



Court of Appeals of Georgia

February 20, 2015

TO: Mr. Paul Leon Thennes, GDC1000996450, Georgia Diagnostic and Classification Center,
State Prison, Post Office Box 3877, Jackson, Georgia 30233

RE: **A14A1348. Paul Leon Thennes v. The State**

CHECK RETURN

- Your check number _____ in the amount of _____ written on the account of your firm for the filing fee in _____ is enclosed. Please be advised that this Court is returning your check since the filing fee was already paid by _____.

CASE STATUS - DISPOSED

- The above referenced appeal was affirmed on October 29, 2014. The remittitur issued on November 14, 2014, divesting this Court of any further jurisdiction of your case. Again, the case is final.**

Your documents are being returned to you.

CASE STATUS - PENDING

- The above referenced appeal is pending in your name before this Court. The appeal was docketed in the _____ Term and a decision must be rendered by the Court by the end of the _____ Term which ends on _____.

APPLICATION FOR PERMISSION TO APPEAL A PROBATION REVOCATION

- To appeal a probation revocation, you will need to file a Discretionary Application with this Court. Rule 31 of the Rules of the Court of Appeals of Georgia describes a Discretionary Application and the items you would need to include with your application.

A Discretionary Application must be filed within 30 days of the stamped filed date on the order that you are appealing and the application must be accompanied by a proper Certificate of Service and a pauper's affidavit or the \$80.00 filing fee. You must also comply with all the other applicable rules of Court regarding filing with the Court of Appeals of Georgia.

Enclosed, please find a copy of the Rules of the Court of Appeals for your review.

FEBRUARY 9, 2015

①

TO: COURT OF APPEALS OF GEORGIA
SUITE 501
47 TRINITY AVENUE
ATLANTA, GEORGIA 30334

FILED IN
2015 FEB 19 PM 2:50
COURT CLERK OFFICE OF GA

FR: PAUL LEON THIENNES
G.D.C. # 1000996450
GEORGIA DIAGNOSTIC AND CLASSIFICATION CENTER
P.O. BOX 3877
JACKSON, GEORGIA 30233

RE: ① MOTION FOR REINSTATEMENT OF MY APPELLATE PROCESS AND MY NOTICE TO FILE MY SECOND APPEAL

② MOTION TO NOTIFY THE COURT OF APPEALS, OF MY DECISION TO REPRESENT MYSELF AS PRO-SE AND INCLUDING A COPY OF THAT MOTION, RECENTLY FILED.

③ MOTION TO TERMINATE ANY FURTHER LEGAL REPRESENTATION BY MR. JAD JOHNSON, ESQ., P.D. ANY MEMBER OF THE PUBLIC DEFENDERS OFFICE IN OR ABOUT WALKER COUNTY.

CASE # A14A1348

PAUL LEON THIENNES V. THE STATE OF GEORGIA.

COMES NOW, PAUL LEON THIENNES, APPELLATE/DEFENDANT IN HIS MOTIONS FILED WITH THIS COURT OF APPEALS, STATE OF GEORGIA IN TOTAL AND COMPLETE REQUEST TO REVERSE ITS DECISION OF DENIAL DATED JANUARY 26, 2015, BASED

2/9/15 @

MOTION 1 & 2 INCLUSIVE

ENCLOSED COPY OF MY MOTION FILED WITH THE WALKER COUNTY, PUBLIC DEFENDERS OFFICE AND THAT OF MR. JAD JOHNSON, ESQ., PUBLIC DEFENDER, DISMISSING HIS LEGAL REPRESENTATION AND THAT OF ANY FUTURE PUBLIC DEFENDERS FROM THE WALKER COUNTY, PUBLIC DEFENDERS OFFICE.

IN ADDITION, CONTAINED IN THAT MOTION, I HAVE TAKEN ON THE RESPONSIBILITY OF LEGAL MATTERS AS PRO-SE.

MOTION 3

APPELLATE/DEFENDANT, REQUESTS THAT THE COURT OF APPEALS ITS RECENT DECISION OF JURISDICTION AND DENIED AND MY MOTION FOR RECONSIDERATION, TOTALLY BASED ON A PROCEDURAL ERROR OF LEGAL REPRESENTATION, SO STATED IN MY MOTIONS.

PUBLIC DEFENDER AND/OR PUBLIC DEFENDERS OFFICE TO RESIGN ANY AND ALL LEGAL REPRESENTATION. IN FACTS CONTAINED IN ATTACHED LETTER, MR. JAD JOHNSON, SO STATES HIS LACK OF TIMELY RESPONSE, 7 MONTHS LATE.

APPELLATE/DEFENDANT SHOULD NOT BE DENIED DUE PROCESS OF HIS LEGAL REMEDIES, DUE POOR LEGAL REPRESENTATION BY HIS ATTORNEY AT THAT TIME, AND SO STATED IN REFERENCED LETTER. (COPY ENCLOSED & HIGHLIGHTED)

MOTION 4

APPELLATE/DEFENDANT WAS ALSO DENIED PROPER NEGAT

DEFENSE, BY PUBLIC DEFENDER FOR THE FOLLOWING REASONS;

- 1- MEDICAL DOCTOR FOR THE DEFENSE TO TESTIFY AND INTRODUCE MEDICAL EVIDENCE AS TO THE MEDICAL CONDITION OF DEFENDANT AND HIS LACK OF SEXUAL RESPONSE
- 2- COMPUTER EXPERT TO EXAMINE THE DATA CONTAINED ON THE HARD DRIVE OF THE COMPUTER INTRODUCED AS EVIDENCE.
- 3- MEDICAL DOCTOR EXPERIENCED IN ALL AREAS OF SEXUAL ACTIVITIES ENTERED INTO BY V. C. THE COMPLAINTEE

NOTE; THESE EXPERTS WOULD NOT ONLY OFFER EVIDENCE AND TESTIMONY FOR THE DEFENDANT'S DEFENSE, BUT WOULD REFUTE ANY TESTIMONY BY THE PROSECUTOR'S READING INTO EVIDENCE, AND ANY QUESTIONS BY THE DEFENSE, PROHIBITED BY THE RAPE SHIELDS LAW

4- A PSYCHOLOGIST'S EXPERIENCE IN THE STATEMENTS MADE BY V. C., LENGTHS OF TIME INVOLVED AND ALLOWANCE OF AN EXAMINATION OF THE PLAINTIFF AND OR WITNESS V. C. AND THE OTHER WITNESS R. S. THIS EXAMINATION COULD BE MADE IN-CAMERAM IN ATTENDANCE OF THE PRESIDING JUDGE, TO AVOID ANY VIOLATIONS OF THE RAPE SHIELDS LAWS.

SPECIAL NOTE; APPELLATE/DEFENDANT WAS OFFERED THE REASON FOR NO MEDICAL EXPERT, THE PUBLIC DEFENDERS OFFICE ONLY ALLOWED \$6,000.00 TO TRIAL EXPENSE.

THIS IS CLEARLY A LACK OF A PROPER DEFENSE.

2/9/15 4

MOTION 5

APPELLEE/DEFENDANT SHOULD NOT BE DENIED ITS REMITTANCE FOR A PROPER DEFENSE, BASED SOLELY ON DOLLARS AND CENTS OR A BUDGET BY THE PUBLIC DEFENDERS OFFICE.

MOTION 6

APPELLEE/DEFENDANT, THEREFORE BASED ON ITS MOTIONS AND FACTS CONTAINED HEREIN, PRAYS THE COURT OF APPEALS WILL REVERSE ITS DECISION OF JANUARY 26, 2015. THE REMITTANCE OFFERED ON NOVEMBER 14, 2014 WAS CLEARLY BASED ON LEGAL PROCEDURES, AND NOT THE FAULT OF APPELLEE/DEFENDANT, BUT THAT OF THE PUBLIC DEFENDER. APPELLEE/DEFENDANT, AGAIN PRAYS THE COURT OF APPEALS WILL REVERSE ITS DECISION TAKE JURISDICTION OF THIS LEGAL PROCESS AND GRANT MY MOTIONS AND ALLOW THIS APPELLEE/DEFENDANT HIS LEGAL RIGHT OF DUE PROCESS AND FILE A NEW APPEAL (SECOND) AND THE POSSIBILITY OF EVEN A NEW TRIAL, WITH PROPER COUNSEL (RENEW AS PRO-SE) AND WITH THE PROPER EXPERTS TO FILE AND PRESENT A LEGAL DEFENSE.

I PAUL LEON THANNES, HEREBY SWEAR THAT THE ABOVE FACTS AND STATEMENTS CONTAINED IN THIS MOTION ARE TRUE AND CORRECT.

PAUL LEON THANNES, PRO SE.

FEBRUARY 9, 2015 ①

TO: MR. JAD JOHNSON, ESQ.
PUBLIC DEFENDER
c/o PUBLIC DEFENDERS OFFICE
WALKER COUNTY
108 E. VILLANOVA STREET
P.O. BOX 1810
LA FAYETTE, GEORGIA 30728

FR: PAUL L. THANNES
GDC # 1000996450
c/o GA. DIAGNOSTIC & CLASSIFICATION PRISON
2978 Hwy. 36 WEST PRISON BLVD.
P.O. BOX 3877
JACKSON, GEORGIA 30233

RE: NOTICE OF DISMISSAL OF PUBLIC DEFENDER
MR. JAD JOHNSON, ESQ., ANY OTHER REQUESTED
HELP OF ANOTHER ATTORNEY FROM THE PUBLIC
DEFENDERS OFFICE IN MY CASE, A14A1348
STATE OF GEORGIA VS. PAUL LEON(L) THANNES

I, PAUL LEON(L) THANNES HEREBY SERVES MR. JAD
JOHNSON, ESQ., PUBLIC DEFENDER AND THE PUBLIC DEFENDERS
OFFICE THAT I WILL REPRESENT MYSELF, PRO-SE
IN ANY AND ALL FURTHER LEGAL MATTERS.

THIS WILL ALSO INCLUDE ALL LEGAL MATTERS WITH
MY APPEALS AND THE RE-STATEMENT OF MY NEW

2/9/15 (2)

WHICH WAS RECENTLY DENIED, DUE TO PROCEDURAL PROCESS.

I AM ALSO SERVING YOU WITH NOTICE, THAT IF ANY ERRORS AS AN INEFFECTIVE ASSISTANCE OF COUNSEL, WHICH YOU INCURRED TO IN YOUR LETTER OF 7/21/2014, I WILL SEEK WHATEVER LEGAL REMEDIES ARE AFFORDED ME BY THE COURT SYSTEM.

I, PAUL LEON (L.) THANNES, (PRO, SE) HEREBY SWEAR THAT ALL THE STATEMENTS CONTAINED IN MY MOTION, ARE THE TRUTH TO THE BEST OF MY KNOWLEDGE.

PAUL LEON (L.) THANNES

PRO SE

FEBRUARY 9, 2015 (1)

CERTIFICATE OF SERVICE

I PAUL LEON (L) THIENNES, PRO-SE, CERTIFY THIS WAY WAS MAILED VIA REGULAR MAIL, POSTAGE PAID TO THE FOLLOWING PARTIES;

1 MR. JAD JOHNSON, ESQ. } PUBLIC DEFENDERS OFFICE
PUBLIC DEFENDER } (SAME ADDRESS FOR BOTH PARTIES)
WALKER COUNTY
108 E. VILLANOW STREET - P.O. BOX 1810
LA FAYETTE, GA. 30228

2 CLERK OF THE COURT - WALKER COUNTY (SAME ADDRESS)

3 COURT OF APPEALS OF GEORGIA } CASE # A-14A1348
SUITE 501 } STATE OF GEORGIA
47 TRINITY AVENUE
ATLANTA, GEORGIA 30334
ATTN: CLERK OF THE COURT

VS
PAUL L. THIENNES
VS.
PAUL L. THIENNES
VS.

Paul L. Thiennes, PRO-SE STATE OF GEORGIA

REFERENCE NOTE: ORIGINAL COPY OF JAD JOHNSON'S LETTER OF 7/21/2014 AND 3 ORIGINAL RESPONSES FROM THE COURT OF APPEALS, WERE SENT TO THE COURT OF APPEALS, DUE TO A LACK OF PHOTO-COPY SERVICES AT THIS FACILITY.
PT, PRO-SE
2/9/15

OFFICE OF THE PUBLIC DEFENDER
LOOKOUT MOUNTAIN JUDICIAL CIRCUIT

CIRCUIT PUBLIC DEFENDER
DAVID J. DUNN

PARALEGAL/ADMINISTRATIVE SUPERVISOR
CARMEN M. WILLIAMS

INVESTIGATOR
ROXIE THOMPSON



CHIEF ASSISTANT PUBLIC DEFENDER
DOUG WOODRUFF
ASSISTANT PUBLIC DEFENDERS
VICTOR PHILIP ALOISIO, III
JAD B. JOHNSON
MICHAEL D. KELLEY
SEAN J. LOWE
KRISTIN PATTEN
ROBERT M. PATTEN
SELWIN E. PATTERSON
ASHLEY A. WILKINSON

7/21/2014

Paul L. Thennes
GDC1000996450
GA Diagnostic and Classification Prison
2978 Hwy 36 West Prison Blvd
Jackson, GA 30233

Dear Mr. Thennes,

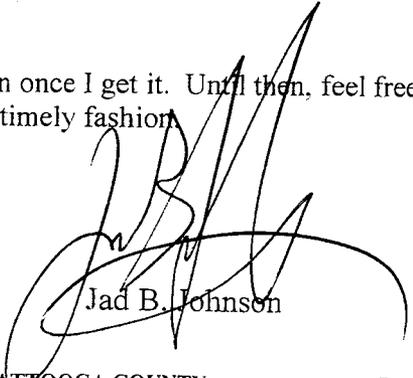
I do apologize for not writing you sooner. As you know, the life of a public defender is a busy one, and it is difficult to find time to correspond with all my clients. However, I should do better about making time.

I got your first letter inquiring about the appeal on April 30th, and I got it the day after I filed your brief in the Court of Appeals. So to answer your first concern, your appeal has been filed. We are still waiting on the Court of Appeals to make a ruling. I don't know when that might be. I am enclosing a copy of my brief, and a copy of the District Attorney's brief.

To answer some of your other questions: We had the motion for new trial on January 21st, 2014. Obviously, you were not there. I typically do not have the client present at the motion for new trial if there is no testimony given. I did call one witness during the motion, however: Magistrate Judge Jerry Day. Judge Day issued the search warrant for the trailer, and I asked him about whether he would have issued the warrant if he knew certain things that were brought up during the trial. All of that is in the enclosed brief. Since I knew that you wouldn't have been able to assist me with the issues at the motion for new trial (what the magistrate knew, or what he would have done in a different situation), I did not think it necessary to have you brought back for that. If I knew beforehand that you wanted to be there, I would have made those arrangements, but I didn't get that information until April.

I did not make any claims of ineffective assistance of counsel. Again, that wasn't anything I was aware of until after the motion for new trial, after the filing of the notice of Appeal, and after the actual brief was filed.

It is my intention to send you the Court of Appeals opinion once I get it. Until then, feel free to write back, and in the future I will be better about responding in a timely fashion.


Jad B. Johnson

WALKER COUNTY
108 E. Villanow St.
P.O. Box 1810
LaFayette, Ga. 30728
(706) 638-3290

CATOOSA COUNTY
62 Nance St.
P.O. Box 217
Ringgold, Ga. 30736
(706) 935-3400

CHATTOOGA COUNTY
10035 Commerce St.
P.O. Box 496
Summerville, Ga. 30747
(706) 857-9243

DADE COUNTY
129 Case Ave.
P.O. Box 1549
Trenton, Ga. 30752
(706) 657-2602

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

Date: November 14, 2014

To: Mr. Paul L. Thennes, GDC1000996450 1-44, Georgia Diagnostic and Classification Center, State Prison, Post Office Box 3877, Jackson, Georgia 30233

Docket Number: A14A1348 **Style:** Paul L. Thennes 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 **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 must 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)
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

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

Date: November 25, 2014

To: Mr. Paul L. Thennes, GDC1000996450 1-44, Georgia Diagnostic and Classification Center, State Prison, Post Office Box 3877, Jackson, Georgia 30233

Docket Number: A14A1348 **Style:** Paul L. Thennes v. The State

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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: **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.**

3 COPIES OF EACH



Court of Appeals of Georgia

January 26, 2015

TO: Mr. Paul Leon Thennes, GDC1000996450, Georgia Diagnostic and Classification Center,
State Prison, Post Office Box 3877, Jackson, Georgia 30233

RE: **A14A1348. Paul Leon Thennes v. The State**

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