S.E. 2d 509 (1977); GRISSOM V. STATE, 188 GA. APP. 152, 155,
372 S.E. 2d 462 (1988). CRIMINAL LAWS SHOULD BE "PLAIN AND
UNAMBIGUOUS AND NOT DEPENDENT UPON THE CURRENT CONFLICTING
VIEWS OF JUDGES" MITCHELL 239 GA. AT 3, 235 S.E. 2d 509,
BEREA COLLEGE V. COMMONWEALTH OF KENTUCKY, 211 U.S. 45, 29 S.Ct. 33
53 L.Ed 81 (1908).

THESE STATES HAVE RESULTED IN DISCRIMINATORY APPLICATION
TO BLACKMEN IN DOUGLAS COUNTY, GEORGIA AND FACIAL CHALLENGES
IS A SPECIES OF THIRD PARTY OR JUS TERTII STANDING. CITY OF
CHICAGO V. MORALES, 527 U.S. 41, 119 S.Ct. 1849, 144 L.Ed. 2d 67 (1999).
THEY AUTHORIZE AND EVEN ENCOURAGE

ARBITRARY AND DISCRIMINATORY ENFORCEMENT. KOLENDER V. LAWSON, 461 U.S. AT 357, 103 S.Ct. 1855. THEY PROFFER INSUFFICIENT LIMITATION ON POLICE DISCRETION. THE PLURALITY'S RULE GOVERNING FACIAL CHALLENGES, "THIS IS A CRIMINAL LAW THAT CONTAINS NO MENS REA REQUIREMENT --AND INFRINGES ON CONSTITUTIONALLY PROTECTED RIGHTS --WHEN VAGUENESS PERMEATES THE TEXT OF SUCH A LAW, IT IS SUBJECT TO FACIAL ATTACK." THE PLURALITY WAS ADOPTED A FORMULA WELL-ACCEPTED IN AMERICAN JURISPRUDENCE. CRIMINAL LAW WITHOUT MENS REA REQUIREMENT + INFRINGEMENT OF CONSTITUTIONALLY PROTECTED RIGHT + VAGUENESS = ENTITTLEMENT TO FACIAL INVALIDATION. SEE UNITED STATES V. SALERNO, 481 U.S. 739, 745, 107 S.Ct. 2095, 95 L.Ed.2d 697 (1987) "A FACIAL CHALLENGE TO A LEGISLATIVE ACT, IS OF COURSE, THE MOST DIFFICULT CHALLENGE TO MOUNT SUCCESSFULLY, SINCE THE CHALLENGER MUST ESTABLISH THAT NO SET OF CIRCUMSTANCES EXISTS UNDER WHICH THE ACT WOULD BE VALID." HONORABLE ROBERT I. JAMES STATED, "YOU CANNOT PAY CHILD SUPPORT TO THE 16 OLD MINOR CHILD IN ORDER TO AVOID CONTACT WITH THE CUSTODIAN PARENT. CHILD SUPPORT MUST BE PAID TO THE CUSTODIAN PARENT ONLY. IF YOU COME BEFORE ME FOR FAILURE TO PAY CHILD SUPPORT I WILL THROW YOU IN JAIL." DAMN IF YOU DO, DAMN IF YOU DON'T! 19-13-4(a)(6) OR O.C.G.A. 16-5-90, 16-5-91. ERROR OF THE STATUTES SUSCEPTIBILITY TO ARBITRARY ENFORCEMENT IS MOST OBVIOUS WHEN IT IS CONSIDERED IN RELATION TO OTHER SIMILAR FACTUAL SCENARIOS. O.C.G.A. 16-5-90(a), 16-5-91 AS APPLIED TO APPELLANT, FAILED TO PROVIDE PROPER NOTICE OF WHAT CONDUCT WAS PROHIBITED AND THUS DENIED APPELLANT DUE PROCESS AND EQUAL PROTECTION UNDER THE LAW; AS GUARANTEED BY THE FIFTH AND FOURTEENTH AMENDMENTS TO THE UNITED STATES CONSTITUTION AND ARTICLE I, SECTION I, PARAGRAPH II OF THE GEORGIA CONSTITUTION.

SO THE MOTION TO QUASH INDICTMENT IS PROPER HERE. COURT IS NOT LIMITED TO ALLEGATIONS OF FACT APPEARING ON THE FACE OF THE INDICTMENT BUT RATHER, COURT WOULD CONSIDER UNCONTESTED FACTS PUT FORTH BY APPELLANT IN DISPROVING STATES ALLEGATIONS. U.S.C.A. CONST. AMEND. 5TH, 14TH, CONST. OF GA. ART. I, ¶ I, PAR. 2. FIRST AMENDMENT FREEDOMS MUST BE EXAMINED IN LIGHT OF FACTS OF CASE AT HAND, U.S.C.A. CONST. AMENDM. I

ERROR66 ON DISQUALIFICATION/RECUSE of JUDGE ROBERT J. JAMES: JUDGE JAMES ISSUED THREE ORDERS CONTROVERSIAL FOR THAT HE HAS BEEN CALLED AS A WITNESS IN PURSUANT TO O.C.G.A. 17-16-8 TO EXPLAIN HOW HIS O.C.G.A 19-13-4(9)(6), 19-13-4(9)(10), 16-5-96(a) AND 16-5-91(a) RELATING TO PAYMENT OF CHILD SUPPORT UNDER STALKING TPO BECAUSE APPELLANT WANTED TO PICK UP HIS CHILDREN IN EXERCISE OF GWINNETT COUNTY DIVORCE DECREE THAT HAS SUBJECTED DEFENDANT TO CRIMINAL PROSECUTION IN HIS COURTROOM. AS A WITNESS HE OUGHT TO DISQUALIFY HIMSELF. COLLINS V. STATE, 141 GA. APP. 21, 232 S.E. 2d 635 (1977). APPELLANT HAS CASES AGAINST JUDGE JAMES IN THE UNITED STATES DISTRICT COURT, DOUGLAS COURT SUPERIOR COURT AND GEORGIA SUPREME COURT ON MANDAMUS FOR FAILURE TO DO HIS JOB, HIS IMPARTIALITY IS REASONABLY QUESTIONED. BAPTISTE V. STATE, 229 GA. APP. 691, 494 S.E 2d 530 (1997), USCR 25.3, CANON 3E(1)(C)(IV), CLEARLY MANDATES THAT THE JUDGE STEP DOWN FROM PRESIDING OVER A CASE WHEN THE JUDGE IS LIKELY TO BE A REAL AND ESSENTIAL WITNESS AND WHERE THERE IS NOT SUBSTANTIALLY THE SAME TESTIMONY AVAILABLE FROM ANOTHER WITNESS. MAYBERRY V. PENNSYLVANIA 400 U.S. 455, 91 S.Ct. 499, 27 L.Ed. 2d 532 (1971); IN RE CRANE, 255 GA. 667, 324 S.E. 2d 443 (1985); LEWIS V. STATE, 275 GA. 194, 565 S.E. 2d 437 (2002), REWAY V. PALMOUR 251 GA. 135, 304 S.E. 2d 52 (1983). THE CANON OF CODE of JUDICIAL CONDUCT, WHICH PROVIDES FOR DISQUALIFICATION WHENEVER IMPARTIALITY MIGHT REASONABLY BE QUESTIONED SHOULD BE CONSIDERED. GILLIS V. CITY of WAYCROSS, 247 GA. APP 119, 543 S.E. 2d 423 (2000). THE SAME PERSON CANNOT BE BOTH WITNESS AND JUDGE, HE CANNOT BE SWORN, AND IF HE SITS WITH OTHERS HE STILL CAN HARDLY BE DEEMED CAPABLE OF IMPARTIALLY DECIDING ON THE ANOTHER. COLLINS V. STATE, 141 GA APP. 121, 232 S.E. 2d 635 (1977).

ERROR 67 HONORABLE ROBERT J. JAMES IS IN EX PARTE COMMUNICATION WITH JUDGE R. TIMOTHY HAMIL FROM GWINNETT COUNTY SUPERIOR COURT AND THE OFFICE OF DOUGLAS COUNTY DISTRICT ATTORNEY'S OFFICE JUDGE HAMIL SEXUALLY MOLESTED THE CHILDREN OF REDFORD IN 2001 WHILE RESIDING AT 1206 KELLY NELSON CT. LAWRENCEVILLE, GA. 30043 AND JUDGE JAMES ARE IN COHORT WITH HIM TO UNDERMINE THE EFFORT OF MIKE REDFORD TO BRING HAMIL TO JUSTICE. JUDGE JAMES CONSPIRED WITH ASSISTANT DISTRICT ATTORNEY MS. ANNA C. VAUGHAN WHO MADE A TERRORISTIC THREAT, "IF I CAN'T FIGHT YOU WITH LAW, I WILL SHOW YOU I KNOW HOW TO FIGHT DIRTY." SHE LATER

INTERCEPTED "CERTIFICATE OF IMMEDIATE REVIEW" TO APPEAL JUDGE JAMES DISQUALIFICATION/RECUSAL", "MOTION TO DISQUALIFY ASSISTANT DISTRICT ATTORN ANNA C. VAUGHAN" ETC. THESE DELIBERATE OBSTRUCTING THE ADMINISTRATION OF JUSTICE IN JUDICIAL SYSTEM WAS COLLABORATION WITH HONORABLE JAMES WHO ABUSED HIS DISCRETION. LEWIS V. STATE, IN RE CRANE, SUPRA APPELLANT FEELS THAT SHOULD JUDGE JAMES FAIL TO DISQUALIFY AND RECUSE HIMSELF, HIS IMPARTIALITY MIGHT BE OPEN TO QUESTION UNDE THE GUIDELINES PROMULGATED BOTH BY THE AMERICAN BAR ASSOCIATION AND THE SUPREME COURT OF GEORGIA, UNDER THOSE GUIDELINES, JUDGE SHOULD DISQUALIFY THEMSELVES NOT ONLY WHEN THEIR IMPARTIALITY MAY BE QUESTIONED BUT THEY SHOULD DISQUALIFY THEMSELVES IN ORDER TO AVOID THE VERY APPEARANCE OF BIAS. JONES V. STATE, 247 GA. 268, 271(4), 275 S.E.2d 67 (1981); STATE V. FLEMING, 245 GA. 700, 701-703(1), 267 S.E. 2d 207 (1980).

ERROR 68 ON MANDAMUS. THE RECORD OF DOUGLAS COUNTY CLERK SHOULD REFLECT THAT PETITION FOR WRIT OF MANDAMUS WAS FILED ON JULY 8, 2014 STAMPED AND DATED BY TAMMY M. HOWARD, CLERK SUPERIOR AND STATE COURT DOUGLAS COUNTY, GA. JUDGE JAMES' CLAIM THAT THIS WAS NOT FILED WAS MISPLACED. MANDAMUS AND IMPEACHMENT OF JUDGE ARE ONLY REMEDIES FOR VIOLATION OF STATUTE PROVIDING TIME PERIODS FOR RULING ON MOTIONS. WATER MISSIONS INTERN. INC. V. TIPPETT CLEPPER ASSOCIATES, INC. 293 GA. APP. 285, 666 S.E. 2d 628 (2008). O.C.G.A. 15-6-21 BROOKS V. STATE, 265 GA. 548, 458 S.E. 2d 349 (1995). TRIAL COURT MEMORANDUM THAT MANDAMUS IS NOT VIABLE REMEDY IS ABUSE OF DISCRETION SEE EXHIBIT " ". IN DETERMINING WHAT MOTIONS MAY BE APPROPRIATE IN A PARTICULAR CASE, IT SHOULD BE KEPT IN MIND THAT THE ARBITRARY DENIAL OF A STATE CREATED RIGHT HAS BEEN HELD TO BE A VIOLATION OF DUE PROCESS. HICKS V. OKLAHOMA, 447 U.S. 343, 100 S.Ct. 2227, 65 L.Ed. 2d 175 (1980). GREENHOLTZ V. INMATES OF THE NEBRASKA PENAL AND CORRECTIONAL COMPLEX 442 U.S. 1, 99 S.Ct. 2100, 60 L.Ed. 2d 668 (1979). IN BLACK V. STATE, 248 GA. APP. 626(1), 548 S.E. 2d 9 (2001) THE COURT EMPHASIZED THAT THE TRIAL COURT MAKE A RULING ON EACH POINT WHICH IS A BASIS OF APPEAL. MANDAMUS MAY ISSUE BECAUSE OF A TRIAL COURTS FAILURE TO CARRY OUT AN ADMINISTRATIVE ACT THAT IS NONDISCRETIONARY. TITELMAN V. STERMAN, 277 GA. 460, 462, 591 S.E. 2d 774 (2003). MANDAMUS IS SUBJECT TO DIRECT APPEAL. THERE IS NO OTHER ADEQUATE LEGAL REMEDY. R.A.F. V. ROBINSON, 286 GA. 644, 690 S.E. 2d 379 (2010).

CONCLUSION

DIVORCED WIFE HAS NO RIGHT TO REQUIRE THAT THE APPELLANT BE IMPRISONED FOR CONTEMPT OF COURT BECAUSE OF HIS FAILURE TO PAY THE FULL AMOUNT OF THE ARREARS WHEN HE IS UNABLE TO PAY THE SAME. GEORGIA DO NOT ALLOW IMPRISONMENT FOR DEBT. CORRIHER V. MCELROY 209 GA. 885, 76 S.E. 2d 782 (1953), MCCULLOUGH V. MCCULLOUGH, 208 GA. 776, 779, 69 S.E. 2d 764, 766. AT THE SAME TIME SHE TOOK TO UNDER 19-13-4 AND WHEN CHILD SUPPORT WAS PAID, SHE TOOK O.C.G.A. 16-5-90, 16-5-91 AGGRAVATED STALKING. R. TIMOTHY HAMIL GAVE HER LETTER NOT TO LET APPELLANT EXERCISE HIS VISITATION RIGHTS SINCE 2001. IN TANKS V. STATE, 292 GA. APP. 177, 663 S.E. 2d 813 (2008) SIMILAR WITH THE SITUATION HERE, THE AGGRAVATED STALKING WAS SUBJECT TO DOUBLE JEOPARDY CHAUSE SINCE GWINNETT JUDICIAL CIRCUIT JUDGE KATHRYN SCHRADER ON JULY 24, 2014 DISMISSED APPELLANT PRELIMINARY HEARING DEMAND DISMISSAL OF THE CONTEMPT ORDER SINCE OBEYING THAT ORDER HAS RESULTED IN AGGRAVATED STALKING IN DOUGLAS COUNTY JUDICIAL CIRCUIT. "ONE CANNOT COMPLAIN OF A JUDGMENT, ORDER OR RULING THAT HER OWN PROCEDURE OR CONDUCT AIDED IN CAUSING." SHILLADAY V. DUNAWAY, 220 GA. APP. 4061, 469 S.E. 2d 485 (1996); STEPHENSON V. WILDWOOD FARMS, 194 GA. APP. 728, 729, 391 S.E. 2d 706 (1990). THE POWER OF THE COURTS TO PUNISH FOR CONTEMPT IS LIMITED IN GEORGIA BOTH BY THE CONSTITUTION AND THE LAWS AND EXTENDS IN A CASE OF THE KIND AT BAR TO THE DISOBEDIENCE OF DECREE OR COMMAND OF THE COURT. HARRELL V. WORD, 154 GA. 649 (1875). GWINNETT COUNTY USURP JURISDICTION OF THE DIVORCE DECREE IS VOID AFTER IT REGISTERED THE DECREE IN PENNSYLANIA ON JANUARY 8, 2013 ON ITS OWN ACTION BY GWINNETT CHILD SUPPORT DESPITES R. TIMOTHY HAMIL OPPOSITION CONNELL V. CONNELL, 222 GA. 765(3), 152 S.E. 2d 567, HEARD V. VEGAS, 233 GA. 911, 213 S.E. 2d 873 (1975).

JUDGE JAMES OF DOUGLAS COUNTY FAILURE TO ENFORCE VISITATION RIGHT AMOUNTS TO A CHANGE IN CUSTODY AND DEVOID OF JURISDICTION, RENDERING HIS STALKING AND AGGRAVATED STALKING NULL AND VOID. FACEY V. FACEY, 281 GA. 367, 638 S.E. 2d 273 (2006), NORVIN V. NORVIN, 255 GA. 708, 221 S.E. 2d 404 (1975); ATKINS V. ZACHARY, 243 GA. 453, 254 S.E. 2d 857 (1979) THE CUSTODY AND VISITATION ON THE DECREE WAS FRAMED TO EXPRESSLY ORDER EACH PARTY TO GIVE FULL RECOGNITION OF THE OTHER PARTY'S RIGHTS. VEAL V. VEAL, 226 GA. 285, 174 S.E. 2d 435 (1970). APPELLANT IS STILL PAYING CHILD SUPPORT FOR CHILDREN ALREADY 21, 20, 18 YEARS OLD WHEN DIVORCE DECREE TERMINATES PAYMENT AT 18 YEARS OLD. THE RELATIONSHIP BETWEEN PARENT AND CHILD IS CONSTITUTIONALLY

PROTECTED. QUILLOIN V. WALCOTT, 434 U.S. 246, 98 S.Ct. 549, 54 L.Ed. 2d 511 (1978). PARENTS HAVE THE JOINT RIGHT TO CUSTODY AND CONTROL OF THE MINOR CHILDREN. COLEMAN V. WAY, 217 GA. 366, 122 S.E. 2d 104 (1961). O.C.G.A. 19-7-1(c) THE ISSUE HAS BEEN WHICH COUNTY HAS JURISDICTION DESPITE JUDGE HAMIL PERSONAL INTEREST TO KEEP JURISDICTION IN GWINNETT COUNTY. HAMIL HAD INITIAL JURISDICTION IN PURSUANT TO O.C.G.A. 19-9-61 TO WHAT EXTENT IS 19-9-61, 19-9-62, 19-9-63, 19-9-64 WHEN FATHER NOW LIVES IN PENNSYLVANIA AND CHILDREN IN DOUGLAS COUNTY? THE CONFLICT LIES IN VIOLATION OF O.C.G.A. 19-9-66 SIMULTANEOUS PROCEEDINGS IN VIRGINIA, PENNSYLVANIA, GWINNETT COUNTY AND DOUGLAS COUNTY TO COVERUP MOLESTATION OF THE MINOR CHILDREN IN 2001. EX-WIFE IS PRECLUDED FROM SEXUAL RELATIONS WITH UNWED PARTNERS IN THE PRESENCE OF THE CHILDREN, SIMMONS V WILLIAMS, 290 GA. APP. 644 (3) (2008), WHICH IS OF GREAT CONCERN TO THE FATHER. RES JUDICATA AND COLLATERAL ESTOPPEL BAR TRIAL COURT FROM CHANGING DIVORCE DECREE VISITATION AND DOUBLE JEOPARDY IT FROM ISSUING AGGRAVATED STALKING ORDER. CARTER V. STATE, 231 GA. APP. 495 S.E. 2d 812 (1998).

JUDGE KATHYRN SCHRADER OF GWINNETT COUNTY JUDICIAL CIRCUIT ON JULY 24, 2013 IN THE PRESENCE OF SPECIAL ASSISTANT ATTORNEY GENERALS SHERRY SCHMIDT ELLISON AND CHILD SUPPORT AGENT E. TALLEY GRAY SEE PART I APPELLANT EXHIBIT "3" ORDER CASE NO. 08-A-10257-3 STATED THAT ALL THESE FALSE CRIMINAL MALICIOUS PROSECUTIONS WERE ENGINEERED BY JUDGE TIMOTHY HAMIL. "NO MAN IN THIS COUNTRY IS SO HIGH THAT HE IS ABOVE THE LAW. NO OFFICER OF THE LAW MAY SET THAT LAW AT DEFIANCE WITH IMPUNITY. ALL THE OFFICERS OF THE GOVERNMENT FROM THE HIGHEST TO THE LOWEST ARE CREATURES OF THE LAW AND ARE BOUND TO OBEY IT."

BUTZ V. ECONOMOU 438 U.S. 478, 98 S.Ct. 2894, 57 L.Ed. 2d 895 (1978). UNITED STATES V. LEE, 106 U.S. 196, 218-223, 1 S.Ct. 244, 27 L.Ed. 171 (1882). "TO DISREGARD THE LAWS OF THE STATE IS A CAPITAL CRIME AGAINST SOCIETY AND GREAT VIGILANCE IS NECESSARY TO SEE TO IT, THAT THEY ARE EQUALLY RESPECTED BY THOSE WHO GOVERN, AS WELL AS THOSE WHO ARE DESTINED OF THE STATE." BEALL V. BEALL, 8 GA. 210 (1850). THE JUDGE IS A MERE AGENT OF THE LAW: KNIGHT V. STATE, 245 GA. 770, 771, 257 S.E. 2d 182 (1979). IT IS NOT THE INVOCATION OF EQUITY JURISDICTION IN ORDER TO AVOID THREATENED IRREPARABLE HARM RESULTING FROM THE

CRIMINAL ENFORCEMENT OF AN UNCONSTITUTIONAL STATUTE, AS IN PIERCE V. SOCIETY OF SISTERS, 268 U.S. 510, 45 S.Ct. 571, 69 L.Ed. 1070, 39 A.L.R. 468, NOR DO WE HAVE HERE A RESORT TO EQUITY BECAUSE IT IS ESSENTIAL FOR THE PROTECTION OF ASSERTED RIGHTS THAT CRIMINAL PROSECUTIONS UNAUTHORIZED BY LAW BE RESTRAINED, AS IN SHELDS V. UTAH IDAHO CENT. R. CO., 305 U.S. 177, 183, 59 S.Ct. 160, 163, 83 L.Ed. 111. COLUMBIA BROADCASTING SYSTEM V. U.S., 316 U.S. 407, 62 S.Ct. 1194, 86 L.Ed. 1563 (1942). ALL CITIZENS, INCLUDING LAW ENFORCEMENT OFFICERS ARE PRESUMED TO KNOW THE LAW AND THEIR IGNORANCE OF IT IS NO EXCUSE. O.C.G.A. 1-3-6. HAMEEN V. STATE, 246 GA. APP. 599, 541 S.E.2d 668 (2000). WHERE THERE IS A CONFLICT BETWEEN A DECISION OF THIS COURT AND A STATE STATUTE, THE STATUTE CONTROLS. DOUGLAS COUNTY V. ABERCROMBIE, 226 GA. 39, 172 S.E.2d 419 (1970). HUGULEY V. HUGULEY, 264 GA. 692, 698, 571 S.E.2d 445, LEDFORD V. STATE, 107 GA. APP. 244, 248, 129 S.E.2d 555. THE INTERPRETATION OF A STATUTE IS A QUESTION OF LAW WHICH IS REVIEWED DE NOVO ON APPEAL. CLARK V. STATE, 328 GA. APP. 268, 761 S.E.2d 826 (2014).

IT IS A LONG STANDING RULE THAT CRIMINAL STATUTES MUST BE STRICTLY CONSTRUED AGAINST THE STATE AND LIBERALLY IN FAVOR OF THE ACCUSED. PALMER V. STATE, 260 GA. 330, 331, 393 S.E.2d 251 (1990); KNIGHT V. STATE, 243 GA. 770, 775(2), 257 S.E.2d 182 (1979); BANKSTON V. STATE, 219 GA. 641, 642(2), 135 S.E.2d 425 (1964). "ABOVE ALL ELSE, THE FIRST AMENDMENT MEANS THAT GOVERNMENT HAS NO POWER TO RESTRICT EXPRESSION BECAUSE OF ITS MESSAGE, ITS IDEAS, ITS SUBJECT MATTER OR ITS CONTENT." COHEN V. SMITH, 578 F.2d 1197, 1202 (7th Cir. 1978). SOCIETY WINS NOT ONLY WHEN THE GUILTY ARE CONVICTED BUT WHEN CRIMINAL TRIALS ARE FAIR; OUR SYSTEM OF THE ADMINISTRATION OF JUSTICE SUFFERS WHEN ANY ACCUSED IS TREATED UNFAIRLY. AN INSCRIPTION ON THE WALL OF THE DEPARTMENT OF JUSTICE STATES THE PROSECUTION CAUSE FOR THE FEDERAL DOMAIN: "THE UNITED STATES WINS ITS POINT WHENEVER JUSTICE IS DONE ITS CITIZENS IN THE COURTS. BRADY V. MARYLAND, 373 U.S. 83, 83 S.Ct. 1194, 10 L.Ed.2d 215 (1963).

FINALLY, APPELLANT INVOKES THE POWER OF THIS COURT AS THE COURT OF FINAL RESORT IN EQUITY, JUSTICE AND LIBERTY TO PROTECT THE CITIZENS OF THE STATE FROM THE TYRANNY OF THE JUDICIARY. FULLWOOD V. SULEY, 271 GA. 248, 517 S.E.2d 511 (1999).

SAN ANTONIO INDEPENDENT SCHOOL DIST. V. RODRIGUEZ, 411 U.S. 1, 93 S.Ct. 1278, 36 L.Ed.2d 16 (1973). IF THE ACTIONS OF JUDGE R. TIMOTHY HAMIL, MATTHEW CARDEL, DOMESTIC VIOLENCE GWINNETT COUNTY SHERIFF COUPLED WITH DOUGLAS COUNTY DEPUTY SHERIFF KENNETH LYNNE CONNER, JUDGE ROBERT J. JAMES AND DISTRICT ATTORNEY'S OFFICE, ARE NOT ADDRESSED, IT WILL CONTINUE TO SERIOUSLY AFFECT THE INTEGRITY OR PUBLIC REPUTATION OF THE JUDICIAL PROCEEDINGS. UNITED STATES V. FRADY, 465 U.S. AT 162, N. 11, 102 S.Ct. at 1591, N. 11; BRASFIELD V. UNITED STATES, 272 U.S. 448, 450, 47 S.Ct. 135, 136, 71 L.Ed. 345 (1926). HAMIL HAS FOLLOWED APPELLANT DESTROYING HIS LAWYER CAREER, BY INSINUATING FALSE ALLEGATIONS TO STOP HIS BAR IN ALABAMA. HE HAS DESTROYED ALL CONTRACTS, JOBS AND ACADEMIC ENDEAVORS. WHEN APPELLANT FILED CHILDREN MOLESTATION COMPLAINT IN GWINNETT COUNTY JUDICIAL CIRCUIT WITH CHIEF SUPERIOR COURT DAWSON JACKSON AND CHIEF MAGISTRATE DAVIS. HE WAS NOT MY DIVORCE JUDGE AND I HAVE NEVER MET HIM BEFORE. HE PROMISED MY CHILDREN AND ME THAT HE WILL KILL US BEFORE HE GOES DOWN. ALABAMA BAR HAS CALLED HIM DISGRACE TO JUDICIAL INTEGRITY AND HAVE ASKED ME TO REMOVE HIM. THOMAS JEFFERSON SCHOOL OF LAW, IN SAN DIEGO WHERE I GOT MY JURIS SCIENCE DOCTOR CALLED HIM A TERRORIST. I AM CALLING FOR GBI AND FBI JOINT INVESTIGATION, SINCE, HE SAID HE WILL NOT BE TAKEN ALIVE. SEE EXHIBIT " ", GBI IS READY TO PROVIDE THIS COURT DETAILS.

RESPECTFULLY SUBMITTED
DR. MIKE REDFORD, JD, ISD, JURISPRUDENT
PRESIDENT UNITED STATES CYBERWAR RESEARCH INSTITUTE, D.C.

THIS JUNE DAY OF 15, 2015

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE SERVED PART I AND PART 2 OF THESE BRIEFS WITH ENUMERATION OF ERRORS TO MS. ANNA C. VAUGHAN, DOUGLAS COUNTY DISTRICT ATTORNEY'S OFFICE. 8700 HOSPITAL DR, DOUGLASVILLE, GA. 30134 BY U.S. POSTAL FIRST CLASS MAIL.

DR. MIKE REDFORD, JD, ISD, JURISPRUDENT
PRESIDENT UNITED STATES CYBERWAR RESEARCH INSTITUTE

THIS JUNE DAY OF 15, 2015

APPENDIX

APPELLANT EXHIBIT ORDER 1-6

ORIGINAL

FILED

IN THE SUPERIOR COURT OF DOUGLAS COUNTY
STATE OF GEORGIA

14 OCT 29 PM 3:35

SUPERIOR / STATE COURT
DOUGLAS COUNTY, GA
TAMMY M. HOWARD, CLERK

STATE OF GEORGIA	*	
	*	**CASE NO. 14CR243**
v.	*	
	*	
MIKE JETHRO AZUBIKE REDFORD	*	

ORDER

WHEREAS, the above-styled action came before this Court on October 22, 2014 for a hearing on the Defendant's Motion for Unconstitutionality of O.C.G.A. §§ 16-5-90 and 16-5-91, Motion to Set Aside State's Motion to Quash Subpoena and Motion to Address Prosecutorial Misconduct. The Defendant was present and represented himself pro se. The State was represented by Assistant District Attorney Anna Vaughan.

FURTHER, after a hearing on Defendant's motions in which a thorough inquiry into the facts and circumstances surrounding the Defendant's motions was conducted, the Court hereby finds as follows:

Defendant complains in his Motion for Unconstitutionality of O.C.G.A. §§ 16-5-90 and 16-5-91 filed in the Douglas County Superior Court Clerk on September 5, 2014 that both O.C.G.A. §§ 16-5-90 and 16-5-91 are unconstitutionally vague and ambiguous. The Georgia Supreme Court has held Georgia's stalking statutes in O.C.G.A. §§ 16-5-90 and 16-5-91 are not unconstitutionally vague or overbroad. *Johnson v. State*, 264 Ga. 590 (1994). The Court in *Johnson* specifically propounded upon the state legislature's intent to broadly define the "harassing and intimidating" element of aggravated stalking in order to protect the citizens of Georgia from intimidation, violence, and actual and implied threats. *Id.* at 592. Thus, Defendant's motion is denied.

Defendant filed a Motion to Set Aside State's Motion to Quash Subpoena and any Order for Motion to Quash Indictment with the Clerk on September 16, 2014. Defendant sent subpoenas to multiple members of law enforcement seeking production of documents and information in their possession, custody and control regarding the above-styled case. A notice to produce cannot be used as a discovery tool to circumvent discovery reciprocity under the discovery act. *Farmer v. State*, 222 Ga. App. 506 (1996). The record shows Defendant has "opted-in" to discovery by filing a Motion to Compel Discovery of Evidence with the Clerk on June 5, 2014. Thus, this Court declines to set aside the State's Motion as it previously ruled upon State's Motion to Quash Subpoenas on August 27, 2014. Defendant's motion fails to raise the issue, but the Court concludes from the text of that motion and defendant's argument, the Defendant is also seeking reconsideration of the Court's denial of Defendant's Motion to Quash the Indictment. Defendant came before the Court on August 27, 2014, and on that date the Court heard argument by Defendant pro se and counsel for the State. After the hearing, this Court denied Defendant's Motion to Quash Indictment. The Court declines to reconsider its prior ruling and any Motion for Reconsideration of Defendant's Motion to Quash Indictment is denied.

On September 5, 2014 Defendant filed with the Clerk a Motion to Address Prosecutorial Misconduct. A charge of prosecutorial misconduct is serious, and once it is raised, the Defendant has the duty to prove it by the record and by legal authority. *Richey v. State*, 261 Ga. App. 270 (2003). Here, Defendant has provided no evidence and no legal authority to support his claims of improper conduct on the part of the Assistant District Attorney. Defendant's Motion to Address Prosecutorial Misconduct is denied.

FURTHERMORE, the Court heard argument on Defendant's Motion to Dismiss Defective Order and Demand for Speedy Trial, both having been filed with the Clerk on April 8, 2014. The Court cannot rule on Defendant's Motion to Dismiss Defective Order as the temporary protective order he refers to involves different parties in another case.

Defendant's Demand for Speedy Trial does not comply with the statutory requirements of O.C.G.A. § 17-7-170. Specifically, there is no evidence to show the demand was served upon the Court. The certificate of service only shows service to the District Attorney's Office. Also, this Court notes that the Defendant was represented by counsel during the time these two motions were filed. Since the Defendant was represented by counsel, the Defendant's pro se motions are void. *Pless v. State*, 255 Ga. App. 95 (2002); *Daniels v. State*, 235 Ga. App. 296, 298 (1998) (addressing pro se motion for speedy trial filed by represented Defendant). See also *Schaefer v. State*, 238 Ga. App. 594 (1999) (pro se motion for speedy trial void where Defendant represented by counsel).

SO ORDERED this 29 day of October, 2014.

Robert J. James,
Chief Superior Court Judge
Douglas Judicial Circuit

APPELLANT EXHIBIT ORDER 9

ORIGINAL

IN THE SUPERIOR COURT OF DOUGLAS COUNTY
STATE OF GEORGIA

STATE OF GEORGIA
Plaintiff

Versus

CASE NO. 14CR00243

FILED
NOV 07 2014
Tammy M. Howard, Clerk
Superior & State Court
Douglas County, GA

MIKE JETHRO AZUBIKE REDFORD
Defendant

ORDER ON DEFENDANT'S MOTION FOR DISQUALIFICATION AND/OR RECUSAL OF JUDGE

The motion to recuse was not timely filed. "USCR 25.1 requires the motion to be filed not later than five (5) days after the affiant first learned of the alleged grounds for disqualification ... unless good cause be shown for failure to meet such time requirements." *Mayor & Aldermen of City of Savannah v. Batson-Cook Co.*, 291 Ga. 114, 119 (2012). The motion was filed on November 4, 2014, thirteen (13) days from the latest date cited by Defendant, October 22, 2014, and sixty-nine (69) days after the earliest date, August 27, 2014. Further, Redford has not shown good cause for meeting the time requirements.

The affidavit's certification is legally insufficient as "[Redford]'s affidavit stops far short of certifying that all facts in the motion to recuse are true and accurate to the best of his knowledge." *Keller v. State*, 286 Ga.App. 292, 295 (2007)(overruled on unrelated grounds).

The affidavit lacks specific and definite information required by USCR 25.2 and *Mayor*, *supra*, at 120, and *Keller*, *supra*, at 295.

The grounds for recusal are legally insufficient. "Recusal is warranted only when the alleged bias is the product of an "extra-judicial" source and the fact that the judge has sat on prior cases of the party or ruled on prior matters in the case before the judge is legally insufficient as a ground for recusal." *Id.* at 296. All of the allegations of bias arise from proceedings in the cases against Redford. Further, like that in *Keller*, and unlike that in *Johnson v. State*, 278 Ga. 344 (2004), there are no instances of "bias" alleged by Redford that have occurred during any hearing that are such that would require recusal.

Defendant's Motion for Disqualification and/or Recusal of Judge is DENIED.

SO ORDERED this November 6, 2014.

ROBERT J. JAMES
Judge, Superior Court
Douglas Judicial Circuit

APPELLANT EXHIBIT ORDER 10

IN THE SUPERIOR COURT OF DOUGLAS COUNTY
STATE OF GEORGIA

FILED

MAY 08 2015

Tammy M. Howard, Clerk
Superior & State Court
Douglas County, GA

STATE OF GEORGIA
Plaintiff

Versus

CASE NO. 14CR00243

MIKE JETHRO AZUBIKE REDFORD
Defendant

ORDER

Finding that none of the statutory basis apply, Defendant's Motion for Supersedeas on Recognizance Bond Pending Appeal is DENIED.

SO ORDERED this May 8, 2015.

ROBERT J. JAMES
Judge, Superior Court
Douglas Judicial Circuit

S.R.J.C.

JUDGE'S DISTRIBUTION LIST:

MIKE, REDFORD, CODC JAIL
ANNA VAUGHAN, DISTRICT ATTORNEY, 8700 HOSPITAL DR, ASST. DISTRICT ATTORNEY, DOUGLASVILLE, GA 30134

APPELLANT / EXHIBIT / 11

GEORGIA BUREAU OF INVESTIGATION

3121 Panthersville Road
P.O. Box 370808
Decatur, Georgia 30037-0808

Vernon M. Keenan
Director

May 26, 2015

Mr. Mike Redford
Unit 4C3
Douglas County Jail
8472 Earl D. Lee Blvd.
Douglasville, GA 30134

Dear Mr. Redford,

Your letter has been received by the Georgia Bureau of Investigation (GBI) and reviewed by my staff.

The concerns that you expressed in your letter were noted; however, the GBI does not have the legal authority under Georgia law to initiate a criminal investigation at the request of private citizens. Requests for assistance from the GBI must come from a criminal justice official such as the Sheriff, Chief of Police, District Attorney, or Superior Court Judge. If you need further assistance please contact your local police department or District Attorney's Office.

Sincerely,

R. E. Andrews
Deputy Director for Investigations

REA:keb

ORIGINAL

IN THE SUPERIOR COURT OF DOUGLAS COUNTY
STATE OF GEORGIA

FILED

MAR 31 2015

Tammy M. Howard, Clerk
Superior & State Court
Douglas County, GA

STATE OF GEORGIA
Plaintiff

Versus

CASE NO. 14CR00243

MIKE JETHRO AZUBIKE REDFORD
Defendant

ORDER

The Clerk shall include as part of the appeal in this case the transcript of the final hearing of October 1, 2013 in THERESA C REDFORD VS MIKE JETHRO AZUBIKE REDFORD, Case #: 13CV01566.

SO ORDERED this March 31, 2015.

ROBERT J. JAMES
Judge, Superior Court
Douglas Judicial Circuit

Copies 4/1/15

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IN THE SUPERIOR COURT OF DOUGLAS COUNTY
STATE OF GEORGIA

ORIGINAL

STATE OF GEORGIA
Plaintiff

Versus

CASE NO. 14CR00243

FILED

MAR 19 2015

Tammy M. Howard, Clerk
Superior & State Court
Douglas County, GA

MIKE JETHRO AZUBIKE REDFORD
Defendant

ORDER

After a hearing on March 18, 2015, and in connection with a pending appeal to the appellate court, the Court hereby WAIVES the cost incident in preparing the record and transmitting it to the appellate court. This waiver does not include the costs of take down, preparation and production of transcript(s) sought exclusively by the defendant in THERESA C REDFORD VS MIKE JETHRO AZUBIKE REDFORD, Case #: 13CV01566.

SO ORDERED this March 19, 2015.

ROBERT J. JAMES
Judge, Superior Court
Douglas Judicial Circuit

LK 3/20/15

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ORIGINAL

IN THE SUPERIOR COURT OF DOUGLAS COUNTY
STATE OF GEORGIA

STATE OF GEORGIA
Plaintiff

Versus

CASE NO. 14CR00243

FILED

MAY 08 2015

Tammy M. Howard, Clerk
Superior & State Court
Douglas County, GA

MIKE JETHRO AZUBIKE REDFORD
Defendant

ORDER

Finding that Defendant had the opportunity to request the transcript that is the subject of his Motion to Modify Civil Case Transcript Order and did not during the hearing on March 18, 2015, and as the record on appeal will include the final hearing transcript from the civil case, the Court finds that there is not a sufficient basis or relevance in the transcript he requests to the issues on appeal. Granting the relief would only further delay the appeal from being transmitted and docketed in the appellate court.

Defendant's Motion to Modify Civil Case Transcript Order is DENIED.

SO ORDERED this May 8, 2015.

ROBERT J. JAMES
Judge, Superior Court
Douglas Judicial Circuit

5/12/15
CK

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ANNA VAUGHAN, DISTRICT ATTORNEY, 8700, HOSPITAL DR, ASST.DISTRICT ATTORNEY, DOUGLASVILLE, GA, 30134