

Sharon Bridgewater
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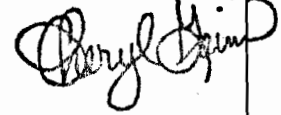
In Pro Se

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DEC - 9 2011

JAMES N. HATTEN, CLERK
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UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF GEORGIA

Sharon Bridgewater,
Plaintiff,

Vs.

RANDY RICH, Superior Court Judge
of Gwinnett County, STATE OF
GEORGIA

Respondents

CASE No. 1:11 CV-3828-ODE-AJB
HABEAS CORPUS

OBJECTION TO THE REPORT AND
RECOMMENDATIONS OF US
JUDGE BAVERMAN FOR LACK OF
JURISDICTION

1 , OBJECTION TO THE REPORT AND RECOMMENDATIONS OF US JUDGE
2
3 BAVERMAN FOR LACK OF JURISDICTION

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8 **OBJECTIONS:**
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10 **OBJECTIONS #1**
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12 THE COURT RESPONDED TO THE PLAINTIFF HABEAS PETITION PER
13 PAGE 3 Line 4 and 5 "However, a petitioner whose state sentence has expired,
14 including any period of probation, when she files a section 2254 petition is not
15 "in custody," and the federal court lacks jurisdictions. Birdell, 834 F.2d at 921.
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20 1) **ERROR** The Petitioner never completed the probation, and "Rich(THE
21 STATE OF GEORGIA)" issue a tolling order[AS MENTIONED IN THE
22 PLAINTIFF'S HABEAS]. Pursuant to the tolling order the Petitioner
23 probation has not expired, there is an active arrest warrant for the Petitioner,
24 and the Plaintiff **is in** "custody" and the probation period has not expired,
25 pursuant to a State Court Judgment and this FEDERAL DISTRICT COURT
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HAVE JURISDICTION OVER HABEAS PETITIONS AND/OR 42 USC
1983 VIOLATIONS AS MENTIONED IN THE PLAINTIFF'S HABEAS

OBJECTION #2

2)A)THE COURT RESPONDED TO THE PLAINTIFF HABEAS PETITION
PER PAGE 2 Line 8-10 "Petitioner filed the second petition on August 4,
2009, and the Court dismissed that petition without prejudice because
the Petitioner had not exhausted her state remedies. Order, Bridgewater v.
Gwinnett County No. 1:09-CV-2131-ODE(N.D. Ga. Sept. 30, 2009) - and
THE COURT RESPONDED TO THE PLAINTIFF HABEAS PETITION
PER PAGE 3 and 4 "FOOTNOTES"

B)Even if Petitioner was still on probation at the time she filed her first
petition in September 2008, that action was dismissed and does not
change the jurisdiction analysis. See Reiner v. Reminton, 217, Fed.
Apprx. 681, 682 Cir. 2007)(affirming dismissal of second section 2254
petition for that was dismissed without prejudice for lack of exhaustion but

1 was no longer on probation when he filed the second petition): Lefkowitz v.
2 Fair, 816F.2d.....)
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5 3) **ERROR #2** In the above two Statements this court contradicts it's own
6 Judgment. The Plaintiff filed two habeas and both were dismissed without
7 prejudice. Here the Plaintiff is habeas is "nearly" identical to the habeas filed
8 on August 4, 2009. THIS COURT HAS JURISDICTION.
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10 **OBJECTION #3**

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15 1)A)THE COURT RESPONDED TO THE PLAINTIFF HABEAS PETITION
16 PER PAGE 6 AND 7 the undersigned further recommends that petition be
17 denied a certificate of appeal ability because the jurisdictional issue is
18 dispositive and not reasonably debatable.
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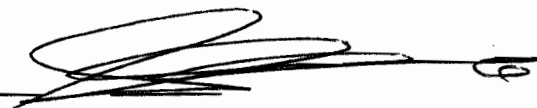
21 2) **EXTREME ERROR #2**

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24 THIS IS A "FLAT OUT" VIOLATION OF MY UNITED STATES
25 CONSTITUTIONAL RIGHTS. I AM AN UNITED STATES CITIZEN
26 AND HAVE THE RIGHT TO DUE PROCESS OF LAW, JUST AS JUDGE
27 EVANS, BAVERMAN AND/OR ANY OTHER CITIZEN IN AMERICA
28

1 HAVE A RIGHT AS A UNITED STATES CITIZEN TO APPEAL. TO
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3 APPEAL.

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7 DATED: DEC. 1, 2011

A handwritten signature in dark ink, appearing to read 'Sharon Bridgewater', is written over a horizontal line.

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9 SHARON BRIDGEWATER
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CERTIFICATE OF SERVICE

*****Attachment with Proof of Service**

I certify at the time of service, I am a party to this action and over 18 years of age.

My name is Sharon Bridgewater

Address: 965 Mission Street #409, San Francisco, CA 94103

I hereby certify that on 12-5-2011 in CASE NUMBER 1:11 CV-3828-ODE-AJB

I personally served on:

1) OBJECTION TO THE REPORT AND RECOMMENDATIONS BY

Therefore I mailed to: with pre-paid postage, first class mail to

Randy Rich

75 Langley Drive

Lawrenceville, GA 30046

I declare under penalty and perjury under the laws of the State of Georgia and/or California and/or of the United States of America that the above is true and correct.


Signature