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IN THE SUPERIOR COURT OF CHEROKEE COUNTY  
STATE OF GEORGIA

KERRY CRAIG WALKER,

Plaintiff,

v.

Cherokee County,  
Sheriff Roger Garrison,  
Preston Peavy, ET AL,

Defendants.

MORE DEFINITIVE STATEMENT  
OF AMENDED NOTICE OF  
NOTICE OF AMENDED APPEAL

CIVIL ACTION  
FILE NO. 07-CV-3325

FILED IN OFFICE  
CLERK OF SUPERIOR COURT  
CHEROKEE COUNTY, GA  
2010 SEP 20 PM 2:24  
PATTY BAKER, CLERK

MORE DEFINITIVE STATEMENT OF AMENDED NOTICE OF  
NOTICE OF AMENDED APPEAL

Notice is hereby given that Kerry Craig Walker, Plaintiff in the above-styled case, hereby sends a **More Definitive Statement of Amended Notice of Notice of Amended Appeal** to amend **Amended Notice of Notice of Amended Appeal** filed on September 7, 2010 in the Superior Court of Cherokee County, Georgia.

The criminal cases against Plaintiff were dismissed in full on November 23, 2005 by the Honorable Judge Jackson Harris and Plaintiff completed a timely filing of said lawsuit and filed it on November 20, 2007, within the Statute of Limitations.

On August 20, 2010 Plaintiff had a Hearing on his Expungement Claim and there was no opposition from Counsel for the Defendants. An **ORDER** was issued on August

23<sup>rd</sup>, 2010 by Judge Murphy C. Miller which **GRANTED** Mr. Walker's expungement request to have his September 25, 2001 arrest expunged from the record. This **ORDER** signed by Judge Murphy C. Miller further **ORDERED** that any warrants, finger prints, or other items collected in connection with the September 25<sup>th</sup>, 2001 arrest be purged from the criminal records. Said **ORDER** brings about a **final judgment** in the court's order and readies said case for appeal.

The facts will show that the judgment on the pleadings pursuant OCCA § 9-11-12 (c) is incorrect and assertion that the statute of limitations had expired before Plaintiff's lawsuit was filed is incorrect and this can be demonstrated on appeal. Plaintiff's charges were formally dismissed by Judge Jackson Harris on November 23, 2005 finally ending Plaintiff's long nightmare in the criminal courts and said lawsuit was filed on November 20, 2005, within the two (2) year statute of limitations.

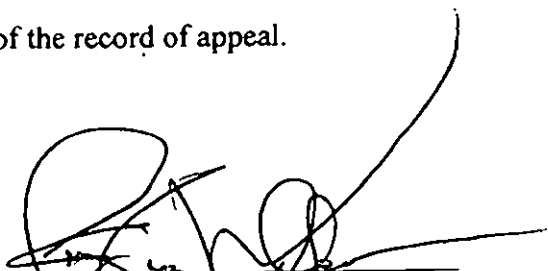
This case no longer requires the applications under expressed determination under OCCA § 19-11-54 (b) or compliance with the interlocutory appeal requirements of OCCA § 5-6-34 (b). Neither of these code sections applies now that there has been a **FINAL** judgment in the court's order and all claims have been ruled upon and disposed.

This case under A10A1505 was **dismissed** because the first **appeal was premature** and the **appeal lacked jurisdiction** because **all of the aspects of the case had not been ruled upon**. This appeal has no relation to case No. A10A1505 because on August 23, 2010 an **ORDER** was signed by the **Honorable Judge Murphy C. Miller** thereby bringing his order of February 25, 2010 to a final judgment.

The trial court's order is now **final** and, therefore, this case is ready for appeal and the appellate court has proper jurisdiction.

The Court of Appeals rather than the Supreme Court has jurisdiction because the case does not involve any items enumerated in Article VI, Section VI, Paragraph II of the Constitution of the State of Georgia. All documents filed in said case going back to the **Original Filing**, and including **Notice of Appeal, Notice of Amended Appeal, Amended Notice of Amended Appeal, More Definitive Statement of Amended Notice of Amended Appeal, Argument for Appeal and Response on Motion for Judgment on the Pleadings, Amended Notice to Seek Expungement, Order Granting Pauper's Affidavit, and Order GRANTING Plaintiff's Expungement Request** and all other documents and transcripts filed in the Cherokee County Superior Court related to this case need be transmitted as part of the record of appeal.

This 17<sup>th</sup> day of September, 2010.



Kerry Craig Walker  
Pro se/Plaintiff

IN THE SUPERIOR COURT OF CHEROKEE COUNTY  
STATE OF GEORGIA

KERRY CRAIG WALKER,

Plaintiff,

v.

Cherokee County,  
Sheriff Roger Garrison,  
Preston Peavy, Et Al

Defendant.

CERTIFICATE OF SERVICE

CIVIL ACTION  
FILE NO. 07-CV-3325

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PATTY BAKER, CLERK

CERTIFICATE OF SERVICE

I do hereby certify that I have this day served the foregoing, **More Definitive Statement of Amended Notice of Notice of Amended Appeal**, to all interested parties in the within and foregoing matter, Civil Action No. 07-CV-3325, dated September 17, 2010 in the United States mail with sufficient postage affixed thereon to insure delivery as follows:

Kendrick Kendall McWilliams  
SHIVERS & ASSOCIATES  
1000 Windward Concourse  
Suite 210  
Alpharetta, GA 30005

Judge Murphy C. Miller  
59 S. Main Street, Ste K  
Cleveland, GA 30528

Angela E. Davis  
105 Pilgrim Village Drive, Ste 200  
Cumming, GA 30040

This 17<sup>th</sup> day of September, 2010.  
Please address all  
communications to:  
Kerry Craig Walker  
P.O. Box 2018  
Jasper, TN 37347

  
Kerry Craig Walker/pro se  
Plaintiff, Sui Juris