

In The Superior Court of Chatham County

State of Georgia

**David Sutherland
Petitioner,**

**Case No. 07-1950 KA
Habeas Corpus cv 09-2037 BA**

V.

**State of Georgia
Respondant,**

**NOTICE AND DEMAND
WRITE OF HABEAS CORPUS
MEMORANDUM IN LAW**

**Petitioners Consolidated Motion to Set Aside
Final Judgment and Order For Fraud, Lack of Jurisdiction**

COMES NOW, David Sutherland, herein after as Petitioner, files motion to set aside judgment and order for fraud, lack of jurisdiction, lack of or void indictment being on the soil, in sui juris, with clean hands, rectus in curia, and hereby NOTICES this court of FATAL DEFECTS and ERRORS, and hereby DEMANDS, by **IN CAPITA** Body Authority, that the above captioned case be **DISMISSED WITH PREJUDICE** for lack of jurisdiction. As Per, **O.C.G.A. 9-11-60** Relief from judgment, **O.C.G.A 9-11-9** Pleading a special matters, **O.C.G.A 9-12-16** Absent jurisdiction, judgment is a nullity, and Uniform Rules for the Superior Court Rule 6.1.

History

Petitioner, David Sutherland on May 2, 2007 was arrested and charged by the OFFICIAL CODE OF GEORGIA (O.C.G.A) 16-8-2 "Theft by Taking", 16-12- 126 Interferreing With Traffic safety device, 16-7-20 Pocesession of Tools.

David Sutherland was hand cuffed and against his will taken To the Chathan County Detention Center (Jail) by officers of The Savannah Police Department (SCMP)

On July 25, 2007 THE STATE OF GEORGIA ,gained a Grand Jury Indictment against DAVID SUTHERLAND and filed IN THE SUPERIOR COURT OF CHATHAM COUNTY. Indictment number CR 07-1950 KA. The Indictment was brought buy DISTRICT ATTORNEY SPENCER LAWTON JR.

David Sutherland was held in jail against his will until June 13, 2008 on this date was hand