

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
2211 United States Courthouse, 75 Spring Street, S.W.
Atlanta, Georgia 30303-3361
404-215-1600

SEP 22 2008

JAMES N. HATTEN, CLERK
By 
Clerk

STATE OF GEORGIA
County of Gwinnett
Plaintiff

Accusation # 06-d-03943

VS.

SHARON BRIDGEWATER©
In Pro Se
Defendant

1:08-CV-2971

-ODE

PETITION FOR WRIT OF HABEAS CORPUS

TO: THE HONORABLE PRESIDING JUDGE OF GEORGIA

NOW COMES, Petitioner Sharon Bridgewater respectfully petitions this Court for a writ of habeas corpus(see case information) on the grounds that 1)counsel was ineffective. Statement: I was not advised by counsel at all concerning the case. The 1st(first) time I talked with him concerning the case was approx. 12 hours before court.(at Approx. 3:30 p.m.)the day before court. At that time he told me to meet him at the court house (at approx. 9:00 a.m. the following day-morning)and he would explain everything to me then(on that day). Upon arrival, he stated that "IT WAS TRIAL DAY." I was totally surprised and "caught off guard." I told him, I was not prepared for a trial, and neither was he.(the police officers-the witness where their), the case had been or where ready to be called by the within approx. 15 minutes. He then explained I could have the trial or I could accept a plea. Only a fool would have a trial and not be prepared, so I accepted the plea. I was forced into accepting the plea. I would have never accepted a plea after going through all the work to get a Motion for a New Trial.(see exhibit 1)+

Constitutional Rights -Did not have an opportunity for a trial(fair).

3) SHARON BRIDGEWATER® IS COPYRIGHTED MATERIAL AND PERMISSION MUST BE OBTAINED TO USE THIS COPYRIGHTED MATERIAL(SEE EXHIBITS CAN USE THIS NAME WITHOUT AUTHORIZATION or permission.(see EXHIBITS 2,3,5,6,7 &8), I AM SOVERIGN(SEE EXHIBIT 4)

There is no law that allows any person to take my privated property without compensating me . The courts must produce the law that supports the action of taking my property or vacate this judgement.

Petitioner is unlawfully held on probation by Gwinnett County State Court.

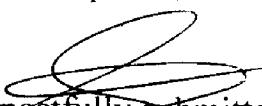
16. WHEREFORE, petitioner respectfully requests that this Court release me from probation.

b. Recall any arrest warrant pertaining to probation violations per State of Georgia issued for Sharon Bridgewater.

c. For the court to admit it was an error by the court to suspend my drivers licence dated 9-20-07(see exhibit 9)

For all the foregoing reasons, petitioner respectfully requests this Court to vacate sentence of probation and grant the petition for writ of habeas corpus.

Dated: Sept 16 , 2008


Respectfully submitted,
Sharon Bridgewater®
Defendant



DPS-32(7/98)

GEORGIA * 2 3 2 8 9 9 *

UNIFORM TRAFFIC CITATION, SUMMONS, ACCUSATION/WARNING

05-11-5248 SS NR-GA 0670300 232899

Court Case Number

NCIC Number

Citation Number

CITY OF LAWRENCEVILLE

Upon Month 11-20-05 (Day) SUN (Year) 2005 at 0832 AM PM

Operator License No. 051-395-822

License Class or Type C State GA Endorsement — Expires 4-11-07

Name Bridgewater, Sharon

Address 2551 Trehouse Lane (Last) (First) (Middle)

City Lawrenceville State GA Zip Code 30044

DOB 4-11-62 Hair BLK Hgt. 501 Wgt. 145 Sex F Race B Eyes BRD

Veh. Yr. 1994 Make Chevrolet Style Camaro Color GRN

Registration No. AGH 5509 Yr. 2006 State GA

COMMERCIAL DRIVER LICENSE YES NO COMMERCIAL VEHICLE YES NO ACCIDENT YES NO

(ONE VIOLATION PER CITATION)

Within the State of Georgia, did commit the following offense: SPEEDING VASCAR LASER RADARCalibration / Check PATROL VEHICLE OTHERX DUI (Test administered: BLOOD BREATH URINE OTHER) DUI Test results pending

TEST ADMINISTERED BY (if applicable) GMC S-17-47

OFFENSE (Other than above) DUI RECKLESS DRIVING 40-6-390

in Violation of Code Section 40-6-390 Lawrenceville; of State Law Local Ordinance

REMARKS

Gmc Lab attendant Maudeen left some packages CBZ KET

WEATHER	(A) ROAD (B)	TRAFFIC	LIGHTING	COMMERCIAL VEHICLE INFORMATION
<input checked="" type="checkbox"/> Clear	<input checked="" type="checkbox"/> Dry <input type="checkbox"/> Wet <input type="checkbox"/> Blacktop <input type="checkbox"/> Concrete	<input checked="" type="checkbox"/> Light <input type="checkbox"/> Medium <input type="checkbox"/> Heavy	<input checked="" type="checkbox"/> Daylight <input type="checkbox"/> Darkness <input type="checkbox"/> Other	<input type="checkbox"/> Commercial Vehicle Violation
<input type="checkbox"/> Cloudy	<input type="checkbox"/> Ice <input type="checkbox"/> Other	<input type="checkbox"/> Dirt <input type="checkbox"/> Other	<input type="checkbox"/> Other	<input type="checkbox"/> Hazardous Materials Violation (PLACARD)
<input type="checkbox"/> Rainning				
<input type="checkbox"/> Other				

County of Gwinnett and miles of (city) Lawrenceville
on N Pike St. at or near mile post, or within (city) Lawrenceville

at/on (secondary location) Honeysuckle Crt.

OFFICER W. HARD Badge # 123 Div. UNF

You are hereby ordered to appear in the court indicated below to answer this charge on

(DATE) 5-23-08 (TIME) 3:15 PM

See back of citation for mailing address to MUNICIPAL COURT only

Municipal Court at 70 S. Clayton Street, Lawrenceville, Georgia (PHONE 770-563-3265)

or Superior Court 770-822-8400 or State Court 770-822-3300

 Juvenile Court 770-822-8350

Pursuant to Georgia Code 17-6-11, a drivers license may be displayed to the officer in lieu of bail. SERVICE: This notice shall constitute official service to you that failure to dispose of this citation as outlined above shall be deemed a violation of this code section and shall cause the designated Court in this matter to forward your drivers license number to the Department of Public Safety, and your drivers license shall be placed in suspension. The suspension shall remain in effect until such time as the designated court, in the manner prescribed, notifies the Department of Public Safety of a satisfactory disposition in this matter. Note: If drivers license is not displayed in lieu of bail, Georgia Code 40-5-56 provides for the suspension of the drivers license of a person who fails to respond to a citation to appear before a designated court.)

CITATION DISPLAYED IN LIEU OF BAIL YES NO RELEASED TO:

NATURE ACKNOWLEDGES SERVICE OF THIS SUMMONS AND RECEIVED COPY OF SAME

ATURE

Jai)

PHONE # 678-699-3838

ARRESTING OFFICER CERTIFICATION

I signed has just and reasonable grounds to believe, and does believe, that the person named herein has committed the act set forth, contrary to law.

E

Signature of Arresting Officer

Badge # 123

COURT COPY

AND APPROVED PURSUANT TO:
D.P.S. REG. 570.19

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY
OF THE SAME AS THE SAME APPEARS IN COURT
GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF
THE COURT THIS 10 DAY OF MAY 2008
DEPUTY CLERK STATE COURT, GWINNETT COUNTY, GEORGIA

Lawrenceville
Deputy Clerk

THE STATE COURT OF GWINNETT COUNTY
STATE of GEORGIA

vs.
Sharon Bridgewater

DUI 2) DUI 3) no ins 4) no pre
ins 5) imp. lane change 6) RID

FILED IN OFFICE
JULY 19 2007

DEFENDANT'S PLEA STATEMENT AND WAIVER OF RIGHTS SEP 19 2007

Defendant hereby pleads GUILTY to Count(s) 6 : 3 of this Accusation.
Defendant hereby pleads NOLO CONTENDERE to Count(s) _____ of this Accusation.

understand that I may plead not guilty to any charge against me. If I plead not guilty or do not enter any plea, I understand that the law gives me (1) the right to trial by jury; (2) the presumption of innocence; (3) the right to confront witnesses against me; (4) the right to subpoena witnesses; (5) the right to testify and offer other evidence; (6) the right to assistance of counsel (a lawyer) during trial and at all other stages of the proceedings; (7) the right not to incriminate myself; and (8) the right to appeal an adverse judgment within 30 days. I understand that if I plead guilty or nolo contendere I am waiving, or giving up, each of these rights.

understand that the total MAXIMUM SENTENCE on all counts could be: Imprisonment: 24 months Fine: \$ 2,000.00
and that the total MANDATORY MINIMUM SENTENCE on all counts is: Imprisonment: 0 days Fine: \$ _____
understand that, if I plead guilty or nolo contendere to more than one count, the Court may make my sentences run consecutively, that is, one after the other.
understand that if I am on probation or parole, a plea of guilty or nolo contendere to any charge could be used to revoke, that is take away, all or part of my probation or paroled sentence and could result in my serving all or part of that sentence in jail or prison. I understand that the Court or Department of Public Safety may suspend my driver's license or privilege to drive in Georgia based on a plea of guilty or nolo contendere to these charges. I understand the nature of the charges brought against me. I agree that there is a factual basis for the charges. I am not under the influence of alcohol or drugs. I have not been promised anything, and no threats or force have been used to obtain this plea. I am entering this plea freely and voluntarily. I understand that the judge is not bound by plea negotiations or recommendations by the State. I understand that the judge may impose a lesser sentence, a greater sentence, or follow the recommendation, if any.

~~DRIVING UNDER THE INFLUENCE cases only: I understand that the MAXIMUM penalties for a first or second DUI within five years is a fine of \$1000.00 and imprisonment for up to twelve months; and for a third or subsequent DUI within five years, the maximum fine is increased to \$5000.00. I also understand that the Georgia Department of Public Safety may suspend my driving privileges based upon these charges. I also understand that the MINIMUM penalties for a first DUI within five years are a fine of \$300.00, forty hours of community service and ten days in jail, of which all but 24 hours can be suspended; for a second DUI within five years, a minimum fine of \$600.00, thirty days of community service and at least 90 days in jail, of which all but 72 hours may be suspended; and for a third or subsequent DUI within five years, a minimum fine of \$1000.00, thirty days of community service and at least 120 days in jail, of which all but fifteen days may be suspended.~~

IF I AM REPRESENTED BY AN ATTORNEY, I have told my attorney all the facts and circumstances that I know about the charges in this accusation. I believe that my attorney is fully informed on all such matters. My attorney has counseled and advised me on the nature of these charges, and I am satisfied with the advice and services he or she has given me. IF I AM NOT REPRESENTED BY AN ATTORNEY, I understand if I cannot afford to hire an attorney, that the Court may appoint an attorney to represent me if I qualify under the appropriate guidelines. I understand that an attorney may be able to discover a defense to the charge(s) pending against me, or could offer evidence which might aid me in sentencing, or could otherwise assist me in this matter. Nevertheless, I understand the consequences of my plea and I freely and voluntarily waive my right to an attorney. My decision to enter the plea has been made freely and voluntarily without threat or fear to me or anyone related to or associated with me. No promises have been made to me in connection with this plea other than any plea bargain stated by the Solicitor in open court. I have read or had read to me this Plea Statement and Waiver of Rights and I fully understand the same, and I knowingly and intelligently waive (give up) the aforementioned rights.

Signed in the Presence of the Court on September 19, 2007

Defendant's Attorney

Defendant

ACCEPTANCE OF PLEA BY COURT

The foregoing having been tendered in open court, and the Court, after inquiry, being satisfied that (1) the defendant understands the nature of the charges and the consequences and the plea; (2) no promises, force or threats were used to obtain the plea and that the defendant has knowingly, freely and voluntarily waived the foregoing rights and entered the plea; and (3) there is a factual basis for the plea, IT IS HEREBY ORDERED that the defendant's plea be accepted.

This 19th day of Sept., 2007

Judge, State Court of Gwinnett County

NOW COMES THE SOLICITOR OF THE STATE COURT OF GWINNETT COUNTY AND ON BEHALF OF THE CITIZENS OF THIS STATE AMENDS THE ACCUSATION HERETOFORE FILED IN THE BELOW-STYLED CASE TO ADD COUNT 6 TO READ AS FOLLOWS:

ACCUSATION 200 4 D- 3943 - 2

COUNT 6

FILED IN OFFICE
IN THE STATE COURT OF GWINNETT COUNTY

STATE OF GEORGIA

SEP 19 2007

CLERK STATE COURT
GWINNETT COUNTY, GEORGIA

GERALD N. BLANEY, JR., THE SOLICITOR OF THE STATE COURT OF GWINNETT COUNTY, IN THE NAME AND BEHALF OF THE CITIZENS OF GEORGIA, DOES HEREBY FURTHER CHARGE AND ACCUSE Sharon Bridgewater WITH THE OFFENSE OF RECKLESS DRIVING FOR THAT THE SAID ACCUSED, IN THE COUNTY AFORESAID, ON OR ABOUT Nov 20, 2005, DID UNLAWFULLY OPERATE A MOTOR VEHICLE UPON A PUBLIC ROADWAY IN RECKLESS DISREGARD FOR THE SAFETY OF PERSONS AND PROPERTY THEN ON SAID ROADWAY, IN VIOLATION OF O.C.G.A. §40-6-390, CONTRARY TO THE LAWS OF THIS STATE, THE GOOD ORDER, PEACE AND DIGNITY THEREOF.


Assistant Solicitor

RECEIVED BY CLERK STATE COURT, GWINNETT COUNTY, GEORGIA
THE COURT THIS 10 DAY OF SEPTEMBER 2007
GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF
THE GWINNETT COUNTY STATE COURT
THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY
AS THE SAME APPEARS IN RECORD
GEORGIA GWINNETT COUNTY
IN GWINNETT COUNTY THIS 10 DAY OF SEPTEMBER 2007

STATE of GEORGIA		OFFENSE(s)					
vs.							
		TERM,	2007				
RAE:	SEX:	DOB:	OTN:				
<input type="checkbox"/> PLEA: <input checked="" type="checkbox"/> NEGOTIATED <input checked="" type="checkbox"/> GUILTY ON CT(S) <u>24</u> <input type="checkbox"/> NOLO CONTENDERE CT(S)		<input type="checkbox"/> TRIAL: <input type="checkbox"/> JURY <input type="checkbox"/> BENCH		<input type="checkbox"/> VERDICT: <input type="checkbox"/> GUILTY ON CT(S) <input type="checkbox"/> NOT GUILTY CT(S)		<input type="checkbox"/> OTHER: <input checked="" type="checkbox"/> NOLLE PROS CT(S) <u>1345</u> <input type="checkbox"/> DEAD DOCKET CT(S)	

MISDEMEANOR SENTENCE

WHEREAS, the defendant has been found guilty of or has entered a plea to the above-stated offense(s), it is ORDERED that the defendant is sentenced to:
 Confinement in the Gwinnett County Jail Comprehensive Correctional Complex for a period of 12 months

After service of

Credit time served CTS 7 months The remainder to be served on PROBATION SUSPENSION

The entire sentence of confinement may be served, subject to the conditions set out herein, on PROBATION SUSPENSION

Payment of RESTITUTION (see attached order.) Fine in the amount of \$2700.00 (\$300.00) Pay by:
 'LUS applicable surcharges.

CONDITIONS OF PROBATION SUSPENSION

- 1) You must obey all laws and avoid persons of disreputable or harmful character.
- 2) You must avoid injurious and vicious habits, especially alcohol and narcotics unless lawfully prescribed.
- 3) You must work faithfully and not change your current residence or leave the jurisdiction of the Court without the permission of the Court.
- 4) You must report to your Probation Officer as directed and allow your Probation Officer to visit you wherever you are. GRN OFFICE
ATTN: J. H. LAWLER
- 5) You must pay all fines and restitution within the time specified by your Probation Officer.
- 6) You must pay a Probation Supervision Fee of \$30 each month to Professional Probation Services, Inc., the Court's probation services contractor.
- 7) You must pay a Crime Victims Compensation Program fee of \$9.00 each month.
- 8) You must perform _____ hours of COMMUNITY SERVICE at the direction of your Probation Officer. SEP 19 2007
- 9) You must perform _____ days of COMMUNITY SERVICE through the GCCI. REPORT
 For orientation. You must pay a Supervision Fee of \$75 plus a daily fee determined by the program director.
- 10) You must prove your attendance at Alcoholics Anonymous or Narcotics Anonymous _____ meetings PER WEEK for _____ consecutive weeks.
- 11) You must prove you attended a state approved school for State mandated Risk Reduction Defensive Driving
- 12) You must provide proof of your evaluation and treatment for mental health substance abuse at the GRN Mental Health Unit.
- 13) You will not use alcohol or narcotics and you must submit to random alcohol / drug screening.
- 14) You must have NO contact with/NO VIOLENT contact with, or visit the premises of _____
- 15) You must provide proof of attendance and completion of certified family violence intervention program anger management values clarification
- 16) Appear before this Court on _____, at _____ A.M. to prove completion of the terms of this sentence or your inability to comply.
- 17) You must pay a \$25 Publication fee install ignition interlock tag forfeiture
- 18) If fines, surcharges, & special conditions of the sentence are met/completed, probation may become non-reporting terminated.
- 19) Attend the Victim Impact Panel scheduled: @6:30 p.m. as scheduled by probation. Pay a program fee of \$20.00.
- 20) Attends Victim Impact Panel Attends Victim Impact Panel Attends Victim Impact Panel Attends Victim Impact Panel
- 21)

The Defendant is further advised that the Court may, at any time, revoke any conditions of this probation and / or discharge the defendant from probation. The defendant shall be subject to arrest for violation of any condition of probation herein granted. If such probation is revoked, the Court may order the execution of the sentence which was originally imposed, or any portion thereof, in the manner provided by law after deducting therefrom the amount of time the Defendant has served in probation.

Defendant was represented by Attorney John H. Lawler _____ County, by (Employment) (Appointment)

Court Reporter Debra M. Miller _____ Judge (print) Bonny B. B.

ORDERED this 17 day of September, 2007 Judge [sign] _____

By designation

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

STATE OF GEORGIA)
)
) vs.) Case No.: 06-D-03943-2
Sharon Bridgewater)
Defendant)

SENTENCE ADDENDUM -- RESTITUTION ORDER

Pursuant to OCGA § 17-14-10; OCGA §17-12-51; et seq., the Court has provided the parties opportunity for hearing concerning restitution and has considered the following matters in determining the propriety of restitution as a part of Defendant's sentence:

- (1) The financial resources and other assets of the Defendant, including whether any of the assets are jointly controlled;
- (2) The earnings and other income of the Defendant;
- (3) Any financial obligations of the Defendant, including obligations to dependents;
- (4) The amount of damages;
- (5) The goal of restitution to the victim and the goal of rehabilitation of the Defendant;
- (6) Any restitution previously made;
- (7) The period of time during which the restitution order will be in effect; and
- (8) Other factors which the Court deems to be appropriate.

[] After a hearing, and consideration of those factors and determined that restitution is appropriate in this case, or

the Defendant having waived his right to a hearing,

the Court has ordered restitution as set forth in Defendant's sentence entered this date in the amount of:

\$ _____ . Said amount shall be paid to []

SEP 19 2007

\$ _____ . Said amount shall be paid to []

CLERK STATE COURT
GWINNETT COUNTY, GEORGIA

\$ 150.00 . Said amount shall be paid to the Gwinnett County Board of Commissioners, 75 Langley Drive, Lawrenceville, GA 30045 for attorneys fees under OCGA § 17-12-51.

[] The Court also assesses \$50.00 in court costs pursuant to Uniform State Court Rule 36.15 after considering the above factors.

[] The Court also assesses \$ _____ in reimbursement of interpreter fees after considering the above factors.

SO ORDERED this 19 day of September, 2007.

Randy Rich, Judge
State Court of Gwinnett County

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY
OF 06-D-03943-2
THE COURT THIS 19 DAY OF SEPTEMBER
GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL
IN GWINNETT COUNTY STATE COURT
DEPUTY CLERK STATE COURT GWINNETT COUNTY, GEORGIA