

UNITED STATES DISTRICT COURT  
SOUTHEASTERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

FILED  
U.S. DISTRICT COURT  
SAVANNAH DIV.

2012 DEC -4 AM 9: 58

CLERK *B. West*  
SO. DIST. OF GA.

DAVID SUTHERLAND )  
PETITIONER, )

V. )

CASE NO. 412 CV 239

CHATHAM COUNTY DISTRICT )  
ATTORNEY, LARRY CHISOLM )  
INDIVIDUALLY AND )  
PROFESSIONAL, ET. EL. )

RESPONDENT. )

Exhibit A

NOTICE TO CLERK OF COURT

Plaintiff hereby places a AFFIDAVIT BY DAVID SUTHERLAND With Exhibits

Attached request the Clerk To attach and Incorporate, same AS **EXHIBIT A** to

The RECORD.

**AFFIDAVIT OF DAVID SUTHERLAND**

I, David Sutherland, the undersigned ,hereby declare under penalty of perjury :

1. MY name is David Sutherland , I am over the age of 21,am competent to  
Testify ,and have personal knowledge of the matters and events stated herein.

2. I am the petitioner in this action, and I am representing myself *pro se*.

3.I am not a attorney.

4. I. am a citizen and resident of the State of Georgia, in Garden City ,county of  
Chatham., P O Box 7222 Garden City Ga. 31418

5. As this affidavit is being written by the petitioner it will be made in the first person.

6. This affidavit is based on my own personal knowledge ,and my own investigation.

Within its limits.

7. With this affidavit documents will be provided as (P'exhibits by number) to be incorporated into the record as such.
8. Prior To my arrest on May 2,2007, I have lived in and around Garden City Ga. As a Truck Driver for deferent companies for over 40 years.
9. I have for over 45 years traveled on Telfair and Tremont roads, the roads referred to in The criminal complaint by csx rail road (csx). I know this area( like the back of my hand )
10. In December 2005,will confined in the Chatham County Detention Center (jail).I suffered a heart attack see(07 cv o96).
11. Because of the heart attack I became homeless, in April of 2006.
12. On or about the end of September 2006,I was again arrested, and did 3months of A six month sentence being released on December 24,2006.On December 26,2006 I was Admitted to Chandler Hospital, with chest pain, I was released on dec.27.and spent that night at the JC Lewis center, down town Savannah Ga leavening there on the 28<sup>th</sup> of dec..

These dates are important as you will see Later in this affidavit..

13.On December 29,2007 I went to work for Staff Zone a day labor Company located In Garden City. In this job I would be sent to different jobs during the week, from time to time I was able to bring scrap copper wire home with me and I would take this cooper Wire to Jerrall's scrap yard on Tremont rd. in Savannah. And I also knew a man by the Name of William Stokes who worked at the same place I did, on 4 different times use My ID to help him sell cooper at the scrap yard,

14. I have learned by documents filed in my criminal case ,that during my normal daily Activity of traveling along Tremont rd and in the Garden City area ,I was being followed and stalked by csx employees ,George Mullis (Mullis) David Zeigler (Zeigler) , Larry Snipes (Snipes).

A .Mullis on 4-19-2007 calls William T .Moore csx police, states he was following Two (suspects) in a wooded are csx police report# 21229807,( p.exhibit 1,at par.3)

B .I have seen on different times between Jan, thru Aril 2007 csx company either following behind me or parked in a area were I was, these trucks were driven by The above named csx employees

15. After being released from prison in May 2009, I started my own investigation in order To Gather facts I needed to prove I didn't commit any of the crimes claimed by the State Of Georgia ,as stated earlier I already had my own knowledge of the area I also have

information and a believe that the telephone-telegraph wire (pole line wire) was in fact installed along the North and South routes of the rail road tracks ,owned by seaboard coast lines ,in 1959, By American Telelphone and telegraph company (AT&T) in 1959.

16. I also can remember through the years starting sometime in the1990s seeing these pole lines start to fall from these poles that ran along the tracks ,it became more apparent in 2001 that these pole line wires were not being repaired or replaced.

17. In 2006and up to May 2007 I traveled these same tracks,(going from point a to b)

18. I have seen with my own eyes these same pole line wires disappear,(being taken down By unknown people) this was easily done because they were in such disrepair.

19. By traveling these same tracks I also knew by August 2006, that from the Savannah River south to where highway 80 goes over the tracks in Garden City Ga. (central Junction) that the wire that was once on these poles were all gone. And in November 2006 All poles from the Savannah river to central junction were cut down.

20. I do know that going south from hwy 80 to Telfair rd. by February 2007 no wire was left on the poles along these tracks also going south to what was known as the crime seen. All that wire was also gone off the poles ,except the one section that had I believe eight wires left on them ,but these remaining wire on the two poles they were attached to where in total disrepair this is what csx claim the cooper wire was stolen on May 2,2007.

21. By stating the facts in (15 to 20) above, it is a undisputed FACT there were no train Safety devices operated by any over head pole line wire SEE( exhibits 1 and 2) Incorporated in the record. As stated in the criminal charges made by csx, and the state of Ga.( The power to operate these signals is provided by Ga. Power),(by jumper wire that runs from a power pole to a electric power meter ,attached to a pole then a wire ,goes from the meter to the train switch control box, wires then go from the control box to the train tracts.

22. In June 2009,I obtained copies of the deed records of the property owner of the land That I was arrested on.( csx,) did not in May 2007 own the property where I was arrested, The property by the tax recorders is own by: MCDONALD GEORGIA COMMERCE CENTER 400 LLC 3715 NORTH SIDE PARKWAY NW BLDG 200 SUITE 700 ATLANTA GA. AS OF deed record dated 11/8/2010 Chatham County Tax office.. To be incorporated in the record as (p exhibit 2 pgs 1, 2 and 3)

23. As part of my investigation ,in June 2009 I took photographs of the so called crime Seen, this was done to show the perjury used by csx employees MULLIS, ZEIGLER . Moore And SNIPES. The perjured statements will be shown as I continue.

24. These photos show the condition of the poles and wire before May 2,2007 and after May 2,2007,in fact these poles were cut down some time in 2011.entered as

(p exhibit 3 1 and 2)

25. I now point to the players in involved in the criminal charges brought against me Starting in April 2007.

CSX employees MULLIS ,ZEIGLER AND SNIPES AS SIGNAL INSPECTORS.  
WILLIAM T. MOORE (MOORE) CSX RAIL ROAD POLICE DEPARTMENT

ANDREA HERBSTER, ( Herbster) NORTHFORK SOUTHERN RAIL ROAD  
POLICE.

26. The May 2,2007 arrest, SGT. ERNEST,(ERNEST), Ofc., D. HENDRICKS  
(HENDRICKS) ,DEFT .PUHALA (PUHALA) AND DET. C. MEDINA (MEDINA)  
ALL POLICE OFFICERS OF THE SAVANNAH CHATHAM POLICE  
DEPARTMENT

27. The State players in my prosecution, are ISABEL M . PAULEY (M.PAULEY)  
ASSISTANT CHATHAM COUNTY ATTORNEY. ANNA GUARDINO  
(GAURDINO) ASSISTANT CHATHAM COUNTY ATTORNEY. BOTH  
EMPLOYEES OF THE CHATHAM COUNTY DISTRICT ATTORNEYS OFFICE  
SAVANNAH GEORGIA.

28. I had worked what is called a steady ticket at my job ,for Savannah Marian and Ship  
Yard most all scrap cooper I sold to Jarrell's scrap yard on Tremont rd., came from that  
job. I did not sell scrap copper to the scrap yard , on 19.April the copper was sold on a  
different date .but unknown to me ,Mullis was following me that day.

29. MULLIS, is a signal inspector, supervisor, ZEIGLER AND SNIPES WORK  
UNDER HIS SUPERVISION.

30 It appears Mullis is the primary lead person who created the charges to bring against  
Me, and through the help of Zeigler an Snipes did just that.. the plan was put in motion  
On April 19,2007,Mullis entered the scrap yard ,and identified himself,  
As a police officer to the owner, MICHAEL JARRELL I spoke to Mr. Jarrell sometime  
In 2010 in person he told me that he was very intimidated by Mullis thus gave him what  
he wanted. This was in fact a clear violation of my rights, GEORGIA CONSTITUTION  
1983, art 1 par.1n art.1 par. XIII. U S Constitution Bill of rights 4<sup>th</sup> amendment and  
14<sup>th</sup> amendment attached as (p exhibit 4) written note by Mullis on 4-27-07 refereeing to,  
A event that happened a few hours earlier ,

31. This event I do remember well. I was on my way to hwy 17 to go to Wal-Mart that day I was riding my bike that and went the normal way I go which is in a south direction under the hwy 80 viaduct ride the tracks past the amtract station onto Tremont rd. then to hwy 17 .on this day 19<sup>th</sup> April. After going under hwy 80 there were rail road people about four in a group just standing around, when I got close. The man that stop me I later learn was Mullis, who at that time was combative and yelling. And at one point I was sure I would have to defend myself ,but I just turned around and went back home, I did not go sell any scrap that day, I did later that day ,because of what

Mullis had said about wire being stolen an I go thou that area all the time ,I went back to were they were there was no wire on those poles ,and no one hand done any repairs. Note by Mullis dated, 4-27-07 referring to April 19<sup>th</sup>.enter as (p exhibit 4).This note by Mullis,is to give the impression that that repairs were being made to the pole lines.

32. Next is a note dated April 27 2007, by Zeigler enter as (p exhibit 5).this note Attempts to connect me with William C, Stokes, (Stokes).the dates in this not are to leave A impression that on these dates. I had stolen wire, and money was spent to make repairs, (but none were made),

33. **Moore**, learning of Mullis unlawful search started producing reports in order to Protect the company (csx) Moore in fact had no lawful authority to gain any documents From Jarrell's either, thus violating my rights under the Ga. Const. art. 1 and par .XIII.. US CONST. 4<sup>TH</sup> AMEND. In fact Moore by filing false reports, he did obstruct justice , violating his oath of office.

34. **Moore**, Report no.11077206 enter as (p exhibit 6) refers to 5,000 feet stolen. (fraud)' As to Mullis par 1 RECEIVED SIGNAL INDICATION, **NOTE** :as stated above by me there Was no wire to send signals through.. Par.5, Moore signed a warrant application There was no warrant issued on April 30,the clerk of court set a hearing date for that application of May 14,2007.THERE WAS NO WARRANT .On May 2,007. The warrant is signed on the 7<sup>th</sup> day of May, Not April 30. (p exhibit 7). Police report no.21229807 see p exhibit I at par. 6.at 1500 hrs April 26,Moore Did not know Stokes even thou its in these reports no one with csx knew who Stokes Was so how did Moore know to go to the address , Of Stokes father?,

35. Moore sent a letter ref ;to a Mr. Turner, attach (P exhibit 8) in par.2 reference is made to cost to make repairs .this is fraud , Extortion, perjury and obstruction of justice . as state 25  
thru 34. The combined actions of these persons are in fact violations, of The 4<sup>th</sup> 5<sup>th</sup> 6<sup>th</sup> and 14<sup>th</sup> amendments to the us constitution.

36. **PAULEY**. Is a employee of north fork southern rail road, (ns) On May 2,2007,she Entered on property not owned by ns, and did not have probable cause to even think a crime Had been committed at gun point place me under arrest stating she had a arrest warrant On me, what she had was a Magistrate summons to appear ,see filed this report,

report no(2007-006176). Attach as (p exhibit 9)in this report at par 2 she states that when she, Arrived she saw a Garden City officer leaving the scene, that statement is a lie. The Garden City police officer was the first to respond, He in fact told Pauley that she did not have a Warrant .The officer did not leave until the savannah police came on the scene . n par 3 Pauley spins a tale on why she pulled her gun, the events as she states them ,never Happened.

37. I was there I know what happened , The location I came to was about 800 feet east of where the pole lines were I started walking in a west direction toward the rail road tracks. I had went about 25 feet when from my right (north) two people came at me the woman had a drawn gun the other person was Mullis .she was ordering me to get down or I'd be Shot, I complied, she came up to me while I lay on the ground a stated she had a felony warrant for my arrest ,hand cuffed me and by force took me in the direction of the tracks I will also point out there were no trees any where in that area big enough to hide behind.

38. PAULEY, report no.(2007-006093), dated May 1 2007 attach as (p exhibit 10) In this Report it shows the first date that any one knew who Stokes was ref: to 33 above.

39. I now look at the Savannah Chatham police who investigated on May 2 2007.

40. I do not at this time have copies of the reports made by, Savannah-Chatham Police Department( SCPD). Reports I have read them and can summarize as to there Investigation.

41. When the first SCPD officers arrived one exchanged hand cuffs with PAULEY. By the time that was done some six other officers had arrived ,I was taken to the last in line, and placed in the back seat. That put me about 100 feet away.

42. I do know a SCPD officer brought search dogs to the scene to do a search for STOKES.

43. I do know in his report he states the dog took in a north direction, toward Gwinnet St From the crime site going toward Gwinnet St. would be in a (east.) direction..

44. Let me point out as stated I was taken to the spot where the damaged poles were I Walked Over the wire that was on the ground, I walk some 100 feet to a patrol car I stayed in that car until we left.

45. The dog in fact did track the scent of STOKES..

46. His report also states that the dog identified the scent of wire cutters to me. That is Incorrect.

47. STOKES was picked up on Gwinnet St by a SCPD officer, and brought to the crime Area. STOKES is the person identified by the dog. The SCPD officer who handled the



Dog put the wrong name down..

48. On May 2, 2007 I did not commit any crime the search actions of the SCPD dog shows That.

49. I know that photographs were taken of the poles and wire and entered in to evidence, By SCPD. along with wire cutters.

50. I do know that a SCPD detective took a statement by STOKES and STOKES the detective he pulled the wire down.

51. I do know that the only investigation made by SCPD was confined to only what Was told them by MULLIS, SNIPES CSX and PAULEY NS.

52. At the State Court hearing held on or about July 9, 2007, M. PAULEY was there for The State, and, ( HERBSTER) NS testified for the state, in her testimony PAULEY knowingly, Committed perjury by stating there was 11 hours of labor, and 16,000 ft. of signal wire., Damaged, she also stated, that when wire was pulled down that computer, would send notice to Savannah train yard and some one would go check where the damage is

53. Notes were taken by the assistant Public defender I did not know, (Jane Doe). Is the assistant to assistant public defender, June Fogle (Fogle) was my defense attorney of Record, But was not there. these notes enter as (p exhibit 11 2pages)

54. By M. PAULEY knowingly allowing a witness to commit perjury, she violated her, oath of office, the court rules, obstruction of justice and my constitutional rights under the Ga. Const. art. 1 Sec. 1 par. 1, sec. 2, sec. 7., sec. 14.. The 5<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup> and 14<sup>th</sup> amends. To the U.S. Constitution..

55. I appeared in Magistrate Court on or about July 11, 2007, M. PAULEY for the state, Fogle, was not there, Jane doe was as my defense attorney, Moore was the state witness, And did testify, Moore did knowingly commit perjury by stating under oath that; he confronted on the tracks in front of the amtrack station attempting to cut wire November 2006, by stating had 400ft. Wire, whole series of lights were damaged, the statement to the cost of the wire and statement as to 4men 28hours to repair poles. (p exhibit 12)

56. M. PAULEY did knowingly allow Moore to commit. perjury. The const.. violations, Are the same as (54).

57. M. PAULEY, knowingly used perjured testimony, and did obstruct justice to gain a Grand jury indictment against me, cr07-1950. Violation Of my rights, 5<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup>, and 14<sup>th</sup> Amend. to the us const.

58. GAURDINO, prosecuted the case for the State, Superior Court, Chatham County

Ga. On June 13, 2007. MOORE and MULLIS testified for the State.

59. GAURDINO, did knowingly allow MOORE and MULLIS to commit perjury, in there Testimony, in fact Judge Karpe passed sentence based on the testimony of MULLIS.

60. I was arrested confined in the County (jail), tried, sentenced confined in prison, my liberty was taken away by The State Of GEORGIA. Without Due Process of LAW In violation of the 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup>, and 14<sup>th</sup> amendments to the US CONSTITUTION..

61. THE STATE of GEORGIA has no Lawful authority to Deprive me of my Liberty. In Clear violation of the UNITED STATES CONSTITUTION.

62. Defendant, Michael Edwards ( Edwards ), is the supervisor of the Public Defenders

63. Office In Savannah Georgia, During the years of 2007- 2008 was required to directs and

64. supervise assistant public defenders at this office, and failed to do so, as set forth in

64. The rules of professional Standards set out in Public defenders standers by allowing conflicts of interests, between Plaintiff and Appointed Assistant Public Defender June Fogle ( Fogle)

65. (Fogle) did enter into a Conspiracy, with Prosecutors of the Chatham County District Attorneys Office, to gain a Guilty Plea, by a long detention in confinement.

66. Each name Person ( Defendants) in this Affidavit Did in Fact, enter into a Conspiracy, To Deprive Plaintiff of Rights as set forth in his complaint,

67. Did in fact achieve their Objective of the Conspiracy,

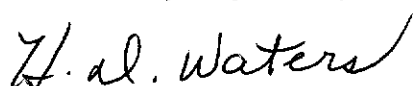
I the AFFIANT add and incorporate to the record numbers 1 through 67, as FACT  
To the best of my knowledge.

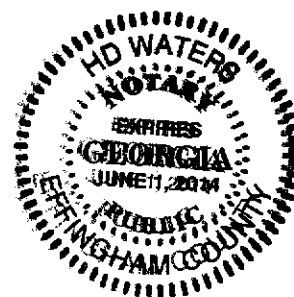
I declare under penalty of perjury that the forgoing is true and correct.

Executed this 3 day of December 2012.

  
David Sutherland

Sworn to me before me, this 3rd Day of December 2012.







Action: I Event #: 21229807

Cleared (Y/N): N

Name - L: MOORE

F: TOMMY M: \_\_\_\_\_

Phone: (H) \_\_\_\_\_

(W) \_\_\_\_\_

ext: \_\_\_\_\_

Street: \_\_\_\_\_

SPECIAL AGENT

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip: \_\_\_\_\_

Unit: JD JACKSONVILLE DIVISION Incident Code: CR33E THEFT OF COPPER WIRE

Street/Vard: TELFAIR ROAD (AREA OF)

Milepost: A 491 32

City: SAVANNAH

State: GA

Date/Time: Received: 04 19 07 1347 Occurred: 04 19 07 1347

Referred: \_\_\_\_\_

Referred To: \_\_\_\_\_

Added: 04 19 07 1354 By: CLAYTON, BROOKS F

Updated: 04 26 07 1454 By: MOORE, TOMMY T

Agent: 175447 MOORE, WILLIAM T

Outside Agency (Y/N): Y

Remarks:

CALLER REPORTS THEFT OF COPPER WIRE, ABOVE AREA. CONTACTED SAVANNAH-CHATHAM POLICE AND REQUESTED ASSIST. PD UNIT DISPATCHED. SIGNAL MAINTAINER GEORGE MULLIS CELL: 912-661-0433 ON SCENE.

FURTHER HANDLING WITH SIGNAL INSPECTOR GEORGE MULLIS DEVELOPED A GARDEN CITY OFFICER HAD CHATHAM COUNTY 911 DISPATCH CALL HIM ON HIS CELLULAR TELEPHONE. THE CHATHAM 911 OPERATOR ADVISED HIM THAT THE OFFICER SAID THIS WAS NOT THEIR PROBLEM BECAUSE THIS WAS RAILROAD PROPERTY.

2 AT 1450 HRS. SAME DATE, GEORGE MULLIS CALLED ME BY CELLULAR TELEPHONE AND SAID HE WAS FOLLOWING THE TWO SUSPECTS AND THEY WERE WALKING INTO A WOODED AREA. I IMMEDIATELY CONTACTED SAVANNAH/CHATHAM 911 DISPATCHER AND THEY SUPPOSELY DISPATCHED AN OFFICER TO MEET MR. MULLIS AT THE ENTRANCE OF SAVANNAH RECYCLER'S, TREMONT ROAD, SAVANNAH, GA. AT 1500 HRS. I SPOKE WITH MR. MULLIS AND HE ADVISED HE WAITED APPROXIMATELY 45 MINUTES AND AN OFFICER HAD NOT ARRIVED; THEREFORE, HE DEPARTED THE AREA FOR HIS OFFICE TO DROP OFF THE WIRE. HE ADVISED THE TWO SUSPECTS RODE TO THE RECYCLER'S ON BICYCLES AND SOLD THE COPPER WIRE AS SCRAP. HE IS HOLDING THE INVOICE OF THE SALE AND A SAMPLE OF THE WIRE THAT WAS SOLD TO THE RECYCLER'S AS SCRAP METAL.

AT 1330 HRS, APRIL 24, 2007, I MET SIGNAL MAINTAINER GEORGE MULLIS, SIGNAL OFFICE, SAVANNAH, GA., AND RECOVERED A ROLL OF WIRE THAT HE IDENTIFIED AS RAILROAD WIRE THAT HE RECOVERED FROM SAVANNAH RECYCLER'S, TREMONT ROAD, SAVANNAH, GA. COPY OF INVOICE 423241, DATED APRIL 16, 2007, INDICATES 26 POUNDS OF COPPER LINE WIRE, SCRAP VALUE \$65.00, WAS SOLD BY DAVID SUTHERLAND, 2207 SPIVEY AVENUE, GARDEN CITY, GA. INFORMATION WAS OBTAINED FROM A GEORGIA IDENTIFICATION ID CARD 001964987.

THE COPPER LINE WIRE WAS SOLD TO THE RECYCLER BY DAVID RICHARD SUTHERLAND, WM/51. THERE WAS ANOTHER INDIVIDUAL WITH SUTHERLAND, KNOWN AS WILLIAM STOKES, WM/54, DURING THE TRANSACTION OF THE SALE OF THE WIRE. ALSO, WILLIAM STOKES AND DAVID SUTHERLAND WAS INVOLVED IN PREVIOUS THEFTS OF COPPER WIRE FROM THIS THEFT LOCATION AND COVERED BY PREVIOUS CSX POLICE EVENT 05173922, SAVANNAH-CHATHAM METROPOLITAN POLICE DEPARTMENT CASE NO. 060927155.

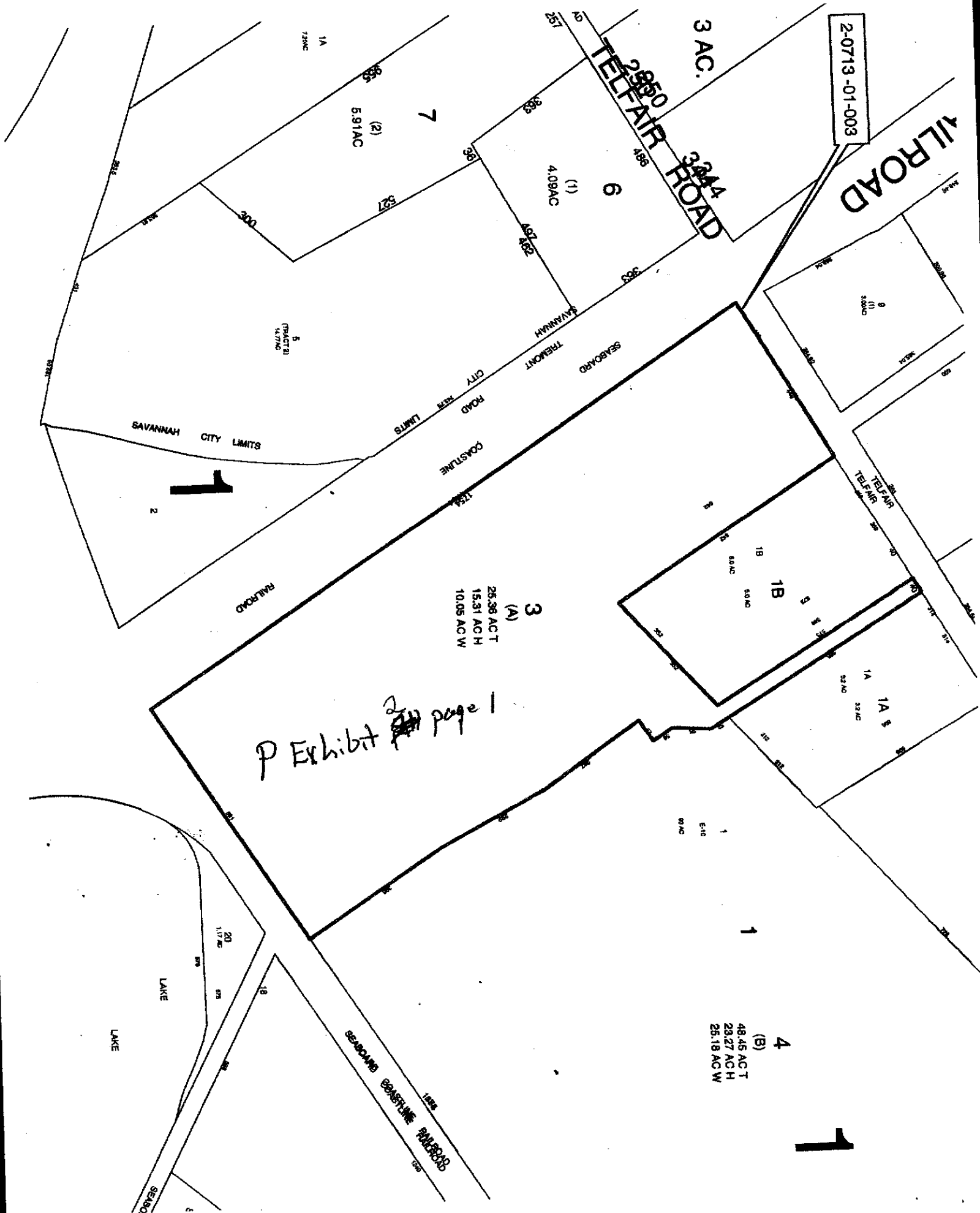
AT 1500 HRS, APRIL 24, I INTERVIEWED ELLIS STOKES, FATHER OF WILLIAM STOKES, 4529 OLD LOUISVILLE ROAD, GARDEN CITY, GA. MR. STOKES SAID THAT HIS SON IS AN ALCOHOLIC AND A KNOWN CRACK USER. HE SAID THE LAST TIME HE SAW HIS SON WAS AROUND CHRISTMAS, 2006. FURTHER, HE SAID THE ONLY TIME HE HEARS FROM WILLIAM IS WHEN HE NEEDS AN ADDRESS TO SHOW TO HIS PAROLE OFFICER.

FURTHER HANDLING WITH SIGNAL INSPECTOR GEORGE MULLIS, SAVANNAH, GA., DEVELOPED 2,000 FEET OF SIGNAL WIRE WAS RESTRUNG TO MAKE THE TRAIN SIGNALS OPERATIVE. THE FOLLOWING EXPENSES WERE INCURRED: 2,000 FEET OF SIGNAL WIRE, \$1.40 PER FOOT, VALUED \$800.00, FOUR SIGNAL MAINTAINERS WORKING 28 HOURS OVERTIME AT \$35.00 PER HOUR, FOR A TOTAL OF \$980.00, FOR A GRAND TOTAL INCLUDING MATERIALS IS ~~\$3,820.00~~  
\$ 4,720.00

IT SHOULD BE NOTED, DAVID SUTHERLAND AND WILLIAM STOKES ARE HOMELESS SOMEWHERE IN SAVANNAH, GA. A CANVASS OF THE WOODED AREA AROUND RAILROAD TRACKS AND SEVERAL HOMELESS ENCAMPMENTS WERE IDENTIFIED; HOWEVER, THE WHERE-A-BOUNTS OF DAVID SUTHERLAND AND WILLIAM STOKES IS UNKNOWN. THEREFORE, I PLAN TO SECURE A WARRANT CHARGING DAVID SUTHERLAND WITH THEFT BY TAKING AND (FELONY). CHARGES AGAINST WILLIAM STOKES ARE PENDING UNTIL FURTHER INVESTIGATION.

INVESTIGATION CONTINUES.

CC  
MANAGER SIGNALS G. C. MAY



2-0713 -01-003

Page 1 of 2 Req By: PAT

11/08/10 10:20:17 CHATHAM COUNTY CURRENT 2010

TRACT A SUB OF LOT 16, PT OF LOT  
1,2,3, 15 & 17 PT OF 20' ROAD RW  
& PT OF UNION STATION CO LAND,

MCDONALD GEORGIA COMMERCE  
CENTER 400 LLC  
3715 NORTHSIDE PARKWAY NW  
BLDG 200 SUITE 700  
ATLANTA GA 30327

2007 New PIN; split out of PIN  
2-0713-01-001 02/28/2007 PL.  
11/15/2007 2007 Appeal to BOE  
withdrawn by John Hunsucker.

Site Address: 000320 TELFAIR RD

Section 14  
Business Code 1428  
Quality/Class 33  
Quality Fact 2  
Exterior Wall MVN  
Stories 01  
Av Hght / Story 35  
Avg Floor Area 250K  
Avg Permitter 2000  
Unit Multiplier 0000  
Basement  
Mezzanine  
Heating Only  
Heat/Air System  
Air Cond. Only  
B/I Allowance  
Balcony \$/sf. 000000  
Elevator \$/sf. 000000  
Sprinklers WET  
Cost Multiplier C  
Local Multiplier SAVAN  
Actual Year Bldt 2007  
Eff. Year Built 2007  
Normal Depr Tbl 45  
Functional Obs. 000000  
Economic Obs. 000000  
Observed Cond 000000  
Obsvd Cond Code

Gar-Ind-Lof | 466  
LtIndShell | 50 CAN(28800) 220  
Average Cla | 686  
Plus 10% |  
Masonry Ven |  
01 Story |  
35' Wall Hg | 323  
2000 Multip | 387 GFA(262542)  
Av. Pmt = |  
N/A |  
Wet Sprinkl |  
CLASS C |  
Savannah |  
AREA FLAT EFF% E/AREA ACT% A/AREA EA/AA HEATED  
GFA 265482 1.00 265482 1.00 265482 265482 265482  
LD 17150 1.00 17150 1.00 17150 17150  
CAN 28800 1.00 28800 1.00 28800 28800  
POR 644 1.00 644 1.00 644 644  
GFA(L686D387R635U37R12U27R39U323) LD(L686U25R686D25) CAN  
(L686U50R466D25R220D25) ADD(D323) GFA(L39D27L12D37R51U64)  
)ADD(D64) POR(L23D14R23U14)ADD(L686) POR(D14R23U14L23).  
One story tilt up concrete; 35'  
height; reinforced concrete slab; dock height floor  
r; 40 truck bays across front of structure, each  
bay has a 10' X 10' OHD and dock leveler; 2  
940 square foot office space within; wet pipe over  
thead sprinkler system.

Land Value 796,500  
Misc Value 1,460,000  
Bldg Value 8,516,500  
Total Value 10,773,000  
Value By Cost - Market Adj.  
Effective Area 265,482  
Points 0.0000  
Bldg Rate 32.08  
RCN 8,516,309  
% Depreciation 0.0000  
OBSOL 0.0000  
Building Value 8,516,310

BOOK PAGE DATE QS SALE PRICE  
293A 0115 0805 QX 1,100,000

PERMIT NO TYPE DATE AMOUNT  
07-3266B CC 1207  
07-3266B CM 1107 474,000  
06-1708B NC 0706 7,000,000  
Appraiser SC Steve Corcoran  
L/Ins.Dte 01/28/09  
Use Code 0004 INDUSTRIAL  
NBHD 9800.00 1800 TELFAIR RD/L  
L100 M090 B100

History Values  
Tax Year Total Appraised Value  
09 10,773,000  
08 10,773,000  
07 749,500

MISC BLDG CODE	DESC	LENGTH	WIDTH	UNITS	ADJ PRICE	EYE DT PCT	ADJUSTMENT	VALUE
1 1 PORA	Comm porch avg	23.00	14.00	322.00	10.51	2007 45 0.00	.90	3,390
2 1 PORA	Comm porch avg	23.00	14.00	322.00	10.51	2007 45 0.00	.90	3,390
3 1	Loading Dock	686.00	25.00	17150.00	9.41	2007 45 0.00	.90	161,300
4 1	Dock Height Floor	686.00	387.00	265482.00	.99	2007 45 0.00	.90	262,830
5 1 AWN14S2	AWN STY 14 ST AV	.00	.00	28800.00	10.92	2007 45 0.00	.90	314,410
6 1 XINOF	EXCESS IND OFF A	.00	.00	2940.00	31.73	2007 45 0.00	.90	93,300
LAND LUSE DESC ZONING UNITS TP PRICE ADJUSTMENT CODE/FACTOR VALUE								
1 41 Warehouse- Detac	I-H	15.31 A	51380.00	.00	.00	.00	.00	786,630
2 16 Docum/Observ Wet	I-H	10.05 A	1000.00	.00	.00	.00	.00	10,050

A 25.36

P Exhibit 2 pg 3

BUILDING SECTION	CONSTRUCTION TYPE	RGR	AYB	EYB	DEP TYPE	THRS	ECON	FUNC	OBSV %	TOTAL DEP %	RCHLD	U-FACTOR	MKT VAL
76361-1	Commercial	9,605,139	2007	2007	MS	3.00	0.00	0.00	0.00	3.00	9,316,985	1.10	10,248,683

EXTRA FEATURES															QTY	UNIT PRICE	RCN	AYB	EYB	DT	ECON	FUNC	SP	SP%	RCNLD	MKT VALUE
ID#	BUDG #	SYSTEM DESC	DM1	DM2	UNITS	QTY	UNIT PRICE	RCN	AYB	EYB	DT	ECON	FUNC	SP	SP%	RCNLD	MKT VALUE									
122392	76361	Comm porch avg	23	14	322.00	3	11.68	3,761	2007	2007	45					3,686	3,300									
122393	76361	Comm porch avg	23	14	322.00	3	11.68	3,761	2007	2007	45					3,686	3,300									
122394	76361	Uncoded Feature	686	25	17,150.00	3	10.45	179,218	2007	2007	45					175,634	168,100									
Description=Loading Dock Section 14, Page 27																										
122395	76361	Uncoded Feature	686	387	265,482.00	3	1.10	292,030	2007	2007	45					286,189	257,600									
Description=Dock Height Floor Section 14, Page 27																										
122396	76361	AWN STY 14 ST AVG	0	0	28,800.00	3	12.13	349,344	2007	2007	45					342,357	308,100									
122397	76361	EXCESS IND OFF AVG	0	0	2,940.00	3	35.26	103,664	2007	2007	45					101,591	91,400									
Interior office area																										
122398	76361	Uncoded Feature	0	0	40.00	3	6,012.50	240,500	2007	2007	45					235,690	212,100									
Description=Dock Levelers Section 14, Page 27																										
122399	76361	CONCRETE PAVE 500	0	0	148,370.00	3	2.73	405,050	2007	2007	45					396,949	357,300									
122400	76361	ASPHALT PAVE TO 500	0	0	30,820.00	3	1.46	44,997	2007	2007	20					40,497	36,400									

[illegible]

P Exh: 683 (U)





J. CAMPBELL  
 P Exhibit 4

4-27-07

ON 4-19-07 I WAS IN THE PROCESS OF  
 REPLACING STATION LIVE WIRE BETWEEN CENTRAL JET  
 AND THE NORTH END OF AMTRAK. TWO SUSPECTS  
 APPROACHED AND I TOLD THEM THEY WERE ON  
 PRIVATE PROPERTY AND NEEDED TO LEAVE. I  
 WENT TO SAVANNAH RECYCLING AND RECREATION AND  
 IDENTIFIED LIVE WIRE BELONGING TO CSX ALONG  
 WITH TICKET AND PICTURE OF SUSPECT IDENTIFIED  
 AS DAVID SUTHERLAND. THE OTHER SUSPECT WAS LATER  
 IDENTIFIED AS WILLIAM STOKES. I HAVE SEEN  
 BOTH OF THEM ON RAILROAD PROPERTY ON NUMEROUS  
 TIMES

D. A. Bullis  
 Signal Inspector  
 CSX Transportation

11 P Exhibit 5

April 27, 200

Tommy

David Sutherland and his partner have stolen line wire a number of times, causing hazardous situations for trains and the men having to reinstall the wire. This is an on going problem with the two men. We have seen the men on the property with cutters and a bag of rope. They have been told to leave the property and not to return but are seen a short time later scoping out more line wire. Before the police can get to the scene the two men are gone. There is no telling how many hours trains have been delayed. Here is the dates and hours spent working to repair the wire and test signals.

These dates and hours are only nine

2006

2007

NOV. 29 OT 5hr  
straight time  
NOV. 30 8hr

April 14 OT 5hr

April 19 OT 3hr

DEC. 9 OT 5hr

DEC. 11 OT 2hr

DEC. 29 OT 6hr

David Sutherland

Y Exhibit 3 (3)



P Exhibit 60

PSMU PSRE Police Information Reporting System 05/01/07 11:17  
CSX Police Report Page: 001

Action: 1 Event #: 11077206 Cleared (Y/N) N  
Name - L: MAY F: GARY M: \_\_\_\_\_  
Phone: (H) \_\_\_\_\_ (W) 912 337 0157 ext. \_\_\_\_\_  
Street \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Unit: FL FLORENCE DIVISION Incident Code: CR33E THEFT OF COPPER WIRE  
Street/Yard \_\_\_\_\_ Milepost: A - 491.00  
City: SAVANNAH State: GA  
Date/Time Received: 04/27/07 2134 Occurred: 04/27/07 1930  
Referred: 04/27/07 2140 Referred To: MOORE  
Added: 04/27/07 2138 By: ANDERSON, DEBORAH K  
Updated: 05/01/07 0924 By: MOORE, TOMMY T  
Agent: 175447 MOORE, WILLIAM T

Remarks: Outside Agency (Y/N): Y  
REPORTS ABOUT 5,000 FEET OF COPPER WIRE STOLEN NEARBY THIS LOCATION.

HANDLING WITH SIGNAL INSPECTOR GEORGE MULLIS, SAVANNAH, GA., DEVELOPED THEY RECEIVED A SIGNAL INDICATION AT THE ABOVE MENTIONED LOCATION AT 1830 HRS. APRIL 27, 2007. AT 2135 HRS. SAME DATE, THEY DISCOVERED 5,000 FEET OF INSULATED COPPER WIRE HAD BEEN STOLEN FROM SIGNAL POLES BETWEEN THE FAIR ROAD AND THE ALABAMA JUNCTION. THE STOLEN WIRE IS VALUED AT \$700.00. THE COST OF SIGNAL MAINTENANCE TO REPLACE THE WIRE IS AS FOLLOWS: FOUR MAINTAINERS, 12 HOURS OVERTIME PAY AT \$35.00 PER HOUR, \$1,680.00, FOR A TOTAL OF \$3680.00.

HANDLING WITH SAVANNAH RECYCLERS, 4405 FREMONT ROAD, SAVANNAH, GA., DEVELOPED SUSPECT DAVID SUTHERLAND SOLD 51 POUNDS OF BURNT SIGNAL WIRE AS SCRAP. SUSPECT RECEIVED \$132.50 FOR THE SALE OF THE WIRE. A COPY OF SAVANNAH RECYCLERS INVOICE 423778, DATED APRIL 28, 2007, WAS OBTAINED AS EVIDENCE. ALSO, SIGNAL INSPECTOR GEORGE MULLIS IDENTIFIED THE WIRE AS RAILROAD WIRE.

THE AREA IN QUESTION WAS SURVEILLANCED BETWEEN 1700 HRS. TO 2200 HRS. APRIL 28, 2007, BY S/A STEVE COCHRAN, NS S/A ANDREA PAULEY, AND MYSELF. THE ONLY TRESPASSER OBSERVED WAS A BLACK MALE WITH A BICYCLE SITTING ON THE RAIL IN THE VICINITY OF THE RECENT THEFT LOCATION. THE BLACK MALE OBVIOUSLY BECAME SUSPICIOUS AND RODE OFF ON HIS BICYCLE. NO OTHER ACTIVITY WAS OBSERVED.

FURTHER HANDLING WITH SAVANNAH RECYCLERS, SAVANNAH, GA., APRIL 30, 2007. DEVELOPED SUSPECT DAVID SUTHERLAND SOLD 17 POUNDS OF BURNT COPPER WIRE ON SAME DATE. INVOICE 423826, DATED APRIL 30, 2007, INDICATES 17 POUNDS OF COPPER WIRE WAS SOLD BY THE SUSPECT AND HE RECEIVED \$42.50 FOR THE SALE OF THE WIRE.

AT 1430 HRS. APRIL 30, 2007, I APPEARED IN CHATHAM COUNTY MAGISTRATE'S COURT, SAVANNAH, GA., AND I SIGNED TWO WARRANTS CHARGING DAVID SUTHERLAND WITH THEFT BY TAKING AND DISABLING SAFETY DEVICE INOPERABLE (FFI ONIES).

THIS INVESTIGATION CONTINUES AND WHEN ENOUGH EVIDENCE HAS BEEN DEVELOPED AGAINST THE SECOND SUSPECT WILLIAM CASEY STOKES, WARRANTS WILL BE OBTAINED CHARGING HIM WITH THE SAME CHARGES AGAINST DAVID SUTHERLAND ON MAY 7. I OBTAINED WARRANTS AGAINST WILLIAM CASEY STOKES FOR THEFT BY TAKING AND DISAULING SAFETY DEVICE INOPERABLE (FELONIES).

THERE HAVE BEEN NUMEROUS INCIDENTS OF THEFT OF COPPER LINE WIRE AT THE ABOVE MENTIONED LOCATION FROM NOVEMBER, 2006, TO THE PRESENT. ATTACHED ARE RECEIPTS WHERE DAVID SUTHERLAND SOLD THE SIGNAL WIRE TO SAVANNAH RECYCLERS, SAVANNAH, GA. IT SHOULD BE NOTED, WILLIAM CASEY STOKES WAS PRESENT WITH DAVID SUTHERLAND DURING A COUPLE OF THE SALES. ALSO, WILLIAM STOKES HAD BEEN INTERVIEWED BY NS SOUTHERN POLICE ANDREA PAULEY WHEREBY HE ADMITTED RECEIVING MONEY FROM DAVID SUTHERLAND WHEN HE SOLD THE COPPER WIRE TO THE SCRAP DEALER.

INVESTIGATION CONTINUES.

Exhibit 7

The State of Georgia VS. STOKES, WILLIAM CARY  
 Prosecutor: CSX RAILROAD,  
 Charges: 16-8-2 (F)

Personally Appeared before the undersigned officer in and for said county, authorized by law to issue Criminal Warrants, The prosecu  
 whose name is hereto subscribed, who on oath said that STOKES, WILLIAM CARY did commit the offense(s) of: 16-8-2 (F)

DID UNLAWFULLY OBTAIN COPPER WIRE FROM TRAIN SAFETY DEVICES, PROPERTY OF CSX TRANSPORTATION, I  
 THE VALUE OF OVER \$500.00, WITH THE INTENTION OF DEPRIVING SAID OWNER OF SAID PROPERTY.

In said county on or about 4/19/2007, and this deponent makes this affidavit that a warrant may be issued for the arrest of said  
 defendant.

Sworn and subscribed before me this 7th day of May in the year 2007

Selma Liddell  
 Deputy Clerk / Judge

William C. Stokes  
 Defendant

State of Georgia, Chatham County

To any Sheriff, and his lawful deputies, constable, marshal, and all other law enforcement officers and agents of this state, Greetings:  
 For the sufficient cause made known to me, you are hereby commanded to arrest the body of STOKES, WILLIAM CARY charged by  
 the prosecutor whose name is subscribed in the foregoing affidavit, with the offense of 16-8-2 (F) in said county, on the above date, aga  
 the laws of this state and bring him, the said defendant, before me or some other judicial officer of the state, to be dealt with as the law  
 directs. Herein fail not.

Judge, Magistrate Court of Chatham County, Georgia

State of Georgia, Chatham County

I have this day executed the foregoing warrant \_\_\_\_\_ 20 \_\_\_\_\_

Notary Agency of Officer

After Hearing evidence in the above case, it is ordered that said defendant be bound in a bond of \$ \_\_\_\_\_ for his appearance on  
 the first day at the next term or session next after the date of the \_\_\_\_\_ court of \_\_\_\_\_ to be held in and for said  
 county, to answer the charge of 16-8-2 (F).

Ordered, in default thereof, that he be committed to the common jail of said county there to be safely held until delivered to due course  
 of law.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_

Judge, Magistrate Court of Chatham County, Georgia



P Exhibit 8



**CSX**  
TRANSPORTATION

**CSX Railroad Police Department**

Rice Yard, A-Tower  
P. O. Drawer 1569  
Waycross, Ga. 31502  
(912) 287-4536 (TWIX)  
(800) 232-0144 (PSCC)  
Fax: (912) 287-4690

To: Chatham County District Attorney  
Savannah, Ga.

From: Tommy Moore  
CSX Police  
Waycross, Ga.  
Tele #912-287-4536

Dt: 5/8/2007

Re: David Richard Sutherland, W/M/61, and William Cary Stokes, W/M/48, charged with Theft by Taking (Felony), and Intentionally Render Inoperative Functioning Safety Device, Chatham County, Ga., for the theft of pole line signal wire from CSX Transportation, Inc., right-of-way in the vicinity of Telfair and Tremont Roads, Savannah, Ga., on April 19, 27, & May 2, 2007.

Reference to my conversation with Mr. Marcus Turner, Chatham County District Attorney's Office, Chatham County, Ga., April 30, 2007, and attached is my investigation into the reported theft of railroad signal wire from CSX Transportation, Inc., right-of-way, in the vicinity of Telfair and Tremont Roads, Savannah, Ga. Attached is a copy of my file in which you will find my report under events 11077206, 30664898, 21229807, dated April 19, 27, and May 2, 2007, witness statements, invoices, and photographs railroad signal wire sold to Savannah Recycling, Savannah, Ga.

It should be noted, the above mentioned signal wire, totaling 8,600, feet, valued \$3,200.00, was stolen from the signal poles. Costs to restore the signals are as follows: Signal Maintainers worked 37 hours, overtime and straight time pay, totaling \$6,860.00, for a grand total of damages in the amount of \$10,060.00. If you have any questions, please call me at 912) 287-4536.



**Police**  
DEPARTMENT

*P Exhibit 9. 81*

Created on: May 2, 2007  
Title: Assist Outside Agency.doc

Reporting Officer: A. D. Pauley  
Reporting District: Savannah, GA  
Case Number: 2007-006176

At approximately 10:03am, I was contacted by CSXT Special Agent Tommy Moore. Agent Moore said that he had just received a call from his Signal Inspector that the pole line had been cut in the area of Tremont and Telfair in Savannah and he was out of town. Agent Moore said that the Signal Inspector, Mr. Mullis, had told Moore that it was the two individuals that Moore was currently working a case against and that the two men were pulling the wire into the adjacent wooded area. Agent Moore said that the Garden City Police Department had been notified and were responding. He requested that I met his signal employees and the local police department since I was familiar with this case and knew what the subjects looked like. He wanted me to assist him in making sure that the proper charges were filed against the individuals and that if apprehended the outstanding felony warrants were executed on Mr. Sutherland.

2 I arrived on the scene at approximately 10:20am. As I came down Telfair towards Tremont, I observed a Garden City patrol car drive away from the scene. I pulled up to the tracks off of Tremont and saw the CSXT employees across the tracks. I went across the tracks and met with Mr. Mullis and Mr. Shipes. They explained that when they received an indication that the wire had been cut, Mr. Shipes went to the location from the yard on Tremont and observed the two men who they knew to be David Sutherland and William Stokes pulling the wire into the wooded area.

3 About 50 feet into the wood line, there was an area where the wire was been stored. I did not see anyone in the area at the time so I entered the wooded area to check this location. I noticed that some of the wire had been cut and rolled into manageable bundles. There was a pair of bolt cutters and a pair of wire cutters at this location also. I began to look around for where the suspects might be burning the wire off when I saw a man stick his head out from behind a tree about 15-20 feet away from me. I immediately recognized this man as David Sutherland, who CSXT Special Agent Tommy Moore had taken out felony warrants against on April 30, 2007. I commanded the man to come out from behind the tree. He did not. I moved to a position where I could see him better, but he was still partially concealed by the tree. At this time, I did not know the whereabouts of the other suspect. I knew that this suspect that was hiding behind the tree was a wanted felon and I could not see his hands, so I drew my weapon and again commanded the suspect to come out from behind the tree. Mr. Sutherland complied with my verbal command this time and came out from behind the tree. I directed him to get on his stomach on the ground and he became verbally defiant stating, "What have I done?" and "I'm just looking for a new place to live". I continued to give Mr. Sutherland the command to lie on the ground on his stomach. After repeating this several times, he finally complied. Once Mr. Sutherland was prone on the ground, I secured my firearm and approached him and placed handcuffs on him. After he was secured, I said "You are David Sutherland, right?" And he said that he was. I told him that he was under arrest for two felony warrants for his involvement in the theft of the copper wire from the railroad. I helped Mr. Sutherland to his feet and walked him out of the wooded area to where the signal inspector's truck was parked. As I was searching the suspect incident to arrest, a Garden City police officer arrived on the scene. Shortly, several Savannah-Chatham Metro (SCMPD) units showed up.



## Police DEPARTMENT

I explained to the other officers what had happened and that Mr. Sutherland had two felony warrants outstanding. He was placed in the back of a SCMPD unit. I told them that the other suspect was William Stokes and the normal route that the homeless utilize between this location and Highway 80. Stokes' bicycle had been left at the scene and I recognized it from the day before when I encountered him trespassing on Dillard Yard.

A SCMPD unit left to go look for Stokes along the streets and the K-9 Unit (Sgt. Earnst and Bruno) went into the woods to try and track Mr. Stokes. The patrol unit returned shortly with Stokes in the back of his patrol car. He advised that Stokes had been walking up Gwinette Street toward Highway 80 when he located him.

SCMPD took charge of the scene and said that they would transport both subjects to jail, execute the two outstanding warrants on Mr. Sutherland, and charge both with additional felonies for Rendering a Safety Device Inoperable and Theft by Taking.

Case is pending a copy of the SCMPD's report.



**Police**  
DEPARTMENT

Created on: May 1, 2007  
Title: Trespasser.doc

P Exhibit 10

Reporting Officer: A. D. Pauley  
Reporting District: Savannah, GA  
Case Number: 2007-006093

While traveling on Heidt Avenue en route to the office, I observed a white male riding a bicycle down Heidt Avenue in front of me headed towards Oillard Yard. I had been assisting CSXT on a case where one of the suspects fit the description of the man on the bicycle. We had been searching for a white male, 6 foot tall, about 190 pounds, in his 50's, with brown hair traveling by bicycle. The individual was further known to be living in the area of Highway 80. The bicyclist turned right on Old Louisville Road heading toward Central Junction. I drove onto Charlie Gay Drive and then turned on the access road beside the tracks to parallel the bicyclist on Old Louisville. The bicyclist then made a left off Old Louisville Road to another access road that brought him onto railroad property. Once on Norfolk Southern Property I initiated a stop on the suspect, who was identified as William Cary Stokes. Mr. Stokes advised that he often used this path to go to his girlfriend's house in Garden City. He did not have identification but he did provide verbally his date of birth and a social security number. He advised that he was homeless but would often stay with his girlfriend, Angela Tabeau at Chatham Village Trailer Park Lot 128.

I told Mr. Stokes that the CSXT Police had been looking for him to talk to him about some copper wire. He said that he would be willing to call the CSXT Police if he had his number. I asked Mr. Stokes if he knew David Sutherland and he said that they sometimes work together at StaffZone. I asked him if he had been with David recently when he sold some copper wire at Savannah Recycling and he said he had. He also said that Sutherland gave him \$5.00 from the sale of the wire so he could buy some cigarettes.

I asked him if he had been with Sutherland when he got the wire and he said that he was not with him when he got it and had he known that it was railroad wire he would not have gone with Sutherland to sell it. I had not told Stokes that the wire came from the railroad.

Mr. Stokes was asked if he knew where David Sutherland lived and he said that he lived somewhere in the Chatham Village Apartments. He said he did not know exactly which apartment. I asked him where the CSXT officer could contact him and he said that he wanted to get everything cleared up and he would meet with the CSXT officer anytime. I contacted CSXT Special Agent Tommy Moore and set up a meeting between the two for Monday, May 7, 2007 at 10:30am at the Norfolk Southern Field Office. After checking Mr. Stokes for warrants and getting confirmation that there were none outstanding he was warned and ejected from the property without incident. Case closed.

4/07  
m.  
00-  
[SUTHERLAND, DAVID] Prelim. Judge  
COA William Stokes ADA Greg Jacobs  
Atty Gary Newberry

07050665 A

TbT, PTCC, Dmg

Andrea Pauley - Special Agent Norfolk

{ in April warrants for TbT cooper wire  
value more than 500<sup>00</sup>  
{ pending in mag ct

This incident 5/2/07 - Stokes + Sutherland -  
this wit got call from Tommy Moore, CSX agent.  
A Mr ~~Moore~~ had contacted him re the previous  
incident in April - the same men had been seen.  
Poles in the CSX area had cooper wire.  
No cameras in area. Signal inspectors  
make routine checks. When the wire was  
cut the signal went down. Signals linked  
to computer on this day Mr Snipes  
saw A's pulling wire into woods.  
Snipes is signal inspector for CSX  
Wire hangs on overhead poles like utility  
wires.

Mr. Mullins was next on scene

This wit was next on scene - the others  
were looking into woodline for As.

There was about 1600 ft of wire

→ Pictures were taken

CSX called the dispatcher. GCity police

were sent. GCity called SCMPD. This

witness located A inside woods 20' feet

from where wire entered hiding behind

tree. Also found A's bike + COA's bike

COA found walking

A told wit. he was looking for  
place to live.

Page 7

P. Exhibit 11

NO 704242 Int w/ traffic cont device

TbT

Tommy Morse CSX RR Polia, Waycross

4/19/07

he was called by inspector re theft of copper wire

he called 911

signal inspector George Mullis + signal maintainer Larry Shipao saw A - they knew A

from past incidents

Got statement from Mullis + Shipao

on 4/30/06 this wit saw co A staker - he had taken copper wire cutters from staker

4/19/07 - Hwy 80 crosses RR track

A was observed on bike transporting 2,000 ft of wire to the recycling center (400 ft)

3 invoices A signed from Jarrell's Recycling

Traffic control device - train signals - if signal comes up inoperative they must stop train

A whole series of lights was damaged - power cables were cut

The A's were arrested at a later date

on 5/2/07 they were back on RR property and arrested

They have had 3 instances of wire theft in which signals were made inoperative

These 2 A's were told many times about not being on RR property

Andrea Paulay - Norfolk Southern Special Agent

Nike Jarrell Sr + Jr - owners of Jarrell's Recyclers  
weight .04 / foot

→ some wire is in this wit's office secured as evidence

that day \$4,720.00 - mostly labor to restring -

28 hrs, 4 maintainers

BOUND OVER

(LM)

9 Exhibit 12 p 1



She arrested him and also on earlier warrant (4/2/07 case)

CoD Stokes told her he was going to go see her on Monday

Value of wire

5/2 - 16,000 ft signal wire @ .40 / ft

11 hours of labor

PTCC - wood w/ rope they threw over wire, bolt cutters, wire cutters, casing from previously taken wires

0:25 end.

~~Bob~~

Bond: I requested bond for this client and Judge Dillon said he had a bond.

p2

p Exhibit 1112

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of Affidavit of David Sutherland by depositing Same in the UNITED STATES mail, proper postage affixed therein addressed as follows:

December 3, 2012


Laura L. Lones  
ASSISTANT ATTORNEY GENERAL  
Dept. of Law  
40 Capital Sq. S. W.  
Atlanta Ga. 30334-1300

Peter A. Gisti  
City of Savannah  
P O Box 8501  
Savannah Ga. 31412

Steven L. Beauais  
P O Box 9147  
Savannah Ga. 31412

Jay C. Traynham  
P O BOX 5088  
Macon Ga. 31208-5088

Esabel M. Pauley, Anna Gaurdina  
And Larry Chisolm  
Office of the District Attorney  
P O Box 2309  
Savannah Ga. 31402

  
pro se

David Sutherland  
P O Box 7222  
Garden City GA 31418

David Sutherland  
P.O. Box 7222  
Garden City Ga 31418

FIRST CLASS

Clerk, U.S. District Court  
P.O. Box 8286  
Suwanee Ga. 31412



1000



31412

U.S. PA  
GARDEN  
DEC 31  
PM  
\$1.00