

25-6507
No.

SpR22-01960-73

FILED

NOV 11 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Derrick L. Nicholson — PETITIONER
(Your Name)

vs.

STATE OF GEORGIA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

SUPREME COURT OF GEORGIA CASE NO: S25C1309
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Derrick L. Nicholson
(Your Name)

1978 Georgia Hwy 147
(Address)

Reidsville Georgia 30453
(City, State, Zip Code)

NA
(Phone Number)

Constitution

QUESTION(S) PRESENTED

1. 5th amendment: No person shall be held to answer for a capital or otherwise INFAMOUS CRIME, unless on a presentment or Indictment.
Lack of Jurisdiction OCGA. 9-11-60 (a); OCGA 15-7-41; 17-8-5; Uniform Superior Court Rules 366 mi. The SUPERIOR Court are courts of Record. The are Required to keep Regular minutes of their proceeding From Day To Day.
The clerk of court Has no Records of Indictment No: SPER22-01960-JJ
2. 6th amendment: Nature and cause of the crime. On Page 3 of the Indictment It Reads out Statute O.C.G.A 16-5-1. But it Dont state the terms of the Protection order So that I could ~~no~~ what I Did wrong as well as the Jury. How Could the Jury make a Decision when they Dont No what I Did wrong.
3. 6th amendment Right to face your ACCUSER and witness against you.
On September 7, 2022 I never left the Chatham county Jail. There was never a grand Jury hearing in open court with me present; Nor a Grand Jury Hearing at all.
4. 14th amendment: Due process & equal protection; I was charged with aggravated Stalking O.C.G.A. 16-5-98, There was never any Evidence provided to the Jury To show I put the witness Briana Waldborg In fear of her self. The ADA Doney Jones made the Jury Believe that Just Be cause I Responded to the emails Sent By the witness, My Contact was all It took To Be charged with O.C.G.A 16-5-91
Trial Transcripts page 232 & 233 Lines 1-25
5. 6th amendment: Right to confront the witness. I ask for the courts to Return There witness to the court so I could question the witness with evidence The Judge Did not let me enter untill after they Released the witness with out my consent and she told me she would "Try" To get Her Back and But never Did.
Trial Transcripts page 120-121 Line 1-25
6. 5th amendment: Right To Due Process. The courts delivered punishment Before Conviction By not giving me bond; July 29, 2022; March 9, 2023
7. It is established in Georgia that Criminal Code (GA. 55) Indictment which does not Recite Set out all allege every essential element of the crime charged. It would Be hard to Be live that a grand Jury made a decision and Did not no the Term of the Protection order To No what the Defendant was not to Do while on said Protection order

LIST OF PARTIES

- ☒ All parties appear in the caption of the case on the cover page.
- ☐ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

BONNIE L. JONES, Assistant District Attorney
Lisa G. COLBERT, Judge
BRIANA WALDBURG, witness / WOFOM
John Florio, Responding Officer
Jameeka AIKEN Detective
Robin Nicholson, witness

RELATED CASES

1. Map V. STATE, 594 S.E. 2d 733 (2004); Zuger V. State, 21 S.E 2d 649 (1942)
Cadle V. State, 113 S.E. 2d 180 (1966)
2. D'Auria V. STATE 512 S.E 2d 266 (1999) Newsome V. STATE, 675 S.E 2d 229
Smith V. Hardrick 464 S.E 2d 198 (1995)
3. Linger Felt V. STATE 218 S.E 2d 752 / 201 S.E 2d 445
4. Johnson V. State 449 S.E 2d 94 / Adkins V. State 471 S.E 2d 896 (1996)
5. Linger Felt V. STATE 218 S.E 2d 752 / 201 S.E 2d 445
6. Ayala V. State 425 S.E 2d 282 (1993)
7. Reniger V. U.S 172 F. 646 (G.C.A.O. 1909)
8. McInnes V. State Bridge Building Authority 77 S.E 2d 531
9. Oliveira V. State 45 GA. 555
10. Morris V. State, 59 GA App, 804, 25 S.E 2d 290

TABLE OF CONTENTS

OPINIONS BELOW.....	1
JURISDICTION.....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	3
STATEMENT OF THE CASE	4
REASONS FOR GRANTING THE WRIT	5
CONCLUSION.....	6

INDEX TO APPENDICES

APPENDIX A Decision of State Court of Appeals; Appeal was Deemed abandoned and Dismissed

APPENDIX B Decision of state Trial court; Guilty verdict By Jury

APPENDIX C Decision of state Supreme court. They Denied the petition for Certiorari with out given Reason.

APPENDIX D ~~Decision of~~ state order of Supreme Court Denying Rehearing; The stop excepting my law mail Just sending it Back.

APPENDIX E

APPENDIX F

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER 9

1. Cadle V. STATE ~~475~~ 113 S.E. 2d 180 (1966)
Map V. State 594 S.E. 2d 333 (2004); Zuger V. State 215 S.E. 2d 649 (1942) STATE V. Burke 695 S.E. 649 (2010)
2. Johnson V. State 449 S.E. 2d 94 / Adkins V. State 471 S.E. 2d 896 (1996)
3. D'Aura V. STATE 512 S.E. 2d 266 (1999) Newsome V. State 675 S.E. 2d 229
Smith V. Handrick 464 S.E. 2d 198 (1995) State V. Miller 348 S.E. 2d 847 (1990)
4. Jinger felt V. STATE 218 S.E. 2d 752 / 201 S.E. 2d 448
5. Ayala V. State 425 S.E. 2d 282 (1993) / 220 V. State 356 S.E. 2d 204 (1997)
6. Reniger V. US 172 F. 646 (6.C.A.O. VA 1909)

STATUTES AND RULES

1. Lack of Jurisdiction 9-11-60 (B) Court have No Jurisdiction if there was No Indictment hearing
2. Courts of Records 15-7-41 Courts must have Grand Jury minutes and Recording
3. Aggravated Stalking 16-5-91 you have to contact a person for the Purpose of Harassing and Intimidations To put some one in fear of there self or family self
4. Form of Indictment : 17-7-54 Form of Indictment
5. Rights or privileges are granted by statute or constitution person

OTHER 17-19-4 ; 9-11-60 (D) 1,2,3 ; 9-12-16 fraud and non amendable defect which appears on the face of the Record

act of 1943 and code 89-9908 / Georgia Law 14 Right to confront the witness against you.

59-209 of code 1933 Indictments be return in open court

(Act 1, Sect par. 1V Code & 2-104 ; no person shall be deprived of right to defend his own case cause in any of the ~~the~~ counts of this state in person.

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix C to the petition and is 525C1309

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

The opinion of the State court of Appeals court appears at Appendix A to the petition and is A25A1623

- ☐ reported at _____; or,
☒ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☒ For cases from **state courts**:

The date on which the highest state court decided my case was 10/21/2025.
A copy of that decision appears at Appendix C.

NA ☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

NA ☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. 5th Amendment: No Person shall be held to Answer for a Capital, or otherwise Infamous crime, unless on presentment or Indictment of a grand Jury
2. 6th amendment: To Be Informed of the Nature and cause of the accusation; To be confronted with the witnesses against Him,
3. 5th Amendment: Right to Due process
4. 14th amendment Right to Due process and Equal Protection

STATEMENT OF THE CASE

On October 16, 2021 myself and the woman I had a child from had a conversation in which she then turned into an argument around 8:15 AM when her and her other kids came over to spend the night. After the way she Embarrassed me; Raised hell in front of my 14 year old daughter at the time and her other two kids waking them up I told her she could not come near me or my daughter. From October 16, 2021 - November 29, 2021 we text back and forth. Her wish hurt on me. Me just letting her know how bad she hurt me and she need to get the kid in school cause I wasn't coming near her. Because she did not let me get the shanted child when it was my turn to keep him; he was in daycare then And Because she told me I could not get him it hurt me and I made a Tik Tok video on how women use the child to hurt the father and then call him a Dead Beat Dad when he choses to stay away to protect his own mental. She sent me a text message stating she was going to the police on 12/18/21 I had a hearing in front of Judge Lisa G. Colbert the same Judge who was on the Bench for my trial. She never let me speak in court they never stated what I did wrong and just put me on a protection order. On 12/19/2021 & 12/20/2021 The witness Email me talking about cooperating. I told her I moved back to Miami and then Blocked her. Then she started Text Emailing me on my main Email But she would use an App to delete her messages after I read them. I responded which all messages should be in the states evidence. I received a call from a detective in which I let her know the witness was contacting me and yes I did respond cause she had my Baby But I never said anything violent. On June 10, 2022 I was arrested at my Miami home and Brought Back To Savannah. I filed many motions To Quash this case But The Judge Denied Them all. I went to trial with a Bias Judge who went around the law to convict me of a crime I didn't do. The Courts New that on 4/10/2022 There was no Indictment hearing on case No 22-01960 and that the indictment was void and Defective at face By not stating the full nature and cause of the crime. The courts New They Didn't have Jurisdiction But still continued to take me to trial. There was never any proof or Evidence given to show I put any fear of safety in any body. They made the Jury Believe that my contact alone was all it took to be charged and convicted of 16-5-81 Page on transcripts to Review SEE pg 232; 233; 234; pg 229; pg 6-8; pg 38-40; pg 51-53; pg 225; pg 248

REASONS FOR GRANTING THE PETITION

Under the 14th Amendment I have the Right To Due Process & Equal Protection.
This petition should Be GRANTED Because I went through all the steps
of an appeal and the Georgia courts work together to shot me Down.
My Direct Appeal was filed on October 29, 2024. It took over 5 months for the
Supreme court to send my appeal to the Appeals court. The Appeals court Dismissed
my case no: A25A1623 with out giving me notice that my appeal ever made it
to the courts. They Deemed it abandoned. I Then petition the supreme court of
Georgia for Certiorari. The supreme court held my case for 4 months and then
Dismissed it with out given Reason. The law state that the supreme court has
to give Reason with in the order. I fill you all should grant this petition
Because I have worked hard Just to get a fair trial. I've Been knocked Down
By the lower court and still found another way to attract and get the truth.
I Dont know if I'm ever doing this package correct. But I only have an
8th grade education and my Right hand is swollen from fighting off gangs.
I wanted this to Be all over. I Just want a fair hearing. Call my
Reason are violation of the constitution. There are many more violation
In my case But I Just gave you the ones that are easy to notice.
I'm so sorry about my writing. I have all the case law that speak on my
Behalf. ~~Thank you~~ To Appeal a case is with in my right To Do Process.
Chatham county Georgia has Reised war on the constitution
and only The United states Supreme court has the power to stop them

 Derrick L. Nicholson

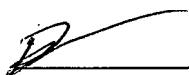
I pray that your hear my case and "Expedite" it Because its Been long Enough. And If given a fair chance I will except the Ruling of the Supreme Court of the United States. All Information given are true facts. I pray that the Supreme court up hold the Constitution and protect it, Because The courts of Georgia and I mean all courts are not abide By The Constitution and the lawes granted. What the lower courts have Done is sent equal Protection. Please help me save the Constitution and fight Back against I courts of Georgia. They are Refuse to except my mail So I Dont No If There going to Except A copy of these motion in my Proof of Service. So Please Send them a copy. I will also But I dont want No excuses, I just want my case heard.

CONCLUSION

Superior Court case NO: SPCR22-01960

The petition for a writ of certiorari should be granted.

Respectfully submitted,



06/08/1977
DOB 0695 SSN 0695

Date: 12-16-25

 Notary 12-16-25

