

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

September 16, 2015

To: Mr. Jermaine Sellows, C102, Effingham County Jail, Post Office Box 1015, Springfield, Georgia 31329

Case Number: _____ Lower Court: _____ County Superior Court

Court of Appeals Case Number and Style: _____

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

- There is no case pending in the Court of Appeals of Georgia under your name.**
- A Notice of Appeal is filed with the clerk of the trial court and not with the Court of Appeals of Georgia. See OCGA §5-6-37. Once the trial court clerk has received and filed the Notice of Appeal, the trial court clerk will prepare a copy of the record and transcripts as designated by the Notice of Appeal and transmit them to this Court. Once the Notice of Appeal is docketed in the Court of Appeals of Georgia, a Docketing Notice with the Briefing Schedule and other important information is mailed to counsel for the parties or directly to the parties, if the parties are representing themselves. You do not need to provide this Court with a copy of the Notice of Appeal you filed with the superior court.**
- The Notice of Appeal must include a proper Certificate of Service. A Certificate of Service must show service to the opposing counsel and contain the counsel's full name and complete mailing address. The opposing counsel must actually be served with a copy of your filing.**
- An Application for Writ of Habeas Corpus should be filed in the superior court of the county in which you claim you are illegally detained. An appeal from a denial of an Application for Writ of Habeas Corpus is to the Supreme Court and not the Court of Appeals.**
- An Application for Writ of Mandamus should be filed in the superior court of the county official whose conduct you intend to mandate. An appeal from a denial of an Application for Writ of Mandamus is to the Supreme Court and not the Court of Appeals. The mailing address for the Supreme Court of Georgia is: 244 Washington Street, S.W., Suite 572, Atlanta, Georgia 30334.**
- Your appeal was disposed by opinion (order) on _____ . The Court of Appeals _____ . The remittitur issued on _____ divesting this Court of jurisdiction. The case decision is therefore final.**
- Your mailing/documents indicate that you intended to file your papers in another court rather than the Court of Appeals of Georgia. The address of the Clerk of the _____ is:**
- If an attorney has been appointed for you and you are concerned with the representation provided by that attorney, you should address that issue to the trial court. As long as you are represented by an attorney, you cannot file pleadings on your own behalf. Your attorney must file a Motion to Withdraw as Counsel and it must be granted, before you can file your own pleadings in this Court.**
- A request for an out-of-time appeal should be made to the trial court from which you are appealing. If your motion is denied by the trial court, you can file an appeal of that decision by filing a Notice of Appeal with the clerk of the superior court.**

IN THE SUPERIOR COURT OF EFFINGHAM COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

V.

JERMAINE ZACK SELLOW
DEFENDANT

RECEIVED IN OFFICE

2015 SEP 18 AM 11:46

COURT OF APPEALS, GA

BILL OF INDICTMENT # 5074-CR-1501
CT.2 AGGRAVATED STALKING
CT.3 CRIMINAL TRESPASS

CASE NO. 1406-1273

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT JERMAINE ZACK SELLOW, DEFENDANT ABOVE NAMED, HEREBY APPEALS TO THE COURT OF APPEALS FROM THE JUDGEMENT OF CONVICTION AND SENTENCE ENTERED HEREIN ON AUGUST 4TH, 2015

THE OFFENSE(S) FOR WHICH DEFENDANT WAS CONVICTED ARE CT.2 AGGRAVATED STALKING AND CT.3 CRIMINAL TRESPASS AND SENTENCE IMPOSED ARE AS FOLLOWS: 11 YEARS 8 YEARS TO SERVE, 3 YEARS PROBATION. LIFETIME BANISHMENT FROM OGECHEE JUDICIAL CIRCUIT

MOTION FOR NEW TRIAL WAS FILED AND OVERRULED ON

THE CLERK WILL PLEASE OMIT THE FOLLOWING FROM THE RECORD ON APPEAL

1. CT.2 AGGRAVATED STALKING
2. CT.3 CRIMINAL TRESPASS

TRANSCRIPT OF EVIDENCE AND PROCEEDINGS WILL NOT BE FILED FOR INCLUSION IN THE RECORD ON APPEAL.

THIS COURT, RATHER THE COURT OF APPEALS HAS JURISDICTION OF THIS CASE ON APPEAL FOR THE REASON THAT: IN LIGHT OF NEVER BEING CHARGED WITH CT.2 AGGRAVATED STALKING. STATE FAILED MEET BURDEN OF PROOF ON ALL FOUR ELEMENTS TO SUPPORT CONVICTION. FURTHER TRIAL COURT ERRED NOT INSTRUCTING THE JURY ON THE STATUTORY DEFINITION OF HARASSING AND INTIMIDATING LANGUAGE WHICH IN ITS CONTEXT INVOLVES FOUR FACTORS OF ITS OWN, DEFINED IN SIMPLE STALKING STATUTE O.G.C.A. 16-5-90(a) IN TERMS AS FOLLOWS: ① KNOWING AND WILLFUL COURSE OF CONDUCT DIRECTED AT SPECIFIC PERSON ② WHICH CAUSES EMOTIONAL DISTRESS BY PLACING SUCH PERSON IN FEAR FOR PERSON'S SAFETY OR THE SAFETY OF A MEMBER OF HIS OR HER IMMEDIATE FAMILY... ③ BY ESTABLISHING A PATTERN OF HARASSING AND INTIMIDATING BEHAVIOR AND, ④ SERVES NO LEGITIMATE PURPOSE. ALLEGATIONS IN CT.2 AGGRAVATED STALKING CHARGE AND ACCUSE "DID LAWFULLY CONTACT KATINA KITCHEN BY CALLING SAID VICTIM'S TELEPHONE" WITHOUT CONSENT FOR THE PURPOSE OF HARASSING AND INTIMIDATING SO ON AND SO FORTH. "CONTACT" IN AGGRAVATED STALKING STATUTE IN SIMPLEST TERMS "SHALL MEAN ANY COMMUNICATION" (DILCHER V. STRIBLING) MY ARGUMENT: WITHOUT AN ENGAGED CONVERSATION IN UNSUCCESSFUL ATTEMPTS TO MAKE CONTACT WITH SAID VICTIM BY CALLING HER CELL PHONE NOT "TELEPHONE" IT CAN ONLY BE SPECULATED

STATE OF GEORGIA

v.

JERMAINE ZACK SELLOW

DEFENDENT

AND NOT DETERMINED BEYOND A REASONABLE DOUBT IF THESE THREE UNANSWERED PHONE CALLS SERVED NO LEGITIMATE PURPOSE AND WAS HARASSING AND INTIMIDATING IN NATURE. UNDER THE TOTALITY OF CIRCUMSTANCES IT MUST BE TAKING IN ACCOUNT AN ARREST IS NOT RENDERED LEGAL UNTIL THE ISSUANCE OF A VALID WARRANT, AND RECORDS CLEARLY SHOWS THESE PHONE CALLS OCCURED DURING A PERIOD OF AN ILLEGAL DETENTION FOR A NON-FINGERPRINTABLE OFFENSE "VIOLATION OF A TEMPORARY PROTECTION ORDER." 24 HOURS LATER IM BOOKED ON CT. 1 AGGRAVATED STALKING AND CT. 3 CRIMINAL TRESPASS. ARRESTING OFFICER COMMITS PERJURY ON BOTH AFFADAVITS FALSELY SWEARING UNDER OATH TO HAVE SERVED BOTH WARRANTS JUNE 9TH, 2014 AT 17:10 ONLY SIX MINUTES AFTER ADMITTANCE IN EFFINGHAM COUNTY SHERIFF COMPLEX ALLEGING CT. 1 AGGRAVATED STALKING AND CT. 3 CRIMINAL TRESPASS WAS COMMITTED IN TWO DIFFERENT LOCATIONS AT THE SAME EXACT TIME OF ADMITTANCE IN EFFINGHAM COUNTY SHERIFF COMPLEX AT 17:04, EVEN IN CLOSING IN HIS DEPOSITION OFFICER WILKINSON MAKES TWO FALSE ENTERIES ALL IN ONE LINE, STATING, "SELLOW'S ALSO CALLED HER CELL PHONE FROM THE JAILS TELMATE PHONE SYSTEM FOUR TIMES." WHEN IN FACT IT WAS ONLY THREE PHONE CALLS AND EACH ATTEMPT WAS MADE JUNE 10TH, 2014, MAKING IT IMPOSSIBLE FOR OFFICER TO HAVE PRIOR KNOWLEDGE ON JUNE 9TH, 2014 OF AN ACT THAT HAS YET BEEN COMMITTED. WARRANT(S) NOT SIGNED BY A JUDGE UNTIL JUNE 27TH, 2014 AND ADDING INSULT TO INJURY THE STATE BASED ITS CT. 2 AGGRAVATED STALKING CLAIM OUT OF CT. 1 AGGRAVATED STALKING WITHOUT A SUFFICIENT NOTICE OF CHARGE. FURTHERMORE, TRIAL JUDGE ERRED ALLOWING THE JURY TO DELIBERATE WITH EX PARTE TEMPORARY PROTECTION ORDER THAT INVOLVES LANGUAGE AT ENUMMERATED CONDITIONS (4) AND (5) THAT WILL IMPAIR THE JUDGEMENT OF "PEOPLE OF ORDINARY INTELLIGENCE" TO RENDER A FAIR VERDICT WITHOUT PROPER INSTRUCTIONS. BECAUSE IN A LITERAL SENSE ONE WOULD WOULD BELIEVE EVEN AN "ATTEMPT" IS ENOUGH SUFFICIENT EVIDENCE TO PROVE GUILT BEYOND A REASONABLE DOUBT TO SUPPORT AN AGGRAVATED STALKING CONVICTION WHEN THE FACT AS A MATTER OF THE LAW IS "A PERSON WHO KNOWINGLY AND IN A NON-VIOLENT MANNER VIOLATES A FAMILY VIOLENCE TEMPORARY RESTRAINING ORDER, TEMPORARY OR PROTECTIVE ORDER OR PERMANENT PROTECTION ORDER WILL ONLY BE GUILTY OF A MISDEMEANOR."

STATE OF GEORGIA

v.

JERMAINE ZACK SELLOX

DEFENDANT

A SINGLE VIOLATION OF A PROTECTIVE IS NOT A "PATTERN" OF HARASSING AND INTIMIDATING BEHAVIOR AS REQUIRED BY THE STATUTE, (RAMSEY V. MIDDLETON). NEITHER BY ITSELF, DOES NOT AMOUNT TO AGRAYATED STALKING (STATE V. BURKE) WITH ALL THINGS CONSIDERED FROM UNLAWFUL ARREST, DUE PROCESS RIGHTS VIOLATIONS, ILLEGAL DETENTION, INEFFECTIVE ASSISTANCE OF COUNSEL, DOUBLE JEOPARDY, DENIAL OF BOND, ILLEGAL SENTENCING, TO FALSE IMPRISONMENT, GUILTY VERDICT MUST BE VACATED AND IMMEDIATE RELEASE GRANTED.

CT. 3 CRIMINAL TRESPASS

PROBABLE CAUSE DONT EXIST FOR MISDEMEANOR OFFENSES COMMITTED OUTSIDE AN OFFICER PRESENCE, UNDER THE FAMILY VIOLENCE ACT PROVISIONS; AN ARREST WITHOUT A WARRANT CAN BE MADE FOR A CRIME BY A LAW ENFORCEMENT OFFICER... IF THE OFFICER HAS PROBABLE CAUSE TO BELIEVE THAT AN ACT OF FAMILY VIOLENCE HAS BEEN COMMITTED OR A CRIMINAL OFFENSE HAS OCCURRED BETWEEN PERSONS OF THE OPPOSITE SEX DWELLING TOGETHER OPENLY IN A MERETRIOUS RELATIONSHIP, THE PETITIONER'S MOTHER ELLEN WRIGHT CALLS POLICE THAT ULTIMATELY LEADS TO AN UNLAWFUL ARREST WITHOUT PROBABLE CAUSE OR UNDER EXIBENT CIRCUMSTANCES REQUIRED BY LAW FOR OFFICER WILKINSON TO TAKE ME INTO CUSTODY. WARRANT INXALID. ILLEGAL SENTENCE OF 11 YEARS 8 YEARS TO SERVE; 3 YEARS PROBATION. LIFETIME BANISHMENT FROM OGBECHEE JUDICIAL CIRCUIT MUST BE VACATED, AND CONVICTION REVERSED ON THE ACCOUNT OF ALL GROUNDS OF APPEAL.

IN CLOSING, I BELIEVE MY PUBLIC DEFENDER ROBERT L. PERSEE SAID IT BEST, THIS CASE WAS NOTHING MORE THAN THE STATE ATTEMPTING TO FORCE A SQUARE PEG IN A ROUND HOLE. I RESIT MY CASE.

DATED: SEPTEMBER 2, 2015

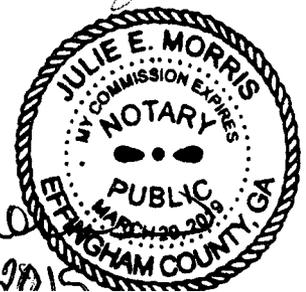
PRO SE ATTORNEY FOR APPELLANT

EFFINGHAM ADDRESS
COUNTY JAIL
P.O. BOX 1015
SPRINGFIELD, GA 31399

(CERTIFICATE OF SERVICE)

JERMAINE ZACK SELLOX
Jermaine Z. Sellox

Julie E. Morris
9.2.2015



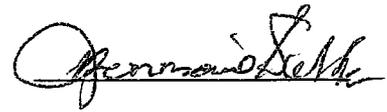
FILING APPEAL IN ABSENCE OF A PUBLIC DEFENDER WAS INFORMED BY RICK DALY ON SEPTEMBER 1ST, 2015 THAT TRIAL COUNSEL ROBERT L. PERSEE NO LONGER WAS WORKING THE OGEESCHEE JUDICIAL CIRCUIT AND HAS BEEN APPOINTED TO CHATHAM COUNTY. DUE TO RICK DALY PROVIDING EVASIVE ANSWERS UPON QUESTIONS OF INQUIRY, I FILED THE ENCLOSED APPEAL PLEADING MY OWN CAUSE, NOT FULLY COMPREHENDING WHAT SIGNING THE LEGAL DOCUMENT PRESENTED BY RICK DALY ACTUALLY MEANT? DO RAISING ISSUES OF INEFFECTIVE ASSISTANCE OF COUNSEL IN A MOTION FOR A NEW TRIAL WAIVE RIGHT TO FILE AN APPEAL? DONT KNOW WHO TO TRUST, THE PEOPLE IN POSITION OF POWER IN EFFINGHAM COUNTY ARE NOTORIOUS EVIL. APPROACHING DEADLINE CANT AFFORD TO TAKE THE WAIT AND SEE APPROACH SITTING ON MY HANDS WATCHING THE CLOCK. LET FREEDOM RING IN THE HALLWAYS OF JUSTICE SOUNDING OFF THE BELL OF LIBERTY IN THE NAME OF FUNDAMENTAL FAIRNESS, GOD BLESS, AMEN!

JERMAINE Z. SELLOW

Jermaine Z. Sellow

DATED: SEPTEMBER 2, 2015

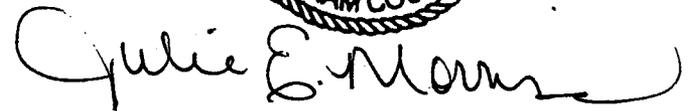
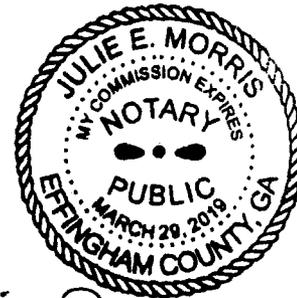
In regard to my recent case and conviction in Effingham County Superior Court, I Jermaine Sellows would like to raise the issue of ineffective assistance of counsel in a motion for a new trial.



Jermaine Sellows

9/01/15

Date



9-3-2015

I.D. DATA

Race: B Sex: M
 DOB: 12/05/1973 SSN:
 Hgt: 215 Wgt: 509
 Hair: BLK
 Alias:
 GCIC:
 OTN:
 NIC:
 Date/Time Received: By

RECEIVED
 JUN 30 2014

BILL OF COSTS

Aggregate

Issuing Warrant.....
 Arrests.....
 Keeping Prisoner.....
 Trial.....
 Issuing Subpoenas...each
 Sub..... Witnesses..... each
 Ex..... Witnesses..... each
 Attendance.....
 Taking Preliminary Bond
 Taking Appearance Bond
 Commitment.....
 Total.....

No. 2014-6-0211

CRIMINAL WARRANT

STATE OF GEORGIA

vs.

SELLOW, JEMAINÉ Z
 577 WALLACE DRIVE
 SPRINGFIELD, GA 31329

RACE: B || SEX: M || HGT: 215 || WGT: 509 || HAIR: BLK || EYES:
 BRO || DOB: 12/05/1973

Charged with

CRIMINAL TRESPASS

16-7-21(A)

COUNTS: 1

Witnesses

Name:	WRIGHT, ELLENV
Residence:	575 WALLACE DR.,
Name:	WRIGHT, KIRSTENC
Residence:	575 WALLACE DR.,
Name:	
Residence:	

Notes:

DEAL, BRIAN

PROSECUTOR

Phone: (912) 754-9249

Address: 901 N PINE, STE 208

CSZ: SPRINGFIELD GA 31329

Warrant served on the 9 day at 1710
 of June, 2014

By:

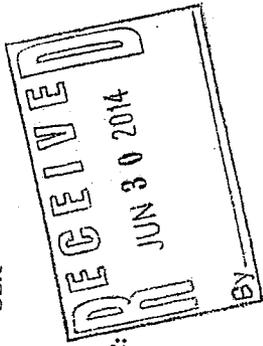
[Signature]



[Handwritten mark]

I.D. DATA

Race: B Sex: M
 DOB: 12/05/1973 SSN:
 Hgt: 215 Wgt: 509
 Hair: BLK
 Alias:
 GCIC:
 OTN:
 NIC: BY



Date/Time Received:

Notes:

BILL OF COSTS

Issuing Warrant..... Aggregate
 Arrests.....
 Keeping Prisoner.....
 Trial.....
 Issuing Subpoenas...each
 Sub..... Witnesses.....each
 Ex..... Witnesses.....each
 Attendance.....
 Taking Preliminary Bond
 Taking Appearance Bond
 Commitment.....
 Total.....

Witnesses

Name: WRIGHT, ELLENY
 Residence: 575 WALLACE DR.,
 Name: WRIGHT, KIRSTENC
 Residence: 575 WALLACE DR.,
 Name:
 Residence:
 Name:
 Residence:
 Name:
 Residence:
 Name:
 Residence:
 Name:
 Residence:
 Name:
 Residence:

No. 2014-6-0213

CRIMINAL WARRANT

STATE OF GEORGIA

vs.
 SELLOW, JEMAINIE Z
 577 WALLACE DRIVE
 SPRINGFIELD, GA 31329

RACE: B || SEX: M || HGT: 215 || WGT: 509 || HAIR: BLK || EYES:
 BRO || DOB: 12/05/1973

Charged with

AGGRAVATED STALKING (EVA)

12-9-24

COUNTS: 1

DEAL, BRIAN

PROSECUTOR

Phone: (912) 754-9249

Address: 901 N PINE, STE 208

CSZ: SPRINGFIELD GA 31329

Warrant served on the 9 day at 1710
 of June 2014

By:



EFFINGHAM COUNTY SHERIFF

INMATE NAME:

SELLOWS, JERMAINE ZACK

DOB: 12/05/1973

INMATE ID: 7016

CASE#: 1406-1272

ARREST / BOOKING REPORT

BOOKING DATE: 6/10/2014

BOOKING TIME: 17:33

PERSONAL DATA	DEFENDANT NAME		RACE	SEX	AGE	DOB	POB	SSN	
	SELLOWS, JERMAINE ZACK		B	M	40	12/05/1973	NJ	158-60-2463	
	SCARS MARKS OR TATTOOS		HEIGH	WEIGHT	HAIR	EYES			
	NO CODE: NO DESCRIPTION		509	215	BLK	BLA			
	ADDRESS		PHONE	DRIVERS LICENSE	STATE				
	HOMELESS,								
	ALIAS		EMPLOYER						
			POPES LANDSCAPING						
	ARRESTING AGENCY		ARRESTING OFFICER	BADGE #	FBI NUMBER				
	EFFINGHAM COUNTY SHERIFF		DENNEY, J.		657127PA6				
ARREST DATE		TIME	LOCATION CODE	LOCATION	SID NUMBER				
06/09/2014		17:04	31329	577 WALLACE DR	GA1842407P				
BOOKING DATE		TIME	FINGERPRINTED BY	BOOKING OFFICER	BADGE #	OTN			
06/10/2014		17:33	STANLEY, J.	PARTAIN, A.	4266	88395225693			
ATTORNEY		PHONE	GENERAL REMARKS						

PHOTO ID: 3244

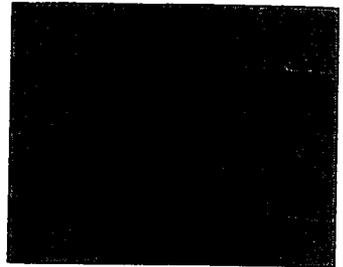
CHARGES #1	OFFENSE				BOND INFO		
	CASE #	CITATION #	WARRANT #	COURT	BOND DATE	APPROVING JUDGE:	BOND REQUIRED
	1406-1272			SUPERIOR COURT			0.0000
	OFFENSE DATE	COUNTS	CLASS	FIRST APPEAR DATE	POSTED BONDS		
	06/10/2014	1	FEL	06/11/2014			
	STATUTE CODE	LITERAL					
	16-5-91		AGGRAVATED STALKING (F.V.A)				
	SENTENCE DATE	#DAYS	SCH. RELEASE				
	DESC	AUG 14, 2014: GRAND JURY INDICTMENT # 2014-SU-CR-150-T 10/29/14- BON					
REMARKS	BOUND OVER TO SUPERIOR COURT						

CHARGES #2	OFFENSE				BOND INFO		
	CASE #	CITATION #	WARRANT #	COURT	BOND DATE	APPROVING JUDGE:	BOND REQUIRED
	1406-1272			SUPERIOR COURT			0.0000
	OFFENSE DATE	COUNTS	CLASS	FIRST APPEAR DATE	POSTED BONDS		
	06/10/2014	1	MISD				
	STATUTE CODE	LITERAL					
	16-7-21		CRIMINAL TRESPASS (F.V.A)				
	SENTENCE DATE	#DAYS	SCH. RELEASE				
	DESC						
REMARKS							

TOTAL BOND REQUIRED ALL CHARGES: \$0.00

**SELLOWS, JERMAINE ZACK - ARR AGENCY: EFFINGHAM COUNTY SHERIFF/ OFF:
DENNEY, JAMES ASHLEY 06/09/2014 : 17:04 BOOKED: 06/10/2014 : 17:33**

Name SELLOWS, JERMAINE ZACK CURRENTLY BOOKED
 Mailing Addr. HOMELESS, , FL: 1 BLK: G CELL: 1 BED: 1
 Physical Addr. HOMELESS, ,
 DOB \ Age 12/05/1973 \ 41
 Sex \ Race M \ B Height \ Weight 509 \ 215
 Driv. Lic# \ SSN 158-60-2463
 OTN 88395225693 FBI# 657127PA6
 POB NJ Attorney PUBLIC DEFENDER



Inmate Notes

Public Defender 7-17-14 - State Court - Arraignment - Dead Docket - Has other holds - FT257. Comes off lockdown 7-24-15 and goes to 23 hour lockdown in C102
 Bound over to superior court
 6-26-14 - Superior Court - Civil - TPO extended, order entered - FT271
 9-24-14 - Superior Court - Arraignment - Arraigned - Return 10-29-14 - FT257
 9-24-14 - Superior Court - Motion - Continued - FT257
 10-29-14 - Superior court - Motion - Bond denied
 Public Defender
 11-20-14 - Superior Court - Plea - Continued - awaiting mental health eval - FT257
 Public Defender
 2-25-15 - Superior Court - Plea - Waiting on mental eval, Continued - 3-31-15 - FT257
 Public Defender - Robert Persse
 3-31-15 - Superior Court - Calendar Call - Continued 5-4-14, awaiting forensic eval - FT257
 5-4-15 - Superior Court - Plea - Cont 6-23-15 - FT257
 COURT 6-23-15
 6-23-15 - Superior Court- Calendar Call - JS 6-25-15 - FT257
 6-25-15 - Superior Court - Jury Selection - JT 8-4-15 - FT257

Bond Req'd TYPE: --- // TYPE: --- Bond Posted

Counts	Statute	Literal	M/F	Warr#	Sentence Remarks	Sentence Info
1	16-5-91	AGGRAVATED STALKING (F.V.A)	F			
1	16-7-21	CRIMINAL TRESPASS (F.V.A)	M			

8 years to serve ; 3 years Probation

*Clerk of Superior Court
Effingham County
700 North Pine Street, Suite 110
Springfield, Georgia 31329*

Elizabeth Z. Hursey, Clerk

August 17, 2015

Telephone (912) 754-2118

Jermaine Z. Sellow
Effingham Co Jail
P.O. Box 1015
Springfield, GA 31329

**RE: State of Georgia vs. Jermaine Z. Sellow
Indictment #SU14CR150W**

Dear Mr. Sellow:

I am in receipt of your Appeal received on August 17, 2015 and will be made a part of your file.

The office of the Superior Court Clerk is subject to Uniform Superior Court Rule 21 that requires all court records to be open for inspection and copying by the public. This office complies with these requirements by having court records available each normal working day from 8 A.M. to 5 P.M. for public inspection and copying. There are no provisions for copying a document requested by U.S. Mail or telephone and no provisions for forwarding such documents to the requesting party at the expense of the clerk's office or county. Hundreds of citizens are in the clerk's office each week researching and copying court records. You or your representative is welcome to come to our office and review and have copied any document you request.

The estimated cost of one copy is \$.50 per page and the actual cost will be based on the number of pages copied. Certified copies are \$2.50 for the first page and \$.50 per page thereafter. There is no provision in Georgia law allowing the clerk to waive the copy fee of \$.50 per page. Georgia Law for a defendant to receive their one free copy of their file can be found at 255 GA 144 Judge vs. State.

To answer your request specifically,

1. Please be advised your Appeal is not in proper form and there them is being returned to you unfiled.

Sincerely,



Barbara E. Cauley
Chief Deputy Clerk
Effingham County Superior Court

/bec
Enc

in regards to Count 2 of Aggravated Stalking, Indictment # 2014-SU-CR-150-W on August 4th the year of 2015 on following grounds, (1) Trial Court erred in not instructing the jury in charge conference on "Harassing and Intimidation" language which in the Georgia Code of O.C.G.A. 16-5-90, is defined in context of involving four factors of its own (1) Knowing and willful course of conduct direct at a specific person (2) which cause emotional distress by placing specific person in reasonable fear of safety (3) by establishing a pattern of harassing and intimidating behavior, and (4) which serve no legitimate purpose (Burke v. State) State failed to meet burden of proof on all 4 elements that's required to support an Aggravated Stalking conviction. (1) How is an arrestee to know that he can be held criminally responsible for attempting to make contact with a protected person of a court order when one would believe after an arrest for a violation of that same court imposed order the prohibited conditions would be nullified. Furthermore, it's normal behavior to seek relief from the outside world when detained in a Sheriff Complex on a bondable offense. Originally charged with Criminal Trespass, (2) Without an engaged conversation or neither attempt of the (1) out of (3) phone calls it can only be speculated and not determined as a matter of fact whether these (3) phone calls served an legitimate purpose. However, I believe in this instance it can be concluded there was no malicious intent and no harm was intended on a genuine interest to make bail, and make it to work on time in the morning regardless if attempts was without consent or not. (3) Without an engaged conversation the fear factor cannot be employed when there's no reported case where an offender jumped through a telephone and strangled an alleged victim with a land line. No sarcasm intended. Only trying to validate the point of my argument with logic and reason. (4) Without an engaged conversation, a men tea, or a series of successive actions that support an Aggravated Stalking conviction as illustrated in (Oliver v. State) Guilty verdict must be vacated. In addition to the above mentioned enumerated factors allegations of count (2) of Indictment # 2014-SU-CR-150-W was based on same set of facts in count (1) making the Indictment totally defective under the fatal variance rule. By State failure to operate the "single date requirement" I was put in jeopardy of multiple prosecutions for same conduct of charged offense(s) which violated substantive and procedural protected rights. Guilty verdict must be vacated.

Count 3
I appeal on the following grounds, with all things considered Criminal Trespass is an offense involving no moral turpitude and under the sentencing guidelines a guilty conviction for a misdemeanor is only punishable by (12) months. (3) years probation is excessive punishment, and "illegal sentence imposed improperly with a vindictive motive considering (13) months have been already served upon my jury trial court date. (3) years probation sentence must be vacated.

Non-Violent
Single violation of a protection order dont establish a pattern to support a conviction for Aggravated Stalking. "Let Justice Be Served In The Name Of THE GOD Honest Troll
Sincerely, Jermaine Z Sellow
Jermaine Sellow Witness: [Signature] 4/20
2-10-15 PIC