

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

July 7, 2015

To: Mr. Willie Wright, Jr., GDC904756, Coffee Correctional Facility, Post Office Box 650, Nicholls, Georgia 31554

Docket Number: A15A1984 **Style:** Willie Wright, Jr. v. William Prior, Judge

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

1. Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 **Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4. **An improper Certificate of Service accompanied your document(s). Rule 6**
5. **Your Certificate of Service did not include the complete name and mailing address of each opposing party. Rules 1(a) and 6. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.**
6. There were an insufficient number of copies of your document. Rule 6.
7. Your document exceeds page limits. Rules 24 (f) and 27 (a)
8. Your document was submitted without permission to file (supplemental brief or second motion for reconsideration). Rules 27 (a) and 37 (d)
9. Letter briefs and letter cites are not permitted. Rule 27 (b)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12. Type was on both sides of the paper; type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17. The Motion to Supplement has not been granted.
18. Other: _____

Willie Frank Wright JR.
V.

COURT OF APPEALS OF GEORGIA

A15A1984

William A. Prior, Judge et al.

I. BRIEF

Plaintiff now Appellant filed a writ of Prohibition on several Judges for exceeding their Jurisdiction in Case 48308, and asked the Court to prove all Jurisdictional Facts related to the asserted, Plaintiff filed a Motion For Summary Judgment and "Request For Oral Hearing" pursuant to Rule 6.3 of the Uniform Rules of Superior Court after the defendants responded to the petition, see the record. The Motion was timely filed however the Judge failed to hold an oral hearing even after clear notice of the Authority requiring such a hearing. Appellant cited 204 Ga. App. 531 (1992) also 227 Ga. App. 480 (1997), However NO hearing was held nor did any party prove that the Court had subject matter Jurisdiction in Case 48308. Objections to subject matter Jurisdiction may be raised at any time and in any Court and it is never forfeited or waived. U.S. v. Cotton 535 U.S. 625 (2002) also see 562 U.S. 428, Here no Jurisdictional Facts were proven, Personal, Territorial, General, Exclusive, nor subject matter, The U.S. Supreme Courts Jurisprudence Constante is there is an obligation to determine subject matter Jurisdiction even absent a Challenge 526 U.S. 574. The burden is on the party asserting Jurisdiction and here the burden is on the State or the Court to prove Jurisdiction exist. The Appellant argued all of these Facts in his "Motion" "Objection To Motion To Dismiss and Motion For Summary Judgment", Appellant also Cited 9-11-60(a) Judgment Void on its Face may be attacked in any Court at any time. However the State did not meet its burden and proven Jurisdiction of the subject matter or any other Jurisdiction and therefore Judgment in Case 48308 is void ab initio. Further Sadie Simmons failed to appear in this case even after service. See exhibit 1 and Default Judgment should be entered for failure to appear. Appellant also Request For Immediate Release from Custody for the Failure to prove Jurisdiction or under 9-12-16 "to reverse Judgment as void because the Judge who entered it was not authorized to preside.

II. ENUMERATIONS OF ERROR

1. The Court and State Failed to prove Subject Matter Jurisdiction, and Any other Jurisdictional Facts in Case 48308.
2. The Court Failed to hold a Rule 6.3. Hearing as is required by 204 Ga. App 531 and 227 Ga. App 480.
3. The Court violated OCGA 15-6-21(a) For Failure to Rule on a motion For Default Judgment in any Form or Fashion. See EX 1.

RECEIVED IN OFFICE
2015 JUN 27 AM 2:05
COURT OF APPEALS OF GA

This 26th Day OF JUNE 2015

Willie Frank Wright JR.

Exhibit 1

Willie F. Wright JR
VS.
Sadie Simmons

IN THE SUPERIOR COURT OF BALDWIN COUNTY
STATE OF GEORGIA

CV#
14CV-46935
Writ of Prohibition

MOTION FOR DEFAULT JUDGMENT

Comes now Plaintiff and moves this honorable Court For
Default Judgment.

FACTS AND LAW

Sadie Simmons was served April 30th 2014, However
as of todays date in which is June 8th, 2014 no response
has been served on the plaintiff nor filed in Baldwin superior
Court. Therefore pursuant to O.C.G.A. 9-11-12(a); Green V. Decatur
Federal Sav. and Loan Ass'n, 143 Ga App 368 (1977) also see [2416922].
The defendant shall have 30 days from date of service of
Summons and Complaint upon him within which to answer or to
file other defensive pleadings. The plaintiff shows here a failure to
comply and judgment in the amount of \$50,000 a year must be
awarded as claimed for in this action, for a total of \$200,000 and/or
release from custody.

This 8th Day of JUNE 2014

FILED IN OFFICE THIS
11 DAY OF June 20 14
DEPUTY CLERK SUPERIOR COURT,
BALDWIN COUNTY, GEORGIA


Willie F. Wright JR

Certificate of Service

This is to certify that I have this day served a true and correct copy of the within and foregoing document(s) upon the party(s) listed below by depositing a copy of the same in the United States mail in a properly addressed enveloped with adequate postage thereon or submitted same to the institutional legal mail system, to bellow addressee(s)

JU06ES

William A. Prior JR
JAMES L. Cline
Sadie Simmons
Hulane E. George
Herby Black
Shave Getter

PO BOX 1050
Milledgeville GA. 31061

This 26th Day of June, 2015

Items Enclosed
1. Brief
2. Exhibit, Motion For Summary Judgement

Respectfully submitted,
Willie F. Wright JR
Pro Se

Signature: 
Print: Willie F. Wright
GDC#: 904756
Address: PO. BOX 650
Nicholls GA. 31554
