

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

**April 9, 2015**

**To:** Mr. Franklin Williams, Federal Correctional Complex-Low, P.O. Box 1031, Coleman, FL 33521

**Docket Number:**           **Style: Franklin Williams 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) missing signature page of order appealing.**
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:

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

COURT OF APPEALS OF GEORGIA  
DOCUMENT RETURN NOTICE FOR APPLICATIONS

UCA

4/8/15

To: *Franklin Williams*

Docket Number:      Style: *Franklin Williams v. Martin Eave's*

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) *missing signature page of order appealing*
4.  A stamped "filed" copy of the Certificate of Immediate Review was not attached to your Interlocutory Application. Rule 30(b)
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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(s) was (were) not securely bound at the top with staples or round head fasteners. Rules 1(c), 30 (e) and 31 (c)
16.  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).

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

THE COURT OF APPEAL OF GEORGIA  
ATLANTA GEORGIA

2015 APR - 6 PM 3:58  
RECEIVED

Franklin L. WILLIAMS  
Prose Appellant,  
V

Case No. 97R-061  
"Notice of Appeal" O.C.G.A.  
§ 5-6-35 And T. 7, P. 1915

STATE of Georgia; And  
Jim M'GEE, III, Esq.  
Martin H. EAVE'S, Esq.

Denial of Pro-se Motion's  
MARCH 20, 2015 Honorable  
Judge MICHAEL D. DEVAINE.

Notice of Appeal of Denial of Motion: "Memorandum" AS TO  
"RIGHT TO COURT" Article I, Section I, PAR. XII ACCESS TO COURT  
TO COURT "Bouché-Smith" (See Nel v. Doolley) of Permanent Injunction.  
Fed. Civ. R. 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 Re-litigate & Stop Civil Action  
(See Nel v. Doolley) Bouché v. Smith, Art I, Sec I, PAR XII, of Memo-  
randum order MARCH 20, 2015 AND His Court Had Jurisdiction  
AND Do not waive Jurisdiction AS below. (See order Exhibit 1)

1. Denied motion's and the 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's (See Exhibit B Receipt) Four year'
- 1-(Cont)

Wherefore Appellant Pray this April 2, 2015

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

Coleman, Fl. 33521

Pro-  
1295202/UNIT C-1-55

### Certification

To Appellant Franklin Williams Do Hereby Certify  
Putting this foregoing in the United States Mail with  
Postage and Stamp; To ensure delivery upon:

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

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

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

To: Jim McCreath, Attorney at Law, 301 Carswell  
Ave Waycross GA. 31501

To: Martin H. Eavis, Attorney Esq. 800 Church St. 2002nd  
Waycross, Georgia 31501.

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

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

Coleman, Fl. 33521

Pro-  
1295202/UNIT C-1-55

Exhibit 1

## MEMORANDUM

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

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

**DATE:** March 20, 2015

**RE:** 97R-061

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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.

WAYCROSS CIRCUIT JUDGE CHAMBER'S  
WAYCROSS COUNTY COURT HOUSE  
WAYCROSS, GEORGIA

"Motion Denied"

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

vs  
Mebla Zveash, 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 WITHHELD 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 HAD JURISDICTION AS FOLLOWS

### PART ONE

Plaintiff WILLIAM'S WAS CONVICTED FOR THREE COUNT'S 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 YRS IN PRISON.  
PLAINTIFF AS TO HIS "NOT BEING INDICTED BY A GRAND JURY" BE-  
FORE BEING TRIED UNDER THE SIXTEENTH AMENDMENT CLAUSE AND UNITED  
STATES CONSTITUTION FIFTH AMENDMENT DUE PROCESS OF LAW. THIS

AS TO PLAINTIFF RIGHT: AS 'DELINQUENT' TO PURSUE ALLYONG  
IN JUSTICE" FOR OVER 16 YR: HAVE FILED PETITION'S MOTION'S PLEADINGS  
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> 5<sup>TH</sup> 8<sup>TH</sup> AND 14<sup>TH</sup>  
OF THE AMENDMENTS.

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: FIFTH 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  
IS SHAMEFUL TO THE JUSTICE SYSTEM TO ALLOW ONE WHO IS UNDER  
THE COLOR OF AUTHORITY, TO MILIGULATE THE JUSTICE SYSTEM AS  
TO MISUSE "INJUNCTION" TO STOP JUSTICE AS WELL TO CONSENT  
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 Page 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 Appeal 1's of Georgia February 14, 2013 under B 13 D0216 And it was dismissed As To Out-of-Time and Reconsentation 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. Fla. (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 OB V 503 & 80.00 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 Contained 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. Ben H. Juvash 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 \$10,000.00 Being Due withheld from us?"

## PAGE 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 Document of Court, Order OR Hear Any Filing AS TO THIS NOV, Term 1996 Conviction By THIS Fraudulent Permanent Injunction AND NO OTHER Remedy, Other Than THE "Judge" Chamber, TO Stop This Complete "Miscarriage 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 BEN DONE BY THE Courts OF APPEAL AND WAS FILED 5/18/14 WITH RETURNED COURT AND IT IS STILL BEING DENIED TO BE HEARD AS TO Due Process OF LAW" Whether Granted OR Denied AND AS TO A Disign Right of THE State + United State Constitution OF THE Fourteenth 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 Imprisonment AS WELL IS Injustice OF THIS Conviction IT HAD BY "Authority" BEEN "Delayed AND Manipulation TO Delay Justice THAT IS Justice Denied. AND THE "Judice AND Bar" IS Clear." SO THERE IS NO OTHER Remedy Available TO Pursue Other Than THE Direct Judge Chamber For THE "Interest of Justice".

## Relict

Plaintiff is Requesting TO Grant Appeal Right By Vacating THIS Order AND Issue New Order For Appeal AND Investigate THIS

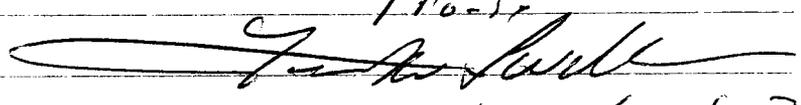
These Filing Fees NOT Returned To Plaintiff Rightful owner  
As To Law And Her Withholding These Filing Fees for over four  
years And To "GRANT A Evidentiary Hearing" THAT Will Bring  
Out Medical Evidence: Of This Illegal Perpetration Injunctive-  
tion Restraining order THAT Our Process of Law under 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 Granted His Right To  
Court" under Art. 1, sec 1, Par XII (See Bound v Smith) Huddy  
v. Casey.

In 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

Prose  
  
12952021 untk-1-7

Certificate of Service

I Plaintiff Franklin B. Williams Do hereby certify Putting this foregoing and Affidavit Declaration in the United State mail with postage and stamp to ensure delivery upon:

To: Honorable Judge Michael D. Devanne, Judge Chamber, Ware-County Courthouse, 800 Church Street, Waycross, GA 31501

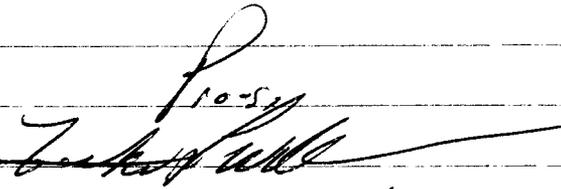
To: Melba H. Furst, Clerk, Superior County Courthouse, P.O. Box 776 Waycross, GA, 31501

To: Martin H. Eave, Public Defender office, 800 Church Street, 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. C. Cow, Coleman P.O. Box 1031  
Coleman Fla 33521

  
12952021 Unit C-1-7

Affidavit 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.

(3)

Franklin L. William makes this sworn Affidavit & Declaration of His  
Own Free Will.

(4)

Franklin L. William filed this Motion to have Reliefs to  
Defendant's Denial of Right and Misplaced Filing Fee \$8000 withheld  
ing for 4 yr and to continue 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 Answer  
my Filing for 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. Davans" for Justice this 28<sup>th</sup> Day of  
May 2014.

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

Prose

  
12952021 UNITE-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  
P.O. Box 1031  
COLEMAN, Ga. 33521

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

Memorandum Request For Review of All Pending Case's as to Infringement  
Denial of Delay of Right To Court's Act, seal, and the Pre-Jury's

Dear Honorable Judge Devane

I AM Requesting For Access To Court as to Pending Case's Filed In your  
Court's AS of 2007, Pertaining to THE STATE CASE'S AND Pending Civil Action  
Filed From THE WARE County Jail of Wrong's Done of Violation's of Defendant's  
Ant' Constitutional Right's AND Have Payed In Full For these Case's To BE  
Heard In Court. AND ALL OF THESE Defendant's, Richard E. Cooring, Tom  
M'gee III, Martin H. Eave's, Melba H. Fincash, Betty B. Kennedy Have only  
Manipulated AND Put up "Red Flag's" To Stop these Case From Review  
AND Coming Before THE Court's.

Money WAS Taken AS TO A Alleged Drug Charge without a Hearing motion's  
Pending In this Court. Two Payment's WAS Made For Appeal and was  
Not send TO THE Appeal Court's. AND All Motion's Filed In this Court is not  
of A November Term 1996 Issue. it's After fact's. So I AM Request  
AS TO Now 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 RECORD AND MOTION PENDING AS WELL  
SO AS THERE IS CIVIL ACTION 9-10-14(1) 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. L. W.  
Encl. Copies

Prosr  
J. M. F. L. W.  
1295202/0-1-55

Prepared By: Frank H. Williams

Melba H. Fivensh D.B.A. Clerk of Court Successor.

Superior County Court House

Clerk of Court Office

Proc. Bld 776

Waycross, Georgia 31501

### Plain Statement of Fact

I, 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 pre-  
sent on March 26, 1997 nor were they returned from Discharge  
Charge by a recommending order signed by a Judge. Clerk 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 Acknowledged  
the court of state law to deprive Williams of his 1<sup>st</sup> 5<sup>th</sup> + 11<sup>th</sup>  
& 14<sup>th</sup> Amendment rights by delay for Justice that is Justice De-  
nied and is liable for compensation to pay for her Indem-  
nity capacity 80 million dollar and 10% each 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 7/28/09.



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 Lockett, 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 Lisa 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

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 Locky, 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

Honorable Judge [Name]

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 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.

ORDERED as follows:



EXH0611  
2



# CUSTOMER'S RECEIPT

SEE BACK OF THIS RECEIPT FOR IMPORTANT CLAIM INFORMATION

NOT NEGOTIABLE

Serial Number

27399519864

Year, Month, Day

Post Office

Amount

Clerk

Pay to *Check of Leverage Level of Appeals of BSA*

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*Atlanta, Georgia 30334-30334*

*Mail to: 419 Fairview Ave, Suite 501*

Court of Appeals of Georgia  
Atlanta Georgia

RECEIVED  
2015 APR -6 PM 3:35

In Re Franklin L. Williams' Appeal No. A02 A0544  
Rose Peltoner / Appellant. Case No. 08V-053  
Case No. 97R-061  
Extraordinary Writ 1651(a)  
1915 T.P. 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 were County Den.  
to Answer "Motion for New Order" with Signature of Judge  
Grant "Permanent Injunction" on Sept. 2009 and withheld all  
Filing fee "for appeal to this Court of Appeal" and request to  
Return Filing fee; and this Court have ~~the~~ to Rule on the  
"Issue" & Merit for out-of-time Appeal AS TO THE  
"Timing of Time" is still running 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 or  
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 & Martin A. Eave Attorney.

And The Receipts were Payed on July 29, 2009 twice and  
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 for Transfer to Federal Prison. Now  
As to The Relief Appellant is Requesting for Her  
Appeal to be Granted AS TO A Timely Appeal and Dis  
Request to Superior Court Warr County for November '91  
to this unsigned Order Permanent Injunction and  
Proof is In This Court.

### PART TWO issues

Appellant Franc Williams WAS Denied the Right to Her  
Appeal AS TO NOT being Indicted by a Grand Jury AS  
to being Tried on (August 19, 1997) This Trial WAS  
Without Jurisdiction AS TO this Court Alleged that  
they used a November Term 1996 Grand Jury on March 24,  
1997 to Indict Franklin Williams under 9th-061  
knowingly that In Warr County a Grand Jury is only  
sitted four weeks In ONE year (See O.G.C.A 15-12-  
Term of Jury. And This Grand Jury was Discharged  
on Dec 15, 1996 AND WAS NOT Recommened by Any  
Judge to Return 5 Month 26 Day Later (Second  
The Court Allowed Martin H. Eric's Attorney to  
file a "Permanent Injunction" without a Hearing viola-  
tion of Federal R. Cr. P. Rule 65 AND O.G.C.A  
5-9-10 State AND Federal Law. AS well as provided  
A Appeal AS TO The Filing fee of 80<sup>00</sup> Payed twice  
for Appeal (See Exhibit 1). Receipts THIS IS DENIAL  
of Right to Court Act. Part 2. Part 1. 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 James Williams was Violated As to The State &  
Federal Constitution As to Right to Appeal" When He  
Paid the Filing Fee, and Have not been Returned As  
to Many Requesting to file it at Court Superior of Ware  
County were These Payment was Sended to be Filed  
to The Court of Appeals, and no way could This  
"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 This  
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  
This Filing Fee Total 160<sup>00</sup> For Four years and will  
Not Allow This Appeal to be Granted to Stop  
This Fundamental Miscarriage of Justice for 17yr's ongoing  
(See Exhibit 3, 4)

### Part Four With

This Court Should Grant Relief for Infract of  
Justice.

Wherefore James Williams Pray

(3) (cont)

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

Pro-se

*[Signature]*

F.C. Law, P.O. Box 1031  
Columbus, Ga. 33521

12952021 unit 0-1-55

Cert. cert. of Service

I, *[Signature]* do hereby certify that this foregoing for the United States mail with postage and stamps to ensure delivery upon:

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

To: Richard E. Curry, District Attorney of the Court House Annex Superior Court Ware County, 201 State Street Way Cross GA 31503

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

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

Pro-se

F.C. Law, P.O. Box 1031  
Columbus, Ga. 33521

*[Signature]*

12952021 unit 0-1-55



F. X. 110611  
3



UNITED STATES  
POSTAL SERVICE

**CUSTOMER'S RECEIPT**

*Mr. William Macfarlan III Place of Loyalty of Side 501*

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FOR IMPORTANT CLAIM  
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NOT

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*Atlanta Georgia 30334-30334*

Serial Number

17399519864

Year, Month, Day

Post Office

Amount

Clerk

KEEP THIS  
RECEIPT FOR  
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STATE OF GEORGIA  
NOVEMBER TERM, 1996

~~EXHIBIT~~  
~~97B-1~~  
97B-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~~

*Charles J. Watt*  
FOREMAN

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

*[Signature]*  
PROSECUTOR

*[Signature]*  
BETTY B. KENNEDY  
Clerk of Superior Court

*[Signature]*  
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 acc FRANKLIN WILLIAMS; DEWITT KATES aka DEWITT DAWSON; LISA STANFORD aka SMITHSON; and TOMMY BARNAR with the offense of VIOLATION OF THE GEO CONTROLLED SUBSTANCES ACT, For that the said accused on the 5th day February, in the year Nineteen Hundred and Ninety-seven, in the Co aforesaid, did then and there unlawfully possess, with intent distribute, a controlled substance, to-wit: cocaine, schedule II violation of the Georgia Controlled Substances Act, and did intention 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 citizen Georgia, further charge and accuse FRANKLIN WILLIAMS; DEWITT KATES DEWITT DAWSON; LISA STANFORD aka LISA SMITHSON; and TOMMY BARNAR with offense of VIOLATION OF THE GEORGIA CONTROLLED SUBSTANCES ACT, For the said accused on the 5th day of February, in the year Nineteen Hun and Ninety-seven, in the County aforesaid, did then and there unlaw possess, with intent to distribute, marijuana, in violation of the Geo Controlled Substances Act, and did intentionally aid and abet each o in the commission of said crime.

COUNT THREE: TRUE BILL

And the Grand Jurors aforesaid, in the name and behalf of the citizen Georgia, further charge and accuse FRANKLIN WILLIAMS with the offens VIOLATION OF THE GEORGIA CONTROLLED SUBSTANCES ACT, For that the accused on the 13th day of November, in the year Nineteen Hundred Ninety-six, in the County aforesaid, did then and there unlawfully marijuana, in violation of the Georgia Controlled Substances Act, cont 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  
② 9

# 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. Spawr*, Clerk.