

FILED

NORTH CAROLINA  
FRANKLIN COUNTY

2014 FEB -4 PM 4:50

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NOS. 12CR551877, 51878 AND 51879

FRANKLIN COUNTY, G.S.C.

STATE OF NORTH CAROLINA  
VS  
SHANNON ZACH NYAMODI  
Defendant

BY agh

ORDER DISMISSING WRIT OF  
HABEAS CORPUS

THIS CAUSE came on for review by the undersigned Superior Court Judge pursuant to a paper writing entitled "Habeas Corpus Ad Subjiciendum" that was filed in the office of the Franklin County Clerk of Superior Court on 3 February 2014. The Court, upon review of the Court files, makes the following

FINDINGS OF FACT:

1. The Defendant was indicted by the Franklin County Grand Jury on 1 October 2012 in file 12crs51877 for larceny of a firearm and assault with a deadly weapon, in file number 12crs51878 for attempted first degree murder, robbery with a deadly weapon and conspiracy to commit robbery with a deadly weapon, and in file number 12crs51879 for conspiracy to commit the felony of murder.
2. The Defendant is represented by his privately retained attorney, Mike Klinkosum.
3. This Writ of Habeas Corpus is written by the Defendant's mother, Elizabeth Crudup, who is not an attorney.
4. The Defendant's last court date in Franklin County Criminal Superior Court was on 21 January 2014, on that date Defendant's court date was continued.
5. This matter has previously been ruled upon in an "Order Dismissing Writ of Habeas Corpus" entered on 6 January 2014 by Hon. Robert H. Hobgood Sr.; Resident Superior Court Judge.

Based on the foregoing findings of fact, the Court makes the following,

CONCLUSIONS OF LAW:

1. This Court has jurisdiction over this subject matter.
2. The Defendant's mother has no standing to write and file legal documents on behalf of her son.
3. The Defendant has been lawfully indicted by the Franklin County Grand Jury.
4. The Defendant is being held by legal process.
5. Judge Robert H. Hobgood has previously entered an order dismissing a substantially similar petition for "Writ of Habeas Corpus".
6. The paper writing filed by the Defendant's mother should be dismissed.

WHEREFORE, IT IS ORDERED that the paper writing entitled "Habeas Corpus Ad Subjiciendum" is denied and dismissed.