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DEC - 9 2011

JAMES N. HATTEN, CLERK
By:  Deputy Clerk

**UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF GEORGIA**

Sharon Bridgewater,

Plaintiff,

V_S.

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

11 2)A)THE COURT RESPONDED TO THE PLAINTIFF HABEAS PETITION
12 PER PAGE 2 Line 8-10 "Petitioner filed the second petition on August 4,
13 2009, and the Court dismissed that petition without prejudice because
14 the Petitioner had not exhausted her state remedies. Order, Bridgewater v.
15 Gwinnett County No. 1:09-CV-2131-ODE(N.D. Ga. Sept. 30, 2009) - and
16 THE COURT RESPONDED TO THE PLAINTIFF HABEAS PETITION
17 PER PAGE 3 and 4 "FOOTNOTES"

21 B)Even if Petitioner was still on probation at the time she filed her first
22 petition in September 2008, that action was dismissed and does not
23 change the jurisdiction analysis. See Reiner v. Reminton, 217, Fed.
24 Appx. 681, 682 Cir. 2007)(affirming dismissal of second section 2254
25 petition for that was dismissed without prejudice for lack of exhaustion but
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1 was no longer on probation when he filed the second petition): Lefkowitz v.
2 Fair, 816F.2d.....)

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3) **ERROR #2** In the above two Statements this court contradicts it's own
Judgment. The Plaintiff filed two habeas and both were dismissed without
prejudge. Here the Plaintiff is habeas is "nearly" identical to the habeas filed
on August 4, 2009. THIS COURT HAS JURISDICTION.

OBJECTION #3

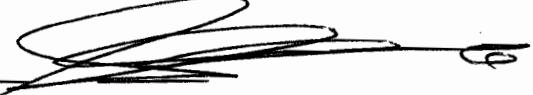
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1)A)THE COURT RESPONDED TO THE PLAINTIFF HABEAS PETITION
PER PAGE 6 AND 7 the undersigned further recommends that petition be
denied a certificate of appeal ability because the jurisdictional issue is
dispositive and not reasonably debatable.

2) EXTREME ERROR #2

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

1 HAVE A RIGHT AS A UNITED STATES CITIZEN TO APPEAL. TO
2 APPEAL.
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7 DATED: DEC. 1, 2011

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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

