

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

May 29, 2015

To: Mr. Daniel W. Taylor, GDC1000332837 F2, Johnson State Prison, Post Office Box 344,  
Wrightsville, Georgia 31096

Case Number: \_\_\_\_\_ Lower Court: \_\_\_\_\_ County Superior Court \_\_\_\_\_

Court of Appeals Case Number and Style: \_\_\_\_\_

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

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

COURT OF APPEALS  
STATE OF GEORGIA

RECEIVED  
COURT OF APPEALS  
STATE OF GEORGIA  
MAY 26 2015

Daniel W. Taylor  
Petitioner

HABEAS CORPUS

CAFN: 2015-HC-06

vs.

Judge Jon Helton  
Respondent

Motion in Compliance

Pursuant to O.C.G.A. § 15-6-21(c)

Motion in Compliance O.C.G.A. 15-6-21(c)

COMES NOW Daniel W. Taylor, the Petitioner  
Pursuant to O.C.G.A. § 9-14-47 & 9-14-48, and  
Files this Motion in Compliance under O.C.G.A. §  
15-6-21(a)(2), For Enforcement of Subpoena's  
O.C.G.A. § 9-14-23, filed in the Above-entitled  
matter, as Judge Jon F. Helton has Purposely  
Suspended the Writ of Habeas Corpus as  
Prescribed by US. CONST. ART. I § 9. CL. 2, FOR  
Dilatory Grounds and without Good Cause,  
To Obstruct Petitioner's Right to Due Proc-  
ESS The Right to be heard AND THE RIGHT  
To Defend and Redress, his illegal Rest-

RAINT. PETITIONER ASK THIS COURT TO ENFORCE THE COMPLIANCE AND ISSUANCE OF THE TWO CERTIFIED COPIES OF CASE'S D0SL14406 - D0SL15085 FROM SUPERIOR COURT CLERK OF FULTON COUNTY Cathelene T. Robinson AND THE AUGUST 7, 2012, MOTION FOR NEW TRIAL TRANSCRIPT, FROM FULTON COUNTY COURT REPORTER IONIE TAYLOR.

PETITIONER AVERS WITH UNDISPUTED EVIDENCE THAT:

(1)

PETITIONER FILED SUBPOENAS IN CASE DANIEL W. TAYLOR VS. BRAD HOOKS, CASE NO # 2015-HC-6, FOR CERTIFIED COPIES OF CASE'S USED IN MITIGATION FOR RECIDIVIST, WHICH HE IS ILLEGALLY UNDER AGAINST Cathelene T. Robinson, Clerk OF FULTON COUNTY SUPERIOR COURT.

(2)

HE ALSO FILED ON THAT SAME SUBPOENA FOR IONIE TAYLOR COURT REPORTER IN CASE 10SL89595, TO SEND A CERTIFIED COPY OF THE AUGUST 7, 2012, MOTION FOR NEW TRIAL TRANSCRIPT WHICH WAS NEVER

Presented During Appellate Review.

SEE: MOTION FOR COMPLIANCE MOTION FOR CONTEMPT ATTACHED

(3)

NOTICE WAS ALSO FILED WITH THE COURT AND THE RESPONDENTS THAT ON MAY 20, 2015, THERE'S SHOULD BE NO DILATORY DELAY OR EXCUSES TO CONTINUE THE HEARING BASED ON NOT HAVING CERTIFIED RECORDS TO SUSPEND THE WRIT FOR I AM IN CUSTODY AND CONTROL OF ORIGINAL CERTIFIED TRANSCRIPTS AND EVIDENCE.

SEE: ATTACHED FILED NOTICE.

### LEGAL AUTHORITY CITATION AND ARGUMENT

JUDGE JON F. HELTON. IN VIOLATION OF D.C.G. A § 15-6-21 (a) & (c) AND ENFORCEMENT OF THE SUBPENA PROCESS, D.C.G. A § 9-14-23, TO HOLD SUBPENEES IN CONTEMPT, UNDER STATE AND FEDERAL LAW 18 USC § 401 (3), TO SO, IN EFFECT SUSPEND THE RIGHTS OF THE WRIT OF HABEAS CORPUS. WHERE WE ARE NOT, AT WAR, UNDER INVASION OR IN REBELLION. US. CONST. ART I § 9 CL 2

STATE HABEAS CORPUS COURT HAS VIOLATED THE PETITIONER'S DUE PROCESS AND HIS SUBSTANTIAL RIGHT TO BE TIMELY HEARD. THE ONLY REMEDY TO THIS ~~IS~~ A WRIT OF PROHIBITION TO BE EXECUTED OR THIS COURT APPLY AN INJUNCTION TO RELIEVE THE PETITIONER OF THIS CONTINUED MISCONDUCT BY THE JUDGE. SEE: GALER VS. BOARD OF REGENTS OF THE UNIV. SYSTEM 299 GA. 268-236 SE. 2d 617 (1977) RUSSELL VS. EVANS 260 GA. 754 (1) 400 SE 2d 11 (1991).

THEREFORE IN THE INTEREST OF JUSTICE AND A FUNDAMENTAL RIGHT TO ACCESS TO THE COURT HEINRICH EX REL HEINRICH VS. SWEET 62 F. SUPP. 2d 282-315 (1999). PETITIONER ASK TO BE GRANTED THE FOLLOWING RELIEF:

- (A). 10 day Notice To Subpoenees To Produce Records AND Documents by Mail OR FACE \$5,000.00 SANCTION AND ARREST.
- (B). A HEARING TO BE HELD WITHIN 30 DAYS OF RELIEF WITH NO MORE DILATORY CONTINUANCES SUSPENDING THE RIGHT TO THE GREAT WRIT.

THEREFORE PETITIONER PRAYS THIS COURT  
ENFORCES THE ORDER UNDER O.C.G.A. § 16-6-21(c)  
AND O.C.G.A. § 9-14-23.  
THIS 20<sup>TH</sup> DAY OF MAY 2015

RESPECTFULLY SUBMITTED  
Daniel W. Taylor

DANIEL W. TAYLOR 100337837  
JOHNSON STATE PRISON  
P.O. BOX 344  
WRIGHTSVILLE, GA, 31096

IN THE SUPERIOR COURT OF JOHNSON COUNTY

STATE OF GEORGIA

Daniel W. Taylor  
EF# 1000332837

Petitioner,

vs.

**Brad Hooks, Warden**  
Johnson State Prison,

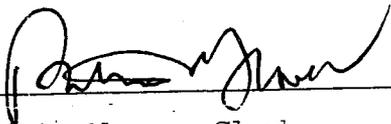
Respondent.

CIVIL ACTION NO. 2015-HC-6

ORDER SETTING HEARING

The above referenced Application for Writ of Habeas Corpus is hereby approved for filing. Therefore the above named case is hereby set for hearing on the 20th day of May 2015 at 9:00 a.m. in the Johnson County Courthouse, Wrightsville, Georgia. Respondent is hereby ordered to present the body of the Petitioner for said hearing.

SO ORDERED, this 19th day of February, 2015.

  
\_\_\_\_\_  
Patricia Glover, Clerk  
Johnson County Superior Court

Clerk to serve:  
Petitioner  
Respondent  
Dan King, Jr., Esq.  
Department of Corrections

COURT OF APPEALS  
STATE OF GEORGIA

Daniel W. Taylor  
Petitioner

civil Action: 2015-HC-116

v.

JUDGE JON F. HELTON  
Respondent

Motion to Proceed without Paying the  
FILING FEES AND COST

Comes Now Daniel W. Taylor, the Petitioner in the Above-stated Matter and Ask This Honorable Court to Waive the \$80.00 Filing Fee in this Motion in Compliance Pursuant to O.C.G.A. § 15-6-21(c). For Pur- SUANT TO 28 USC § 1746, Under the Penalty OF PERJURY I Declare and ATTEST by MY SIGNATURE that I am legally indigent. This 21<sup>st</sup> DAY OF MAY 2015

RESPECTFULLY Submitted  
Daniel W. Taylor

Daniel W. Taylor 1000332837  
JOHNSON STATE PRISON  
PO. BOX 244  
WRIGHTSVILLE, GA. 31096

CERTIFICATE OF SERVICE

I DANIEL W. TAYLOR hereby certify that, I  
have SERVED the Respondent's Agent AND  
The JUDGE JON F. HELTON BY PLACING A  
TRUE and Correct COPY in the US. Mail  
with Proper POSTAGE AFFIXED TO:

JUDGE JON F. HELTON c/o  
PATRICIA GLOVER (CC)  
PO. BOX 321  
WRIGHTSVILLE, GA. 31096

&  
LUKE W. STUCKEY  
KING LAW GROUP  
PO. BOX 4329  
DUBLIN, GA. 31040  
This 21<sup>st</sup> DAY OF MAY 2015

Daniel W. Taylor  
Daniel W. Taylor #00332837  
JOHNSON STATE PRISON  
PO. BOX 344  
WRIGHTSVILLE, GA. 31096

DANIEL W. TAYLOR 1000332837

JOHNSON STATE PRISON F-2

P.O. BOX 344

WRIGHTSVILLE, GA. 31096

APRIL 16, 2015

REF: 2015-HL-6

TO: PATRICIA GLOVER (CLERK OF COURTS)

JUDGE JON HELTON

JOHNSON COUNTY SUPERIOR COURT

- VIA -

LUKE W. STUCKEY

KING LAW GROUP

P.O. BOX 4329

DUBLIN, GA. 31040

FILED IN OFFICE  
Johnson County, GA  
Date 4-21-2015  
Patricia Glover, Clerk  
Superior Court

*Pro*

TO ALL PARTIES IN MATTER 2015-HL-6;

ON MAY 20, 2015, AT 9:00AM IN THE JOHNSON COUNTY SUPERIOR COURT. THERE WILL BE HELD A EVIDENTIARY HEARING PURSUANT TO GEORGIA STATUTE O.C.G.A. 9-14-47 AND 9-14-48.

THIS IS NOTICE THAT I AM GOING TO DEFEND AND PROSECUTE FOR MY IMMEDIATE RELEASE FROM THE ILLEGAL CUSTODY OF WARDEN BRAD HOOKS AND THE DEPARTMENT OF CORRECTIONS IN THE STATE OF GEORGIA. TO ALLEVIATE

RIGHT NOW, ANY DILATORY DELAYS AND THIS COURT OR THE ATTORNEY GENERAL PURPOSELY SUSPENDING THE GREAT WRIT UNDER US. CONST. ART 1 § 9 CL. 2, WHICH WE ARE NOT AT WAR, REBELLION OR INVASION. I AM IN POSSESSION OF ALL CERTIFIED TRANSCRIPTS AND EVIDENCE THAT I WILL TURN OVER TO THE RESPONDENT IN ORDER THAT NO EXCUSES ARE MADE, THESE GROUNDS HAVEN'T BEEN ADJUDICATED ON DIRECT APPEAL. SO THE RESPONDENT USING THIS AS A CONTENTION IS NULLITY. IF THE HEARING IS NOT HELD ON TIME AND THE RESPONDENT IS NOT READY TO DEFEND A PRIMA FACIE SHOWING, I'LL ONE ASK FOR AN INTERLOCUTORY APPEAL WITH A CERTIFICATE OF IMMEDIATE REVIEW WHICH ONE LIES AND TWO A BOND FOR BY A PRIMA FACIE SHOWING I CAN SHOW MY DETENTION IS ILLEGAL. THIS IS NOTICE AND TO THE CLERK I WANT ALL STAMPED FILED COPIES OF MY DOCUMENTS FILED.

IF, I DONOT Recieve those STAMPED  
FILED COPIES OF THE MOTIONS AND BRIEFS  
I've Submitted I'll take this from the  
Clerk AS A CONSPIRACY TO VIOLATE  
MY CONSTITUTIONAL RIGHTS AND SUSPEND  
THE WRIT AND VIOLATE D.C.G.A. 44-  
4-2

FOR PURSUANT TO D.C.G.A. 16-5-21(a)  
THE JUDGE HAS FAILED TO ANSWER AND  
RESPOND TO THOSE MOTIONS IN WHICH I  
WANT TO APPEAL DIRECTLY TO THE COURT  
OF APPEALS FOR NON-COMPLIANCE.

THE JUDGE FAILURE TO RESPOND EQUATES  
TO FRAUD IN SOME WAY WHERE YOU HAVE  
A MORAL DUTY TO RESPOND U.S. VS. TWEEL  
550 F.2d 287 (1997). ALSO SEE: TAYLOR VS  
JUDGE CYNTHIA BECKER CASE NO 14CV72428

THEREFORE NOW THEIR SHOULD BE NO DELAYS  
FOR NOTICE HAS BEEN PROVIDED AND DEFAULT  
MAY BE GRANTED!

RESPECTFULLY

Daniel W. Taylor