No. 25A1243

(To Be Assigned With Petition for Writ of Certiorari)

IN THE

SUPREME COURT OF THE UNITED STATES

Andrew W. Bell,

Applicant,

v.

State of Georgia,

Respondent.

APPLICATION FOR EMERGENCY STAY OF TRIAL COURT PROCEEDINGS PENDING DISPOSITION OF PETITION FOR WRIT OF CERTIORARI

Addressed to the Honorable Justice Assigned to the Eleventh Circuit

Andrew W. Bell
Applicant, *pro se*
P.O. Box 82348
Atlanta, Georgia 30354
Telephone: (404) 380-0037
Email: Andrew.Be11@live.com

I. INTRODUCTION

To the Honorable Justice:

Applicant Andrew W. Bell respectfully applies, pursuant to Supreme Court Rule 23 and 28 U.S.C. § 2101(f), for an emergency stay of all proceedings in the State Court of DeKalb County, Georgia, in Case Nos. 22C03994, 23C02652, and 25C00132, including the jury trial currently scheduled for May 19, 2026, pending the disposition of the Petition for Writ of Certiorari filed simultaneously herewith.

The extraordinary circumstance warranting this Application is the imminent and irreversible harm Applicant faces. The jury trial is now fewer than twenty days from the date of this resubmission. The Petition for Writ of Certiorari was originally filed on April 21, 2026 — the last day of the ninety-day period under Supreme Court Rule 13.1. That Petition presents four substantial federal constitutional questions arising from a pattern of state court conduct that has denied Applicant access to every level of appellate review while his criminal cases proceed inexorably toward trial. Since the original filing of this Application on April 21, 2026, the trial court has denied Applicant's Motion for Continuance of the May 19, 2026 trial date (April 23, 2026), denied Applicant's renewed Motion to Recuse (April 28, 2026), and denied Applicant's Motion for Reconsideration (April 28, 2026). These three additional denials, entered within days of the original filing, further confirm that no state court relief is available to Applicant. He has exhausted all available remedies at every level of the state judiciary and now turns to this Court as the only forum capable of preventing irreparable constitutional harm.

The harm Applicant faces is not speculative — it is certain, imminent, and irreversible. A trial conducted before a judge who should have been disqualified constitutes structural error that cannot be remedied on appeal. *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868, 876 (2009); *Williams v. Pennsylvania*, 579 U.S. 1, 11–12 (2016). A trial based on testimony about evidence the State's own representative

admits does not exist compounds the constitutional injury. No post-trial remedy can undo these harms.

II. STATEMENT OF THE CASE

1. Applicant is the defendant in three consolidated criminal cases pending in the State Court of DeKalb County, Georgia, designated as Case Nos. 22C03994, 23C02652, and 25C00132. All three cases are assigned to Judge Kimberly K. Anderson, Division A-2. The trial court has scheduled a jury trial in these consolidated cases for May 19, 2026.

2. On February 12, 2022, Applicant was arrested by former DeKalb County Police Officer Richard Knox following a traffic stop. Officer Knox's arrest report states that he "made contact EMS unit AM69, who arrived on scene first" and that "EMS advised that the driver later identified as Mr. Andrew Bell was asleep in his vehicle when they arrived on scene." However, Officer Knox's own body camera footage — which constitutes contemporaneous, objective evidence of the events at the scene — shows no EMS unit, no American Medical Response vehicle, and no EMS personnel present at any time during the encounter. Moreover, Officer Boswell, another officer present at the scene, stated on body camera: "we don't got no other really probable cause."

3. Despite discovery requests beginning September 26, 2022, and continuing through April 16, 2026 — spanning more than three and a half years — the State has failed to produce any evidence that a "person down call" or EMS unit AM69 ever existed. At the April 28, 2025 disqualification hearing, Assistant Solicitor-General Casey Hall stated on the record: "it's not that we don't want to give Mr. Bell the discovery. We simply don't have it." This admission is dispositive. The State's own representative concedes that the evidence underlying the arrest — the very foundation of probable cause — cannot be produced because it does not exist.

4. On November 12, 2024, Officer Knox testified under oath at a motion to suppress hearing and repeated the false claims from his arrest report regarding the

"person down call" and EMS unit AM69. Knox testified to these facts notwithstanding that his own body camera footage contradicts them, that the State has been unable to produce any corroborating evidence despite three and a half years of discovery, and that the State's own attorney has admitted the evidence does not exist.

5. A Computer Aided Dispatch (CAD) report was belatedly produced on July 18, 2025 — more than three years after Applicant's arrest and after years of discovery requests. The CAD report contains internal contradictions and, critically, an "Edit Log" showing entries that were changed from "False" to "True." The existence of post-hoc alterations in a dispatch record that purports to document a call that no objective evidence confirms ever occurred raises profound questions about the integrity of the evidence underlying Applicant's prosecution.

6. On March 12, 2025, Applicant filed a Motion to Disqualify Judge Anderson in all three consolidated cases. The motion was based on a cumulative pattern of judicial conduct demonstrating bias and partiality, including but not limited to: (a) allowing courtroom personnel to silence Applicant during proceedings while he was attempting to advocate on his own behalf; (b) directing staff to inscribe "refused to sign" on a *Faretta* waiver that Applicant never received, thereby fabricating a record of a waiver refusal that did not occur; (c) denying Applicant access to courtroom Wi-Fi for legal research while simultaneously permitting the prosecution such access, creating a material disparity in the resources available to each party; (d) refusing to compel constitutionally mandated discovery despite Applicant's repeated motions spanning years; and (e) refusing to rule on multiple properly filed pretrial motions, effectively denying relief by inaction.

7. On May 1, 2025, the recusal court denied the Motion to Disqualify. The recusal court concluded that "even assuming all the facts in Defendant's brief and affidavit to be true disqualification is not warranted." The trial court thereafter refused to rule on Applicant's Motion for Reconsideration and Certificate of Immediate Review, denying Applicant the ability to seek prompt appellate review of the disqualification ruling.

8. Applicant pursued two parallel paths of appellate review. Both were denied without any court addressing the merits of Applicant's constitutional claims:

(a) **Case No. S25I1323 — Interlocutory Appeal.** On June 27, 2025, Applicant filed an Application for Discretionary Interlocutory Appeal in the Supreme Court of Georgia, seeking review of the May 1, 2025 order denying his Motion to Disqualify. On August 12, 2025, the Supreme Court of Georgia transferred the case to the Court of Appeals. Notably, the Supreme Court's e-filing system sent a notification to Applicant on August 7, 2025 at 4:35 PM — five days before the transfer order was officially entered — stating: "This is to inform you that an opinion has been issued in the above-styled case." The transfer order itself is dated August 12, 2025. Either the decision was reached before the official session at which it was purportedly entered, or the electronic system transmitted notice of a decision before it was lawfully rendered. This procedural irregularity is unexplained. The Court of Appeals has never docketed the transferred case. On January 20, 2026, the Supreme Court's Clerk rejected Applicant's attempt to file documents in S25I1323, stating: "You do not have a case pending before this Court in which to file your documents." Transaction confirmation number 147639. The interlocutory appeal of the disqualification denial — the mechanism designed by Georgia law to prevent a defendant from being tried before a judge who should have been disqualified — has been rendered a nullity. The case exists in a procedural void: transferred by one court, never received by another, and closed to further filing in both.

(b) **Case No. S25C1346 — Certiorari.** On July 2, 2025, Applicant filed a Petition for Writ of Certiorari in the Supreme Court of Georgia, seeking review of the Court of Appeals' denial of mandamus relief in Case No. A25E0146. On December 9, 2025, the Supreme Court denied certiorari without opinion. On January 21, 2026, the Supreme Court denied Applicant's Motion for Reconsideration without opinion. No court has addressed the merits of Applicant's constitutional arguments at any stage of either appellate proceeding.

9. Despite the pendency of appellate proceedings and the existence of unresolved constitutional issues of the most fundamental nature, the trial court scheduled a jury trial for May 19, 2026.

10. Between March 25 and April 20, 2026, Applicant filed five additional substantive motions in the trial court, each bearing directly on his ability to receive a fair trial: a Motion to Quash (March 25, 2026); an Amended Motion to Compel Discovery (April 16, 2026); a Second Motion to Quash (April 20, 2026); a Motion to Correct and Amend Transcript (April 20, 2026); and a Motion for Continuance (April 20, 2026). The trial court has not ruled on most of these motions.

11. On April 16, 2026, Applicant served trial subpoenas via certified mail on two material witnesses: OnStar LLC, seeking account records, telematics data, call logs, and chain of custody documentation for OnStar Reference No. V9887; and Willean L. Dean, an individual identified in the belatedly produced CAD report. Both witnesses possess evidence bearing directly on the existence of probable cause for Applicant's arrest. The trial subpoenas have not yet been responded to, and the trial court denied the Motion for Continuance that would have allowed time for compliance.

12. Since the original Application was filed on April 21, 2026, three additional orders have been entered by the trial court. On April 23, 2026, the trial court denied Applicant's Motion for Continuance of the May 19, 2026 trial date. On April 28, 2026, the trial court denied Applicant's renewed Motion to Recuse. On the same date, April 28, 2026, the trial court denied Applicant's Motion for Reconsideration. These three additional denials — entered within one week of the original Application — further confirm that no relief is available from the trial court and that the court intends to proceed to trial on May 19, 2026 regardless of the pendency of this Application and the Petition for Writ of Certiorari before this Court.

13. The record is further complicated by critical evidentiary integrity concerns that independently render these cases unfit for trial. The transcript of the March 11, 2025 hearing — which contains the *Faretta* colloquy and other constitutionally

significant proceedings — has been documented as materially incomplete. A critical audio recording of a call central to the claims at issue is missing and has not been produced despite discovery requests. And the CAD report produced on July 18, 2025 contains evidence of fabrication and post-hoc alteration, including entries changed from "False" to "True" in the Edit Log. These unresolved evidentiary integrity issues, taken individually or collectively, render the case unfit for trial.

14. Applicant has exhausted all available avenues for obtaining a stay from the state courts. The trial court has denied the Motion for Continuance. The interlocutory appeal (S25I1323) was transferred but never docketed, leaving no state appellate court with jurisdiction over that proceeding. The Supreme Court of Georgia has rejected further filings in S25I1323, denied certiorari and reconsideration in S25C1346, and denied reconsideration of the transfer order. Applicant has no remaining state court remedy capable of providing the relief he seeks.

III. REASONS FOR GRANTING THE STAY

A. Legal Standard

This Court considers four factors in evaluating an application for a stay pending certiorari: (1) whether there is a reasonable probability that four Justices will consider the issue sufficiently meritorious to grant certiorari; (2) whether there is a fair prospect that a majority of the Court will vote to reverse the judgment below; (3) whether there is a likelihood that irreparable harm will result from the denial of a stay; and (4) in a close case, whether the balance of the equities tips in the applicant's favor. *Nken v. Holder*, 556 U.S. 418, 434 (2009); *Hollingsworth v. Perry*, 558 U.S. 183, 190 (2010) (per curiam).

All four factors weigh overwhelmingly in Applicant's favor.

B. There Is a Reasonable Probability That Four Justices Will Grant Certiorari

The Petition for Writ of Certiorari presents four substantial federal constitutional questions, each of which independently satisfies the criteria of Supreme Court Rule 10 for the granting of certiorari.

First — The Petition presents a question of exceptional national importance under Rule 10(c): whether a state court system may deny a criminal defendant all appellate review of a disqualification ruling by transferring his interlocutory appeal to a court that never dockets it, then refusing further filings because no case is "pending." No decision of this Court addresses the situation in which a case is affirmatively transferred by one court and never received or docketed by the receiving court, leaving the litigant in a procedural void with no court capable of entertaining his claims. This question implicates the Fourteenth Amendment right of access to the courts, which this Court has recognized as fundamental. *Evitts v. Lucey*, 469 U.S. 387, 393 (1985) (holding that when a State provides appellate review, due process requires that it be meaningful); *Douglas v. California*, 372 U.S. 353, 357 (1963) (holding that a State may not structure appellate proceedings so as to deny meaningful review). The procedural void that has consumed Applicant's interlocutory appeal is precisely the kind of structural barrier that the Fourteenth Amendment prohibits.

Second — The Petition presents a question that arises from a direct conflict with this Court's decisions in *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009) and *Rippo v. Baker*, 580 U.S. ___, 137 S. Ct. 905 (2017) (per curiam), satisfying Rule 10(c). The Georgia courts applied the wrong legal standard in evaluating Applicant's motion for judicial disqualification, reaching a result that is inconsistent with the objective probability-of-bias standard mandated by this Court's precedents. The recusal court concluded that "even assuming all the facts in Defendant's brief and affidavit to be true disqualification is not warranted." In *Rippo*, this Court unanimously vacated a denial of recusal because the lower court "did not ask the question our precedents require: whether, considering all the circumstances alleged,

the risk of bias was too high to be constitutionally tolerable." 137 S. Ct. at 907. The recusal court's reasoning here — accepting all facts as true yet finding no basis for disqualification — mirrors exactly the error this Court corrected in *Rippo*. The cumulative pattern of conduct alleged — silencing the defendant, fabricating a waiver refusal, differential treatment of courtroom resources, refusal to compel discovery, and refusal to rule on motions — presents circumstances where, under *Caperton* and *Williams v. Pennsylvania*, 579 U.S. 1 (2016), the risk of bias is constitutionally intolerable.

Third — The Petition presents substantial issues under *Brady v. Maryland*, 373 U.S. 83 (1963), implicating the very integrity of the criminal justice system. The State is prosecuting Applicant based on testimony about evidence that the State's own representative admits cannot be produced. Officer Knox's arrest report claims the existence of a "person down call" and EMS unit AM69, yet his own body camera footage contradicts these claims, a fellow officer stated on camera that there was no other probable cause, the State admits it does not have the evidence despite three and a half years of discovery requests, and the belatedly produced CAD report shows evidence of post-hoc alteration. This is not a close *Brady* question. The State is not merely withholding evidence — it is proceeding on the basis of evidence it admits does not exist. Under *Kyles v. Whitley*, 514 U.S. 419, 437 (1995), the prosecution has an affirmative duty to disclose material evidence regardless of good or bad faith. The State's admission that it "simply do[es]n't have" the evidence, coupled with its continued reliance on testimony about that nonexistent evidence, creates a constitutional violation of the most fundamental kind.

Fourth — The Petition presents the question whether a trial court's systematic refusal to rule on dispositive pretrial motions — a pattern that has persisted from May 2025 through April 2026 — violates the Due Process and Equal Protection Clauses of the Fourteenth Amendment. A motion that is never ruled upon cannot be appealed. The trial court's persistent non-action thus denies the defendant both the relief sought by the motion and the ability to seek appellate review of its

denial. This raises the question addressed by this Court in *Griffin v. Illinois*, 351 U.S. 12 (1956), and *Evitts v. Lucey*, 469 U.S. 387 (1985): at what point does a trial court's systematic inaction effectively deny a criminal defendant access to the judicial process? A trial court that refuses to rule on motions to suppress, motions to compel discovery, and motions in limine forces a defendant to trial without any judicial determination of his constitutional rights. No principle of law permits a trial court to run out the clock on a defendant's constitutional rights by simply declining to act.

C. There Is a Fair Prospect That a Majority of the Court Will Vote to Reverse

The procedural void that has consumed Applicant's interlocutory appeal in Case No. S25I1323 represents an unprecedented denial of access to the courts. The Fourteenth Amendment guarantees that no person shall be deprived of life, liberty, or property without due process of law. *Bounds v. Smith*, 430 U.S. 817 (1977); *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950). When a State creates a mechanism for interlocutory appellate review of disqualification rulings — and a litigant properly invokes that mechanism — the State may not thereafter allow the appeal to vanish between courts. The deprivation here is not the product of a merits determination; it is the product of a bureaucratic failure that no court has acknowledged or remedied. The Supreme Court of Georgia transferred the case; the Court of Appeals never docketed it; the Supreme Court then rejected further filings. At no point did any court address the merits of Applicant's disqualification arguments. The deprivation is self-evident.

The judicial bias claim is controlled by this Court's precedents. In *Rippo*, this Court unanimously vacated a denial of recusal because the lower court failed to apply the correct constitutional standard. The error identified in *Rippo* — failing to ask "whether, considering all the circumstances alleged, the risk of bias was too high to be constitutionally tolerable" — is precisely the error committed by the recusal court here. The recusal court accepted all of Applicant's factual allegations as true — including silencing the defendant, fabricating a record of refusal to sign a *Faretta* waiver, differential treatment of courtroom resources, refusal to compel

constitutionally mandated discovery, and refusal to rule on properly filed motions — and nonetheless concluded that disqualification was not warranted. A court that takes all facts as true and still finds no basis for disqualification has applied a legal standard fundamentally different from the one this Court mandated in *Caperton* and *Rippo*.

The *Brady* violation is stark and undeniable. This is not a case involving the typical suppression of evidence that exists but has not been disclosed. Here, the State admits that the evidence does not exist, yet continues to prosecute Applicant based on sworn testimony about that nonexistent evidence. Under *Napue v. Illinois*, 360 U.S. 264 (1959), the knowing use of false testimony by the prosecution violates the Due Process Clause. Officer Knox testified under oath to facts contradicted by his own body camera footage and unsupported by any documentary evidence the State can produce. The State's continued reliance on this testimony, in the face of its own admission that the underlying evidence does not exist, constitutes a violation of *Brady*, *Napue*, and fundamental principles of due process.

The trial court's refusal to rule on dispositive pretrial motions is clear and undisputed on the record. Multiple motions — including motions to suppress, motions to compel discovery, and motions in limine — have been pending for months without ruling. No principle of law permits a trial court to force a defendant to trial while his dispositive pretrial motions remain unresolved. The denial of the Motion for Continuance on April 23, 2026, the denial of the renewed Motion to Recuse on April 28, 2026, and the denial of the Motion for Reconsideration on April 28, 2026 demonstrate that the trial court is committed to proceeding to trial regardless of the constitutional issues that remain unresolved.

The evidentiary integrity concerns further compound the other violations and independently warrant reversal. The CAD report contains evidence of fabrication — entries changed from "False" to "True" in the Edit Log — raising the specter that evidence has been manufactured to support a prosecution the State knows lacks a factual basis. A critical audio recording central to the claims at issue is missing and

has never been produced. The transcript of the March 11, 2025 hearing, which contains the *Faretta* colloquy, has been documented as materially incomplete. Taken together, these evidentiary integrity failures render the record upon which this prosecution rests fundamentally unreliable and unfit for trial.

D. Irreparable Harm Is Certain Without a Stay

First — The unconstitutional failure to recuse Judge Anderson constitutes structural error. *Williams v. Pennsylvania*, 579 U.S. at 11–12. Structural errors "defy analysis by 'harmless-error' standards" because they "affect the framework within which the trial proceeds, rather than simply an error in the trial process itself." *Arizona v. Fulminante*, 499 U.S. 279, 310 (1991). If Applicant is convicted following a trial before a judge who should have been disqualified, the conviction will be subject to vacatur as the product of structural error. If Applicant is acquitted, the Double Jeopardy Clause bars retrial, but the acquittal will have occurred in proceedings tainted by judicial bias. In either event, the trial itself is the irreparable harm. There is no post-trial remedy that can restore the right to trial before an unbiased judge. The trial, once conducted, inflicts an injury that is by definition irreversible.

Second — Applicant faces trial based on testimony about evidence the State admits does not exist. If the trial proceeds on May 19, 2026, the jury will hear Officer Knox's testimony about the "person down call" and EMS unit AM69 — testimony contradicted by Knox's own body camera footage and the internally contradictory CAD report — without Applicant having received the discovery to which he is constitutionally entitled after more than three years of requests. The trial court has refused to rule on motions in limine that would address the admissibility of this testimony. The trial subpoenas served on OnStar LLC and Willean L. Dean on April 16, 2026, have not yet been responded to, and the trial court denied the Motion for Continuance on April 23, 2026, that would have allowed time for compliance. Applicant will be forced to defend against testimony he cannot effectively challenge because the evidence necessary for that challenge has never been produced.

Third — The transcript of the March 11, 2025 hearing, which contains the *Faretta* colloquy and other constitutionally significant proceedings, has been documented as materially incomplete. Applicant filed a Motion to Correct and Amend Transcript on April 20, 2026. The trial court has not ruled on that motion. Proceeding to trial with an uncorrected and materially incomplete record of the *Faretta* colloquy implicates the Sixth Amendment right to self-representation recognized in *Faretta v. California*, 422 U.S. 806 (1975). That right requires a valid waiver of the right to counsel, and the validity of such a waiver cannot be established on appeal when the transcript of the waiver colloquy is incomplete. The integrity of the *Faretta* record is essential not only to Applicant's Sixth Amendment rights but to meaningful appellate review of the proceedings below.

Fourth — The procedural void in Case No. S25I1323 means that the interlocutory appeal of the recusal denial has been effectively nullified. The interlocutory appeal mechanism exists precisely to prevent the harm of being tried before a biased judge. That mechanism has been destroyed: the case was transferred from the Supreme Court of Georgia to the Court of Appeals, but the Court of Appeals never docketed it, and the Supreme Court refuses further filings. The harm is by definition irreparable because it cannot be remedied by post-trial review. The very injury the interlocutory appeal was designed to prevent — trial before a potentially biased judge — will have occurred. No appellate court can undo a trial that has already taken place.

Fifth — The procedural irregularity of the transfer order itself raises additional concerns. The Supreme Court of Georgia's e-filing system sent notification on August 7, 2025 at 4:35 PM that a decision had been issued — five days before the transfer order was officially dated August 12, 2025. Either the decision was reached before the official session at which it was purportedly entered, or the electronic system transmitted notice of a judicial decision before that decision was lawfully rendered. In either case, this irregularity undermines the procedural basis for the transfer that created the void in which Applicant's interlocutory appeal now exists.

Against these certain and irreparable harms, the harm to the State from a brief stay is minimal. The State has been prosecuting these cases for more than four years. The charges arise from a February 12, 2022 traffic stop. Applicant poses no flight risk and no danger to the community. The State has identified no prejudice that would result from a brief delay to permit this Court to consider the Petition for Writ of Certiorari. A stay preserves the status quo; denial of the stay permits irreversible constitutional harm.

E. The Balance of Equities Favors Applicant

The private interest at stake is Applicant's liberty — the most fundamental interest recognized by our constitutional system. *Mathews v. Eldridge*, 424 U.S. 319, 332 (1976). Applicant faces a jury trial in fewer than twenty days on criminal charges that could result in deprivation of his freedom. The weight of this interest is self-evident and requires no elaboration.

The State's interest in the prompt prosecution of criminal cases, while legitimate, must be measured in context. The State has taken more than four years to bring these cases to trial. The charges stem from a February 12, 2022 traffic stop. The State admits it cannot produce the evidence underlying the arrest. The State has identified no witnesses whose availability is threatened by a brief delay, no evidence that is in danger of being lost, and no other prejudice that would result from a stay of limited duration. A State that has taken more than four years to bring a case to trial cannot credibly claim that a brief stay pending this Court's consideration of a certiorari petition would cause irreparable harm to its interests.

The public interest also favors a stay. Public confidence in the judiciary is undermined when a criminal defendant is forced to trial before a judge whose disqualification has been sought and denied under a legal standard that conflicts with this Court's precedents, while the interlocutory appeal of that denial sits undocketed in a procedural void between two courts. Public confidence is further undermined when a prosecution proceeds based on an officer's sworn testimony about evidence

that the State's own attorney admits does not exist, supported by a CAD report that shows evidence of post-hoc alteration. The integrity of the criminal justice system depends on public confidence that constitutional rights are respected, that judicial proceedings are fair, and that prosecutions are based on evidence that actually exists.

A stay preserves the status quo and permits orderly resolution of substantial constitutional questions by this Court. Denial of the stay renders the Petition for Writ of Certiorari effectively moot and permits irreversible constitutional harm of the most fundamental kind. The equities overwhelmingly favor preservation of the status quo pending this Court's review.

IV. APPLICANT HAS EXHAUSTED ALL AVAILABLE STATE COURT REMEDIES

Applicant has sought relief at every level of the Georgia state court system. At each level, relief has been denied without any court addressing the merits of Applicant's constitutional claims. The exhaustion of state remedies is demonstrated systematically below.

(a) Trial Court. Applicant filed a Motion for Continuance of the May 19, 2026 trial date on April 20, 2026. The trial court denied the motion on April 23, 2026. Applicant filed a renewed Motion to Recuse on April 28, 2026. The trial court denied the motion on April 28, 2026. Applicant filed a Motion for Reconsideration on April 28, 2026. The trial court denied the motion on April 28, 2026. In addition, Applicant has filed five substantive motions since March 25, 2026 — including a Motion to Quash, an Amended Motion to Compel Discovery, a Second Motion to Quash, a Motion to Correct and Amend Transcript, and a Motion for Continuance — on most of which the trial court has not ruled. The trial court's pattern of refusing to rule on dispositive pretrial motions has persisted since May 2025 and constitutes a systematic denial of access to the judicial process.

(b) Court of Appeals. The interlocutory appeal in Case No. S25I1323 was transferred to the Court of Appeals on August 12, 2025. The Court of Appeals has

never docketed the case. Applicant filed Emergency Motions in Case Nos. A26D0290 (January 20, 2026) and A26D0355 (February 23, 2026). The Court of Appeals denied mandamus relief in Case No. A25E0146 on July 1, 2025, without opinion. The Court of Appeals cannot provide relief in a case it has not docketed.

(c) Supreme Court of Georgia. The Supreme Court of Georgia denied certiorari in Case No. S25C1346 on December 9, 2025, without opinion. The Supreme Court denied Applicant's Motion for Reconsideration on January 21, 2026, without opinion. In Case No. S25I1323, the Supreme Court transferred the case to the Court of Appeals on August 12, 2025, and denied reconsideration of the transfer on September 16, 2025. On January 20, 2026, the Clerk of the Supreme Court rejected Applicant's filing, stating: "You do not have a case pending before this Court in which to file your documents." The procedural irregularities surrounding the transfer order — including the e-filing notification of August 7, 2025, five days before the August 12 order — have never been explained or addressed. No state court remedy exists.

Applicant has no remaining state court remedy capable of providing the relief sought. Application to this Court is therefore both necessary and appropriate under Rule 23.

V. RELIEF REQUESTED

WHEREFORE, Applicant Andrew W. Bell respectfully requests that the Honorable Justice:

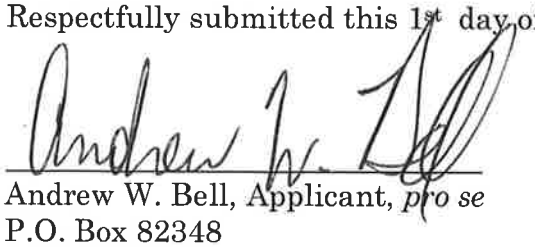
1. Enter an order staying all proceedings in the State Court of DeKalb County, Georgia, in Case Nos. 22C03994, 23C02652, and 25C00132, including the jury trial currently scheduled for May 19, 2026, pending the disposition of the Petition for Writ of Certiorari filed simultaneously herewith;

2. In the alternative, if the stay is not granted immediately, enter an administrative stay preserving the status quo for a period sufficient to permit full briefing and consideration of this Application;

3. Direct the Clerk to expedite consideration of this Application in light of the May 19, 2026 trial date;

4. Grant such other and further relief as may be just and proper.

Respectfully submitted this 1st day of May, 2026.

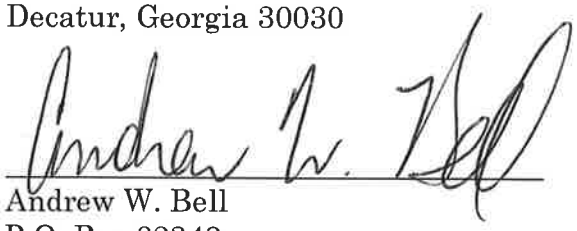


Andrew W. Bell, Applicant, *pro se*
P.O. Box 82348
Atlanta, Georgia 30354
Telephone: (404) 380-0037
Email: Andrew.Be11@live.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of May, 2026, a true and correct copy of this Application for Emergency Stay of Trial Court Proceedings was served upon Respondent by depositing a copy in the United States Mail, first class postage prepaid, addressed to:

DeKalb County Solicitor-General's Office
DeKalb County Courthouse
Suite 500
556 North McDonough Street
Decatur, Georgia 30030



Andrew W. Bell
P.O. Box 82348
Atlanta, Georgia 30354
Telephone: (404) 380-0037
Email: Andrew.Be11@live.com

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

Andrew W. Bell,

Applicant,

v.

State of Georgia,

Respondent.

DECLARATION OF ANDREW W. BELL REGARDING UNAVAILABILITY OF JULY 21, 2025 ORDER

1. I, Andrew W. Bell, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

2. I am the Applicant in this matter, proceeding *pro se.*

3. On or about July 21, 2025, the Honorable Judge Yolanda R. Mack issued an order in the consolidated cases pending in the State Court of DeKalb County, Georgia (Case Nos. 22C03994, 23C02652, 25C00132).

4. The July 21, 2025 Order is relevant to the proceedings before this Court and should properly be included in the appendix to the Emergency Application for Stay.

5. Despite diligent efforts, I have been unable to obtain a copy of the July 21, 2025 Order. The order appears to be mis-indexed in the State Court of DeKalb County's electronic filing and records system.

6. When I attempted to download the July 21, 2025 Order from the court's electronic records system, the system instead produced a copy of a different order —

the July 24, 2025 Order Denying Motion to Compel and Motions to Dismiss. This confirms that the July 21, 2025 Order exists in the court's records but has been improperly indexed or linked to an incorrect document.

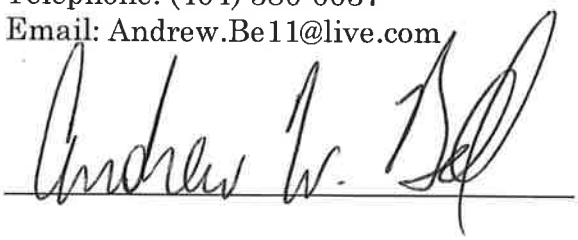
7. The unavailability of this order is through no fault or lack of diligence on my part. I have made reasonable and good-faith efforts to obtain the order from the court's records system.

8. I respectfully request that this Court accept this Declaration in lieu of the July 21, 2025 Order and note its unavailability for the record. I will supplement this filing with a copy of the July 21, 2025 Order promptly upon obtaining it.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 1, 2026.

Andrew W. Bell
P.O. Box 82348
Atlanta, Georgia 30354
Telephone: (404) 380-0037
Email: Andrew.Be11@live.com



APPENDIX

APPENDIX — INDEX OF ATTACHED ORDERS AND DOCUMENTS

App.	Document Description	Date	Court / Case No.	Suggested Filename
A	Order Denying Motion to Recuse	May 1, 2025	State Court of DeKalb County, 22C03994 et al.	App_A_Recusal_Denial_05012025.pdf
B	Order Denying Motion to Stay	June 23, 2025	State Court of DeKalb County, 22C03994 et al.	App_B_Stay_Denial_06232025.pdf
C	Order of the Court of Appeals of Georgia	July 1, 2025	Court of Appeals, A25E0146	App_C_COA_Order_07012025.pdf
D	[UNAVAILABLE — July 21, 2025 Order, Judge Yolanda R. Mack; see Declaration]	July 21, 2025	State Court of DeKalb County	[Not available — see Declaration]
E	Order Denying Motion to Compel and Motions to Dismiss	July 24, 2025	State Court of DeKalb County, 22C03994 et al.	App_E_Compel_Dismiss_07242025.pdf
F	Supreme Court of Georgia Transfer Order	August 12, 2025	Supreme Court of Georgia, S25I1323	App_F_SCG_Transfer_08122025.pdf
G	Supreme Court of Georgia Order Denying Reconsideration of Transfer	September 16, 2025	Supreme Court of Georgia, S25I1323	App_G_SCG_Recon_Deny_09162025.pdf
H	Supreme Court of Georgia Order Denying Certiorari	December 9, 2025	Supreme Court of Georgia, S25C1346	App_H_SCG_Cert_Deny_12092025.pdf
I	Supreme Court of Georgia Order Denying Reconsideration	January 21, 2026	Supreme Court of Georgia, S25C1346	App_I_SCG_Recon_Deny_01212026.pdf
J	Clerk of Supreme Court of Georgia Email Rejecting Filing	January 20, 2026	Supreme Court of	App_J_SCG_Clerk_Email_01202026.pdf

App.	Document Description	Date	Court / Case No.	Suggested Filename
			Georgia Clerk, S25I1323	
K	Order Denying Motion for Continuance	April 23, 2026	State Court of DeKalb County, 22C03994 et al.	App_K_Continuance_Deny_04232026.pdf
L	Order Denying Motion to Recuse	April 28, 2026	State Court of DeKalb County, 22C03994 et al.	App_L_Recusal_Deny_04282026.pdf
M	Order Denying Motion for Reconsideration	April 28, 2026	State Court of DeKalb County, 22C03994 et al.	App_M_Recon_Deny_04282026.pdf

APP. A

IN THE STATE COURT OF DEKALB COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,	)	
	)	
Plaintiff,	)	
v.	)	CRIMINAL CASE NOS.
	)	22C03994, 23C02652, 25C00132
ANDREW W. BELL	)	
	)	
Defendant.	)	

ORDER

The above-styled cases were initially assigned to Judge Kimberly K. Anderson of Division A-2 of this Court. On March 12, 2025, Defendant filed his Motion to Disqualify Judge (the "Motion") in each of the above-styled cases. On March 18, 2025, Judge Anderson entered an Order referring the Motion for a hearing pursuant to Uniform State Court Rules 25.3 and 25.4(C). On March 20, 2025, Chief Judge Mike Jacobs entered an Order Assigning Motion to Recuse. Based on the county's existing random, impartial case assignment method, Defendant's Motion was assigned to Division A-3 to be heard and was subsequently heard on April 28, 2025. This Court hereby finds as follows:

In moving to recuse, Defendant makes several allegations in support of his contention that Judge Anderson is biased and/or prejudiced against him. The claims made by Defendant are based on both events that he alleges occurred during the March 11, 2025, motions hearing, specifically, and events that allegedly occurred during the pendency of Defendant's three cases before Judge Anderson, generally. Defendant makes numerous allegations including the following:

- Defendant filed a request with the Court on February 28, 2025, regarding the storage and refrigeration of medication/eye drops he utilizes to treat his rare eye condition. During the March 11, 2025, motions hearing, there was no accommodation until Defendant had been in the courtroom for over an hour and ten minutes, thereby putting his health at risk.

- Defendant's request to the Court on February 28, 2025, also contained a request that he be able to use and access technology "in the same manner as the Office of the DeKalb Solicitor General's."

- Defendant has seen and experienced a "significant change" in the behavior of Judge Anderson since the withdrawal of Lauren Brown, Defendant's second attorney. On previous occasions in Judge Anderson's courtroom, after Defendant's case was called, and the proceeding had finished, Defendant would be excused from the courtroom. On February 5, 2025, Judge Anderson required that Defendant remain in her courtroom after the Assistant Solicitor had been excused. Also, on March 12, 2025, Defendant's case was the last case called.

- Marshalls, including Deputy Thomas, are violating citizens' rights by not allowing them to use their cell phones in the courtroom.

- Marshalls routinely tell people they cannot speak. On March 11, 2025, with no input from the Judge, Deputy Thomas, attempted to prohibit Defendant from speaking or defending himself.

- Defendant believes Judge Anderson intentionally scheduled the trial dates for Case No. 22C03394 and Case No. 23C02652 on the same day to prevent Defendant from being able to prepare an adequate defense.

- Judge Anderson refused to compel the DeKalb County Solicitor's Office to provide discovery that Defendant had requested relating to a "man-down" call. Judge Anderson claimed that Defendant had made his discovery request before she entered an order releasing his former attorney, Lauren Brown, from the case, and therefore, Defendant's motion was not valid.

- Judge Anderson attempted to coerce Defendant into waiving his right to an attorney.

- Deputy Thomas instructed Judge Anderson's staff to write "refusal" on a form.

- Defendant requested the code for the Wi-Fi connection. Judge Anderson claimed that she did not know how to access Wi-Fi, and it was not her duty to explain to Defendant how to access the Wi-Fi.

Disqualification and recusal are governed by Canon 2, Rule 2.11 of the Georgia Code of Judicial Conduct. Rule 2.11(A) requires that a judge "disqualify themselves in any proceeding in which their impartiality might reasonably be questioned..." *See* Ga. R. CJC Rule 2.11. Commentary on the Canon further provides that, "Under this Rule, judges are subject to disqualification whenever their impartiality might reasonably be questioned, regardless of whether any of the specific items in Rule 2.11 (A) apply." *Id.* "It is well settled that the phrase "impartiality might reasonably be questioned" means a reasonable perception [ ] of lack of impartiality by the judge, held by a fair minded and impartial person based upon objective fact or reasonable inference; it is not based upon the perception of either interested parties or their lawyer-advocates. *Bass v. Medy*, 358 Ga. App. 827 (2021). Moreover, the alleged bias must be of such a nature and intensity to prevent the complaining party from obtaining a trial uninfluenced by the court's prejudgment." *Id.*

Notwithstanding the numerous allegations set forth by Defendant, he has failed to articulate how said events would result in Judge Anderson's impartiality reasonably being questioned. Even assuming all the facts in Defendant's brief and affidavit to be true, disqualification is not warranted.

Accordingly, Defendant Andrew W. Bell's Motion to Disqualify Judge is HEREBY **DENIED.**

SO ORDERED, this 30th day of April 2025.

Hon. Yolanda R. Mack
State Court of DeKalb County

cc: Counsel of Record; Clerk's File

FILED IN THIS OFFICE
THIS 1st of May, 2025
Jones, Donnita 3
Clerk, State Court, DeKalb County

APP. B

IN THE STATE COURT OF DEKALB COUNTY

STATE OF GEORGIA

STATE OF GEORGIA,	*	
	*	
	*	**CASE NO. 22C03994, 23C02652**
v.	*	
	*	
ANDREW BELL,	*	
Defendant.	*	

ORDER DENYING MOTION TO STAY

Defendant filed a Motion to Stay in this case based on his pending request for reconsideration of the April 30th Order from Division 3 denying his Motion to Recuse this Court. This pending motion does not require a stay of this case. Further, it appears Defendant timely filed a request for a Certificate of Immediate Review of that Court's April 30. However, because Division 3 did not grant said certificate within 10 days of Defendant's request, that request is deemed denied by operation of law. See O.C.G.A. § 5-6-34(b).

Consequently, this Court **DENIES** Defendant's Motion to Stay.

IT IS SO ORDERED, this 23rd day of June, 2025.

Hon. Kimberly K. Anderson
State Court of DeKalb County

cc: Counsel of record; Clerk's file

FILED IN THIS OFFICE
THIS 24th of June, 2025
Arrington, Shinique
Clerk, State Court, DeKalb County

APP. C

CASE NO.

IN THE COURT OF APPEALS IN THE STATE OF GEORGIA

THE STATE OF GEORGIA

ANDREW W. BELL
Appellant,
pro se

v.

STATE OF GEORGIA
Appellee.

PETITION FOR WRIT OF MANDAMUS AND EMERGENCY MOTION TO STAY PROCEEDINGS

Andrew W. Bell
P.O. BOX 82348
Atlanta, GA 30354
(404) 380-0037
Andrew.Be11@live.com

Court of Appeals
of the State of Georgia

ATLANTA, July 01, 2025

The Court of Appeals hereby passes the following order:

A25E0146. ANDREW BELL v. THE STATE.

The "Petition for Writ of Mandamus and Emergency Motion to Stay Proceedings" filed in the above-referenced case is hereby DENIED.

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 07/01/2025

I certify that the above is a true extract from the minutes of the Court of Appeals of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

Christina Bailey Smith , *Clerk.*

APP. D

Order Denying Motion

by Yolanda Mack

07/21/2025

Cannot be seen on the

Docket

APP. E

IN THE STATE COURT OF DEKALB COUNTY

STATE OF GEORGIA

STATE OF GEORGIA,	*	
	*	**CASE NO. 22C03994**
v.	*	
	*	
ANDREW WALTER BELL,	*	
Defendant.	*	

ORDER

Defendant in this case has filed a slew of motions relating to his discovery requests and purported deficiencies in the information provided to Defendant in response to his requests. Defendant also filed a series of Motions to Dismiss, much of which are issues for the jury to consider, not the Court. Lastly, Defendant requests the presence of a second court reporter during his trial. In response, the Court finds as follows:

In a misdemeanor case, a defendant is entitled to the discovery outlined in O.C.G.A. § 17-16-20 through § 17-16-23.[1] Specifically, Defendant is entitled to receive the accusation in this case and a list of the State's witnesses. See O.C.G.A. § 17-16-21(a). As for the list of witnesses, the State is not required to provide the home address or phone number of any sworn officer or employee of a law enforcement agency. See O.C.G.A. § 17-16-21(b). According to the witness list in the record, the State complied with this statute. Georgia law also requires the State to provide a copy of any custodial statement Defendant made that the State intends to introduce at trial and any written scientific reports related to this matter. See O.C.G.A. § 17-16-22; § 17-16-23. It appears from Defendant's motions

[1] The discovery request filed on Mr. Bell's behalf by his initial attorney are under the statutes applicable to felony charges, not misdemeanor. Thus, his requests include much broader discovery than the misdemeanor discovery statutes require.

that the State provided Defendant with the Computer Automated Dispatch ("CAD") records in this case, which is more than the statute requires.

Defendant's discovery requests, which include lists of local fire departments, maps, disciplinary records, and recordings of audio calls, are not required to be furnished to Defendant pursuant to statutory discovery. Furthermore, even under Brady v. Maryland, 373 U.S. 83 (1963), Defendant must show this evidence is (1) in the State's control and (2) that it contains exculpatory value. But ultimately, it appears Defendant is attempting to compel the State to investigate this case in Defendant's preferred manner, to which he is not entitled. Any evidence Defendant believes the State should have obtained but did not can be argued to the jury by Defendant at trial. Furthermore, Defendant is permitted to perform his own investigation if he believes certain information is needed for trial. Therefore, Defendant's Motion to Compel discovery is **DENIED**.

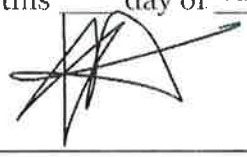
As for Defendant's Motions to Dismiss, these are not appropriate motions for the Court's consideration as the Court is not the arbiter of guilt in this case. Rather, this Court's role is to determine the admissibility of challenged evidence, which already took place at a hearing in September 2024. At that time, this Court suppressed the evidence of Defendant's state-administered chemical blood-alcohol test at trial, which was the only evidence Defendant challenged. If Defendant can identify any other evidence he believes was unlawfully obtained and should not be admitted at trial, the Court will hear argument as to these issues on the morning of trial.

Defendant's most recent Motion to Dismiss makes allegations about the officers' unlawful search of his car and wallet, but the only remedy for unlawful searches is suppression of any evidence discovered pursuant to that search, not dismissal. See Tew v. State, 246 Ga. App. 270 (2000); O.C.G.A. § 17-5-30. Moreover, it does not appear that

the State intends to introduce any evidence resulting from these searches, thus, Defendant's arguments are moot. Defendant also makes allegations about untruthful witnesses and fraudulent reports, but these are arguments about the credibility of witnesses which should be made to the jury at trial, not to the Court. Therefore, the Court **DENIES** Defendant's Motions to Dismiss.

As for Defendant's request for an additional court reporter, the Court will permit Defendant to supply his own certified court reporter **at his own cost**. Tina Harris, the Court's certified court reporter, will be present to take down the proceedings for all parties in this case at no cost (unless any party elects to request transcripts).

IT IS SO ORDERED, this 24th day of July, 2025.



Hon. Kimberly K. Anderson
State Court of DeKalb County

cc: Counsel of record; Clerk's file

APP. F

PETITIONER REQUEST EXPEDITION IN ACCORDANCE WITH RULE 65

CASE NO.

IN THE SUPREME COURT OF GEORGIA

ANDREW W. BELL

Applicant,

v.

STATE of GEORGIA,

Respondent.

On Application for Discretionary Appeal from the DeKalb County State Court – Case No. 22C03394

APPLICATION FOR DISCRETIONARY INTERLOCUTORY APPEAL

AND EMERGENCY STAY

Andrew W. Bell
pro se
P.O. BOX 82348
Atlanta, GA 30354
(404) 380-0037
Andrew.Be11@live.com

SUPREME COURT OF GEORGIA
Case No. S25I1323

August 12, 2025

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

ANDREW W. BELL v. THE STATE.

Applicant Andrew Bell seeks review of the trial court's May 1, 2025 order denying his motion to recuse the judge in what appears to be several state court criminal matters. Although Bell asserts that this Court has jurisdiction pursuant to OCGA § 5-6-35 (a) (1), that provision addresses the procedure for appealing orders entered in specific types of cases to any appellate court rather than the question of which appellate court has jurisdiction over the matter. As Bell asserts no basis for invoking this Court's exclusive appellate jurisdiction, and none appears from the application, see Ga. Const. of 1983, Art. VI, Sec. VI, Par. II-III; OCGA § 15-3-3.1, this application is transferred to the Court of Appeals.

All the Justices concur.

SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.
Witness my signature and the seal of said court hereto affixed the day and year last above written.

, Clerk

APP. G

SUPREME COURT OF GEORGIA
Case No. S25I1323

September 16, 2025

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

ANDREW W. BELL v. THE STATE.

Upon consideration of the Motion for Reconsideration filed in this case, it is ordered that it be hereby denied.

All the Justices concur.

SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

, Clerk

APP. H

PETITIONER REQUEST EXPEDITION IN ACCORDANCE WITH RULE 65

CASE NO.

IN THE SUPREME COURT OF GEORGIA

ANDREW W. BELL

Petitioner,

v.

STATE of GEORGIA,

Respondent.

PETITION FOR WRIT OF CERTIORARI OF THE GEORGIA COURT OF APPEALS' JULY 01, 2025 DECISION, IN CASE NO. A25E0146

Andrew W. Bell
pro se
P.O. BOX 82348
Atlanta, GA 30354
(404) 380-0037
Andrew.Be11@live.com

SUPREME COURT OF GEORGIA
Case No. S25C1346

December 09, 2025

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

ANDREW W. BELL v. THE STATE.

The Supreme Court today denied the petition for certiorari in this case.

All the Justices concur.

Court of Appeals Case No. A25E0146

SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

, Clerk

APP. I

SUPREME COURT OF GEORGIA
Case No. S25C1346

January 21, 2026

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

ANDREW W. BELL v. THE STATE.

Upon consideration of the Motion for Reconsideration filed in this case, it is ordered that it be hereby denied.

All the Justices concur.

SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

, Clerk

APP. J

Outlook

Georgia Supreme Court E-File - Filing Rejected

From noreply@gasupreme.us <noreply@gasupreme.us>
Date Tue 1/20/2026 3:02 PM

TO: Andrew Bell,

Your eFiling for Case # S25I1323 ANDREW W. BELL v. THE STATE was not accepted due to:

You do not have a case pending before this Court in which to file your documents.

The transaction confirmation number for this filing is 147639.

For additional information, please contact the Supreme Court Clerk's Office.

Clerk's Office
Supreme Court of Georgia
Nathan Deal Judicial Center
330 Capitol Avenue S.E., Room 1100
Atlanta, Georgia 30334
(404) 656-3470

APP. K

IN THE STATE COURT OF DEKALB COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

V.

ANDREW W. BELL,
Defendant.

*
*
*
*
*
*
*

CIVIL CASE NO. 22C03994

ORDER DENYING MOTION FOR CONTINUANCE

The Court **DENIES** Plaintiff's motion for continuance, finding he has had sufficient time to be ready for trial scheduled on May 19, 2026. Additionally, all other of Defendant's recently filed motions, such as his Motion to Quash Proceedings, Motion to Compel, Motion to Disclose, and Motion to Dismiss are a rehash of arguments Defendant made in previously filed motions upon which this Court has already ruled. The Court refers Defendant to previous Orders from this Court.

IT IS SO ORDERED, this 23rd day of April, 2026.

Hon. Kimberly K. Anderson
State Court of DeKalb County

cc: Counsel of record; Clerk's file

APP. L

IN THE STATE COURT OF DEKALB COUNTY

STATE OF GEORGIA

STATE OF GEORGIA	*	
	*	**CASE NO. 22C03994**
v.	*	
	*	
ANDREW W. BELL,	*	
Defendant.	*	

ORDER DENYING MOTION TO RECUSE

Defendant filed a Second Motion to Recuse this Court on April 27, 2026. However, the affidavit filed in support of the motion is insufficient pursuant to Rule 25.2 of the Uniform Rules of Superior Court as it alleges no extra-judicial conduct by the Court. Therefore, Defendant's motion is **DENIED.**

IT IS SO ORDERED, this 28th day of April, 2026.

Hon. Kimberly K. Anderson
State Court of DeKalb County

cc: Counsel of record; Clerk's file

APP. M

IN THE STATE COURT OF DEKALB COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,	§	
	§	**CASE NO. 22C03994**
v.	§	
	§	
ANDREW BELL,	§	
	§	
Defendant.	§	
	§	

ORDER DENYING MOTION FOR RECONSIDERATION

Defendant filed a Motion for Reconsideration of this Court's denial of his Motion for Continuance and complaining about the Court's previous order. The Court again **DENIES** Defendant's motion for continuance finding that Defendant has had sufficient opportunity to prepare for trial.

Furthermore, Defendant's pre-trial motions are untimely under Georgia law. Pursuant to O.C.G.A. § 17-7-110: "All pretrial motions, including demurrers and special pleas, shall be filed within ten days after the date of arraignment, unless the time for filing is extended by the court." See also Uniform Superior Court Rule 31.1. Defendant's arraignment occurred in November 2023. "When a defendant files an untimely pre-trial motion, the trial court may dismiss the motion or entertain a request by the defendant to accept the late filing." Gonzalez v. State, 334 Ga. App. 706 (2015). Defendant has not sought or obtained an extension of the filing deadline. Consequently, the Court dismisses all of Defendant's untimely filed motions.[1]

[1] As for Defendant's Motion to Correct the Transcript of Defendant's March 11, 2025 court appearance the Court will hold an evidentiary hearing on this matter post-trial to ensure the accuracy and completeness of the record.

SO ORDERED this day 28th of April, 2026.

Honorable Kimberly Anderson
State Court of DeKalb County

FILED IN THIS OFFICE
THIS 28th of April, 2026
Hill, Robert
Clerk, State Court, DeKalb County