

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

May 7, 2015

To: Mr. Franklin L. Williams, Reg. No.1295021 Unit C-1-55, Federal Correctional Complex - Low, Post Office Box 1031, Coleman, Florida 33521

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 current 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.

THE COURT OF APPEAL OF GEORGIA  
ATLANTA GEORGIA

2015 APR -6 PM 3:28  
RECEIVED

RECEIVED  
2015 APR 20 PM 2:53  
COURT OF APPEALS

Franklin L. WILLIAMS  
Prose Appellant,  
V  
STATE of Georgia; And  
Jim M'GEE, III, Esq.  
Martin H. EARL, Esq.

Case No. 97R-061  
"Notice of Appeal" O.G.G.A.  
5-6-35 AND T. 2, P. 1915  
Denial of Pro-se Motion's  
MARCH 20, 2015 Honorable  
Judge MICHAEL D. DEVERNE.

Notice of Appeal of Denial of Motion: Memorandum AS TO  
"RIGHT TO COURT" Article I, Section 1, PAR. XII - ACCESS TO COURT  
TO COURT "Bouchie Smith" (See Nelv. Doolley) of Permanent Injunction  
Fed. R. Civ. P. Rule 65 + O.C.G.A. 5-9-10 + 5-6-35

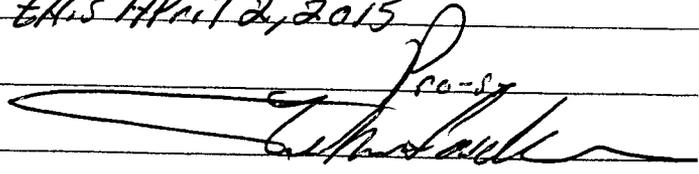
Comes Now Appellant Franklin L. Williams In His Notice  
of Appeal "Denial of Both State & Federal Right AS TO RIGHT  
TO COURT & ACCESS TO COURT" By Filing A Unsigned Permanent  
Injunction Without A Hearing, To Religate & Stop Civil Action  
(See Nelv. Doolley) Bouchie Smith, Art I, Sec 1, PAR XII of Memo-  
randum order MARCH 20, 2015 AND THIS COURT HAS JURISDICTION  
AND DO NOT WAIVE JURISDICTION AS BELOW. (See order Exhibit I)

1. Denied motion and re order of under assigned order (EXHIBIT A)
  2. Denied right to appeal Permanent Injunction
  3. Denied Right to Hearing of Permanent Injunction Restraining order
  4. Denial of Right to Court & Access to Court.
  5. Denial of State and Federal Right
  6. Withholding Filing Fee (See Exhibit B Receipt) Four year
- 1-(CONT)

Wherefore Appellant Pray this April 2, 2015

F. C. Low, P.O. Box 1031

Coleman, Fl. 33521

Pro-se  


1295202/UNIT-C-1-55

Certification of Service

To Appellant Frank Lee Williams Do Herby Certify  
Putting this foregoing for THE United States Mail with  
Postage and Stamp; To ensure Delivery upon:

To: Clerk of Court of Appeal, Clerk Holly K. Sparrow Court  
of Appeal of Georgia, 47 Trinity ~~White~~ St. Suite 501  
Atlanta, Georgia 30334.

To: Clerk of Superior Court in and for County, Clerk Melba  
Frycast, Superior County, Ware County, P.O. Box 776, Waycross  
Georgia, 31501.

To: Richard E. Curran Dubay, District Attorney Office, 201 State  
St. Waycross GA. 31501

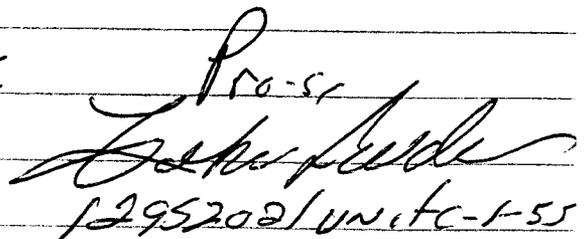
To: Tom McGehee, Attorney at Law, 301 Carver  
Ave Waycross Ga. 31501

To: Martin H. Eavis, Attorney Esq. 800 Church St. 200 Suite  
Waycross, Georgia 31501.

This 2<sup>nd</sup> Day of April 2015.

F. C. Low, P.O. Box 1031

Coleman, Fl. 33521

Pro-se  


1295202/UNIT-C-1-55

WAYCROSS CIRCUIT JUDGE CHAMBER'S

WAYCROSS COUNTY COURT HOUSE

WAYCROSS, GEORGIA

"Motion Denied"

Franklin L. WILLIAM'S  
Pro-se, Plaintiff,

v  
Meb LA ZWEASH, Clerk, and  
Martin H. EAVE'S, Attorney  
Richard E. CURRIE, D.A.  
Defendant(s).

File no. 08V-503

MOTION TO JUDGE CHAMBER WITH  
AFFIDAVIT'S DECLARATION"

Filed Pending Appeal Extraordinary  
Circumstance" ON MAY 28, 2019"

MOTION FOR TO EXPEDITE APPEAL WITH HELD FOR FOUR YEARS AND FILING  
FEE'S 80<sup>00</sup> OF DEFENDANT INTENTIONAL DELAY IN JUSTICE THAT IS JUSTICE DENIED  
OF APPEAL RIGHTS O.C.G.A. 5-6-35 AND CLERK DENIED OF RULE 17  
AND DENIAL TO VACATE ORDER TO REISSUE A SIGNED ORDER FOR APPEAL

Come now Plaintiff Franklin L. WILLIAM'S TO MOVE THE COURT TO  
FILE THIS APPEAL AS A RIGHT UNDER FOURTEENTH AMENDMENT AND FEDERAL  
CONSTITUTION RIGHT FIFTH AMENDMENT "DUE PROCESS OF LAW" THIS IS EX-  
TRAORDINARY CIRCUMSTANCE" BY DEFENDANT'S INTENTIONAL DELAY IN JUSTICE  
AND JUSTICE DENIED TO WITHHOLD LEGAL DOCUMENT AND FEE'S FOR FOUR  
YEARS AND CLERK VIOLATED RIGHT TO APPEAL AND WITHOUT WAIVING JUR-  
DICTION THIS COURT HAS JURISDICTION AS FOLLOWS

### PART ONE

Plaintiff WILLIAM'S WAS CONVICTED FOR THREE COUNTS OF DRUGS ON  
AUGUST 20, 1997 AND HIRED MARTIN H. EAVE'S AS TRIAL LAWYER AND WAS  
FOUND GUILTY BY JURY AND SENTENCED TO 15 YEARS IN PRISON.  
PLAINTIFF AS TO HIS "NOT BEING INDICTED BY A GRAND JURY" BE-  
FORE BEING TRIED UNDER THE SIXTEENTH AMENDMENT CLAUSE AND UNITED  
STATE CONSTITUTION FIFTH AMENDMENT DUE PROCESS OF LAW. THIS

AS TO PLAINTIFF RIGHT AS 'DELINQUENT' TO PURSUE A 'WRONG  
IN JUSTICE' FOR OVER 16 YRS. HAVE FILED PETITION'S MOTION'S PLEADING  
FOR REVIEW AND COURT NEVER ALLOWED A "HEARING" AS TO  
FACT AND MERIT AND VIOLATION BY THOSE WHO ACTED UNDER THE  
COURT OF STATE LAW AND AUTHORITY TO DEPRIVE PLAINTIFF OF  
HIS UNITED STATE CONSTITUTIONAL RIGHT OF THE 1<sup>ST</sup> 3<sup>RD</sup> 8<sup>TH</sup> AND 14<sup>TH</sup>  
OF THE AMENDMENT.

NOW THE COURT HAVE CONSISTANTLY DENIED PLAINTIFF HIS RIGHT  
TO COURT UNDER ARTICLE 1, SECTION 1, PARAGRAPH III THAT IS "NO  
PERSON SHALL BE DEPRIVED OF THE RIGHT TO PROSECUTE OR DEFEND EITHER  
IN PERSON OR BY AN ATTORNEY, THAT PERSON'S OWN CAUSE IN ANY  
COURT'S OF THIS STATE." SO COMMAND FEDERAL RIGHT 5<sup>TH</sup> AMENDMENT  
ALSO." (SEE BOUND V SMITH) (LUCCY V CASEY) "NO HEARING O.C.G.A. 9-5-10

ART TWO  
DEFENDANT: AS TO PLAINTIFF FILING AND PAID ALL FILING FEES IS  
IT'S SHAMEFUL TO THE JUSTICE SYSTEM TO ALLOW ONE WHO IS UNDER  
THE COLOR OF AUTHORITY TO MUTILATE THE JUSTICE SYSTEM AS  
TO MISUSE "INJUNCTION" TO STOP JUSTICE AS WELL TO CONVINCE  
A HONORABLE JUDGE TO DENY JUSTICE AS TO ALLOW A "PERMANENT  
INJUNCTION" UNDER O.C.G.A. 9-5-10 TEMPORARILY & PERMANENT  
RESTRAINING ORDER TO DENY HIS RIGHT TO COURT (SEE BOUND V SMITH,  
AND LUCCY V CASEY) AND DID NOT SIGN THIS INJUNCTION AS  
TO BE CORRECTLY FILED V. RECORD & TRANSCRIPT, RULE 17 TO HAVE  
A JUDGMENT OR ORDER WITH SIGNATURE OF A JUDGE WITH STAMP  
AND FOR CLERK TO FILE TIMELY UPON RECEIVING APPEAL. YET  
THIS COURT AND CLERK HAVE DENIED PLAINTIFF RIGHT TO APPEAL BY  
WITHHOLDING FILING FEES (SEE EXHIBIT 1, 2 RECEIPTS) FOR FOUR YEARS AND  
NEVER RETURNED TO PLAINTIFF NOR FILED THE APPEAL TO COURT TO APPEAL  
OF GEORGIA AS TO O.C.G.A. 5-6-35 AND RULE 17. PLAINTIFF AS TO  
THIS "PERMANENT INJUNCTION" FILED BY THOSE ACTED UNDER THE COLOR

of Law" To Sign This Permanent Injunction (see Exhibit A Part 5) AS TO OCGA Rule 17 For Appeal. Nor was This Right AS TO Filing "Injunction" O.C.G.A. 9-5-10 Temporarily & Permanent Injunction of A Restraining order To Have A "Hearing" Under Due Process of Law. THIS WAS DENIED.

### Part Three

Plaintiff William, Did File A Out-of-Time Appeal To Court of Appeals of Georgia February 14, 2013 under A 13 D0216 And it was dismissed AS TO Out-of-Time" and Reconsignment AS TO THE ERROR of THE Court NOT Reviewing THE Extraordinary Circumstance Stood In the way that would have gave Equitable Tolling (See LAW Ance v. F.A. (2003) AND "Herbert v. Food" Withheld Legal Document" That would have over rided this default Time Limit Had it Been Reviewed yet Court Denied it on 2/14/13 with order (see Exhibit 3).

And Court of Appeal of Georgia Alleged that There were Communication AS TO THE Filing Fee' And send letter on Dec, 28, 2012 Alleged AS TO THE "Receipt No" And see July 28, 2009 of Return 08 V 503 & 80<sup>00</sup> Money order "But second money order AS TO July 22, 2008 was not found OR AS TO THE Number "Reason" of Not locating this Money (see two different number of THE Receipt (Order 1739951933) now correct no is 17399519(8)53 (See Exhibit 1 number) Dated 7/27/08 (See Exhibit 4 letter 2 Par). So no way can this be Controved AS A Out-of-Time Appeal When THE Filing Fee' was Payer TO THE Clerk of Court' For Filing.

"Unless" THE Superior Court Clerk Mr. Bob H. Juwash Did not send THE Filing Fee's AS Clerk Duties, And this is "Stealing" Money" from THE system AS well A Due Process of Law. "Where is THE \$10<sup>000</sup> Filing fee withheld from years"

## PART FOUR

Should A Lead Be Filed? Should A Law-suit Be Filed? Do A Investigation As To This Money 80<sup>00</sup> Be Conducted To The "Internal Affairs" AS A Clerk Withholding Money For Four yrs. Please see "Receipts" AS TO THIS Filing.

THESE COURT HAVE REFUSED TO REVIEW ANY DOCUMENTS OF GROSS ORDER OR HEAR ANY FILING AS TO THIS NOV, TERM 1996 CONVICTION BY THIS FRAUDULENT PERMANENT IMPUNCTION AND NO OTHER REMEDIE: OTHER THEN THE "JUDGE" CHAMBER: TO STOP THIS COMPLETE "MISGANGING OF JUSTICE" THAT HAD BEEN ALLOWED TO CONTINUE FOR FOUR YEARS.

PLAINTIFF DID FILE HIS "FIFTH APPEAL" TO THE CLERK OF COURT THAT THE COURT OF APPEAL DIRECTED TO BEEN MADE BY THE COURT OF APPEAL AND WAS FILED 5/18/14 WITH REFERRED COURT AND IT IS STILL BEING DENIED TO BE HEARD AS TO DUE PROCESS OF LAW" WHETHER GRANTED OR DENIED AND AS TO A DILIGENT RIGHT OF THE STATE + UNITED STATE CONSTITUTION OF THE FOURTH AND FIFTH AMENDMENT SO COMMAND TO HAVE A RIGHT TO APPEAL ANY ORDER OR JUDGMENT AND MUST BE SIGNED BY A JUDGE.

THIS WRONG AS TO 16 yr FALSE IMPUNCTION AS WELL IS INNOCENCE OF THIS CONVICTION IT HAD: BY "AUTHORITY" BEEN "DELAYED AND MANIPULATION TO DELAY JUSTICE THAT IS JUSTICE DENIED. AND THE "PREJUDICE AND BIAS" IS CLEAR." SO THERE IS NO OTHER REMEDIE: AVAILABLE TO PURSUE OTHER THEN THE DIRECT JUDGE CHAMBER: FOR THE "INTEREST OF JUSTICE".

## Rebuke

PLAINTIFF IS REQUESTING TO GRANT APPEAL RIGHT BY VACATING THIS ORDER AND ISSUE NEW ORDER FOR APPEAL AND INVESTIGATE THIS

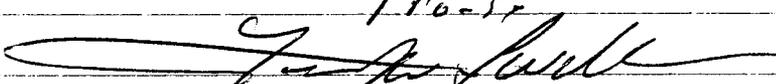
These Filing Fees NOT Returned To Plaintiff Rightful owner  
As To Law And Her Withholding These Filing Fees For over four  
years AND TO "GRANT A Evidentiary Hearing" THAT WILL BRING  
OUT MORE EVIDENCE: OF THIS ILLEGAL PERMANENT INJUNCTION  
RESTRAINING ORDER THAT OUR PROCESS OF LAW UNDER OCGA  
9-5-10 RIGHT TO HEARING WAS DENIED AS TO A RESTRAINING  
ORDER ISSUED AS WELL NOT SIGNED BY ANY JUDGE (SEE EX-  
HIBIT A), PAGE 5.

### Conclusion

Plaintiff William: is requesting TO GRANT HER RIGHT TO  
COURT" UNDER ART. I, SEC. 1, PAR. 11 (SEE BOUND V SMITH) HURRY  
V. CASEY.

I declare under the Penalty of Perjury -  
Wherefore Plaintiff Pray This 28<sup>th</sup> Day of May 2014.

J. C. C. Low, Coleman  
P.O. Box 1031  
Coleman, Fla. 33521

Pro-se  
  
12952021 unfile-1-7

Certificate of Service

I Plaintiff Franklin G. Williams Do hereby Certify Putting this foregoing and Affidavit Declaration for the United State Mail with Postage and Stamp to Ensure Delivery upon:

To: Honorable Judge Michael D. Devanne, Judge Chamberlains Ware-County Court House, 800 Church Street, Waycross GA 31501.

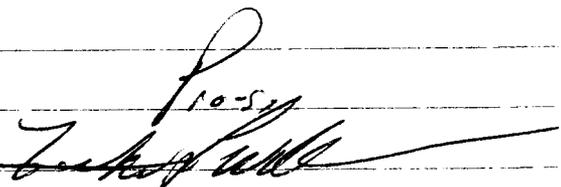
To: Melba H. Funch, Clerk, Superior County Court House, P.O. Box 1776 Waycross GA, 31501

To: Martin H. Eave, Public Defender Office, 800 Church St. Waycross GA 31501.

To: Richard E. Currie, District Attorney, Superior County Court House Annex 201 State St, Waycross Ga 31501

This 28<sup>th</sup> Day of May 2014.

F.G. Cow, Coleman P.O. Box 1031  
Coleman Fla 33521

  
12952021 Unit C-1-7

A Oath and Declaration of  
Franklin L. William

(1)

Franklin L. William is Incarcerated at F.C.C. Low Coleman P.O.  
Box 1031 Coleman Fla. 33521

(2)

Franklin L. William is over the Age of 18yr and is A 100% Total  
disabled Vietnam Veteran's.

(3)

Franklin L. William Make This Sworn Affidavit Declaration of His  
Own Free will.

(4)

Franklin L. William filed This Motion to Have Relief as to  
Defendant's Denial of Right and Misplaced Filing Fee \$20<sup>00</sup> Withhold  
ing for 4 yr and to Contine this Denial of Right to Court by  
Right to Appeal and there Withholding Document to Delay Justice  
That is Justice Denied to A Innocence Person and is For False  
Imprisonment for 16 yr and ALL Defendant is Abusing there  
Authority as Actor under the Color of Law and Denied to Pursue  
any Filing in there Court's of Motion, Pleading, Appeal, Petition  
With All Payed Filing Fee's This Motion is True.

I declare under the Penalty of Perjury and That This is correct  
and True to the Best of His Knowledge and Filed to the Honor-  
able Judge Michael D. Davant for Justice this 28<sup>th</sup> Day of  
May 2014.

F.C.C. Low, Co. Box 1031  
Coleman, Fla. 33521

Prose

Franklin L. William  
12952021 unte-1-7

Superior Court of Ware County  
Judge: CHAMBERLAIN  
Waycross Georgia

September 22, 2014

CASE NO. 97R-061

WILLIAM'S V. STATE OF GEORGIA, et al.

Franklin L. WILLIAM'S  
#12952021 UNIT C-1-55  
Federal Correctional Complex - Low  
PO Box 1031  
COLEMAN, TN. 33521

To: Honorable Judge Michael D. Devane  
WARE County Court House  
800 Church Street  
Waycross, Georgia 31501

Memorandum Request for Review of All Pending Cases as to Existence  
Denial of Delay of Right to Court, Art. I, Sec. 1, Par. 1 & Pre-Jury's

Dear Honorable Judge Devane

I AM Requesting for Access to Court as to Pending Cases Filed in your  
Court as of 2007, Pertaining to THE STATE CASE'S AND Pending Civil Action  
Filed from THE WARE COUNTY Jail of Wrong, Done & Violation of Defend  
Ant. Constitutional Right, AND HAVE PAID IN FULL for these Cases to BE  
HEARD IN COURT. AND ALL OF THESE DEFENDANT, RICHARD E. COVING, JIM  
MIGER III, MARTIN H. EAVE, MELBA H. FINEASH, BETTY B. KENNEDY HAVE ONLY  
MILIPULATED AND PUT UP "RED FLAG" TO STOP THESE CASE FROM REVIEW  
AND COMING BEFORE THE COURT.

Money WAS TAKEN AS TO A ALLEGED Drug Charge WITHOUT A HEAR HEARD  
Pending IN THIS COURT. TWO PAYMENT, WAS MADE FOR APPEAL AND WAS  
NOT SEND TO THE APPEAL COURT'S. AND ALL MOTION, Filed IN THIS COURT'S AND  
OF A NOVEMBER TERM 1996 ISSUE. IT'S AFTER FACTS. SO I AM REQUESTING  
AS TO NO OUT WAY TO COMMUNICATE TO THE COURT'S TO ALLOW THIS

To be Address to stop This Delay In Justice THAT IS  
Justice Denied AND IS PLACING RECEIVED AND MOTION PENDING AS WELL  
SO AS THERE IS CIVIL ACTION 9-10-14(01) PENDING IN THESE COURT!  
WITH FILING Fee! THAT HAD NOT BE ADDRESSED.

SO PLEASE REPLY AS TO THIS MEMORANDUM

Respectfully Submitted

I declare under the penalty of Perjury this foregoing  
is True & Correct.

C. C. F. W.  
Encl. Copies

Pro-se  
J. M. Powell  
1295202 / 0-1-55

Melba H. Fivensh D.B.A. Clerk of Court Successor.  
Superior County Court House  
Clerk of Court Office  
P.O. Box 776  
Waycross, Georgia 31501

### Plain Statement of Fact

You Melba H. Fivensh Clerk of Court DID File This Permanent Injunction. Knowingly that it was not signed by a Judge and as well received Filing Fee of \$80.00 for a Appeal and for "four year" Never filed This Appeal to Court of Appeal of Georgia as to O.C.G.A. Rule 17 Appeal to be timely heard and denied to answer any filing of This November 1996 Conviction and knowingly knew that as to Those November Term 1996 Grand Jury was not present on March 26, 1997 nor were they returned from Discharge Charge by a Reconciling order signed by a Judge. Correctly Filed and was the successor as to Betty B. Kennedy Clerk Retired and was present as to This "Permanent Injunction" so as well she knowingly knew that these Document was no good as well refused to file Appeal when she received Filing Fee of \$80.00 on 7/29/09 by Money order. So she to had Acknowledge the Court of State Law to deprive William of His 1<sup>st</sup> 5<sup>th</sup> & 14 Amendment Rights by Delay for Justice that is Justice Denied and is liable for compensation to pay for her Individual Capacity 80 million Dollars and 10¢ per Day, week, Month Year until final. And as well is withholding Appeal filed AS OF THIS DAY 5/27/14 with Pending Filing Fee that had not been returned from 7/29/09.

EXHIBIT FF

IN THE SUPERIOR COURT OF WARE COUNTY  
STATE OF GEORGIA

FRANKLIN L. WILLIAMS;	*
Plaintiff,	*
	* CIVIL ACTION
vs.	*
	* FILE NO. 08V-503
MARTIN EAVES	*
Defendant	*

ORDER GRANTING PERMANENT INJUNCTION

Defendant Martin Eaves has petitioned this Court for relief from the constant harassing filings of Plaintiff Franklin L. Williams. To this ends Defendant has requested a temporary and permanent injunction baring Plaintiff from filing any more actions related to, or stemming from, his arrest, indictment and/or conviction for violating the Georgia Controlled Substances Act in 1997.

Upon review of the same, this Court finds as follows:

1. Plaintiff Franklin L. Williams has filed numerous federal actions claiming a violation of his rights stemming from his 1997 arrest and conviction for violating the Georgia Controlled Substances Act, with said actions being filed in more than one jurisdiction. Said actions were filed against Defendant Eaves and numerous other persons. To the Court's belief, all of these actions have been dismissed and the federal court system seems to have placed an injunction against Plaintiff filing more, similar actions.

2. Plaintiff Franklin L. Williams has additionally filed Civil Actions identified as numbers 03V-0320; 03V-0473; 03V-0852, 04V-0471, 08V-0145 08V-0145, as well as the current action against Defendant Eaves. All have been dismissed.

or violating

PERMANENT

WARE COUNTY

3. In addition to the above listed actions Plaintiff has further filed:

- a. Civil Action 01V-0510 against the State of Georgia;
- b. Civil Action 03V-473 against juror Cecil Tanner;
- c. Civil Action 03V-0870 against Melba Fiveash, Clerk of Court;
- d. Civil Action 03V-0905 against Attorney Jim McGee;
- e. Civil Action 04V-112 against juror Earnest Lockey, Jr.;
- f. Civil Action 04V-394 against the State of Georgia;
- g. Civil Action 04V-450 against Craig Pittman (drug task force), Sheriff Ronnie McQuaig and Judge Stephen Jackson (deceased);
- h. Civil Action 06V-309 against Sheriff Cady and Major Royals;
- i. Civil Action 03V-320, above listed, also listed District Attorney Richard Currie; former Clerk of Court Betty Kennedy; Clerk of Court Melba Fiveash; Clerk of Court Green; Drug Task Force Agent Craig Pittman; the Honorable Judge Clarence Blount; Magistrate Judge Lawton Taylor as defendants.
- j. Civil Action 03V-473, above listed, also listed Attorney Jim McGee as a defendant.

4. Plaintiff has further initiated, concurrent with the action subject of this request for injunction, Civil Action File Numbers 08V-502 (against Jim McGee), 08V-504 (against Melba Fiveash), and 08V-0629. The action subject of this request for injunction (08V-503) included Rick Currie as a named defendant.

5. Each of the above listed actions seem to stem from, and

Respectfully,  
Honorable Judge [Name]

3. In addition to the above listed actions Plaintiff has further filed:

- a. Civil Action 01V-0510 against the State of Georgia;
- b. Civil Action 03V-473 against juror Cecil Tanner;
- c. Civil Action 03V-0870 against Melba Fiveash, Clerk of Court;
- d. Civil Action 03V-0905 against Attorney Jim McGee;
- e. Civil Action 04V-112 against juror Earnest Lockey, Jr.;
- f. Civil Action 04V-394 against the State of Georgia;
- g. Civil Action 04V-450 against Craig Pittman (drug task force), Sheriff Ronnie McQuaig and Judge Stephen Jackson (deceased);
- h. Civil Action 06V-305 against Sheriff Cady and Major Royals;

i. Civil Action 03V-320, above listed, also listed District Attorney Richard Currie; former Clerk of Court Betty Kennedy; Clerk of Court Melba Fiveash, Clerk L. Lee Green, Drug Task Force Agent Craig Pittman; the Honorable Judge Clarence Blount; Magistrate Judge Lawton Taylor as defendants.

j. Civil Action 03V-473, above listed, also listed Attorney Jim McGee as a defendant.

4. Plaintiff has further initiated, concurrent with the action subject of this request for injunction, Civil Action File Numbers 08V-502 (against Jim McGee), 08V-504 (against Melba Fiveash), and 08V-0629. The action subject of this request for injunction (08V-503) included Rick Currie as a named defendant.

5. Each of the above listed actions seem to stem from, and

Respectfully,  
Judge

It is the specific intent of this Court to end Plaintiff's filing of frivolous and harassing lawsuits based on, stemming from, and/or relating to his 1997 arrest, indictment and/or conviction for violating the Georgia Controlled Substances Act.

Plaintiff is further to file no amendments or requests to add additional parties to Civil Action File Numbers 08V-502, 08V-503, 08V-504, and 08V-0629.

Should the Clerk of Court for the Superior Court of Ware County receive any new legal actions, civil complaints, documents, other complaints or other matters, which are directly or indirectly related to, stem from, or otherwise come from or originate from the core of Plaintiff Franklin L. Williams' current complaint, the same being identified as his arrest, indictment and/or conviction in 1997 for violating the Georgia Controlled Substances Act, or;

Should the Clerk of Court for the Superior Court of Ware County receive any new legal actions, civil complaints, documents, other complaints or other matters which are specifically attempts to amend existing complaints or add new/additional parties to Civil Actions 08V-502, 08V-503, 08V-504, and 08V-0629, then the Clerk of Court for the Superior Court of Ware County is to take the following actions:

a. The paperwork sent by Plaintiff Franklin L. Williams is to be reviewed to insure that it is not a civil complaint or other matter relating to or addressing any matter other than his arrest, indictment and/or conviction for violating the Georgia Controlled Substances Act in 1997; and

b. If said paperwork is either in any form a new attempt by

seem to be related to, Plaintiff's arrest and conviction in 1997 for violating the Georgia Controlled Substances Act.

6. Merely enjoining Plaintiff from filing another action against Defendant Eaves or any other of Plaintiff's numerous named defendants in the past seems futile as Plaintiff Franklin L. Williams has in the past tried to file new complaints against new defendants and/or amend existing complaints to include defendants who have had their matters dismissed.

7. Plaintiff Franklin L. Williams has been properly served with the Complaint to Enjoin Legal Proceedings and Argument and Authority in support thereof. He has filed a response on the same.

8. The Complaint to Enjoin Legal Proceedings and Argument and Authority in support thereof have been read and reviewed by this Court. This Court has further reviewed Plaintiff's response to the Complaint and Argument and considered all arguments presented on the subject.

It is therefore HEREBY ORDERED as follows:

Plaintiff Franklin L. Williams is to file no more legal actions, civil actions, documents, other complaints, or other matters in the Superior Court of Ware County which are directly or indirectly related to, stem from, or otherwise come from or originate from the core of his current complaint, or having any connection in any manner with his arrest, indictment, and/or conviction for violating the Georgia Controlled Substances Act in 1997. Plaintiff Franklin L. Williams is specifically enjoined and restrained from the commencement of any new legal civil action or actions based on this 1997 arrest, indictment and/or conviction.

HEREBY ORDERED as follows:

Exhibit B

Exhibit A

UNITED STATES POSTAL SERVICE

SEE BACK OF THIS RECEIPT FOR IMPORTANT CLAIM INFORMATION

NOT NEGOTIABLE

Serial Number: 17399519853

Post Office: 28370

Year: 2007

Amount: \$200.00

Check: 0005

Pay to: Clock of Law Office  
Address: 479 Peachtree Avenue  
Atlanta, GA 30334-3834

Customer's Receipt

KEEP THIS RECEIPT FOR YOUR RECORDS



Court of Appeals of Georgia  
Atlanta Georgia

Appeal No. A02A0544

In re Franklin L. Williams' ? Case No. 08V-053

Pro se Petitioner / Appellant. ? Case No. 97R-061

? Extraordinary Writ of Habeas

1915 T. T. P. with

Motion for Extraordinary Writ under Fed. Civ. P. 1651(a) of A  
"LAST RESORT" AND SUPERIOR COURT DENIAL OF "NEW ORDER"

Filed under O.C.G.A. 5-6-35

Come now Appellant In re Franklin L. Williams to re-  
quest THIS COURT TO HEAR AND GRANT THIS "Extraordinary  
Writ" AS A "LAST RESORT" AND SUPERIOR COURT WARE COUNTY DEN  
TO ANSWER "Motion for new order" WITH SIGNATURE OF JUDGE"  
GRANTED "Permanent Injunction" ON SEPT 2007 AND WITHHELD ALL  
FILING FEE "FOR APPEAL TO THIS COURT TO APPEAL" AND DENIED TO  
RETURN FILING FEE; AND THIS COURT HAVE ~~THE~~ TO RULE ON THE  
"ISSUE" OF MERITS FOR OUT-OF-TIME APPEAL AS TO THE  
"LAPSE OF TIME" IS STILL HUNGRY AND REQUEST AS BELOW OF  
THIS MOTION AND WITHOUT WAIVING JURISDICTION THIS COURT HAD  
JURISDICTION AS FOLLOWS:

Part of Relief sought

Appellant as to Appeal Right: WHEN THIS APPEAL IS TIMELY  
PAID AS TO FILING FEE UNDER "DUE PROCESS OF LAW" STATE AND  
FEDERAL CONSTITUTION HAD THE RIGHT TO APPEAL. THIS FILING  
FEE IS RECORDED OVER FOUR YEARS (See Exhibit 1 Receipts)  
AND WAS FILED TO APPEAL THIS PERMANENT INJUNCTION  
FILED BY STATE OF GEORGIA AND MARTIN A. L. AVE ATTORNEY.

RECEIVED IN COURT  
2015 APR -6 PM 3:35

FILED

And The Receipts were Payed on July 26, 2009 & we have  
Have filed many motion for status. Yet All Proof of These  
Notice & Motion WAS Lost By The Federal U.S. MAR  
Hal on 2/10/80 In Transfer to Federal Prison. Now  
As to The Relief of Applicant is Requesting For Her  
Appeal to be Granted AS TO A Timely Appeal and Did  
Request to Superior Court Warr County For New Order '91  
to this unsigned "Order Permanent Injunction" and  
Proof is In This Court.

### PART TWO issues

Appellant Franc Williams WAS Denied the Right to this  
Appeal AS TO "NOT being Indicted By A Grand Jury" AS  
to being Tried on (August 29, 1997) This Trial was  
without "Jurisdiction" AS TO this Court Alleged that  
they used a November Term 1996 Grand Jury on March 26,  
1997 to Indict Franklin L. Williams under 97b-06,  
knowingly that In Warr County A Grand Jury is only  
sitted "four weeks" In "ONE year" (See O.C.G.A. 15-12-  
1 term of Jury. And This Grand Jury was Discharged  
on Dec 15, 1996 AND WAS NOT Recommened by any  
Judge to Return 5 Months, 26 Day Later (Second  
The Court Allowed Martin H. Eric's Attorney to  
file a "Permanent Injunction" without a Hearing in vio-  
lation of Federal R. Cr. P. Rule 65 AND O.C.G.A.  
5-9-10 State AND Federal Law. AS well as presented  
A Appeal AS TO THE Filing fee of \$0<sup>00</sup> Payed twice  
For Appeal (See Exhibit 1). Receipts THIS IS DENIAL  
of Right to Court Act / Part II. Now This

Court Refuse To Here The "Issue" and merit" of  
The Motion for out-of-Time Appeal Filed for Robert.  
So As To This "False Imprisonment" and Violation  
of His "Access to Court" (See Bound v. Smith) is For  
Person Unconstitutional.

### Part Three Facts

Appellant Ince Williams was Violated As To The States  
Federal Constitution As To "Right to Appeal" When He  
Paid His Filing Fee, and Have not been Returned As  
To Many Requesting to file at Court Superior of same  
County were These Payment was send to be filed  
by The Court of Appeals. And no way could The  
"Permanent Injunction" be Granted without The right  
to Have a "Hearing" As To A "Restraining order" To  
Denial of Access to Court. And as to His Filing  
Civil Action, As To A Right Respondent used The  
Injunction To Stop Him from Filing for His Innocence  
(See Nel v. Dudley) Bound v. Smith Lucy v. Casey.

No other Reason and now This Court is Retaining  
The Filing Fee Total 160<sup>00</sup> For Four year. And will  
Not Allow This Appeal To be Granted To Stop  
This Fundamental Miscarriage of Justice For 17yr. ongoing.  
(See Exhibit 3, 4)

### Part Four With

This Court Should Grant Relief For the Trust of  
Justice.

Wherefore Ince Williams Pray

(3) (cont)

This 1<sup>st</sup> Day of April 2015

Pro-se

F.C. Law, P.O. Box 1031  
Columbus, Ga. 31902

Pro-se  
F. C. Law  
12952021 unit-1-55

Certificate of Service

I, F. C. Law, do hereby certify that this foregoing for the United States with postage and stamp, to ensure delivery upon:

To: Clerk of Court of Appeal Georgia Court of Appeals, 47 Trinity Avenue, S.W. Suite 501, Atlanta Georgia 30334

To: Richard E. Currie, District Attorney, Office, Court House, Superior Court Ware County, 201 State Street, Waycross Ga 31503

To: Martin A. Evans, Attorney At Law, 800 Church St. Waycross Georgia 31502.

This 1<sup>st</sup> Day of April 2015

F.C. Law, P.O. Box 1031  
Columbus, Ga. 31902

Pro-se  
F. C. Law

12952021 unit-1-55



Exhibit  
3



# CUSTOMER'S RECEIPT

SEE BACK OF THIS RECEIPT  
FOR IMPORTANT CLAIM  
INFORMATION

KEEP THIS  
RECEIPT FOR  
YOUR RECORDS

NOT  
NEGOTIABLE

*Ms. Williams has in III place of cover of the side 501*  
Pay to *Chief of Court of Law of Appeals of GA*  
Address *49 Gandhi Avenue*  
*Atlanta Georgia 30334-30334*

Serial Number  
17399519864

Year, Month, Day

Post Office

Amount

Clerk

~~1111~~  
~~1111~~  
97R-1

STATE OF GEORGIA

\* INDICTMENT NUMBER

FRANKLIN WILLIAMS  
DEWITT KATES aka DEWITT DAWSON  
LISA STANFORD aka LISA SMITHSON  
TOMMY BARNAR

\* COUNTS 1-3: V.G.C.S.A.

(EXHIBIT)  
4

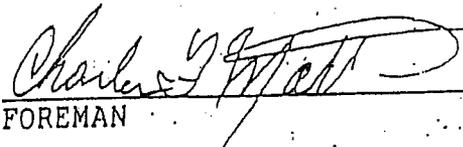
THE GRAND JURORS SELECTED, CHOSEN AND SWORN FOR THE COUNTY  
AFORESAID, TO-WIT:

~~1. Roy C. McDonald, Foreman~~

- 2. Charles F. Matthews
- 3. Angelia W. Coleman
- 4. Cathy B. Strickland
- 5. James M. Brantley, Jr.
- 6. Ann Lynn Hughes
- 7. Peggy Mercer
- 8. Jamie Carmichael
- 9. Ann Kirkland
- 10. Ernest S. Lockey, Jr.
- 11. J.E. Foster
- 12. Vera P. Skyrn

- 13. I.J. McGahee
- 14. Loraine A. Barefoot
- 15. Emory Boyd
- 16. Teresa Prevatt
- 17. ~~Cecil Tanner~~
- 18. Gail M. Maxwell
- 19. H. Vernon Fort
- 20. Theta A. James
- 21. ~~John E. Shaw~~
- 22. ~~Alvin P. Henderson, III~~
- 23. Eddie Dewayne Dryden

C.D. Vinson -- Alternate  
~~Cynthia D. Herrin -- Alternate~~

  
FOREMAN

Received in Open Court and  
Filed in Office, this 1  
day of April, 1997.

  
PROSECUTOR

  
BETTY B. KENNEDY  
Clerk of Superior Court

  
RICHARD E. CURRIE, District Attorney  
Waycross Judicial Circuit

serve of Summons & Time Limit O.C.G.A. 15-12-65

COUNT ONE: 77 BILL

In the name and behalf of the citizens of Georgia, charge and accuse FRANKLIN WILLIAMS; DEWITT KATES aka DEWITT DAWSON; LISA STANFORD aka LISA SMITHSON; and TOMMY BARNAR with the offense of VIOLATION OF THE GEORGIA CONTROLLED SUBSTANCES ACT, For that the said accused on the 5th day of February, in the year Nineteen Hundred and Ninety-seven, in the County aforesaid, did then and there unlawfully possess, with intent to distribute, a controlled substance, to-wit: cocaine, schedule II violation of the Georgia Controlled Substances Act, and did intentionally aid and abet each other in the commission of said crime.

COUNT TWO: TRUE BILL

And the Grand Jurors aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse FRANKLIN WILLIAMS; DEWITT KATES aka DEWITT DAWSON; LISA STANFORD aka LISA SMITHSON; and TOMMY BARNAR with the offense of VIOLATION OF THE GEORGIA CONTROLLED SUBSTANCES ACT, For that the said accused on the 5th day of February, in the year Nineteen Hundred and Ninety-seven, in the County aforesaid, did then and there unlawfully possess, with intent to distribute, marijuana, in violation of the Georgia Controlled Substances Act, and did intentionally aid and abet each other in the commission of said crime.

COUNT THREE: TRUE BILL

And the Grand Jurors aforesaid, in the name and behalf of the citizens of Georgia, further charge and accuse FRANKLIN WILLIAMS with the offense of VIOLATION OF THE GEORGIA CONTROLLED SUBSTANCES ACT, For that the said accused on the 13th day of November, in the year Nineteen Hundred and Ninety-six, in the County aforesaid, did then and there unlawfully possess, with intent to distribute, marijuana, in violation of the Georgia Controlled Substances Act, contrary to the laws of said State, the good order, peace, and dignity thereof.

\*\*\*\*\*

WITNESSES FOR THE STATE

- Craig Pittman-DTF
- Natalie Morris-DTF
- John Bloodworth-DTF
- Colby Manning-DTF
- Jason DuPont-Alma P.D.
- Joe Morris-WSO
- Carl James-WSO
- D. Hickox-WSO

EXHIBIT  
D ?

## Court of Appeals of the State of Georgia

ATLANTA, February 14, 2013

*The Court of Appeals hereby passes the following order:*

**A13D0216. FRANKLIN L. WILLIAMS v. MARTIN H. EAVES et al.**

In A13D0004, Franklin Williams sought to appeal the superior court's 2008 order permanently enjoining him from filing further pleadings or other documents related, directly or indirectly, to his 1997 conviction. We dismissed the application as untimely, and we denied Franklin's subsequent motion for reconsideration. Franklin has now filed three more discretionary applications, which we have consolidated into one, seeking to appeal the same 2008 order. As was the case with A13D0004, this application is untimely. A discretionary application must be filed within 30 days of the order to be appealed. See OCGA § 5-6-35 (d); *Boyle v. State of Ga.*, 190 Ga. App. 734 (380 SE2d 57) (1989). We lack jurisdiction to consider this untimely application, which is hereby DISMISSED.

We note that since 2004, Williams has filed seven direct appeals and discretionary applications in this Court related to civil actions he has filed in Ware County Superior Court against his former defense counsel. In addition, Williams has attempted to file numerous applications that failed to comply with this Court's rules and therefore were returned to him. It is obvious from the 2008 superior court order that the litigation below has ended and Williams has been barred from further filings in that court concerning his 1997 conviction.

Williams is hereby advised that the filing of further untimely and frivolous appeals and applications in this Court may result in the imposition of penalties pursuant to Court of Appeals Rule 15. Furthermore, the Court orders and directs that the Clerk of this Court shall not docket or file any future proposed pleading from Williams until the Court has reviewed the proposed pleading and made a

determination that there is a ~~justiciable~~ issue to be decided by the Court. If we determine that there is no justiciable issue, we will order and direct the Clerk to return the proposed pleading to Williams without docketing or filing it.



*Court of Appeals of the State of Georgia  
Clerk's Office, Atlanta, 02/14/2013*

*I certify that the above is a true extract from  
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court  
hereto affixed the day and year last above written.*

*Hally K. O. Spencer*, Clerk.

*This is Memorandum order Denied  
By Hon. Judge MICHAEL D. DEVANE.*

*Exhibit 1*

**MEMORANDUM**

**TO:** Franklin L. Williams  
# 12952 021  
Federal Correctional Complex- Low  
P.O. Box 1031  
Coleman, FL 33521

**FROM:** *MD* The Office of the Honorable Michael D. DeVane, Waycross Judicial  
Circuit, Superior Courts of Georgia

**DATE:** March 20, 2015

**RE:** 97R-061

---

This memorandum is in response to the attached pro se motions received October 2, 2014. For the following reasons your motions are being returned to you:

- The Court has previously entered an Order Granting Permanent Injunction on September 8, 2008. That Order enjoined you from filing "legal actions, civil actions, documents, other complaints, or other matters in the Superior Court of Ware County which... [have] any connection in any manner with [your] arrest, indictment, and/or conviction for violating the Georgia Controlled Substances Act in 1997." Upon review of the attached pro se motions, the Court has determined that the motions violate the September 8, 2008 Order.

cc: Clerk of Court, Ware County  
District Attorney or Assistant District Attorney  
Jim McGee, III, Esq.  
Martin Eaves, Esq.

[Logout](#)

## Choose a Case

8 Cases Found. Page 1 of 1

Case Number	Case Style	County	Lower Court Case Numbers	Status
A04D0188	<u>FRANKLIN L. WILLIAMS V. CRAIG PITTMAN, ET AL</u>	Ware	03V0320	Final
A09A0523	<u>FRANKLIN L. WILLIAMS V. JIM B. MCGEE III</u>	Ware	03V0905	Remittitur Sent
A08A1690	<u>FRANKLIN L. WILLIAMS v. MARTIN H. EAVES</u>	Ware	08V0145	Remittitur Sent
A09A0521	<u>FRANKLIN L. WILLIAMS v. MARTIN H. EAVES</u>	Ware	08V0145	Remittitur Sent
A09A0522	<u>FRANKLIN L. WILLIAMS v. MARTIN H. EAVES</u>	Ware	08V0145	Remittitur Sent
A04D0291	<u>FRANKLIN L. WILLIAMS V. MARTIN H. EAVES</u>	Ware	03V0852	Final
A13D0216	<u>FRANKLIN L. WILLIAMS v. MARTIN H. EAVES et al</u>	Ware	08V503	Final
A13D0004	<u>FRANKLIN L. WILLIAMS v. MARTIN H. EAVES et al</u>	Ware	08V503	Final

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EXHIBIT  
② ?

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*Court of Appeals of the State of Georgia  
Clerk's Office, Atlanta, 02/14/2013*

*I certify that the above is a true extract from  
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court  
hereto affixed the day and year last above written.*

*Hally F. O. Francis* \_\_\_\_\_, Clerk.