

No. 24-5992

In the Supreme Court of the United States

ANDREW W. BELL,

Petitioner,

v.

FULTON COUNTY, GEORGIA et.al.,

Respondents.

ON PETITION FOR WRIT OF CERTIORARI
TO THE SUPREME COURT OF THE STATE OF GEORGIA

SUPPLEMENTAL BRIEF

ANDREW W. BELL
P.O. Box 82348
Atlanta, GA 30354
(404) 380-0037
Andrew.Bell@live.com

pro se



SUPPLEMENTAL BRIEF

In a haste to meet this Court's deadline the Petitioner did not properly review the entire document. The Petitioner reviewed the main portion of his petition for writ of certiorari, but failed to go back and review the "Questions Presented" section. This information only became apparent to the petition after he reviewed the filed copy of his petition on this Court's website. In accordance with Rule 15.8 of this Court's rules the Petitioner has filed a supplemental brief. Petitioner noticed, after reading his petition on this Court's website, that there were several typos in the "Questions Presented" section, and most importantly question #5 had the wrong Georgia statutes.

In the Petitioner's writ of certiorari, he made the following statement:

QUESTIONS PRESENTED

Fulton County, Georgia Superior Court issued a final order on November 08, 2024. Petitioner filed an appeal pursuant to O.C.G.A. § 5-6-35(j). The appeal was stamped "received" at 2:35 p.m. on November 17, 2023. The Petitioner never was notified that his appeal had been rejected. He returned back to the Supreme Court of Georgia after Fulton Superior Court issued another order on December 13, 2023, which denied Petitioner's motion for reconsideration, and also stated "The Court dismissed this case with prejudice on 11/8/2023. Thirty days have passed since the ruling and no appeal has been filed." Petitioner had brought the against the Respondents after his petition his petition for ejectment and the restoration of 2478 Stone Road to its original boundaries was dismissed. Petitioner filed a new lawsuit against the Respondents for the purpose of obtaining compensation for damages he

had suffered because there was a road cut through a fraudulent lot that the Respondents claimed was the only parcel of land Petitioner had been granted. Petitioner presented facts that 2478 Stone Road was never approved to subdivided by the City of East Point or the Fulton County Superior Court. Petitioner appealed to the Supreme Court of Georgia due to fraud committed against him in the purchase of 2478 Stone Road, East Point, GA 30344 at the Fulton County, Georgia Sheriff's sale held on May 04, 2021. O.C.G.A. § 5-6-35(j) did not require Petitioner to file a notice of appeal at the time his appeal was filed. If Petitioner were file his appeal pursuant to O.C.G.A. § 5-6-34(a) or O.C.G.A. § 5-6-35(a) he would have had 30 days to file a notice of appeal with the Fulton County superior court Clerk's office, which would have been December 08, 2023. However, O.C.G.A. § 5-6-35(j) required that Petitioner file his appeal first and wait until the Supreme Court of Georgia grant his application. On April 15, 2024, after Petitioner's appeal had been rejected by the Supreme Court of Georgia, that court amended their Rule 41 (2)¹.

The following questions are presented.

- 1. Did Petitioner file an appeal on November 17, 2023, to the Supreme Court of Georgia pursuant to O.C.G.A. § 5-6-35(j)?*
- 2. Should Petitioner have been notified that his appeal was rejected by the Clerk of the Supreme Court of Georgia?*
- 3. Should Petitioner have been granted the 2478 Stone Road, East Point, GA 30344 property with the same boundaries as the previous two owners Robert O. Taylor and Andrews B. Asare?*
- 4. Are the Respondents responsible for any actual, compensatory, or punitive damages to the Petitioner?*
- 5. Are the service of process laws in Georgia, specifically O.C.G.A. § 5-6-35(j) and O.C.G.A. § 5-6-35(j), constitutional? Being that those laws place a severe burden on serving individuals such as county clerks, sheriffs, judges, etc.*

The statement should have read:

QUESTIONS PRESENTED

¹ "A petition for certiorari must state, separately and distinctly, the question or questions presented by the case which, in the petitioner's view, meet the standard set out in Rule 40 for granting review. The question or questions should be set out under a separate heading at the beginning of the petition, before the table of contents, table of authorities or introduction."

Fulton County, Georgia Superior Court issued a final order on November 08, 2024. Petitioner filed an appeal pursuant to O.C.G.A. § 5-6-35(j). The appeal was stamped “received” at 2:35 p.m., on November 17, 2023. The Petitioner was never notified that his appeal had been rejected. He returned to the Supreme Court of Georgia after Fulton Superior Court issued another order on December 13, 2023, which denied Petitioner’s motion for reconsideration. The Fulton County Superior Court stated, *“The Court dismissed this case with prejudice on 11/8/2023. Thirty days have passed since the ruling and no appeal has been filed.”* Petitioner had previously brought a complaint against the Respondents after his petition for ejection of intruders and the restoration of 2478 Stone Road to its original boundaries, was dismissed. Petitioner filed a new lawsuit against the Respondents for the purpose of obtaining compensation for damages he had suffered because there was a road cut through a fraudulent lot that the Respondents claimed was the only parcel of land Petitioner had been granted. Petitioner presented facts that 2478 Stone Road was never approved to subdivided by the City of East Point or the Fulton County Superior Court. Petitioner appealed to the Supreme Court of Georgia due to fraud committed against him in the purchase of 2478 Stone Road, East Point, GA 30344 at the Fulton County, Georgia Sheriff sale held on May 04, 2021. O.C.G.A. § 5-6-35(j) did not require Petitioner to file a notice of appeal at the time his appeal was filed. If Petitioner would have filed his appeal pursuant to O.C.G.A. § 5-6-34(a) or O.C.G.A. § 5-6-35(a) he would have had 30 days to file a notice of appeal with the Fulton County superior court Clerk’s office, which would have been December 08, 2023. However, O.C.G.A. § 5-6-35(j) required that Petitioner file his appeal first and wait until the Supreme Court of Georgia grant his application. On April 15, 2024, after Petitioner’s appeal had been rejected by the Supreme Court of Georgia, that court amended their Rule 41 (2)².

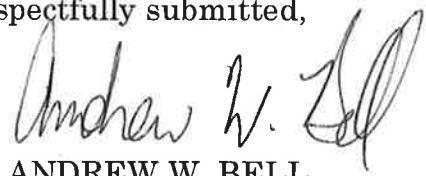
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² “A petition for certiorari must state, separately and distinctly, the question or questions presented by the case which, in the petitioner’s view, meet the standard set out in Rule 40 for granting review. The question or questions should be set out under a separate heading at the beginning of the petition, before the table of contents, table of authorities or introduction.”

4. Are the Respondents responsible for any actual, compensatory, or punitive damages to the Petitioner?
5. Are the service of process laws in Georgia, specifically **O.C.G.A. § 9-11-4** and **O.C.G.A. § 9-11-4.1**, constitutional? Being that those laws place a severe burden on serving individuals such as county clerks, sheriffs, judges, etc.

Respectfully submitted,



ANDREW W. BELL
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