

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

September 16, 2015

To: Mr. Franklin L. Williams, Reg. No. 12952-021 Unit A-3-307, Federal Satellite Low,  
7680 Highway 301 South, Jesup, Georgia 31599

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. The mailing address for the Supreme Court of Georgia is: 244 Washington Street, S.W., Suite 572, Atlanta, Georgia 30334.
- 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 of Georgia  
ATLANTA Georgia

FRANKLIN L. WILLIAMS  
Pro-se Appellant  
✓  
STATE of Georgia ex rel,  
Richard E. Currie  
District Attorney  
WAYCROSS Judicial Circuit.  
Plaintiff/Appellee's.

2 CASE NO. 06V-1035  
2  
2 APPEAL from Superior Court of  
2 Ware County under O.C.G.A.  
2 5-6-34(a)(1)  
2  
2

Notice of Appeal under 5-6-34(a)(1) of Denial Due Process of Law  
First, See 1 Part II - Access to Court See order below attached  
With Paper's under O.C.G.A. Rule 2(b) 2(a)

Come now Appellant Franklin L. Williams to request Mot.  
of Appeal of Order Denial on September 3, 2015 By Honorable Judge  
Michael D. Devane with Appeal GRANTED (See Highlighted order  
Attached) and order of May 29, 2015 (EXHIBIT B) AS TO Denial of  
"Due Process of Law" by Fines of \$48<sup>00</sup> from Accounts To  
His U.A. Banked Check "NOT Drug Money" Had w/ Without a Court  
Jurisdiction And below:

1. Court Denied Motion for Return of Property \$18<sup>00</sup>
2. Denied Reconsideration
3. Motion for Replevin of Property
4. Denied Due Process of Law
5. Denied Right to Appeal. But Granted it's

Wherefore Appellant Pray

F. S. L. Jesus  
3680 Hwy 30/SOUTH  
Jesus GA. 31599

Pro-se  
Jesus  
12952 ORI  
A-3-272  
RECEIVED IN COURT  
SEP 11 PM 4:19

# Certificate of Service

I Appellant Franklin L. Williams Do hereby Certify that  
I have this foregoing for the United States mail with postage and  
Stamp: To Ensure Delivery of said.

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

To: Clerk of Superior Court, Clerk Malba H. Furcass, Ware  
Superior Court, State Court, PO Box 776, Waycross GA 31501

To: Richard F. Currie & State of Georgia, Superior County Court  
House Annex, 201 State St. Waycross GA. 31501

This 10 day of September 2015.

F. L. Williams  
2680 Hwy 301 South  
Jesup, GA 31599

Pro-Se  
Richard F. Currie  
12952021 Unit A-3



Accordingly, Defendant William's Motion is hereby **DENIED**.

SO ORDERED, this 3 day of September, 2015.

  
\_\_\_\_\_  
Michael D. DeVane, Judge  
Superior Court, Ware County, Georgia

cc: Defendant  
District Attorney or Assistant District Attorney

FILED IN OFFICE THIS 3 DAY  
OF September 2015  
Melba H. Givens CLERK  
WARE COUNTY

Court of Appeals of Georgia  
Atlanta Georgia

FRANKLIN L. WILLIAMS  
Pro-Se Plaintiff  
v.  
~~State of Georgia~~ Richard E. Luce DA  
Defendant

Civil Action No. 06U-1035

APPLICATION TO PROCEED IN DISTRICT COURT

WITHOUT PREPAYING FEES OR COSTS  
(Short Form)

I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested.

In support of this application, I answer the following questions under penalty of perjury:

1. If incarcerated. I am being held at: F.S.L. JAIL, 2680 Hwy 301 - South Jcs up GA 31595  
If employed there, or have an account in the institution, I have attached to this document a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months for any institutional account in my name. I am also submitting a similar statement from any other institution where I was incarcerated during the last six months.

2. If not incarcerated. If I am employed, my employer's name and address are: NA

My gross pay or wages are: \$           , and my take-home pay or wages are: \$            per  
(specify pay period)           

3. Other Income. In the past 12 months, I have received income from the following sources (check all that apply):

- |  |                              |  |
|--|------------------------------|--|
| (a) Business, profession, or other self-employment | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (b) Rent payments, interest, or dividends          | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (c) Pension, annuity, or life insurance payments   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (d) Disability, or worker's compensation payments  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (e) Gifts, or inheritances                         | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (f) Any other sources                              | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If you answered "Yes" to any question above, describe below or on separate pages each source of money and state the amount that you received and what you expect to receive in the future.

4. Amount of money that I have in cash or in a checking or savings account: \$ NA

5. Any automobile, real estate, stock, bond, security, trust, jewelry, art work, or other financial instrument or thing of value that I own, including any item of value held in someone else's name (describe the property and its approximate value): NA

6. Any housing, transportation, utilities, or loan payments, or other regular monthly expenses (describe and provide the amount of the monthly expense): Yes 16,000 owed 200<sup>00</sup> mos.

7. Names (or, if under 18, initials only) of all persons who are dependent on me for support, my relationship with each, and how much I contribute to their support:

CHRISTINA WILLIAMS wife 65yr old  
DORRIS S. WILLIAMS DAUGHTER 40yr old

8. Any debts or financial obligations (describe the amounts owed and to whom they are payable):

Yes. 16000<sup>00</sup> Bank of America

Declaration: I declare under penalty of perjury that the above information is true and I understand that a false statement may result in a dismissal of my claims.

Date: September 9, 2015

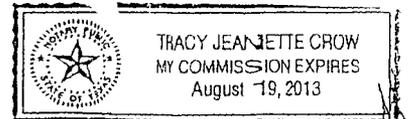
Applicant's signature

[Handwritten Signature]

Subscribed and Sworn to me by Franklin Lewis on this day 9, 2015

Tracy J Crow  
Notary Public signature

(SEAL)



MY COMMISSION EXPIRES:

## Inmate Inquiry



Inmate Reg #:	12952021	Current Institution:	Jcamp FCJ
Inmate Name:	WILLIAMS, FRANKLIN	Housing Unit:	J15-A-B
Report Date:	08/18/2015	Living Quarters:	A03-317L
Report Time:	9:42:15 AM		

[General Information](#) | 
 [Account Balances](#) | 
 [Commissary History](#) | 
 [Commissary Restrictions](#) | 
 [Comments](#)

### General Information

Administrative Hold Indicator: No  
 No Power of Attorney: No  
 Never Waive NSF Fee: No  
 Max Allowed Deduction %: 100  
 PIN: 6934  
 PAC #: 674011111  
 Revalidation Date: 7th  
 FRP Participation Status: Completed  
 Arrived From: TAL  
 Transferred To:  
 Account Creation Date: 10/26/2009  
 Local Account Activation Date: 7/25/2015 3:17:53 AM  
 Sort Codes:   
 Last Account Update: 8/15/2015 12:11:35 AM  
 Account Status: Active  
 Phone Balance: \$0.00

### Pre-Release Plan Information

Target Pre-Release Account Balance: \$10,000.00  
 Pre-Release Deduction %: 100%  
 Income Categories to Deduct From: 
  Payroll 
  Outside Source Funds

### FRP Plan Information

FRP Plan Type	Expected Amount	Expected Rate
---------------	-----------------	---------------

### Account Balances

Account Balance:	\$1.14
Pre-Release Balance:	\$0.00
Debt Encumbrance:	\$1.00
SPO Encumbrance:	\$0.00
Other Encumbrances:	\$0.00
Outstanding Negotiable Instruments:	\$0.00
Administrative Hold Balance:	\$0.00
Available Balance:	\$0.14
National 6 Months Deposits:	\$42.93
National 6 Months Withdrawals:	\$47.29
Available Funds to be considered for IFRP Payments:	(\$407.07)
National 6 Months Avg Daily Balance:	\$5.57

Local Max. Balance - Prev. 30 Days: \$15.14

Average Balance - Prev. 30 Days: \$4.33

**Commissary History**

**Purchases**

Validation Period Purchases: \$0.00  
 YTD Purchases: \$0.00  
 Last Sales Date: No Comm Sales

**SPO Information**

SPO's this Month: 0  
 SPO \$ this Quarter: \$0.00

**Spending Limit Info**

Spending Limit Override: No  
 Weekly Revalidation: No  
 Bi-Weekly Revalidation: Yes  
 Spending Limit: \$180.00  
 Expended Spending Limit: \$0.00  
 Remaining Spending Limit: \$180.00

**Commissary Restrictions**

**Spending Limit Restrictions**

Restricted Spending Limit: \$0.00  
 Restricted Expended Amount: \$0.00  
 Restricted Remaining Spending Limit: \$0.00  
 Restriction Start Date: N/A  
 Restriction End Date: N/A

**Item Restrictions**

List Name	List Type	Start Date	End Date	Active
-----------	-----------	------------	----------	--------

**Comments**

Comments:

## All Transactions



Inmate Reg #:	12952021	Current Institution:	Jesup FCI
Inmate Name:	WILLIAMS, FRANKLIN	Housing Unit:	JES-A-B
Report Date:	08/18/2015	Living Quarters:	A03-317L
Report Time:	9:42:21 AM		

<u>Date/Time</u>	<u>Transaction Type</u>	<u>Amount</u>	<u>Ref#</u>	<u>Payment#</u>	<u>Balance</u>
8/2/2015 2:06:26 PM	TRUL Withdrawal	(\$2.00)	TL0802		\$1.14
8/2/2015 7:20:54 AM	TRUL Withdrawal	(\$5.00)	TL0802		\$3.14
8/1/2015 12:10:55 AM	PLRA - Released	\$1.05	NCOAD021 - 3569		
8/1/2015 12:10:55 AM	PLRA - Released	\$1.05	NCOAD004 - 3568		
8/1/2015 12:10:55 AM	PLRA - Released	\$1.05	LBASD006 - 3567		
8/1/2015 12:10:55 AM	PLRA - Released	\$1.05	LBASD005 - 3566		
8/1/2015 12:10:55 AM	PLRA - Released	\$1.05	LBASD004 - 3565		
7/25/2015 7:45:24 PM	TRUL Withdrawal	(\$2.00)	TL0725		\$8.14
7/25/2015 7:18:58 PM	TRUL Withdrawal	(\$5.00)	TL0725		\$10.14
7/25/2015 3:17:53 AM	Transfer - In from TRUFACS	\$15.14	TX072515		\$15.14
7/25/2015 3:17:53 AM	Debt Encumbrance	(\$1.00)	PICD0515 - 3570		
7/25/2015 3:17:53 AM	PLRA	(\$1.05)	NCOAD021 - 3569		
7/25/2015 3:17:53 AM	PLRA	(\$1.05)	NCOAD004 - 3568		
7/25/2015 3:17:53 AM	PLRA	(\$1.05)	LBASD006 - 3567		
7/25/2015 3:17:53 AM	PLRA	(\$1.05)	LBASD005 - 3566		
7/25/2015 3:17:53 AM	PLRA	(\$1.05)	LBASD004 - 3565		

1

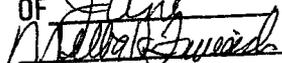


Motion is hereby **DENIED**.

**SO ORDERED**, this 19 day of June, 2015.

  
\_\_\_\_\_  
Michael D. DeVane, Judge  
Superior Court, Ware County, Georgia

cc: Defendant  
District Attorney or Assistant District Attorney

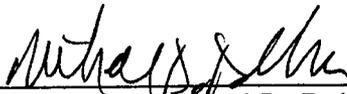
FILED IN OFFICE THIS 19 DAY  
OF June 2015  
  
CLERK  
WARE COUNTY



attached as Exhibit "A." The case number provided by Defendant Williams was Case No.: 06-08-0548, which is not a valid case number. Consequently, the Court was unable to determine accurately whether filing the 2014 Motion would violate the 2008 Order and returned the 2014 Motion to Defendant by memorandum. Upon further inspection, the Court was able to determine that the invalid case number referred to a 2006 criminal action against Defendant Williams, and the subject matter of the 2014 Motion involved funds previously forfeited by a 2007 Order in this case, Case No. 06V-1035. Accordingly, this Court mailed to Defendant Williams a Memorandum stating that filing the 2014 Motion in the criminal case was an improper means of attacking the 2007 Order.

Defendant Williams now seeks to file in this case, 06V-1035, a Motion for Reconsideration of the Court's memoranda, which denied filing of the 2014 Motion. However, the 2014 Motion was never filed, so there is nothing for the Court to reconsider. As the Court is now aware that the 2014 Motion falls outside of the 2008 Order, the Court hereby **ORDERS** that the 2014 Motion be filed in this case, Case No. 06V-1035, should Defendant Williams choose to present it to the Clerk of Ware Superior Court for filing.<sup>1</sup>

**SO ORDERED**, this 29 day of May, 2015.

  
\_\_\_\_\_  
Michael D. DeVane, Judge  
Superior Court, Ware County, Georgia

cc: Defendant  
District Attorney or Assistant District Attorney

<sup>1</sup> The Court notes that, as the original 2014 Motion was returned to Defendant Williams, it is no longer in the Court's possession.

FILED IN OFFICE THIS 29 DAY  
OF May, 2015  
  
CLERK  
WARE COUNTY

Superior Court of Talbot County  
Waynes County

Franklin William  
vs  
The State of Georgia  
ex. Richard E. Coates,  
District Attorney,  
Waynes County Circuit Court  
Plaintiff

2 Civil Action 064-1035  
2 Forfeiture 064-16  
2 (3-49)  
2 Recession of the Alternative  
2 of Notice of Appeal of Remitt.  
21  
2 Denied Right to Appeal

Or  
~~Motion for Reconsideration of Remittance of Forfeiture Property  
with Alternative of Appeal of Remitt.~~

Comes now Defendant Franklin William as to his Motion  
made in by Honorable Judge Mrs. H. O. Deane as to the  
Inappropriate means to attack this forfeiture by Plaintiff and  
Request Reconsideration with this Court Jurisdiction not being  
Waived State's:

Part One

Defendant William do file notice as to seizure claim  
of Personal Property of \$18<sup>00</sup> from his Money Turned in  
at the County Jail as Property of the Arrest and was  
placed on the County Jail Book with unmeted money now  
as to this was filed timely of 3:30 pm on  
Sept. 24, 2006 Arrest of the Pool from bank of America

Part Two

Defendant is a poor man with a lawyer nor did he have any  
law book or knowledge of how to file this claim.

But as to "Due Process of Law" and his Attorney at  
this case did not give assistance without requested assistance  
Hired as to this issue Atty. James L. Haden, Trial Atty. of  
this Federal Case + P. M. Gardner, Appellate Court and they  
did not respond.

### Part Three

The order was never given to Defendant at the time  
of this case neither had the Due Process Right for  
H. Henry (see record). Just took the book of his  
Account, and it was (\$ 10,000) and at Mr. Doug's  
Mr. Doug's was found on or to possession of Defendant  
and this was done two to three days later as to  
my knowledge that this money was taken (see book)  
from Market of Ware Co. Jail, Sept 11, 2006 and this  
order alleged on Sept 6, 2006 so no way can there  
H. Henry as to "Due Process of Law" Court determined  
at Federal's search & seizure.

### Part Four

As to the other alleged money found to some one else  
possession it is unknown to Defendant. Defendant  
was arrested on August 10, 2006 by Warren's  
Drug Task Force and taken to Ware County Jail where the  
\$1800 was taken without a hearing and on Sept 6, 2006  
a process was done without any knowledge to Defendant  
until present May 15, 2015 8 yr' later. This was the take  
the Due Process Right. And is the only thing they could  
for possession and the other the Attorney of the Property  
2015. 51

No way was will any Attorney DR that the knowledge  
that this was taking place and did not see how to  
the Army should to protect his right under this Ord.  
(S. 104) (10-15-49) Nor did it seem to be cooked  
and because he had no understanding of legal  
law, a legal partner to review this matter, and  
within three days Attorney's friend's appeal lawyer  
was told only to be rejected as omitted.

Conclusion

Defendant's request for review a new trial this  
case that nothing to do with Army Absconder Team  
1947 case that request this money be sent to  
his dependent wife Elizabeth Williams' 372000000  
Rt. 104, case no. 31503 912-585-9124.

When the Defendant do declare under the penalty of per-  
jury this statement made is true and correct this  
16th day of May 1955.

John Lee, No. 104-203  
Sgt. Leman, Ft. 33501

*[Signature]*  
12,502 021 001-1-1-55

Undelivered

To Deborah Tucker to deliver to Do hereby certify  
Putting this Treasury for the state of Va.  
with postage and stamp. To Case & Delivery 4/1/15

To Office of the Honorable Mr. H. P. Devane,  
Judge of the District Court, Superior Court of Georgia  
350 Market St. Suite B 202 Waycross Ga 31501

To Richard E. Evans, Judge of the Superior Court,  
Court House Annex 200 State St. Waycross Georgia  
31501

This 15<sup>th</sup> Day of May 2015

~~Richard E. Evans~~ ~~Waycross Ga 31501~~  
Richard E. Evans 12953 2nd Street 155

In Superior Court of Ware County  
STATE of Georgia

Franklin L. WILLIAMS: )  
Plaintiff, Defendant/Appellant, ) CASE NO. 06V1035  
 ) Cause: Abuse of Process,  
 ) For In Forma Pauper's  
STATE of Georgia exel. Richard E. ) Judgment Order  
Curie ) GRANTED July 6, 2015  
District Attorney )  
Waycross Judicial Circuit, ) By Honorable Michael D.  
Plaintiff, Appellee. ) Devane, Judge

Motion To Grant In Forma Pauper of Order GRANTED  
Motion For Replevin Property Reconsolidated (Case 15-6-  
210) and Case No. 9-11-6019 under Title 20 (Ga. Code)

Come now Defendant Franklin L. Williams to Request  
This Court to Grant In Forma Pauper as Judgment allowed  
the Pending Filing Fee of \$0<sup>00</sup> Payance for Appeal of  
08V-503 Permanent Injunction that was never Reference  
to Appellant's Fee without warning, Jurisdiction Follow

Part One

Defendant Franklin L. Williams's Motion July 6, 2015 was  
GRANTED the reconsolidation under O.C.G.A. 9-11-6019) For  
Appeal Right of Title 20 (Ga. Code) by THE  
Honorable Michael D. Devane and the nature of appeal  
on July 6, 2015. The Court has granted For In Forma Pauper  
OR the Filing Fee, Payable June 1, 2015, for \$0<sup>00</sup> Justice to  
This Court for Appeal of Permanent Injunction (see Re-

Filed To the Honorable a Appeal of the 15th of Grant This  
Appeal as Indigent of This Court deny the Appeal  
Filed and Read Alternative to the Court of Appeals  
of Georgia for Relief of His Fortitude and Disposition  
of Property of 518<sup>00</sup> Integally Taken.

Conclusion

Praying Request that this Motion Be Granted For  
Good Cause Shown.

Wherefore Applicant Prays, This 10<sup>th</sup> Day of July 2015  
J. C. Low, Petitioner 1031  
Columbus, Ga. 31901

Prayer  
J. C. Low  
12952021 unfiled 1-58

Verification

I, Defendant, J. C. Low, do hereby certify that I am  
legally residing in this Territory of the United States and I  
do hereby certify that I am a resident of this Territory.

To the Honorable Michael P. O'Connell, Of the Supreme Judicial Court  
Superior Court of Georgia, 305 State Street, S.W., 31504  
Cross, Georgia, 31504.

To the Honorable David L. O'Connell, Attorney Superior Court  
of Ware County, 201 State Street, Cross, Georgia  
31504.

This 10<sup>th</sup> Day of July 2015  
J. C. Low, Petitioner  
Columbus, Ga. 31901

Prayer  
J. C. Low  
12952021 unfiled 1-58