

**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.

**ACCOUNT OF INDIGENCY
AND ACCOUNTABILITY
FOR PAUPER'S AFFIDAVIT**

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

**ACCOUNT OF INDIGENCY AND ACCOUNTABILITY
FOR PAUPER'S AFFIDAVIT**

Comes now Kerry Craig Walker, Plaintiff in the above style case, to present an **Account of Indigency and Accountability for Pauper's Affidavit**.

The following documents provide an account of earnings provided to the court and an account of outgoing monies and a list of indebtedness.

(See **EXHIBIT A**)

Also find a copy of Pauper's Affidavit dated September 30, 2010 and filed by Plaintiff in Cherokee County Superior Court on October 4, 2010.

(See **EXHIBIT B**)

Also find a CERTIFIED COPY of Plaintiff's original Pauper's Affidavit dated March 10, 2010 and filed in Cherokee County Superior Court on March 15, 2010 along with Judge Murphy C. Miller's **ORDER** dated March 24, 2010 GRANTING Plaintiff's Affidavit.

(See **EXHIBIT C**)

Also find a copy of Plaintiff's Pauper's Affidavit in a related case in Cobb County Superior Court, Civil Action File Number 07-1-10459-42, and now in the Georgia Court of Appeals, Case Number A11A0409, dated March 6, 2010 and filed March 10, 2010 in the Superior Court of Cobb County.

(See **EXHIBIT D**)

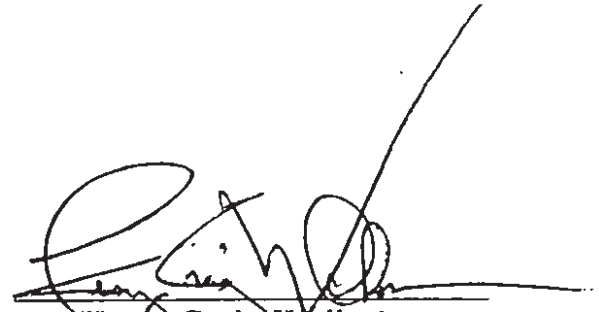
Also find the **ORDER** signed by Judge Adele P. Grubbs GRANTING Plaintiff's Pauper Affidavit and directing the appellate clerk in Cobb County Superior Court to transmit Plaintiff's case to the Appellate Court.

(See **EXHIBIT E**)

This is to demonstrate to the court proof of the truth and sufficiency of said
Pauper's Affidavit.

This 1st day of December, 2010.

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



Kerry Craig Walker
Plaintiff/Pro se/Sui Juris

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

EXHIBIT A

KERRY CRAIG WALKER
Plaintiff

CIVIL ACTION FILE

vs.
CHEROKEE COUNTY, GEORGIA, SHERIFF
ROGER GARLICK, PRESTON PEAWY, ET AL
Defendant

NO. 07-CV-3325

PAUPER'S AFFIDAVIT

I, KERRY CRAIG WALKER, personally appeared before the undersigned officer duly authorized to administer oaths in the State of ~~Georgia~~ ^{Georgia}, and having been sworn, state the following:

1.

Affiant is a United States citizen above the age of eighteen (18) years, under no legal disability, and has personal knowledge sufficient to make this affidavit in connection with the above-styled action.

2.

Affiant is the Plaintiff in the above-styled action of the following nature: FALSE ARREST/FRANCE
On account of indigency, affiant is unable to pay the court costs of this action required by law and make this affidavit so that she/he may be relieved from paying costs as a prerequisite for obtaining relief pursuant O.C.G.A. § 9-15-2.

3.

Affiant provides the Court with the following information:

a.

Name: KERRY CRAIG WALKER Telephone No.: 423-260-5803
Mailing Address: P.O. Box 2018, Jasper, TN 37347
Birth Date: 02/26/54 Age: 56 SSN: _____
Highest Grade In School Completed: BET - ARCHITECTURAL ENG., DESIGN

b.

Present Employer: Advance Auto Parts STORES COMPANY INC.
Employer's Address: 5008 AIRPORT ROAD, BRANNOKE, VA 24012

Telephone No.: (540) 362-4911

If paid hourly, the rate: \$8.00/HR WITH 25% GARNISH-MRTT
Gross Pay: VARIABLES FROM 17 HRS TO 37 HRS - PER WK - PART-TIME
PART TIME ON 11/7/2010 GOT 100/HR RAISE TO 19.00/HR

GROSS PAY VARIABLES FROM \$136.00/WK TO \$296.00/WK. AS OF 11/7/2010 COULD GROSS \$330.00 IN A 37 HR WEEK. THERE ARE DOCUMENTS THAT I CANT GET FILED AT TIMES BECAUSE OF NO MONEY.

Net Pay (Gross Pay minus State, Federal and Social Security Taxes) (Choose a pay schedule below):

- a. Weekly: _____
- b. Bimonthly: PART TIME \$298.12 To \$515.83
- c. Monthly: _____

Other Income (including child support, welfare, social security, etc.) (Choose a pay schedule below):

- a. Weekly: _____
- b. Bimonthly: NONE
- c. Monthly: _____

If unemployed, how long? I WAS UNEMPLOYED FOR 8 YEARS

Last Employer: _____

Last Employer's Address: ~~N/A~~ BECAUSE OF THIS CASE! EXCEPT FOR SKYDIVE W/USPA!

Last Employer's Telephone No.: _____

List all other sources of income such as unemployment compensation, welfare or disability income and the amounts received (Choose a pay schedule below).

- a. Weekly: _____
- b. Bimonthly: N/A
- c. Monthly: _____

Date of Marriage: NOVEMBER 9, 2009

Place of Marriage: GEORGIA

Date of Separation: _____

Is your spouse employed? YES

If so, by whom: STAPCO INC / PART TIME GNA

Spouse's net income: VARIES - DOES NOT APPLY - LAWSUIT FILED NOV. 20, 2007 MARRIED NOV. 9, 2009
(\$58.00 - \$75.00)

I DID NOT MEET MY WIFE UNTIL JAN. 3, 2009

Number of children living in the home: NONE

Ages of those children: _____

Other dependants (not including spouse or children) in home:

Name	Relationship	Contribution
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

f. Motor Vehicle Owned or Financed: OWNED REAL ESTATE
 Year, Make and Model: 1997 Chevy S-10 WORTH 30000
 Outstanding Indebtedness: 0 (TOTALLED OUT IN 2001)
 Real Estate Owned or Financed: TIM'S STORE
 Market Value: BACK MAINTENANCE FEES EXCEED VALUE!
 Outstanding Indebtedness: IN THE TENS OF THOUSANDS
 Amount of House Payment or Rent Monthly: 1000.00/month
 List Checking, Savings or Money Market Accounts:

Institution	Account No.	Balance
BANK OF AMERICA	44400812454	VARIES \$1,00 - 418.00
<u>I HAVE OVERDRAFTED THIS ACCOUNT</u>		
<u>SOVERAL TIMES DURING LEGAL WORK ON MY CASE!</u>		

List all indebtedness:

Creditor	Account No.	Balance	Payment
ASSET REPAIR LLC	3206XXXX	\$50.00	PAST DUE
CAP ONE	9780518XXXX	\$3,948.00	PAST DUE
CHASE	8548341XXXX	\$2,018.00	PAST DUE
DISCOVER	60110043XXXX	\$10,201.00	PAST DUE
MOLAND CREDIT	853083XXXX	\$1,965.00	PAST DUE
CHASE	4965696XXXX	\$5,660.00	PAST DUE

COULD SEE ATTACHED

List any extraordinary living expenses and amount (such as regularly occurring Medical expenses):

MEDICINE - TREATMENT POOL \$30.00
COMPROMISED IMMUNE SYSTEM
ALSO UTILITIES & STORAGE BUILDINGS TO STORE BLOWING (MOST OF WHICH ARE RUINED)
APPROX \$425.00/month - PLUS PHONE: GAS, INSURANCE & FOOD - TOTALS ABOUT 465.00/month - PLUS COST OF

Affiant states that (Choose one of the following): FIGURING CASE - VARIES
 a. she/he represents her/himself in this action;
 b. she/he is represented by counsel and counsel has not yet been paid;
 c. she/he is represented by counsel at no expense.

5.

The undersigned affiant swears the information given herein is true and correct and understands that a false answer to any item may result in prosecution for a felony and/or contempt of Court.

THE OUTGOING BILLS + LEGAL WORK ON MY CASE ALWAYS EXCEEDS OUR INCOME - WE STRUGGLE TO MAKE ENDS MEET BECAUSE OF THIS CASE - AND OFTEN HAVE TO BORROW MONEY FROM FRIENDS & FAMILY. - I HAVE USED MONEY FOR FOOD OR GAS TO GET LEGAL DOCS IN THE MAIL I HAVES SUFFERED MORE THAN MOST CAN IMAGINE

LIST all indebtedness ^{"A"} CONT'D

CREDITOR	ACCOUNT NO.	BALANCE	PAYMENT
CBA & CA	44 XXXX	\$ 139.00	PAST DUE
NCO	1331 XXXX	\$ 782.00	PAST DUE
RJM	211801008209 XXXX	\$ 313.00	PAST DUE
MERS WELLS FARGO	604915011149 XXXX	\$ 562.00	PAST DUE
HSBC BANK	540301001109 XXXX	\$ 1,405.00	PAST DUE
FIRST USA BANK	55430354 XXXX	\$ 6,237.00	PAST DUE
GEMO/GE	79819231 XXXX	\$ 689.00	PAST DUE
SEARS ROEBUCK	50499481 XXXX	\$ 570.00	PAST DUE
WELLS FARGO	33 XXXX	\$ 175.00	PAST DUE

OWE MIKE WALKER \$18,000.00 (AND COUNTING) AND TY WALKER \$2,000.00. OWE KEN SCHIEF (UPS STORE) AROUND \$2,000.00 AND SEVERAL OTHERS WHO HAVE HELPED ME OVER THE PAST 9 YEARS THAT THIS NIGHTMARE HAS GONE ON.

STORAGE BUILDINGS - UNIT # 67 - \$ 67.00/MONTH
 WASTIS STORAGE
 EXTRA SPACE STORAGE - UNIT # 69 - \$ 46.00/MONTH
 EXTRA SPACE STORAGE - UNIT # 572 - \$ 28.00/MONTH

ALSO OWE MONEY TO DOUG MCKAY FOR HIS HELP & SUPPORT WHEN I WAS FIGHTING THE CRIMINAL CASE.

ALSO OWE SEVERAL THOUSAND TO SHERIDAN SWINEY FOR PAYING FOR WEBSITE.

I HAVE RECEIPTS & COPIES OF ALL PAYMENTS AT

THE COURT'S REQUEST. (DON'T HAVE THE MONEY

TO SEND ALL OF THE RECEIPTS) - I WILL BRING THEM TO HEARING ON DEC. 10, 2010.

JUST MONEY FOR INK, COPIES, & POSTAGE OFTEN EXCEEDED \$10.00/MONTH

ALSO HAVE TO PAY FOR DOG FOOD FOR MY TWO (2) DOGS

THAT I HAVE HAD SINCE 1997 and 1998. PLUS

THE MONEY TO KEEP UP THEIR HOMES ON SUEK CREEK MOUNTAIN WHERE I KEEP THEM. MY WIFE HAD

ONE SMALL DOG AND WE TOOK IN ANOTHER SMALL DOG THAT HAD

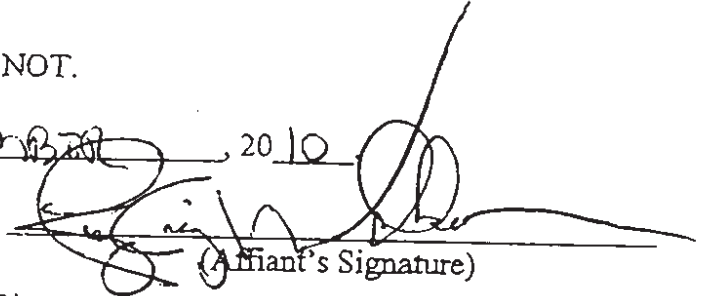
BE PUT OUT AT LAURA SNOW TRAIL. WE ALSO RECENTLY TOOK IN ONE KITTEN THAT WAS

HOMELESS, AND WE HAD TO GET HIM MEDICINE AND SPECIAL FOOD FOR A VIRAL PROBLEM: DIARRHEA. THE VET DID IT FOR \$10.00.

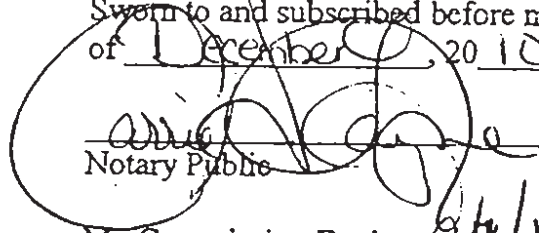
ALL DOGS HAVE HAD THEIR SHOTS!

FURTHER SAITH THE AFFIANT NOT.

The 1st day of DECEMBER, 2010


(Affiant's Signature)

Sworn to and subscribed before me this 1st day
of December, 2010.


Notary Public

My Commission Expires 9/1/14



EXHIBIT B

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

COPY

KERRY CRAIG WALKER,

PAUPERS AFFIDAVIT

Plaintiff,

CIVIL ACTION

FILE NO. 07-CV-3325

v.

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

Defendant.

PAUPERS AFFIDAVIT

Comes now Kerry Craig Walker first being duly sworn, deposes and states he is financially unable to pay the filing fees required for filing costs in the appellate processes or to seek relief, and it is hereby requested that petitioner be relieved of paying cost as a prerequisite for filing or for obtaining relief.

This the 30th day of September 2010.


Kerry Craig Walker/Pro Se/Plaintiff

Kerry Craig Walker
P.O. Box 2018
Jasper, TN 37347
(423) 260-5803
email: kerrycw1@gmail.com

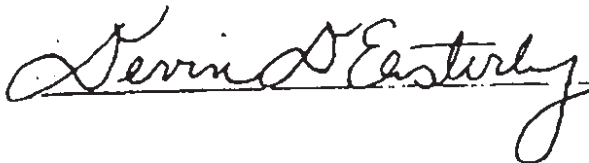
PATY BAKER, CLERK

2010 OCT -4 PM 2:40

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA

Sworn to and subscribed before me
this the 30th day of September 2010.

My Commission Expires 2/8/2014



Notary Public

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

Copy

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**

PATTY BAKER, CLERK

2010 OCT -4 PM 2:40

CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA

CERTIFICATE OF SERVICE

I do hereby certify that I have this day served the foregoing, **Paupers Affidavit**, to all interested parties in the within and foregoing matter, Civil Action No. 07-CV-3325, dated September 30, 2010 in the United States mail with sufficient postage affixed thereon to insure delivery as follows:

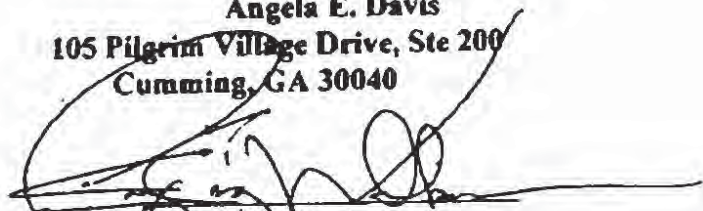
**Kendrick Kendall McWilliams
SHIVERS & ASSOCIATES
1000 Windward Concourse
Suite 210
Alpharetta, GA 30005**

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

This 30th Day of September, 2010.

Please address all communications to:
**Kerry Craig Walker
P.O. Box 2018
Jasper, TN 37347
(423) 260-5803
email: kerrycwl@gmail.com**

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


Kerry Craig Walker/pro se
Plaintiff, Sul Juris

State of Georgia



AFFIDAVIT OF CLERK OF COURT

Certificate Date:

September 17, 2010

Court of Record:

- Cherokee Superior Court
- Cherokee State Court
- Cherokee Juvenile Court

Case Number:

07-CV-3325

**Number of Pages Certified
(excluding Certificate)**

2

**Description of Document(s)
Copied and Certified**

Paupers Affidavit and Order

I, **Patty Baker**, Clerk of Cherokee Superior Court, State Court, Magistrate Court and Juvenile Court, or the Deputy Clerk specified below, hereby certify that the attached page(s) is/are a true and correct copy of the document(s) enumerated herein, and that said documents were filed in the case indicated above as a part of the official record of this office, of which I am the official custodian, as authorized by Georgia law.

Witness my hand and the official seal of this office on the date written.

Patty Baker

Patty Baker, Clerk

Kelvin Bennett

Deputy Clerk



COPY TO ATTORNEY

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.

PAUPER'S AFFIDAVIT

CIVIL ACTION

FILE NO. 07-CV-3325

PAUPER'S AFFIDAVIT

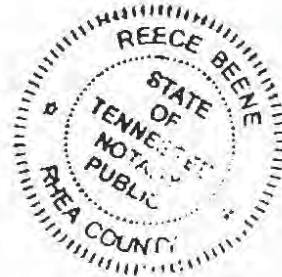
Comes now Kerry Craig Walker first being duly sworn, deposes and states that I am financially unable to pay the filing fee required for filing costs in the Court of Appeals of Georgia and I request I be permitted to file an appeal dated March 10, 2010 without having to pay filing fees.

This the 10th day of March 2010.


Kerry Craig Walker/Pro Se/Plaintiff

Kerry Craig Walker
142 Medina Lane
Evansville, TN 37332
(423) 260-5803
email: kerrycwl@gmail.com

Sworn to and subscribed before me
this the 10th day of March 2010.



 Notary Public

Comm Expires 8/19/10

FILED IN OFFICE OF
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
10 MAR 15 PM 5:58
PATTY BAKER, CLERK

IN-MAIL DOCUMENT

CERTIFIED COPY
PATTY BAKER
CLERK OF COURTS

~~X Mar.~~

- a. that the petitioner not be relieved of paying costs; or,
 - b. that the petitioner be relieved of paying costs as a prerequisite for filing or obtaining relief; and, costs may be assessed to either party later; or,
 - c. that the petitioner pay costs no later than _____, 20____.
- Failure to pay costs within the time permitted may result in denial of relief or dismissal pursuant to O.C.G.A. § 9-15-2 (b).

SO ORDERED, this 24 day of MARCH, 2010.

Judge, ~~By designation~~
Cherokee County Superior Court
Blue Ridge Judicial Circuit

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2010 MAR 26 PM 1:52
PATTY BAKER, CLERK

CERTIFIED COPY
PATTY BAKER
CLERK OF COURTS

EXHIBIT D

COBB COUNTY
FILED IN OFFICE
2010 MAR 10 PM 2:26

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA
COURT SUPERIOR COURT CLERK

KERRY CRAIG WALKER,

Plaintiff,

v.

JACQUELYN WAGNER,

Defendant.


PAUPER'S AFFIDAVIT

CIVIL ACTION
FILE NO. 07-1-10459-42

PAUPER'S AFFIDAVIT

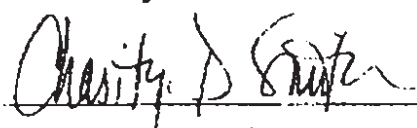
Comes now Kerry Craig Walker first being duly sworn, deposes and states I am financially unable to pay the filing fee required for filing costs in the Court of Appeals of Georgia, and I request I be permitted to file an appeal dated March 6, 2010 without having to pay filing fees.

This the 6th day of March 2010.

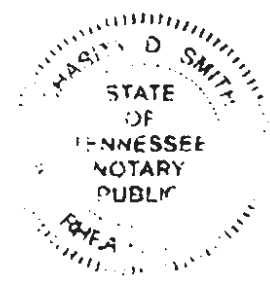

Kerry Craig Walker Pro Se/Plaintiff

Kerry Craig Walker
142 Medina Lane
Evansville, TN 37332
(423) 260-5803
email: kerryew1@gmail.com

Sworn to and subscribed before me
this the 6th day of March 2010.


Notary Public

My commission expires: 3/24/12



2010 MAR 10 PH 2:26

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

Jay C. Stephenson
COBB SUPERIOR COURT CLERK

KERRY CRAIG WALKER,

Plaintiff,

v.

JACQUELYN WAGNER,

Defendant.

CERTIFICATE OF SERVICE

CIVIL ACTION
FILE NO. 07-1-10459-42

CERTIFICATE OF SERVICE

I do hereby certify that I have this day served the foregoing, Pauper's Affidavit, to all interested parties in the within and foregoing matter, Civil Action No. 07-1-10459-42, dated March 6, 2010 in the United States mail with sufficient postage affixed thereon to insure delivery as follows:

Jay C. Stephenson
Clerk of Superior Court
Superior Court of Cobb County
Cobb Judicial Circuit
30 Waddell Street
Marietta, Georgia 30090-9642

Jacquelyn Wagner (Pro Se)
3000 Sandwedge Circle
Kennesaw, Georgia 30144

This 6th Day of March, 2010.

Please address all communications to:
Kerry Craig Walker
142 Medina Lane
Evansville, TN 37332
(423) 260-5803
email: kerryew1@gmail.com

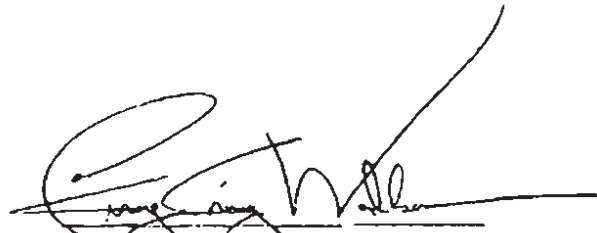

Kerry Craig Walker
Plaintiff, Sui Juris

EXHIBIT E

J. C. Stephenson

IN THE SUPERIOR COURT OF COBB COUNTY, Georgia
STATE OF GEORGIA
Jay C. Stephenson
Clerk of Superior Court Cobb County

KERRY CRAIG WALKER,

Plaintiff,

vs.

JACQUELYN WAGNER,

Defendant.

*
* CIVIL ACTION
* FILE NO: 07-1-10459-42
*
*
*
*
*
*
*
*

ORDER

The Plaintiff having timely filed a Paupers Affidavit as to his Appeal in this matter;

IT IS HEREBY ORDERED AND ADJUDGED that the Pauper's Affidavit is in correct form and the Clerk of the Superior Court of Cobb County is directed to transmit the case to the Appellate Court.

SO ORDERED this 2nd day of August 2010.

Adele P. Grubbs

JUDGE ADELE P. GRUBBS
Superior Court of Cobb County
State of Georgia

GEORGIA COBB COUNTY
HEREBY CERTIFY THE WITHIN AND FOREGOING TO BE A
TRUE AND CORRECT AND COMPLETE COPY OF THE
ORIGINAL THAT APPEARS OF RECORD

CASE NO 07-1-10459 IN THIS OFFICE

THIS 20 DAY OF August 2010

Kudren
DEPUTY CLERK OF COBB COUNTY

CERTIFICATE OF SERVICE

This is to certify that I have this day served all interested parties in the within and foregoing matter by depositing a copy of this **Order** dated the 2nd day of August, 2010, in the Cobb County Mail System in the properly addressed envelopes with adequate postage thereon addressed as follows:

Kerry Craig Walker
142 Medina Lane
Evansville, TN 37332

Jacquelyn Wagner
3000 Sandwedge Circle
Kennesaw, GA 30144

This 4th day of August, 2010.

Kimberly Carroll-Hawkins

Kimberly Carroll-Hawkins
Judicial Administrative Assistant to
Cobb Superior Court Judge
Adele P. Grubbs

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

CERTIFICATE OF SERVICE

I do hereby certify that I have this day served the foregoing, **Account of Indigency and Accountability for Pauper's Affidavit**, to Superior Court Clerk of Cherokee County, concerning Case No. 07-CV-3325 and all appeals, by sending a copy of same in the United States Mail with sufficient postage affixed thereon to insure delivery as follows:

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

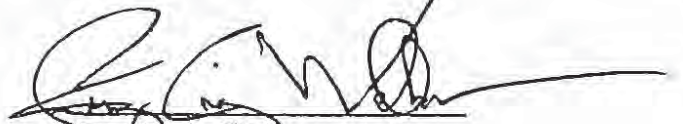
Kathleen M. Pacious
Office of the Attorney General
40 Capitol Square
Atlanta, GA 30334-1302

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

Angela E. Davis, Esq.
Jarrard & Davis
105 Pilgrim Village Drive, Suite 200
Cumming, GA 30040

This 1st day of December, 2010.

Please address all communications to:
Kerry Craig Walker
P.O. Box 2018
Jasper, TN 37347
(423) 260-5803


Kerry Craig Walker
Pro se/Plaintiff/Sui Juris