

**COURT OF APPEALS OF GEORGIA  
DOCUMENT RETURN NOTICE FOR APPLICATIONS**

**May 5, 2015**

**To:** Mr. Jack Ray Wallace, GDC7129217 E-3-204-B, Central State Prison, 4600 Fulton Mill Road  
Macon, Georgia 31208

**Docket Number: Style: Jack Ray Wallace v. The State**

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

1.  Your Application was not accompanied by the statutory filing fee, \$300.00 civil; \$80.00 criminal, 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.  Portions of the record included were not tabbed and indexed. Rules 30 (e) and 31 (c).
3.  **A stamped "filed" copy of the trial court's order to be appealed was not attached to your Application. Rules 30 (b) and 31 (e)**
4.  A stamped "filed" copy of the Certificate of Immediate Review was not attached to your Interlocutory Application. Rule 30(b)
5.  Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
6.  There were an insufficient number of copies of your document. Rule 6
7.  No Certificate of Service accompanied your document(s). Rule 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.
8.  Your Certificate of Service did not include the complete name and /or mailing address of each opposing counsel and pro se party. Rule 1(a) and 6
9.  Your document exceeds page limits. Rules 24(f) , 30(e) and 31(c)
10.  Your request for court action must be submitted in motion form. Rule 41 (a)
11.  No extension of time for filing an interlocutory application will be granted . Rule 30 (g) . No extension of time will be granted for filing a discretionary application unless the motion for extension is filed on or before the due date of the discretionary application.
12.  The type font was smaller than 10 characters per inch; type was not double-spaced or/and type was on both sides of the paper. Rules 1(c), 24(b), 37(a) and 41(b).
13.  Your motions were submitted in an improper form (joint, compound, or alternative motions in one document). Rule 41 (b)
14.  Margins were too small or paper size was incorrect. Rules 1(c), 24(c), 30(e), 31(c) and 41(b).
15.  Your document was submitted for filing more than 30 days after the date of the order granting, denying or dismissing the application or the order granting, denying or dismissing the Motion for Reconsideration. Rules 30(j) and 31(j).
16.  **Other: This Court does not provide the relief you are requesting in a Discretionary Application. The Court of Appeals of Georgia is not an investigatory agency. A discretionary application is to review the order.**

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For Additional information, please go to the Court's website at: [www.gaappeals.us](http://www.gaappeals.us)

April 20th 2015

Mr. Stephen E. Castle,  
Clerk / Court Administrator  
Court of Appeals of GA.

RECEIVED IN OFFICE

2015 MAY -1 PM 4: 26

RE: Document Return ~~Notice~~ For Applications - Dated April 20, 2015  
AND THE DOCUMENTED APPEAL STAMPED APRIL 17/2015 RECEIVED AT  
CENTRAL STATE PRISON ON APRIL 23, 2015.

Submitted By: JACK RAY WALLACE #719217.  
Jack Ray Wallace Inmate 719217,  
CENTRAL STATE PRISON E-3  
4600 Fulton Mill Road  
MACON, GA. 31206-2500

DEAR MR. STEPHEN E. CASTLE,

First... WE ARE SORRY FOR ADDRESSING OUR ENVELOPES TO MS. VALLI  
K.D. SPARROW AND NOT TO YOU, SIR. HOWEVER, THE COURTS DO NOT TELL US PRISONERS  
WHEN THEIR CLERKS/COURT ADMINISTRATORS RETIRE.. ~~It~~ THAT MAY GIVE US TOO  
REJOICEFULL- SO'S TO MAKE OUR DAYS MUCH HAPPIER FOR US.

NEXT AND MOST IMPORTANT OF ALL: THIS APPEAL, HAD IT BEEN READ-  
FRONT TO BACK BY SOME ONE, LIKE MAYBE A JUDGE, WOULD BE ABLE TO SEE THE  
"MOCKERY" AGAINST THE JUSTICE OF THE STATE LAWS AND THE U.S. CONSTITUTION AND ITS  
AMENDMENTS CAUSED BY THE WARE COUNTY SUPERIOR COURT, ITS JUDGE AND ITS CLERK OF  
OF THE COURT. THIS COURTS MOCKHERDIC MANNER OR STYLE USED TO RIDICULE OR MIMIC  
THE UNIFORM SUPERIOR COURT RULES OR BURLESQUE MOCKING ~~and~~ IMITATION OF THE LAWS  
AND THEIR OWN COURT DOCKETS AND CALENDERS .. TO JUST LOOK-THE OTHER WAY WHEN A  
PRISONER RETURNS TO HIS TRIAL COURT UNDER OCGA STATUTE LAWS AND THE COURT REFUSES  
TO RULE ON MOTIONS ENTERED ON APRIL 24th 2013.. "THERE WILL NEVER BE A FILED  
STAMPED COPY OF TRIAL COURT'S ORDER ... UNTIL ... "SOME OTHER SUPERIOR COURT  
GETS OFF THEIR BUTT AND MAKES THE LOWER COURT ENTER A SIMPLE RULING OF A  
DENIAL OF MR. WALLACE'S MOTIONS !" But this Higher Court will allow the  
LOWER COURT TO MAKE [A] "MOCKERY OF THE JUSTICE SYSTEM" AND KEEP  
RETURNING APPLICATIONS ENTERED FOR AN APPEAL OF THE LACK OF RESPONSE FROM  
THE TRIAL COURT JUDGE .. QUESTION TO YOU!

DID YOU READ Exhibits 1 & 2 ?? NO! YOU DID NOT, NOR ARE THEY  
STAMPED. MR. WALLACE "NEEDS THIS HIGHER COURT TO ORDER THE  
LOWER COURT TO ENTER A RULING!" HOW ELSE CAN ONE FEEL THIS  
COURT WHAT THE HECKS GOING ON WITH HIS APPLICATIONS IF THE CLERK SENDS  
IT ALL BACK... IF YOU DO NOT READ, THEN YOU ALSO ARE MOCKING JUSTICE & LAWS.

# Exhibit 1.

IN THE SUPERIOR COURT OF WARE COUNTY FOR THE  
STATE OF GEORGIA

JACK RAY WALLACE, No. 719217,  
DEFENDANT/PETITIONER,

CASE No: 91R-001.

Vs.

THE WARE COUNTY SUPERIOR COURT  
JUDGE, ... RESPONDENT.

NOTICE OF APPEAL TO REQUEST  
HIGHER COURT RULING FOR LACK  
OF RESPONSE OF LOWER COURT.

## "NOTICE OF APPEAL"

REQUEST HIGHER COURT TO ORDER LOWER  
TRIAL COURT TO RESPOND BY ISSUING RULING

COMES NOW PETITIONER, JACK RAY WALLACE, WITH HIS NOTICE OF APPEAL TO REQUEST HIGHER COURT TO "ORDER-LOWER TRIAL COURT TO RESPOND BY ISSUING A RULING". THIS WARE COUNTY SUPERIOR TRIAL COURT HAS BEEN [THROUGH] FOUR TERMS [4] OF COURT SINCE APRIL 24TH, 2013 TO RULE ON WALLACE'S MOTIONS: ARREST IN JUDGMENT O.C.G.A. §§ 17-9-4 AND 17-9-61.. WRIT OF HABEAS CORPUS.. FEB. STA, 2014.. COURTESY REPLY, MAR. 29TH, 2014 AND REQUEST OF OUT-OF-TIME HEARING, FEB. 15TH, 2015 THESE MOTIONS WERE DOCKETED BY MS. MELBA H. FIVEASH, COURT CLERK AND THIS COURT HAS VIOLATED THE UNIFORMED SUPERIOR COURT RULES, AND GEORGIA CONSTITUTION .. ARTICLES .. III SECTION III RULE 31... AND... CONSTITUTION 1983.. ARTICLE 6.. SECTION 6.. PARAGRAPH 3 [4]... NOTICE HAS HERE BEEN GIVEN AND REQUEST HAS BEEN MADE FOR A RULING TO BE HANDLED DOWN OF A DENIAL SO ~~PETITIONER~~ PETITIONER WALLACE CAN PROCEED ONWARD WITH HIS SEEKING OF PROPER RELIEF IN A TIMELY MANNER INTO A PROPER APPEALS COURT.

Submitted this 14th day of April, 2015

Jack Ray Wallace #719217 Pro-Se

CERTIFICATE OF SERVICE:

I HEREBY STATE, THAT I HAVE PLACED A TRUE COPY OF THE ABOVE STATED MOTION IN A PROPERLY ADDRESSED ENVELOPE AND PLACED IN PRISON MAIL BOX TO BE SERVED BY EMPLOYEES OF THE UNITED STATES POSTAL SERVICE AND SERVED ON ALL PROPER PARTIES AS FOLLOWS:

SERVED TO THE FOLLOWING

ORIGINAL COPY

MS. MELBA H. FINE ASH, CLERK  
WARE SUPERIOR COURT STATE OF GA.  
P.O. BOX 776  
WAYCROSS, GA. 31502-0776

ONE CARBON EXHIBIT 1

MS. HOLLY K.D. SPARKOW, COURT CLERK  
COURT OF APPEALS OF GEORGIA  
47 TRINITY AVE. S.W.  
SUITE # 501  
ATLANTA, GA. 30334

Submitted this 14<sup>TH</sup> day of April, 2015 Jack Ray Wallace # 719217

PERSONAL COPY: JACK RAY WALLACE # 719217  
CENTRAL STATE PRISON E-3-304  
4600 FULTON MILL ROAD  
MACON, GA. 31208-2500

"Exhib 2"

IN THE SUPERIOR COURT OF WARE COUNTY FOR THE  
STATE OF GEORGIA

JACK RAY WALLACE #719217,  
DEFENDANT/PETITIONER,

CASE NO. 91R-001

VS.

THE WARE COUNTY SUPERIOR COURT  
JUDGE, RESPONDENT

NOTICE OF REQUEST TO HIGHER  
COURT RULING FOR LACK OF  
RESPONSE OF TRIAL COURT'S RULING

NOTICE OF REQUEST TO HIGHER COURT FOR RULING ORDER  
TO TRIAL COURT FOR LACK OF RESPONSE TO ENTERED MOTIONS

COMES NOW, PETITIONER WALLACE, WITH NOTICE OF REQUEST TO A HIGHER COURT FOR RULING ORDER TO THE WARE COUNTY TRIAL CT. FOR THE LACK OF RESPONSE TO ENTER TRIAL UNDER OCCA § 17-9-4 [Jurisdiction] ON O.C.G.A. § 17-9-61 MOTION FOR ARREST IN JUDGMENT... HAND DOWN A [Simple Ruling] of DENIAL ON MOTIONS ENTERED: ① APRIL 24, 2013... ARREST IN JUDGMENT... [UNDER OCCA § 17-9-4 AND 17-9-61]; ② WRIT OF HABEAS CORPUS, FEBRUARY 5TH, 2014; ③ COURTNEY REQUEST REPLY, MARCH 29, 2014; AND ④ REQUEST FOR OUT-OF-TIME APPEAL FEBRUARY 5TH, 2015... This Court has had "AMPLE-TIME" TO HAVE RULED UPON ANY OF THE ABOVE FOUR [4] ENTERED MOTIONS AND THIS COURT HAS "JURISDICTION TO ENTERTAIN SAID MOTIONS". THIS COURT IS IN VIOLATION OF THE GEORGIA CONSTITUTION 1983 ARTICLE 6, SECTION 6, PARAGRAPH 3 [4]. AND THE SUPERIOR COURT UNIFORM RULES [SEE] ARTICLE III SECTION VII RULE 31.

IT IS HEREBY REQUESTED THAT THE JUDGE OF THIS WARE COUNTY SUPERIOR COURT... ORDER MS MELBA H. FIVEASH, CLERK OF THE COURT

To Photo-Copy All Four Entered Motions. ① Arrest In Judgment on 4/24/2013. ② Writ of Mandamus on 2/5/2014. ③ Courtesy Reply on 3/29/2014 and ④ Out-Of-Time Appeal on 2/5/2015. Packaged and Mailed To The Court of Appeals of Georgia At. Mrs. Holly K.D. Sparrow, Clerk of the Court, 47 Trinity Ave. S.W., Suite No. 501, Atlanta, Georgia, 30334. "To VALIDATE" the filing and docket dates that Petitioner Jack Ray Wallace. "Did Here by File Said Four [4] Motions, Into The Ware County Superior Court, on the Dates of 4/24/2013, 2/5/2014, 3/29/2014 and 2/5/2015."

Respectfully Submitted on this 14 day of April, 2015

Submitted by: Jack Ray Wallace #719217

Signed: Jack Ray Wallace #719217

Pro Se:

### Certificate of Service:

The above stated motion is hereby serviced by the U.S. Postal Mailing Employees in properly addressed and stamped to All the Involved Parties and served as follows:

Mrs. Melba H. Finerash, Clerk,  
Ware Superior Court Clerk  
State of Georgia

P.O. Box 776

Waycross, Georgia 31502-0776

Mrs. Holly K.D. Sparrow, Clerk,  
Court of Appeals of Georgia  
47 Trinity Avenue, S.W.  
Suite No. 501

Atlanta, Georgia, 30334

Mr. Richard Carroll  
Office of The District Attorney  
201 State Street  
Waycross, Georgia 31504

Jack Ray Wallace #719217  
Central State Prison  
4600 Fulton Mill Road  
Macon, Georgia 31208-2500

CENTRAL STATE PRISON  
4600 FULTON MILL RD  
MACON, GA 31208

RECEIVED IN OFFICE  
2015 APR 17 PM 3:29

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2015 APR 17 PM 4:26

THE COURT OF APPEALS OF GEORGIA FOR

APR 23 2015

THE STATE OF GEORGIA

JACK RAY WALLACE, # 719217  
DEFENDANT/PETITIONER,

CASE NUMBER: 91R-001

VS.

THE SUPERIOR COURT OF WARE  
COUNTY, STATE OF GEORGIA,  
RESPONDENT.

"APPEAL AS MATTER OF RIGHT OF  
LACK OF RESPONSE OF TRIAL COURT  
GA. CONSTITUTION 1983 ARTICLE 6,  
SECTION 6, PARA. 3, [4]."

APPEAL AS MATTER OF RIGHT OF THE  
LACK OF RESPONSE OF TRIAL COURT JUDGE

COMES NOW, JACK RAY WALLACE, DEFENDANT/PETITIONER, GDC#719217  
A PRISONER AT CENTRAL STATE PRISON, MACON, GEORGIA.. BRINGS NOW his  
PETITION AGAINST THE SUPERIOR COURT OF WARE COUNTY, GEORGIA AND ITS  
JUDGE FOR "LACK OF RESPONSE TO MOTIONS FILED APRIL 24TH 2013..  
ARREST IN JUDGMENT.. FEBRUARY 5TH 2014.. WRIT OF HABEAS CORPUS..  
MARCH 29TH 2014.. MOTION FOR COURTESY REPLY" .. THE WARE COUNTY  
SUPERIOR COURT JUDGE "[R]EFUSES TO RULE ON THE THREE ABOVE MOTIONS"

1. This petition is being filed under the VIOLATIONS OF THE UNITED  
STATES CONSTITUTIONAL AMENDMENT OF DUE PROCESS OF THE LAWS AND  
THE GEORGIA CONSTITUTION 1983 ARTICLE 6, SECTION 6, PARC. 3[4]..  
THE WARE COUNTY SUPERIOR COURT had JURISDICTION TO ENTAIN  
SAID MOTIONS UNDER O.C.G.A. §§ 17-9-4 AND 17-9-61.. AND HAS  
DELAID IN RULING FOR TWO [2] YEARS.. THE COURT'S CALENDAR DATES ARE:

"  
1. FIRST MONDAY IN APRIL AND SECOND MONDAY IN NOVEMBER IN WAYCROSS,  
GEORGIA. This court has had 4 TERMS OF COURT TO ENTER AN ORDER  
OF DENIAL TO WALLACE'S MOTIONS, SO THAT HE MAY LEGALLY PROCEED ON  
WITH A DIRECT APPEAL IN THE PROPER APPELLATE COURT OF GEORGIA.

2. UNDER DCGA § 15-6-21. Holds. "TIME FOR DECIDING MOTIONS, FILING  
AND NOTIFICATIONS - [NON-COMPLIANCE] IS GROUNDS FOR IMPEACHMENT. WHEN  
COUNTY POPULATION IS [LESS] THAN 100,000. [THE COURT] HAS ONLY 30 DAYS TO  
ENTER A RULING ON A DEFENDANT'S ENTERED MOTION". WHEN THE COUNTY'S  
POPULATION IS [MORE] THAN 100,000. [THE COURT] HAS 90 DAYS TO RULE ON A  
DEFENDANT'S MOTION ENTERED". PETITIONER WALLACE'S MOTIONS  
WERE ENTERED IN APRIL 2013 AND DOCKETED BY CLERK OF THE WARE COUNTY  
SUPERIOR COURT. CLERK MS. MELBA H. FIVEASH. EACH MOTION ENTERED  
MS. FIVEASH DOCKETED IT INTO THE WARE SUPERIOR COURT. THIS COURT  
HAS HAD TWO [2] YEARS TO RULE ON WALLACE'S CASE AND MOTIONS ENTERED.  
[SEE: IMPEACHMENT: 1983. ARTICLE III. SECTION VII RULE 31. PETITIONER  
WALLACE'S CIRCUMSTANCES ARE EXTRAORDINARY, THAT ARE BEYOND HIS CONTROL  
AND EVEN WITH DILIGENCE.

3. WALLACE IS SUFFERING, AS OF NOW, AN OLD-MAN OF 86 YEARS IN AGE  
HAS DILIGENTLY ATTEMPTED TO SECURE A RULING FROM THE WARE COUNTY  
SUPERIOR COURT AND ITS JUDGE BY FILING MOTIONS AS: ARREST IN JUDGMENT  
MANDAMUS AND A COURTESY REPLY. WITH NO RESULTS AND FILED INTO THE  
SUPREME COURT OF GEORGIA... TO THE UNITED STATES SUPREME COURT. AND  
THE 11TH CIR COURT OF APPEAL. EACH COURT RETURNED WALLACE'S REQUEST  
FOR "AN ORDER HANDED DOWN TO THE WARE COUNTY SUPERIOR COURT TO  
ENTER A RULING ORDER OF DENIAL SO PETITIONER COULD ENTER A PROPERLY  
FILED DIRECT APPEAL TO THE PROPER COURT. "WALLACE'S ANSWERS WERE  
THE PETITIONS IS OUT-OF-TIME."

4. Petitioner is suffering a "[M]iscarriage of Justice" waiting on the Ware Superior Court to enter a simple ruling of Denial to his Motion: "ARREST IN JUDGMENT" filed April, 2013... The U.S. Constitution allows a petitioner to return to his/her trial court at any time under O.C.G.A. §§ 17-9-61 Motion of Arrest In Judgment and 17-9-4, Jurisdiction to entertain said motion.. Wallace may end-up filing a Writ of Habeas on a Miscarriage of Justice for the substantial denial of his constitutional rights to access the courts and due-process of the laws.. Wallace has a right to a Direct Appeal.. He also has a right to be provided by his Trial Court a notice of its ruling entered under OCCAS 15-6-2167; MIRANDA V. STEWART: 312 Ga. App. 290, 292 SE 2d 123 (2011) .. If the trial court has ruled prior in 2013 or 2014.. However, Petitioner's sons have called the Court Clerk Ms. Melba H. Five Ash, Ware Superior Court Clerk's Office.. Whom will not speak to the sons of Petitioner Wallace... Information cannot be discovered on a proceeding held for case 91R-001 Motion: Arrest In Judgment entered April 24th, 2013... Wallace has been to the most important courts.. Trying to [S]ecure a Court Order

5. Wallace prays that he does not end-up in a Habeas Court over a Miscarriage of Justice issue and lack of response of Trial Court Judge... Wallace has [arguable-merit] and could be granted.. providing a Superior Court Judge would look into the failed responses of the Trial Court Judge.. under Rule 36 of the Rules of the Supreme Court of GA... See: BATHES V. CHAPMAN: 275 Ga. 582, [1998]; Shurter: 275 Ga. 581 [2002] and Nelson: 275 Ga. 792 [2002]. Petitioner reentered his Trial Court under

ONE OF THE THREE STATUTORY PROCEDURES OF PROPER REMEDIES.. AND HIS TRIAL COURT BREAKS THE LAW, FAILS TO FOLLOW SUPERIOR COURT RULES AND VIOLATES CONSTITUTIONAL RIGHTS TO DUE PROCESS OF THE LAWS.. AND THE HIGHEST COURT IN THE UNITED STATES RULES HIS PETITION.. "OUT-OF-TIME".. A PETITION ENTERED TO REQUEST A RULING TO BE MADE ON A MOTION OF ARREST IN JUDGMENT.. NO! WALLACE DOES NOT HAVE AN ORDER SIGNED NOR STAMPED NOR FILED BY THE COURT CLERK.. BECAUSE "THE WARE [SUPERIOR] COURT JUDGE REFUSES TO RESPOND TO HIS ENTERED 2013-2014 MOTIONS.." ALL WALLACE WANTS IS A SIMPLE RULING HANDED DOWN... WALLACE HAS MET THE REQUIREMENTS OF D.C.G.A. § 17-2-4 AND WILLIAMS V. STATE: 271 GA. 688 [1999].

7. THE WARE COUNTY'S SUPERIOR COURT JUDGE IS BIAS... AND HAS TAKEN IT UPON HIMSELF TO VIOLATE THE DUE PROCESS CLAUSE OF THE SIXTH AND FOURTEENTH U.S. CONSTITUTIONAL AMENDMENTS... THAT DUE PROCESS CLAUSE PROVIDES A REQUIREMENT OF "A FAIR TRIAL IN A FAIR TRIBUNAL"... BEFORE A [JUDGE] WITH NO [ACTUAL] BIAS AGAINST THE DEFENDANT. [SEE: BRACY V. GRAMLEY: 520 U.S. 899, 117 S. CT. 1793, 138 L. ED. 2D. 97 [1997]]. USUALLY, A JUDGE'S QUALIFICATIONS ARE NOT CONSIDERED TO BE A CONSTITUTIONAL ISSUE... HOWEVER A "DELIBERATE REFUSAL TO RESPOND TO A MOTION FOR 2 YEARS OR MORE IS A MISCARRIAGE OF JUSTICE AND THE 11TH CIR. COURT RULED THAT A DELAY OF ONE AND ONE HALF YEARS IN A RULING FROM A TRIAL COURT IS 'JUSTICE DELAID IS JUSTICE DENIED'..."

### CONCLUSION:

1. SEE: ELCOX V. HENDERSON: 947 F. 2d 1004 [2d. Cir. 1991] THE RIGHT TO BE FREE FROM [INORDINATE DELAYS] IN THE "ADJUDICATION" OR DIRECT APPEAL OF A TRIAL COURT'S RULING IS A DUE PROCESS VIOLATION.

2. The Ware Superior Court has violated the 6th and 14th Amendments  
SEE: FELIX V. STATE: 271 GA. 534, 539 [523 SE2d 1] [1999]. Holding  
"The duties of the Supreme Court and the Court of Appeals... ARE  
COURTS OF REVIEW... FOR THE CORRECTIONS OF ERRORS OF LAW...  
MADE BY THE TRIAL COURTS."

3. Wallace's motions filed 2 years prior has laid "[D]ormant in Ms EUGENE  
FIVEASH'S Clerk's office collecting dust and cob-webs and probably has  
a 6 inch beard by now." and the court abuses its "[D]iscretion  
and discriminates with prejudice to rule upon Wallace's motion"  
with a [S]imple order of Denial... but refuses to respond to  
all entered motions... not only violating the U.S. Constitution and  
its Amendments of Due Process of the Laws, but, also procedural Due  
Process and The Uniform Superior Court Rules set forth for the  
Judges to follow and obey... SEE: Article III Section VII Rule 31...  
"Refusal to act upon within 90 days shall be grounds for impeachment  
and removal from office." SEE: Georgia Constitution 1983 Article 6,  
Section 6... PAR. 3... [4]... "[Lack] of response of the court."

A. That's what Jack Ray Wallace's appeal in The Honorable  
Court of Appeals of Georgia... is all about... "A LACK OF RESPONSE OF  
THE JUDGE OF THE WARE COUNTY SUPERIOR COURT IN WAYCROSS GA."  
No, sir, Wallace cannot provide an order, signed by Judge and Clerk  
nor one docketed by the Court Clerk... The reason speaks loud,  
The Ware County Superior Court [Will-Not] respond to any of the  
3 or 4 motions filed by Petitioner since April 24th, 2013.

B. Wallace needs a higher court to order the lower trial-court  
to rule upon the motion. Arrest in Judgment filed under OCGA §§  
17-9-61 and 17-9-4.

THEREFORE:

PETITIONER WALLACE, HAS WAITED ON A RULING FROM THE WARE COUNTY SUPERIOR COURT AND ITS JUDGES]... JUST A SIMPLE RULING... DENIED... IS A SIMPLE ORDER.. ON A MOTION.. ARREST IN JUDGMENT... THE COURT IN WARE COUNTY IS [NO] DIFFERENT THAN ANY OTHER COUNTY COURT.. IT HAS A CLERK.. MS. FIVEASH.. WHO DOCKETED WALLACE'S MOTION IN APRIL 2013 AND [SHE] LIKE HER JUDGE.. REFUSES TO RESPOND TO MOTIONS.. LETTERS AND FAMILY PHONE CALLS... THIS HONORABLE COURT OF SUPERIOR JUDGES HAVE THE ~~POWER~~ POWER TO ORDER THE LOWER TRIAL COURT "TO ENTER A LEGAL RULING, PROPERLY SIGNED.. STAMPED AND DOCKETED."

IT'S SIMPLE.. "JUSTICE DELAYED... IS... JUSTICE DENIED"

PETITIONER ONLY WANTS TO PROCEED ONWARD WITH HIS DIRECT APPELLATE REVIEW.. PETITIONER'S CONSTITUTIONAL RIGHTS ARE VIOLATED BY THIS DELAY AND HE IS ENTITLED TO A COURT RULING IN A TIMELY MANNER... MR. WALLACE REQUEST THIS APPELLATE COURT TO HAND-DOWN AN ORDER DIRECTING THE WARE COUNTY SUPERIOR COURT JUDGE TO ENTER A RULING ON THE APRIL 24, 2013 MOTION.. ARREST IN JUDGMENT..

RESPECTFULLY, SUBMITTED THIS 14 DAY OF THE APRIL MONTH OF THE YEAR OF 2015.

SUBMITTED BY: JACK RAY WALLACE #719217

PETITIONER ASS PRO-SE.  
Jacob Ray Wallace #719217, PRO-SE.

CERTIFICATE  
OF  
SERVICE

I, JACK RAY WALLACE #719217 DO HEREBY STATE THAT  
THE ABOVE MOTION HAS HEREBY BEEN SERVED BY THE U. S.  
POSTAL MAILING EMPLOYEES IN PROPERLY ADDRESSED AND  
STAMPED ENVELOPES AND SERVED TO ALL PARTIES INVOLVED AS  
FOLLOWS: ON THIS 14 DAY OF APRIL 2015

Ms. Holly K. D. SPARROR, Clerk  
COURT OF APPEALS OF GEORGIA  
47 TRINITY AVE. S.W.  
Suite No. 501  
ATLANTA, GA. 30334

MR. RICHARD CARROL  
OFFICE OF DIST. ATTORNEY  
201 STATE STREET  
WAYCROSS, GA. 31504

JACK RAY WALLACE #719217  
CENTRAL STATE PRISON  
4610 FULTON MILL ROAD  
Macon, GA. 31208-2500

ON THIS 14 DAY OF APRIL

2015 Jack Ray Wallace #719217

PRO-SE

SENT copy of 2 request for writ - 1-accusing 1-warden Ad Rec- 5-5-14

IN THE SUPREME COURT OF APPEALS FOR THE STATE OF GEORGIA

"PERSONAL-COPY FOR RECORDS"

JACK RAY WALLACE, Plaintiff  
GDC-ID No. 719217, Inmate Number

Civil Action No. 98R-001

vs.

THE STATE OF GEORGIA, Warden Respondent  
(Name of institution where you are now located)

SUPREME COURT OF GEORGIA  
APPEAL CASE No.:

RECEIVED IN THE SUPREME COURT OF APPEALS FOR THE STATE OF GEORGIA  
MAY -1 11 4 27

REQUEST TO PROCEED IN FORMA PAUPERIS

I, JACK RAY WALLACE #719217, depose and say that I am the plaintiff in the above entitled case; that in support of my request to proceed without being required to prepay fees, cost, or give security therefore, I state that because of my poverty I am unable to pay the cost of said proceeding or to give security therefore; that I believe I am entitled to redress.

I further swear that the responses which I have made to questions and instructions below are true.

1. List any and all aliases by which you are known: NONE

2. Are you presently employed? [ ] Yes [X] No  
If your answer is "Yes," state the amount of your salary or wages per month, and give the name and address of your employer:

If the answer is "No," state the date of last employment and the amount of the salary and wages per month received: UNKNOWN AT THIS TIME

3. have you received within the past twelve months any money from any of the following sources?  
Business, profession, or form of self-employment? [ ] Yes [X] No  
Pension, annuities, or life insurance payments? [ ] Yes [X] No  
Rent payments, interest or dividends [ ] Yes [X] No

"PERSONAL - COPY FOR RECORDS"

- Gift or inheritances?  Yes  No  
Any other sources?  Yes  No

If the answer to any of the above is "Yes," describe each source of money and state the Amount received from each source during the past twelve months: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Do you own any cash, or do you have money in a checking or savings account? (include any Funds in prison accounts):  Yes  No

If the answer is "Yes," state the total value of the items owned: \_\_\_\_\_

5. Do you own any real estate, stocks, bonds, notes, automobiles or any other valuable property (excluding ordinary household furnishings and clothing)?  Yes  No

If the answer is "Yes," state the total value of the items owned: \_\_\_\_\_

6. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that a false statement or answer to any question in this affidavit will subject me to penalties for perjury and that state law provides as follows:

- a. A person to whom a lawful oath or affirmation has been administered commits the offense of perjury when, in a judicial proceeding, he knowingly and willfully makes a false statement material to the issue on point in question.
- b. A person convicted of the offense of perjury shall be punished by a fine of not more than \$1,000 or by imprisonment for not less than one nor more than ten years, or both. O.C.G.A. § 16-10-70.

Jack Ray Wallace  
Signature of Plaintiff

4-22-14  
Date

JACK RAY WALLACE #719212  
CENTRAL STATE PRISON E-1  
4600 FULTON MILL ROAD  
MARIETTA, GEORGIA, 31708.

**VERIFICATION**

I, Jack Ray Wallace #719219, do swear and affirm under penalty of law that the statement contained in this affidavit are true. I further attest that this application for in forma pauperis status is not presented to harass or to cause unnecessary delay or needless increase in the cost of litigation.

I am the plaintiff in this action and know the content of the above Request to Proceed in Forma Pauperis. I verify that the answers I have given are true of my own knowledge, except as to those matters that are stated in it on my information and belief, and as to those matters I believe them to be true. I have read the perjury statute set out above and am aware of the penalties for giving any false information on this form.

Jack Ray Wallace  
Signature of Plaintiff

4-22-14  
Date

Jack Ray Wallace #719219  
CENTRAL STATE PRISON E-1  
4600 FULTON MILL ROAD  
MACON, GA. 31208  
ARD-SE

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public or Other Person Authorized to Administer Oaths

**Please note that under O.C.G.A. § 42-12-5 service of an affidavit in forma pauperis, including all attachments, shall be made upon the court and all named defendants. Failure by the prisoner to comply with this code section shall result in dismissal without prejudice of the prisoner's action.**

Jack Wallace

THIS FORM IS TO BE COMPLETED ONLY BY AN AUTHORIZED INDIVIDUAL AT THE INSTITUTION WHERE THE INMATE PLAINTIFF IS PRESENTLY INCARCERATED, OR HIS/HER DESIGNEE.

CENTRAL STATE PRISON  
CERTIFICATE 4600 FULTON MILL RD  
MACON, GA 31208

I hereby certify that the plaintiff herein, \_\_\_\_\_,  
Has an average monthly balance for the last twelve (12) months of \$ 129.96 on account at  
the CENTRAL STATE PRISON institution where confined. (If not confined for a full  
4600 FULTON MILL RD  
MACON, GA 31208 twelve (12) months, specify the number of months confined. Then compute the average monthly balance  
on that number of months.)

I further certify that plaintiff likewise has the following securities according to the records of said  
Institution: \_\_\_\_\_

CENTRAL STATE PRISON  
4600 FULTON MILL RD  
MACON, GA 31208

Deorja Underwood  
Authorized Officer of Institution

4/13/15  
Date

NOTE: Please attach a copy of the prisoner's inmate account of the last 12 months, or the period of incarceration (whichever is less)

RECEIVED  
APR 13 2015

CENTRAL STATE PRISON  
BUSINESS OFFICE

Account Statement

WALLACE, JACK

Printed By: UNDERWOOD, PECOYA

GDC ID: 719217

<b>Spendable Amount</b>	<b>Reserved Amount</b>	<b>Receipts On Hold</b>	<b>Funds Balance</b>	<b>Obligations/Court Charges</b>
\$110.35	\$10.00	\$0.00	\$120.35	\$0.00

**RECEIPTS**

Receipt Date	Transaction ID	Receipt Type	Receipt Details	Receipt Amount
03/19/2015	14107482	JPAY DEPOSIT RECEIPT	JPAY - PAINE, BARBARA - 44122821	\$100.00
03/16/2015	14093785	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 44022612	\$100.00
02/19/2015	13992545	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 43138542	\$100.00
01/19/2015	13868069	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 42118104	\$100.00
12/08/2014	13718513	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 40869467	\$100.00
12/02/2014	13695366	BANK OF AMERICA RECEIPT	BOA-56084661 - 3569598	\$49.25
11/27/2014	13680387	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MICHAEL - 40514711	\$100.00
11/22/2014	13661769	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 40373049	\$100.00
11/01/2014	13582351	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 39726463	\$100.00
10/03/2014	13480696	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 38923770	\$100.00
08/30/2014	13351903	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 37882242	\$100.00
06/14/2014	13073323	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MICHAEL - 35746938	\$100.00
06/13/2014	13070570	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 35716697	\$100.00
05/12/2014	12946402	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 34762059	\$100.00
04/07/2014	12815019	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MICHAEL - 33838359	\$100.00
03/29/2014	12782709	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 33540855	\$100.00
02/21/2014	12638411	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 32469340	\$100.00
01/19/2014	12519878	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 31533585	\$100.00
12/02/2013	12352656	BANK OF AMERICA RECEIPT	BOA-65517228 - 3056490	\$49.25
11/25/2013	12328323	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 30042615	\$100.00
10/17/2013	12194425	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 29042695	\$100.00
09/19/2013	12094000	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 28352423	\$100.00
08/17/2013	11977125	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 27597847	\$100.00
06/27/2013	11787942	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 26477520	\$100.00
06/13/2013	11742112	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MICHAEL - 26224807	\$100.00
04/23/2013	11538046	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 25185355	\$100.00
04/02/2013	11459354	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MICHAEL - 24783072	\$100.00
02/23/2013	11304151	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 23986465	\$100.00
01/26/2013	11194238	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 23434824	\$100.00
12/31/2012	11099330	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MICHAEL - 22965525	\$50.00
11/09/2012	10922407	BANK OF AMERICA RECEIPT	BOA-12861492 - 2475767	\$49.25
11/03/2012	10893155	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 21906705	\$100.00
09/27/2012	10755833	JPAY DEPOSIT RECEIPT	JPAY - WALLACE, MURPHY - 21234537	\$100.00