

**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.

**AMENDED
NOTICE OF EARNINGS
BEFORE FALSE ARREST**

**CIVIL ACTION
FILE NO. 07-CV-3325**

AMENDED NOTICE OF EARNINGS BEFORE FALSE ARREST

Earnings and Withholdings for Plaintiff/Kerry Walker (General Manager and Construction Manager-Patriot Builder Services) "paid" by Don Loudermilk (CEO-Patriot Builder Services, Inc.)

This is a detailed account of the money Plaintiff, Kerry Walker, made before he was falsely arrested on September 25, 2001 because of a very crooked cop named Preston Peavy. Plaintiff's boss, Don Loudermilk also turned out not to be honest. He took out \$36,680.00 for taxes from Plaintiff's paychecks over the course of a few years and instead of paying Plaintiff's taxes Mr. Loudermilk kept the money for himself. (SEE EXHIBIT A)

After Plaintiff was falsely arrested, he had to sell his custom home that he personally designed (doing two complete sets of working drawings) and physically built from the ground up on a beautiful lot that was deemed un-buildable by three banks (at the corner of the Etowah River and Lake Allatoona). During Plaintiff's long battle (50 months – criminal; 60 months and counting - civil) to win his freedom and to have his charges formally **DISMISSED** by the State and to have his criminal record from said false arrest **EXPUNGED**, Plaintiff has lived in a shed (which he turned into a nice cabin before it was taken from him unlawfully and ruthlessly), a few tents, a log cabin (that Plaintiff built for his younger disabled brother with his help) and a boat. Plaintiff then moved in with his girlfriend in a little mobile home, and now she is his wife and they rent a nice little home in the nice little town of Jasper, Tennessee. Although Plaintiff has worked part time for Advance Auto Parts for about a year making \$8.00/hr with 25% of his wages garnished for credit card debt he could not pay as a result of this case, and Mrs. Walker works part time as a Certified Nurse's Assistant, they still struggle to make ends meet while Plaintiff continues to seek justice in this case. During this long battle Plaintiff has not had a chance to deal with the reality that this man did not pay in tens of thousands of dollars taken from Plaintiff's check, until now. Plaintiff thought he had better get these records posted because, since no taxes were paid by

Mr. Loudermilk, there are no other records that Plaintiff had worked so hard for so long.

Plaintiff continues to fight for justice to be served in this incredible case of injustice and for the many thousands of human beings who are locked up in cages in this great country, but do not belong there.

The following numbers reflect Plaintiff's earnings during the first 9½ months that Plaintiff worked for Patriot Builder Services, Inc. in 1999 (from 3/17/99 – 12/26/99)

Total Earnings – \$36,900.55.

Federal Withholdings – \$-4,209.00

Social Security Withholdings – \$-2287.83

Medicare Withholdings – \$-535.06

Georgia State Withholdings – \$-1,283.33

Total Withholdings – \$-8,315.22

Total Earnings minus Withholdings – \$28,585.33

Although Plaintiff worked for Patriot Builders Services, Inc. for the entire year in 2000 he could only locate the complete paystubs with the list of withholdings for that year through 10/15/2000 (12/27/99 – 10/15/2000). The total earnings will be short several thousands of dollars for that year and the deducted amounts for taxes and other withholdings will be short of the actual amounts.

The following numbers reflect Plaintiff's earnings during the next year that Plaintiff worked for Patriot Builder Services, Inc. in 2000 (from 12/27/1999 – 10/15/2000).

Total Earnings (through 10/15/2000) – \$53,702.57

Federal Withholdings – \$-10,113.00

Social Security Withholdings – \$-3,329.56

Medicare Withholdings – \$-778.69

Georgia State Withholdings – \$-2,626.00

Total Withholdings – \$-16,847.25

Total Earnings minus Withholdings – \$36,855.32

Plaintiff continued to work for Patriot Builder Services throughout much of 2001. Plaintiff located the complete paycheck stubs through the pay period ending on 07/14/2001. Plaintiff had gotten a Social Security Statement in the mail in July of 2001 and he noticed nothing had been paid into Social Security by his boss, Don Loudermilk over the past few years. Plaintiff began to doubt if Mr. Loudermilk had paid in the money he had deducted from Plaintiff's checks.

The following numbers reflect Plaintiff's earnings during the third year that Plaintiff worked for Patriot Builder Services, Inc. in 2001 (from 12/27/2000 – 7/14/2001).

Total Earnings – \$30,624.56

Federal Withholdings – \$-7,498.00

Social Security Withholdings – \$-1,898.72

Medicare Withholdings – \$-444.06

Georgia State Withholdings – \$-1,677.27

Total Withholdings – \$-11,518.05

Total Earning minus Withholdings – \$19,106.51

Plaintiff was to learn in August of 2001 that his boss, Don Loudermilk, CEO of Patriot Builder Services had not paid any of his taxes and withholdings that he had deducted from any of the many paychecks over the years. Plaintiff set out to start another business of his own under Walker Construction in hopes of surviving if and when he quit this job.

Plaintiff would never get his new business off the ground before he was the victim of violent crimes on September 16, 2001 and then falsely arrested on September 25, 2001 based on a fake crime report filed by the person that committed the crimes against him. This false arrest started the most bizarre nightmare of tragic events in Plaintiff's life as **Detective Preston Peavy** began a series of back to back attempts to **RAILROAD** Plaintiff as it went on to ignore the only witness at the scene and to ignore all exculpatory evidence and then continued on to alter, and fabricate, and eliminate evidence in his steadfast attempts to frame Plaintiff for the crimes he did not commit. **Detective Preston Peavy** went on to

have Plaintiff falsely indicted for Felony Aggravated Assault based solely on tainted evidence presented to the Grand Jury. After one trial ended with Felony Tampering with Evidence and then the dismissal of all charges, Plaintiff was hit with yet another false indictment with several more attempts at going to trial. All charges on this second indictment were eventually **DISMISSED** on November 23, 2005 by **Judge Jackson Harris** and on August 23, 2010 an **ORDER** was signed by **Judge Murphy C. Miller** to have Plaintiff's criminal record for his false arrest expunged from the record. The documents for expungement have been signed off in the solicitor's office by **District Attorney Garry T. Moss** and by **Karen Kelly/T.A.C.** with the **G.C.I.C./N.C.I.C. Services of the Cherokee County Sheriff's Department** and forwarded on to **Georgia Information Crime Center/Expungements**.

As of 11/15/2010 nothing has been done to **Preston Peavy** for his attempts to frame **Mr. Walker** for crimes he did not commit; Nothing has been done to **Jacquelyn Wagner** for filing a fake crime report against **Mr. Walker**; and nothing has been done to **Mr. Don Loudermilk** for stealing over **\$36,680.00** of **Mr. Walker's** hard earned money and not sending it where it was designated to go.

The system failed **Mr. Walker** to an extent that is difficult to fathom and to the extent that should never happen in this great country. **Mr. Walker**, his family,

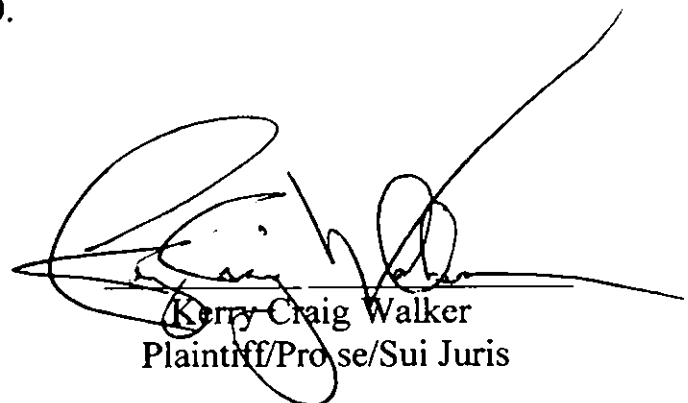
and his loved ones have suffered tremendous harm as a result of our inept legal system. This failure is reflected in the harm of thousands of good people that are wronged by the current legal process.

Plaintiff has suffered physical, emotional, and great financial harm as a direct result of his false arrest on September 25, 2001 and because of the continued unethical and unlawful actions of Preston Peavy and those that covered for his corrupted and demented actions.

It is only right and just that Plaintiff should be fairly compensated for his false arrest and the continued attempts of the State to frame him for crimes he did not commit (and where he was in actuality the VICTIM of violence). The system failed Plaintiff and he should be fairly and justly compensated for the subsequent physical, emotional, and financial suffering resulting from this long nightmare of injustice.

This 17th day of November, 2010.

Kerry Craig Walker
P.O. Box 2018
Jasper, TN 37347
Search: Kerry Walker Story



Kerry Craig Walker
Plaintiff/Pro se/Sui Juris

3/26/99

Kerry Walker

**81.62

Eighty-One and 62/100*****

Kerry Walker
4590 Knox Bridge Hwy.
Canton, GA 30114

03/17/99 - 03/17/99

Kerry Walker		3/26/99	YTD
4590 Knox Bridge Hwy.	Salary (8 hrs)	96.15	96.15
Canton, GA 30114	Federal Withholding	-6.00	-6.00
	Social Security Employee	-5.96	-5.96
256-96-4494	Medicare Employee	-1.39	-1.39
	GA - Withholding	-1.18	-1.18
Used / Available	Job Expense Reimbursement		116.88
Sick 0.00 / 0.00			
Vac 0.00 / 0.00			

Patriot Builder Services, Inc.
4023 Chaderton Court, Suite 102
Duluth, GA 30096-2610
770-232-1212

03/17/99 - 03/17/99

81.62

EXHIBIT A

5187

YTD

Kerry Walker	Salary (40 hrs)	12/17/1999	480.77	18,557.71
4590 Knox Bridge Hwy.	Sales 4% commis (8,000@\$.04)		320.00	5,205.24
Canton, GA 30114	Sales \$100 Bonus (4@\$100.00)		400.00	5,025.00
256-96-4494	Job Expense Reimbursement		10.00	1,007.65
Used / Available	Federal Withholding		-154.00	-4,012.00
Sick 0.00 / 0.00	Social Security Employee		-74.44	-2,171.67
Vac 0.00 / 0.00	Medicare Employee		-17.41	-507.89
Patriot Builder Services, Inc.	GA - Withholding		-49.12	-1,216.77
4023 Chaderton Court, Suite 102	Sales commissions			568.40
Duluth, GA 30096-2610	Commission			849.51
770-232-1212	Management Override			3,399.46
	Sales Commission			776.68
	Hourly			75.00
	Sales 8% Commission			570.01
	Employee Loan			825.00
	12/06/99 - 12/12/99		915.80	

Patriot Builder Services, Inc.

5193

YTD

Kerry Walker	Salary (40 hrs)	12/23/1999	480.77	19,038.48
4590 Knox Bridge Hwy.	Sales 4% commis (3,500@\$.04)		140.00	5,345.24
Canton, GA 30114	Sales \$100 Bon (1.92@\$100.00)		192.00	5,217.00
256-96-4494	Employee Loan		-25.00	800.00
Used / Available	Job Expense Reimbursement		102.30	1,109.95
Sick 0.00 / 0.00	Federal Withholding		-80.00	-4,092.00
Vac 0.00 / 0.00	Social Security Employee		-50.40	-2,222.07
Patriot Builder Services, Inc.	Medicare Employee		-11.79	-519.68
4023 Chaderton Court, Suite 102	GA - Withholding		-25.84	-1,242.61
Duluth, GA 30096-2610	Sales commissions			568.40
770-232-1212	Commission			849.51
	Management Override			3,399.46
	Sales Commission			776.68
	Hourly			75.00
	Sales 8% Commission			570.01
	12/13/99 - 12/19/99		722.04	

Patriot Builder Services, Inc.

5199

YTD

Kerry Walker	Salary (40 hrs)	12/30/1999	480.77	19,519.25
4590 Knox Bridge Hwy.	Sales 4% commis (4,500@\$.04)		180.00	5,525.24
Canton, GA 30114	Sales \$100 Bonus (4@\$100.00)		400.00	5,617.00
256-96-4494	Employee Loan		-25.00	775.00
Used / Available	Job Expense Reimbursement		56.15	1,166.10
Sick 0.00 / 0.00	Federal Withholding		-117.00	-4,209.00
Vac 0.00 / 0.00	Social Security Employee		-65.76	-2,287.83
Patriot Builder Services, Inc.	Medicare Employee		-15.38	-535.06
4023 Chaderton Court, Suite 102	GA - Withholding		-40.72	-1,283.33
Duluth, GA 30096-2610	Sales commissions			568.40
770-232-1212	Commission			849.51
	Management Override			3,399.46
	Sales Commission			776.68
	Hourly			75.00
	Sales 8% Commission			570.01
	12/20/99 - 12/26/99		853.06	

Patriot Builder Services, Inc.

Kerry Walker
4590 Knox Bridge Hwy.
Canton, GA 30114

256-96-4494

Used / Available

Sick 0.00 / 0.00

Vac 0.00 / 0.00

Salary (40 hrs)
Sales 4% commis (8,000@\$.04)
Employee Loan
Job Expense Reimbursement
Federal Withholding
Social Security Employee
Medicare Employee
GA - Withholding

1/6/2000

480.77
320.00
-25.00
56.15
-78.00
-49.65
-11.61
-25.12

5213
YTD

480.77
320.00
-25.00
56.15
-78.00
-49.65
-11.61
-25.12

Patriot Builder Services, Inc.
4023 Chaderton Court, Suite 102
Duluth, GA 30096-2610
770-232-1212

12/27/99 - 01/02/00

667.54

Patriot Builder Services, Inc.

Kerry Walker
4590 Knox Bridge Hwy.
Canton, GA 30114

256-96-4494

Used / Available

Sick 0.00 / 0.00

Vac 0.00 / 0.00

Salary (40.00 hrs)
Sales 4% com (10000.00@\$.04)
Employee Loan
Job Expense Reimbursement
Federal Withholding
Social Security Employee
Medicare Employee
GA - Withholding

1/14/2000

480.77
400.00
-25.00
56.15
-89.00
-54.61
-12.77
-29.92

5217
YTD

961.54
720.00
-50.00
112.30
-167.00
-104.26
-24.38
-55.04

Patriot Builder Services, Inc.
4023 Chaderton Court, Suite 102
Duluth, GA 30096-2610
770-232-1212

01/03/2000 - 01/09/2000 Pay Period

725.62

Patriot Builder Services, Inc.

Kerry Walker
4590 Knox Bridge Hwy.
Canton, GA 30114

256-96-4494

Used / Available

Sick 0.00 / 0.00

Vac 0.00 / 0.00

Salary (40.00 hrs)
Sales 4% com (10840.00@\$.04)
Sales 8% Commissio (600.00@\$.04)
Sales \$100 Bon (1.00@\$100.00)
Employee Loan
Job Expense Reimbursement
Federal Withholding
Social Security Employee
Medicare Employee
GA - Withholding

2/12/2000

480.77
433.60
0.00
100.00
-25.00
206.00
-109.00
-62.89
-14.70
-37.94

5239
YTD

2,884.62
1,830.60
192.00
600.00
-150.00
729.28
-569.00
-341.45
-79.85
-192.88

Patriot Builder Services, Inc.
4023 Chaderton Court, Suite 102
Duluth, GA 30096-2610
770-232-1212

01/31/2000 - 02/06/2000 Pay Period

970.84

10/23/2000

h

Kerry Walker

**1,598.72

One Thousand Five Hundred Ninety-Eight and 72/100*****

Kerry Walker
4590 Knox Bridge Hwy.
Canton, GA 30114

10/09/2000 - 10/15/2000 Pay Period

		10/23/2000	YTD
Kerry Walker	Salary (40.00 hrs)	480.77	19,711.57
4590 Knox Bridge Hwy.	Sales 4% com (36419.00@\$0.04)	1,456.76 ✓	19,283.96
Canton, GA 30114	Sales \$100 Bon (6.00@\$100.00)	600.00 ✓	14,300.00
256-96-4494	Job Expense Reimbursement	56.15 ✓	3,017.64
	Federal Withholding	-658.00	-10,113.00
Used / Available	Social Security Employee	-157.33	-3,329.56
Sick 0.00 / 0.00	Medicare Employee	-36.80	-778.69
Vac 0.00 / 0.00	GA - Withholding	-142.83	-2,626.00
	Employee Loan	0.00	-375.00
Patriot Builder Services, Inc.	Sales 8% Commission	0.00	407.04
4023 Chaderton Court, Suite 102			
Duluth, GA 30096-2610			
770-232-1212			

10/09/2000 - 10/15/2000 Pay Period

1,598.72

10/23/2000

Kerry Walker

**1,929.43

One Thousand Nine Hundred Twenty-Nine and 43/100*****

Kerry Walker
4590 Knox Bridge Hwy.
Canton, GA 30114

10/16/2000 - 10/22/2000 Pay Period

7/20/2001

Kerry Walker

**818.44

Eight Hundred Eighteen and 44/100

Kerry Walker
4590 Knox Bridge Hwy.
Canton, GA 30114

07/08/2001 - 07/14/2001 Pay Period

818.44

Kerry Walker
4590 Knox Bridge Hwy.
Canton, GA 30114

256-86-4484

Used / Available
Sick 0.00 / 0.00
Vac 0.00 / 0.00

Patriot Builder Services, Inc.
4023 Chaderton Court, Suite 102
Duluth, GA 30096-2610
770-232-1212

Salary (40.00 hrs) 480.77
Sales 4% comm (7755.00@30.04) 310.20
Sales \$100 Bon (2.50@100.00) 250.00
Job Expense Reimbursement 108.15
Federal Withholding -196.00
Social Security Employee -84.54
Medicare Employee -15.10
GA - Withholding -53.04

7/20/2001

480.77
310.20
250.00
108.15
-196.00
-84.54
-15.10
-53.04

YTD

8,173.09
11,751.47
10,700.00
1,485.40
-7,498.00
-1,698.72
-444.08
-1,677.27

07/08/2001 - 07/14/2001 Pay Period

818.44

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

KERRY CRAIG WALKER,

Plaintiff,

v.

**Cherokee County,
Sheriff Roger Garrison,
Preston Peavy, Cherokee
County Sheriff's Dept.,
Et al**

Defendants.

CERTIFICATE OF SERVICE

**CIVIL ACTION
FILE NO. 07-CV-3325**

CERTIFICATE OF SERVICE

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

Judge Murphy C. Miller
Enotah Judicial Circuit
59 S. Main Street, Suite K
Cleveland, Georgia 30528

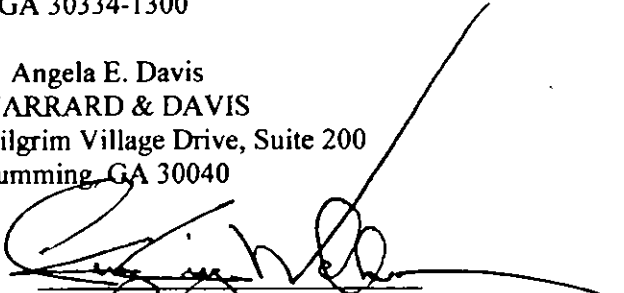
Kathleen M. Pacious
Office of the Attorney General
40 Capitol Square
Atlanta, GA 30334-1300

Kendrick K. McWilliams
SHIVERS & ASSOCIATES
4400 North Point Parkway, Suite 105
Alpharetta, GA 30023-1808

Angela E. Davis
JARRARD & DAVIS
105 Pilgrim Village Drive, Suite 200
Cumming, GA 30040

This 17th day of November, 2010.

Kerry Craig Walker
P.O. Box 2018
Jasper, TN 37347
423-260-5803
Search: Kerry Walker Story


Kerry Craig Walker/pro se
Plaintiff, Sui Jurs