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**IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA**

KERRY CRAIG WALKER)

PLAINTIFF)

VS.)

CHEROKEE COUNTY, GEORGIA)
SHERIFF ROGER GARRISON,)
PRESTON PEAVY,)
CHEROKEE COUNTY SHERRIFF'S)
DEPT., ET AL)

DEFENDANTS)

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

JURY TRIAL

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
08 OCT 22 AM 11:10
PATTY BAKER, CLERK

Kerry Craig Walker, sui juris) Case No. 07-CV-3325-EM in the State of Georgia

DEMAND FOR INJUCTORY RELIEF OF 20 MILLION DOLLARS

**MORE DEFINITE STATEMENT OF CLAIM
SYNOPSIS OF LAWSUIT**

Come now Plaintiff in the above-styled action at the persistent and unwarranted request of Marc M. Aragon with Shivers & Associates for a More Definite Statement of Claim, and in the hopes of providing a synopsis of said lawsuit. This is a complex case and the lawsuit in its entirety represents this case clearly. This is a case of untold suffering, civil rights violations, and monetary, emotional, and physical loss that have been caused by the actions of the former Detective and then former Officer Preston Peavy and those that covered for his actions and continue to cover for his actions, and it is hoped that the lawsuit would be read in its entirety.

SYNOPSIS: On September 16, 2001, the plaintiff, Kerry Craig Walker, was the victim of a violent beating, domination, and control by an unbalanced person, and received a severely blackened eye, a bruised sternum, and a bruised right bi-sep.

When the perpetrator, Jackie Wagner, and the plaintiff, Kerry Craig Walker, arrived at Mr. Walker's home, a tenant of Mr. Walker's home, Drew Mayo, communicated with this person at the scene and was a witness to Mr. Walker's injuries. The plaintiff asked the perpetrator to call someone for a ride home. The plaintiff was continually controlled and threatened and physically attacked and threatened again in his own home in Cherokee County, and while being jabbed violently in his already severely bruised sternum he was ordered to take the perpetrator home, who abruptly and violently refused to call someone for a ride. Mr. Walker was threatened continuously during this ride home and the perpetrator made threats to get him and arrogantly and profanely told Mr. Walker how all of his money was not going to get him out of it.

The plaintiff, Kerry Craig Walker, filed an Incident Report on September 16, 2001, the same day of the incident. The actual perpetrator of crimes did not file an Incident Report until September 19, 2001. The plaintiff's report was never investigated. The perpetrator's false report was investigated by Detective Preston Peavy, but no thorough investigation was done and the only eye witness at the scene, Drew Mayo, was never interviewed. The plaintiff, Kerry Craig Walker, was falsely arrested on September 25, 2001 for simple assault, simple battery, and obstruction of a 911 call, yet these were all crimes that were committed against him, and Kerry Craig Walker was in fact the victim of these crimes. Detective Peavy went on to commit back to back felonies as he went on to ignore, eliminate, alter, and tamper with virtually every piece of exculpatory evidence in his every attempt to manufacture Mr. Walker's guilt. Because of Detective Peavy's unlawful, unjust, and actions of obstruction against Mr. Walker, Mr. Walker was indicted by a Grand Jury based on tainted evidence, who were completely unaware of exculpatory evidence and an eye witness, therefore his false charge of simple assault was upgraded to felony aggravated assault. This was another devastating blow for Mr. Walker and his loved ones. Mr. Walker and his first counsel, Mr. Jeff Rusbridge, who became a witness during Mr. Walker first attempt at trial, made this clear throughout this long four year battle.

Mr. Walker went to trial on November 19, 2002. Mr. Walker's first attempt at trial came to an abrupt halt after the fact of felony tampering with evidence was shown, yet no actions were taken by the court to investigate these claims, and this case continued on for three more long years. Mr. Walker was forced to hire another attorney, spending thousands more, and Mr. Walker's life wasted away and he and his family lived under the duress and stress of this bizarre case of injustice. In May of 2005 Mr. Walker took a letter to the District Attorney asking him to formally dismiss his charges after over two years since his first attempt at trial and over three years after this case had began. Mr. Walker received a letter a few days later with a new trial date, forcing Mr. Walker to hire a third attorney and spend tens of thousands more dollars. This case continued on four nearly eight more months of trial calendars, yet Mr. Walker was never given his day in court. Mr. Walker's patriotic mother, Dottie H. Walker, spent over four long years under the effects of this nightmare and died under the duress, disbelief, confusion, and pressure of this tragic case against her son, and to think that her husband and Mr.

Walker's father received two Purple Hearts and fought so bravely in WWII for our freedom. Even though all of Kerry Craig Walker's charges had been formally dismissed by the State before her death (Order of Dismissal, signed on Nov. 23, 2005), Mr. Walker did not receive the document in the mail until after her death on Dec. 2, 2005 (Order of Dismissal received by US Mail on Dec. 19, 2005).

When Mr. Walker was contacted by evidence to pick up his crossbow that was taken into evidence, Mr. Walker found that the copy of the Chain of Custody did not flow properly and this critical document was left blank in the space for custody just before his trial. This made it impossible to determine who may have altered this evidence which had become the crux of Mr. Walker's defense, only because all other exculpatory evidence had been tainted by the State. It should also be noted that when this evidence was collected by Detective Peavy, Mr. Walker attempted to point out exculpatory evidence that Mr. Rusbridge and an "expert" witness had seen, which made the accuser's story impossible, yet Detective Peavy chose to ignore this critical evidence.

Mr. Walker's life has been ruined by the actions of those that stood behind the former officer that committed these heinous crimes against Mr. Walker and his family. Mr. Walker's civil rights and his right to due process of law were violated by the criminal actions of Mr. Peavy and those that covered for his criminal actions. Mr. Walker does not profess to be perfect, but he turned his life around on April 12, 1992. Because of this case Mr. Walker lost his custom home that he personally designed and physically built on one of the most beautiful lots in the southeast at the corner of the Etowah River and Lake Allatoona. Due to the unjust process and criminal actions of Mr. Peavy and those that covered for him, Mr. Walker was forced to fight this virtually alone, putting him under such stress that it caused him harm both physically, mentally, and financially. Mr. Walker can substantiate each claim by way of documents, powerful witnesses (including Attorney Jeff Rusbridge and an "expert" witness), and recorded conversations and he should be awarded his day in court with a trial by jury.

Kerry Craig Walker's life continues to be a struggle and he continues to suffer unjustly because of the demented actions of Preston Peavy and those that covered for his actions. Because of Mr. Walker's brave battle Detective Preston Peavy was "demoted" to Uniform Patrol, where he became Corporal Preston Peavy. This did not sit well with Mr. Walker and he continued to fight for this officer to be removed from the force. Preston Peavy is no longer an officer of the law in any capacity.

Mr. Walker's only request is for justice to be upheld and to be compensated for the wrongs brought against him.

Dated this 22 day of October, 2008


Kerry Craig Walker sui juris

CERTIFICATE OF SERVICE


I hereby certify that I have this day served the forgoing A MORE DEFINITE STATEMENT OF CLAIM upon all parties by placing a true a correct copy of same in the United States Mail, with adequate postage thereon, addressed as follows:

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This 22 day of Oct., 2008


Kerry Craig Walker sui juris