


Cindy Mason, Clerk
Columbia County, Georgia

IN THE SUPERIOR COURT OF COLUMBIA COUNTY
STATE OF GEORGIA
DOMESTIC RELATIONS DIVISION

HALEY CROWE)
Plaintiff,)
vs.)
WAYLAND WILLIS,)
Defendant.)
_____)

Civil Action File No.:
2025EDR0053

**DEFENDANT'S MOTION TO PROHIBIT CONTINUED RELIANCE ON
UNADJUDICATED AND UNSUBSTANTIATED ALLEGATIONS**

I. INTRODUCTION

COMES NOW Defendant, Wayland Braxton Willis, pro se, and files this Motion to Prohibit Continued Reliance on Unadjudicated and Unsubstantiated Allegations.

This motion is necessitated by the continued operation, within this case, of allegations that have never been adjudicated, substantiated, or adopted by the Court through written findings of fact or conclusions of law, yet which continue to function as justification for restrictions, conditions, recommendations, or exercises of authority affecting Defendant's parental rights.

Where allegations continue to produce present legal effects without adjudication or written adoption by the Court, their status must be identified and classified. Absent such classification, continued reliance constitutes the use of non-operative material as fact.

II. PROCEDURAL POSTURE & CONTINUITY OF UNADJUDICATED ALLEGATIONS

This action is pending before the Superior Court of Columbia County and involves issues of custody and visitation.

Throughout the pendency of this case, allegations concerning Defendant have arisen across multiple procedural and informal contexts, including but not limited to court filings, investigative referrals, third-party narratives, and Guardian ad Litem communications. These allegations have been repeatedly referenced and implicitly relied upon in connection with restrictions and conditions affecting Defendant's parental rights.

None of these allegations have been adjudicated by this Court. None have resulted in written findings of fact or conclusions of law. No order of this Court has identified which allegations, if any, are operative or constitute the factual basis for ongoing restrictions or authority.

Despite the absence of adjudication or written adoption, restrictions and authority continue to operate, drawing apparent force from a cumulative narrative that has never been judicially resolved.

III. CONTINUED OPERATION WITHOUT FINDINGS

Defendant has filed multiple motions requesting clarification of operative orders, identification of evidentiary bases, and written findings of fact and conclusions of law. To date, no written findings have been issued identifying adjudicated or substantiated facts supporting the continued restrictions affecting Defendant's parental rights.

Defendant has also filed, and the Court has entered, a Protective Order governing confidential medical information, which establishes that such material may be addressed only through court-authorized procedures and removes any basis for informal or extrajudicial reliance.

Accordingly, continued restrictions, conditions, or exercises of authority cannot lawfully rest on unresolved allegations, informal narratives, or investigative material that has not been adjudicated or adopted by the Court.

IV. GOVERNING LEGAL PRINCIPLE

Under Georgia law, allegations do not acquire operative legal status through repetition, accumulation, or informal reliance. Allegations become operative facts only when adjudicated, substantiated by competent authority, or expressly adopted by the Court through written findings of fact or conclusions of law.

Absent adjudication or written adoption, allegations remain non-operative and may not serve as the basis for restrictions, conditions, recommendations, or exercises of authority affecting parental rights.

Where restrictions continue to operate without written findings identifying adjudicated or substantiated facts, clarification is required to preserve due process and the Court's exclusive adjudicative role.

V. APPLICATION AND REQUIRED CLARIFICATION

In this case, allegations that have never been adjudicated or substantiated continue to function as apparent justification for ongoing restrictions and authority affecting Defendant's parental rights.

Defendant does not request that the Court determine the truth or falsity of any allegation at this stage. Defendant requests that the Court identify whether such allegations are being treated as operative and, if so, require that they be formally adjudicated and reduced to written findings.


If the Court determines that such allegations are not operative, they may not continue to be relied upon, referenced, or invoked, directly or indirectly, as justification for present or future restrictions or authority.

VI. RELIEF REQUESTED

WHEREFORE, Defendant respectfully requests that the Court enter an Order providing that:

1. Allegations that have not been adjudicated, substantiated, or expressly adopted by the Court through written findings of fact or conclusions of law may not be relied upon as operative facts supporting any restriction, condition, recommendation, or exercise of authority affecting Defendant's parental rights.
2. Where prior allegations are being relied upon as justification for present or continuing restrictions or authority, the Court shall identify those allegations and require formal adjudication and written findings as a prerequisite to continued reliance.
3. No party, Guardian ad Litem, or other participant may rely upon unadjudicated or unsubstantiated allegations as a substitute for adjudicated facts in making recommendations or imposing conditions with binding or practical effect.
4. Continued reliance on such allegations absent adjudication constitutes impermissible use of non-operative material as fact.
5. The Court grant such other and further relief as it deems just and appropriate.

Respectfully submitted this **19th** day of **January, 2026**.



Wayland Braxton Willis

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing Defendant's **Motion To Prohibit Continued Reliance On Unadjudicated And Unsubstantiated Allegations** upon the following parties by electronic service through PeachCourt eService:

Adam B. Land, Esq.
Counsel for Plaintiff
adam@tisdalelawfirm.com

Renee Bell
Guardian ad Litem
kidsgal@aol.com

This **19th** day of **January, 2026**.



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