

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

November 6, 2015

To: Ms. Linda Marie Smith, Georgia Regional Hospital, 1914 Eisenhower Drive • Unit 4, Savannah,
Georgia 31416

Docket Number: A16A0210 **Style:** Linda Marie Smith v. The State

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

1. Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 **Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4. No Certificate of Service accompanied your document(s). Rule 6
5. Your Certificate of Service did not include the complete name and mailing address of each opposing party. Rules 1(a) and 6. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
6. There were an insufficient number of copies of your document. Rule 6.
7. Your document exceeds page limits. Rules 24 (f) and 27 (a)
8. Your document was submitted without permission to file (supplemental brief or second motion for reconsideration). Rules 27 (a) and 37 (d)
9. Letter briefs and letter cites are not permitted. Rule 27 (b)
10. Your request for court action must be submitted in motion form. Rule 41 (a) I have enclosed a copy of the Rules of the Court of Appeals of Georgia for your review.
11. Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12. The type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Other: **You cannot add documents to the record. Your documents are being returned to you.**

For Additional information, please go to the Court's website at: www.gaappeals.us

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

To: *Linda Smith*
Docket Number: *A16A0210*

Style: *Linda Smith v. The State*

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

1. Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 **Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4. No Certificate of Service or an improper Certificate of Service accompanied your document(s). Rule 6
5. Your Certificate of Service did not include the complete name and mailing address of each opposing counsel and pro se party. Rules 1(a) and 6. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
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10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12. Type was on both sides of the paper; type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17. The Motion to Supplement has not been granted.
18. Other: *You cannot add documents to the record.*

For Additional information, please go to the Court's website at: www.gaappeals.us

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OCT 26 2015

COURT CLERK
CLERK COURT OF APPEALS OF GA

10/20/2015

Dear Margo,

My name is Linda Marie Smith
and I am ProSe. I sent my Brief by U.S. mail
on 10/5 and 10/6/2015. My certificate of service
because I am an inmate was not stamped, ^{on} by U.S.
mail or that I am an inmate, on my response brief.

I have a copy of this so its okay if you
Keep this copy. My address will be changing soon so
please look out, if it is returned again and it has not
been opened. Please accept the enclosed as part of
the record to Brief A16A0210.

Now

Later

Linda Marie Smith
Georgia Regional Hospital
1915 Eisenhower Drive Unit 4
Savannah, Georgia 31412
912-856-2611 or 2030

Linda Marie Smith
Chatham County Jail
1056 Carl Griffin Drive Unit 4
Savannah, Georgia 31405
912-652-7700

Thank You,

Linda M. Smith
A16A0210

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Brief COURT CLERK
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COURT OF APPEALS OF GA

24-4-4046 use my phone calls in my competency evaluation. Those calls were made 2008-2012 2013

But in 11/5/2014 my competency evaluation was competent so how can you use anything prior to incarceration to give a delusional disorder? Please accept the enclosed as part of record.

And the issue of the hollywood actors were true. During the corruption in the city the athletes and stars were posing as officers and had uniforms and cars. Google 2013-2014 when the police department got new cars. Savannah Metro Police Department and see for yourself. The black officer in the ad was the actor from movie "Caught Up". Not to mention the stars are making movies in Savannah. They had Robert Deniro starring in "Dirty Old Grandpa" Adam Sandler, David Spader and Gabriel Union making the "Do Over" and Octavious Spencer filming in "The Gifted" to name a few. Check with filming office in Savannah Kimberly Brinson Film Projects.

Going to the draft of search warrant when the officer obtained the weapon it wasn't because of officer safety. House search for the intruder was over. Then Sgt Eaton took the gun. Instead of securing it in bag he put it in his back pocket. Held the weapon 4-6 hours out of property before sending another officer to log the weapon.

Reason officer Eaton stated I was shooting was a lie. I never mention anything about ^{feces} ~~rape~~ it was about being raped. I also informed him that the keys were stolen to the house in 2013.

Draft sent with
discovery packet

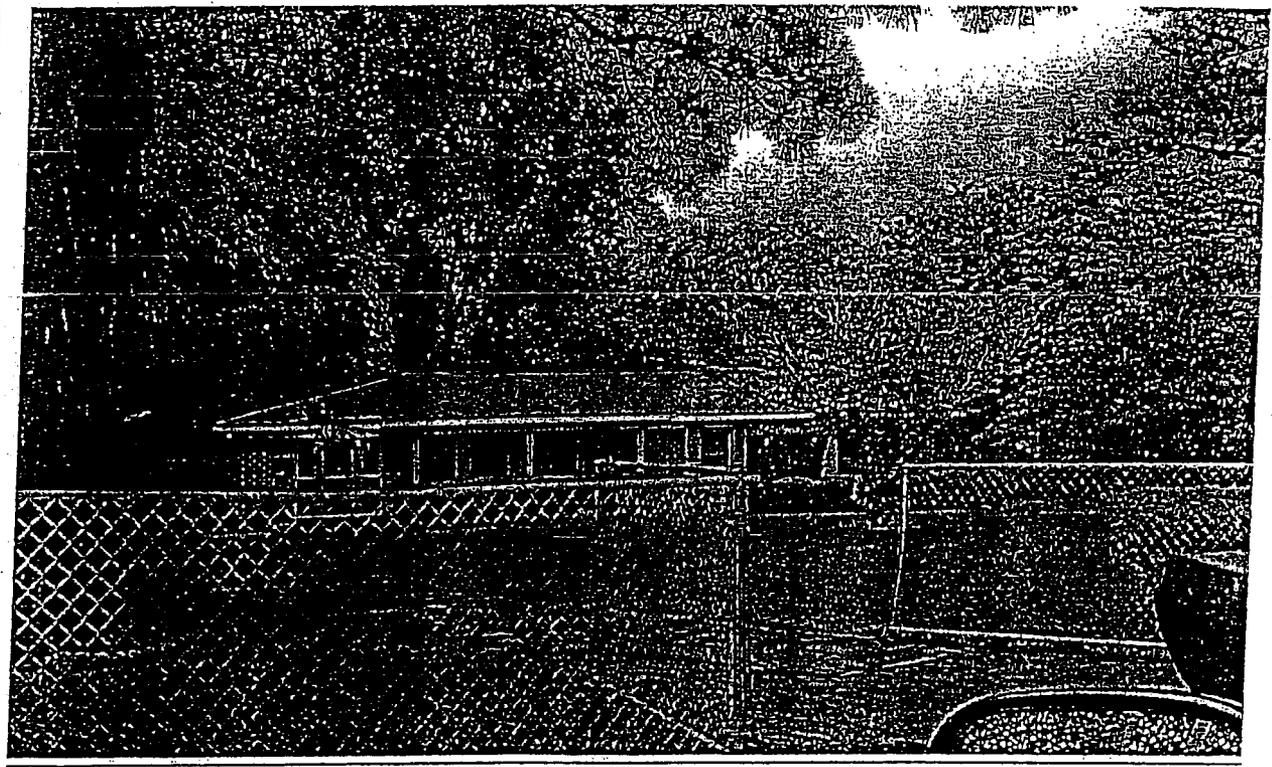
IN THE RECORDER'S COURT OF CHATHAM COUNTY
STATE OF GEORGIA

Docket No.

5/10/12
150
* Copy in return
Please

The undersigned, Sergeant Stephen M Eaton being duly sworn, deposes and says:

I am an officer of the State of Georgia or its political subdivisions charged with the duty of enforcing the criminal laws, and that I have reason to believe that in Savannah, Chatham County, Georgia, on the premises or property described as follows: (state detailed description of person, property, or location) ; The single family dwelling known as 202 Holiday Circle, Savannah Georgia and is constructed with red brick and tan trim with a orange shingle roof. This property is surrounded by a chain link fence with a gate only at the driveway that extends from Larchmont Drive and ends to the left of the front door. This residence is a corner lot at the intersections of Larchmont Drive and Holiday Circle, facing a westerly direction. The house is numbered 202 on the fascia board above the eave covering the front door; the numbers are colored to match the trim paint. Also a gray 2012 Nissan Versa bearing Georgia license plate BYM 1504 registered to Linda Smith, usually parked in the driveway. Of Linda Smith why kick indoors if you know this



What is contraband in my house?

there is now located certain instruments, articles, person(s), or things, namely: (specify evidence, contraband, or persons(s) to be searched) documents, records (audio, video and any other media used to record statements, writings or typing's,) and cell phones specifically a cell with phone number (912-484-5519), used to commit the crime of False Statements, also ammunition, used shelling casings, projectiles (fragmented or whole,) firearms, (1 gun) and to obtain photographs of damage caused by firearm discharge. And lastly Mrs Smith's person pursuant to the arrest warrants for False Statements 16-10-20 and Reckless Conduct 16-5-20, and any contraband *

Which is Tangible evidence and or fruits of a crime in the investigation for the crime of False Statements & Reckless Conduct in violation of Ga. Law 16-10-20 & 16-5-60. (b)

Probable cause

Justified warrant for search on probable cause but gun last use was months before 911 call and there were no dead bodies or injuries only walls ↓

* The facts tending to establish probable cause that a crime has been, or is being committed and the above described instruments, articles or things described above are presently located at the above described premises or property are as follows: (state in detail the facts you believe create probable cause, including statement of ownership, possession, or control, if known)

I, Sergeant Stephen Eaton, acting in my official capacity as a police officer presently assigned to the Savannah-Chatham Metropolitan Police Department, Precinct 1 Patrol Division do hereby provide the following * facts for the issuance of a search warrant; ADD INFORMATION CONCERNING YOUR TRAINING AND EXPERIENCE. Served the wall of house and no search warrant was ever signed *

July 10, 2014, I responded to a call of an intruder at 202 Holiday Circle called in by Linda Smith via phone number 912-484-5519. Mrs Smith stated to SCMPD Dispatch that there was an intruder in her home and possibly is an intruder, (Door was unlocked) what I said was my door was unlocked and there she can hear someone in her attic. Mrs Smith continues to say that someone had stolen the keys to her home and she wants an officer to check her home. Officer Stephen Dupuis and I respond. Officer Dupuis and I were met at the front door of 202 Holiday Circle by a black female that identified herself as Linda Smith. Mrs Smith stated she left her residence and when she returned home she discovered her front door was unlocked. Mrs Smith did not notice anything missing. Mrs Smith further stated she had a firearm on the kitchen table. Mrs Smith invited officers inside her residence to look for intruders. The room immediately inside the front door is open and without furniture. I noticed numerous holes in the walls in this room; the holes were not immediately recognized as bullet

observed on the kitchen table a short barreled revolver laying on an open small gun case. I observed the
He asked if the gun was loaded and can he unload the gun.

revolvers cylinders to contain unfired ammunition, indicating the firearm was loaded. I initially traveled past the
firearm into the room at the far left (North.) Mrs Smith stated that "They (intruders) are usually in the attic
crawling around." Mrs Smith the attic access was closed and Mrs Smith pulled down the stairs leading to the
attic and stated "there is no one up there at least that is what everybody tells me." The attic was very cramped

with air conditioning ducts and wooden support beams and it would not be possible to raise the stairs back into
the attic, if someone were to climb into the attic. This room also did not have furniture. I further noticed numerous

holes in the walls and upon closer inspection the holes were of an unusually large diameter. I asked Mrs Smith
what happened to the walls. Mrs Smith replied "I woke up on night to the smell of feces so I knew someone was
there and I started shooting." Mrs Smith closed the attic stairs before I had a chance to inspect it. I asked Mrs

Smith if I could look at her gun and she replied that I could. I asked her if I could hold onto it while we were here
and she replied I could. I unloaded the ammo and left the ammo on top of the gun case and placed the firearm in
my back pocket. I told Mrs Smith I needed to make a phone call and I stepped out of the residence called a

variety of people to help aid with Mrs Smith's mental crisis (explain what you mean by mental
crisis) Mrs Smith came outside moments later as did Officer Dupuis. Mrs Smith was also talking on her cell

phone and returned into her residence and locked the door. Mrs Smith told officers to leave her residence. I still
possessed Mrs Smith's 38 caliber Armscor Precision revolver model 206 serial number AP1308793. Mrs Smith
Officer left the yard back his cruiser and sat for awhile. Never tried to re-enter the yard. Gate was open when
would not answer the door. I made contact with the Mobile Crisis unit and they arrived on scene and attempted to
make contact with Mrs Smith. Mrs Smith told them to leave and did not want their help. Officer Dupuis and I left

the residence; Officer Dupuis logged the revolver into the property room as evidence of reckless conduct.

During the above incident Officer Dupuis checked the South end of the house and discovered more bullet
holes in the walls as well as the headboard to Mrs Smith's bed. The bullet holes were in a random and scattered
pattern and were in close proximity to the windows where a bullet could easily have left the property and caused
injuries or death to persons nearby the residence. → Look at how the house sits on the lot
completely brick

Later this date, Mrs Smith called Sergeant Michelle Halfred with the Internal Affairs Unit using cell phone
number 912-484-5519, where she called to complain about officers "stealing her gun". Mrs Smith admitted "The
only time I shot was inside my house."

↑ Not true I could have purchased another gun I said maybe the cop will come to his senses & return mine.
7-11-14 Mrs Smith went to Internal Affairs to make a statement. Mrs Smith reported that she attempted to buy
a new firearm, but was only able to purchase ammunition. Mrs Smith further detailed her discharging of firearms
at things she can and cannot see.

*
fyes
experience
eaten

I, Sergeant Stephen Eaton, am a sworn police officer with over 14 years of police experience. I have served the Savannah Chatham Metropolitan Police Department my entire career. During my career I have served 4 years with the Narcotics Eradication Team, 5 Years on patrol in Precinct 3 and 5. I then served as a Precinct investigator for 2 years in Precinct 5, where I investigated violent and property crimes. Next, I served in the Marine Patrol Unit for 2 years, until I was promoted to the rank of Sergeant and transferred to Precinct 1 as a shift supervisor. * All this experience and he served the wall.

My investigation indicates that Mrs Smith has called the police making false statements, reporting that there are persons in her attic that are stealing from her and spying on her. The calls made this year have been made utilizing a cell phone with the phone number 912-484-5519, which is believed to belong to Mrs Smith. Furthermore, the same phone was used to call Sergeant Halfred where she admitted to discharging the firearm in her house in December. Mrs Smith has called the police 10 times this year to report prowlers in her home. * Key were stolen. possible intrud

* Officers have investigated each of these calls and determined that no one is in the attic. Officers explained to Mrs Smith that there is no one in her attic. Never searched officers stated, "I needed to call Richmond post control (personal property)

Mrs Smith has made numerous calls, but none of the calls does she mention her shooting a gun, nor any damage from a firearm within her residence. This leads me to believe that Mrs Smith knew that discharging her firearm within her residence was illegal and unsafe. I did say I was on my way to get some ammo.

* Mrs Smith stated she has purchased more ammunition which indicates another firearm is in her possession and could have been used to commit the crime of Reckless Conduct. * Only had 1 gun which is not a ~~Emergency~~ ~~amm~~ ~~more~~ ~~legal~~ ~~firearm~~ ~~I~~ ~~have~~ ~~a~~ ~~licensed~~ ~~officer~~ ~~was~~ ~~standing~~ ~~gun~~ ~~store~~ ~~where~~ ~~I~~ ~~shopped~~ ~~weekly~~ ~~HIS~~

Based upon my training and experience my investigation further indicates that within Mrs Smith's property (the house at 202 Holiday Dr which she owns via Chatham County Tax records and her gray 2012 Nissan Versa) officers will locate evidence (shell casings, bullet holes, firearms, and ammunition of Reckless Conduct.) * Furthermore Officers will discover evidence of False Statements the cell phone with the phone number 912-484-5519 and other documents, recordings of her false statements. * Never searched

A16 AD120

7/14/2015

A 16 AD 120

Sgt Eaton lied about facts being the reason I was shooting.

I swear or affirm that all of under oath is true to the best of

Also the warrants their not going to send you because you can see them spelling of the Judges name

and all other testimony given by me on Draft

And last the amount of times I called in 2014. Lie I was on a contract in Florida from Dec 2011 through April 2014. Arrested in July

Sworn to and subscribed to before me this _____ day of _____, 20____, at _____ (A.M.) (P.M.)

↓ No signature on draft.

Judge, Recorder's Court of Chatham County

From July 2014 when Officer Eaton and Kicking team showed
What was the probable cause when Officer Roberson stated it was not used
in a shooting?

Officer Earns called me and asked me did I know any other
numbers and then provided to me. I inquired about officer Eaton's behavior
my gun and told him my concerns. Sgt Earns asked me why do you think
we are going along with them? I replied I heard you took a 5 million
dollar bribe. He answered no. I thanked him for calling.

S

ARRANT

RECORDER

OF CHATHAM CO, GA

Fabricated warrant. This was never served to the wall or what the officer left the wall.

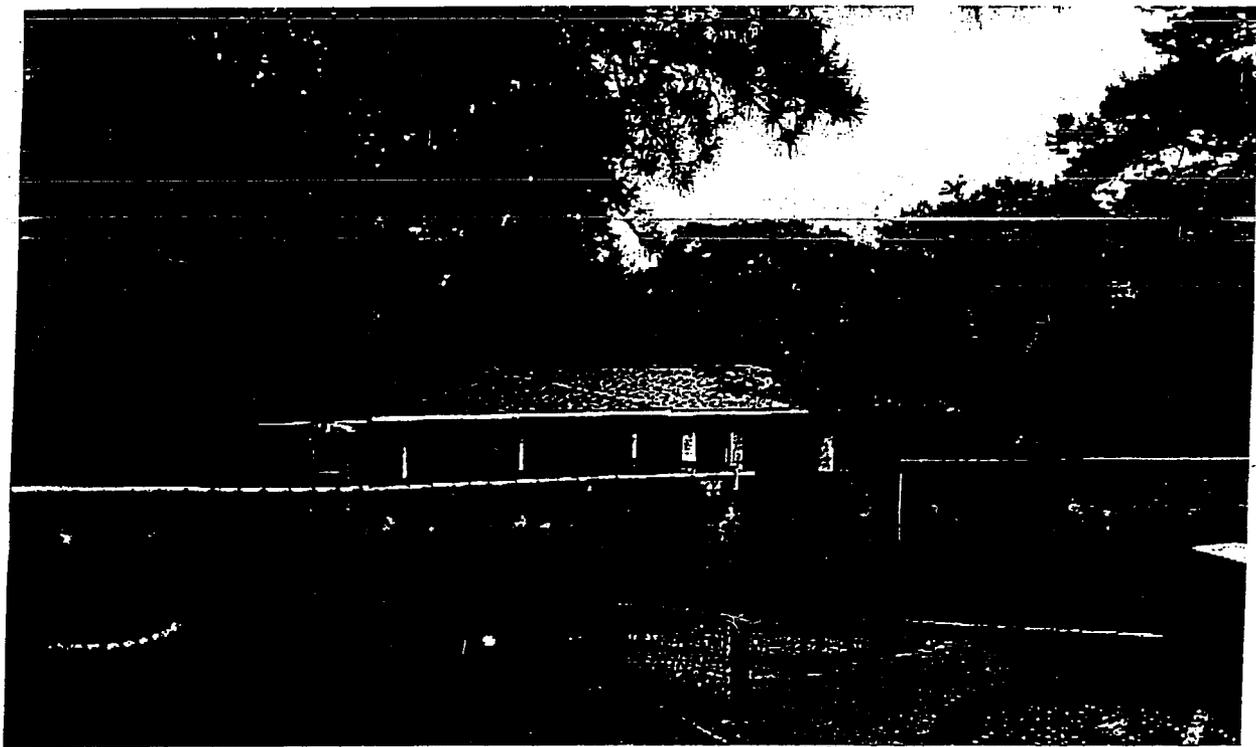
*Copy and return to
Evidence
Please*
*Major Smith
But not at
present*

GEORGIA, CHATHAM COUNTY

To the Sheriff of Chatham County and his lawful Deputies, all and singular the Sheriffs of this state and all their lawful Deputies, lawful Constables of this State, the Officers of Savannah - Chatham Metropolitan Police Department the State Patrol, and all other law enforcement officers and agents authorized to serve search warrants,

GREETING:

Whereas Sergeant Stephen M Eaton has made, sworn to, and subscribed the foregoing affidavit in order to obtain a warrant to search the Single family dwelling known as 202 Holiday Circle, Savannah Georgia and is constructed with red brick and tan trim with a orange shingle roof, and the property is surrounded by a chain link fence with a gate only at the driveway that extends from Larchmont Drive and ends to the left of the front door. This residence is a corner lot at the intersections of Larchmont Drive and Holiday Circle, facing a westerly direction. The house is numbered 202 on the fascia board above the eave covering the front door, the numbers are colored to match the trim paint. And grey 2012 Nissan Versa bearing Georgia tag BYM 1504 registered to Linda Smith of Linda Smith

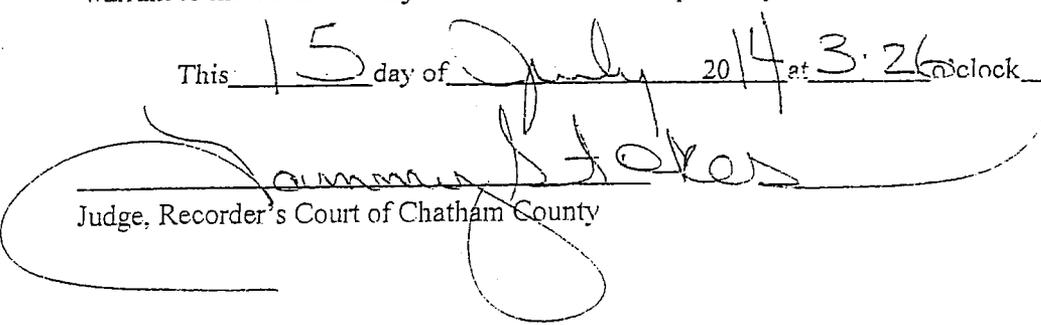


FOR: documents, records (audio, video and any other media used to record statements, writings or typings,) and cell phones (912-484-5519, used to commit the crime of False Statements, also ammunition, used shelling casings, projectiles (fragmented or whole,) firearms, and photographs and video of damage caused by firearm discharge and any contraband in violation of the laws of the State of Georgia 16-10-20 & False Statements and 16-5-60.

It is the finding of the undersigned, and it is hereby so found and held, that probable cause has been shown under oath and in writing for the undersigned to believe that the property so described is being concealed within 202 Holiday Circle as above described, and that the foregoing grounds for application for issuance of a search warrant have been established.

Therefore, you are hereby commanded to search forthwith the 202 Holiday Circle named and described for the property specified. If you find said described property, or any part thereof, in the execution of this warrant, seize the same, together with any discovered item, substance, object, thing, or matter whose possession is unlawful under the laws of the State of Georgia or which is tangible evidence of the commission of a crime, and which may be seized under existing law. Leave with defendant a copy of this warrant and a receipt for the property taken, prepare an inventory of such seized property, and return this warrant to me within ten days from this date, as required by law.

This 15 day of July 2014 at 3:26 o'clock P. M.


Judge, Recorder's Court of Chatham County

PEL

9815
E. F. Fingher
Chatham 707

10/5/2015

Certificate of Service

Linda Marie Smith

Pro Se

Georgia Regional Hospital

1915 Eisenhower Drive Unit 4

Savannah, Georgia 31416

Aaron D. Wiles, Jr. Bar# 721537

Assistant District Attorney

P.O. Box 2369

133 Montgomery Street Suite 600

Savannah, Georgia 31405

912-652-7308

I am incarcerated inmate and I am using the U.S. Mail

A16A0Z10

Sent by the U.S. Mail