


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

**MOTION TO MODIFY CUSTODY AND FOR RELIEF BASED ON PROLONGED
DEPRIVATION AND DUE PROCESS BREAKDOWN**

COMES NOW Defendant, Wayland Braxton Willis, and moves the Court for modification of custody and related relief. This motion is filed under the express assumption that the Court may not engage, clarify, or cure procedural defects absent compulsion, and is therefore drafted to stand as a complete and self-executing record of ongoing deprivation, procedural breakdown, and harm to the minor child.

This motion does not rely on anticipated cooperation, clarification, or implied institutional correction. It addresses conditions that presently exist and continue unabated.

This motion is filed against a backdrop of long-standing instability driven by repeated allegations that have never been substantiated.

This is the Plaintiff's third attempt to restrict Defendant's parental rights through emergency or investigative processes, including multiple Temporary Protective Order proceedings and multiple Department of Family and Children Services investigations. Each prior matter was dismissed, closed without findings, or resolved without evidence substantiating the allegations asserted.

Notwithstanding this history, Defendant consistently complied with all directives, cooperated with every investigation, submitted to testing, and engaged in repeated efforts to stabilize the custodial framework and preserve the child's relationship with both parents.

The present posture is not the result of a previously functional arrangement that deteriorated. It is the result of unresolved, repetitive allegations combined with the Court's failure to adjudicate, clarify, or enter findings when the consequences of those allegations materially altered custody in practice.

The Court's continued non-engagement did not create the underlying conflict, but it has allowed temporary, informal, and unsupported restrictions to harden into an indefinite deprivation of parental rights.

This motion is therefore not premised on anticipated engagement. It is premised on the reality that silence has persisted and harm continues.

Since November 2025, Defendant has filed multiple motions seeking ordinary procedural relief, including motions to clarify existing orders, motions for written findings, motions addressing non-action, motions to enforce compliance, and motions to define or limit extrajudicial authority.

As of the filing of this motion, thirteen Defendant-filed motions remain pending without ruling. These motions span several months and collectively sought adjudication, clarification of authority, and enforcement of existing orders.

Continued deprivation exists not only because of unresolved and repetitive allegations that have never resulted in findings,

evidence, or sustained court action, but because adjudication has not occurred.

Despite the absence of substantiated claims and despite Defendant's repeated compliance and cooperation, no findings of fact have been entered to justify the continuation or expansion of restrictions imposed in practice.

No order has been entered suspending parent-child communication. No findings have been entered authorizing continued deprivation. Defendant has exhausted ordinary procedural avenues, and the absence of adjudication has allowed deprivation to persist by default.

The following conditions presently exist as a matter of record:

Defendant last exercised in-person parenting time with the minor child on October 18, 2025. Since that date, Defendant has been deprived of in-person contact for a period exceeding three months.

During this same period, Defendant has been largely deprived of meaningful parent-child communication. No court order suspends communication. No order conditions communication on testing, evaluation, or third-party approval.

Nevertheless, communication has been denied or obstructed on a recurring basis, with denial justified by reference to informal or extrajudicial statements rather than written court authority.

Defendant contemporaneously objected to these denials and repeatedly requested clarification and adjudication. No ruling issued.

These conditions are documented by sworn filings and contemporaneous communication logs reflecting attempted contact and outcomes over time.

This constitutes an additional material change in circumstances.

This additional material change is not merely interpersonal or situational, nor does it arise from a previously functional custodial framework. Rather, it is cumulative and structural.

While prior changes in circumstances already existed at the time custody was reopened, the Court's failure to adjudicate, clarify, or enter findings has created a separate and independent change by allowing unresolved false allegations and informal restrictions to operate as de facto custody determinations.

The custodial arrangement reflected in prior orders has never been fully realized in practice due to recurring calumny and unilateral interference.

The Court's failure to adjudicate, clarify, or enter findings has compounded that dysfunction by allowing unresolved claims to operate as de facto custody determinations.

Temporary and informal measures have, through prolonged non-action, hardened into an indefinite deprivation of Defendant's parental relationship with the child. This deprivation has occurred without findings of fact, without conclusions of law, and without a valid order authorizing the scope or duration of restriction imposed.

Absent intervention, deprivation continues by default rather than by law.

This constitutes an additional material change in circumstances.

The change is not merely interpersonal or situational, nor does it arise from a previously functional custodial framework. Rather, it is cumulative and structural.

While instability and interference predated the current posture, the Court's failure to adjudicate, clarify, or enter findings has created a separate and independent change by allowing unresolved allegations and informal restrictions to operate as de facto custody determinations.

Temporary and informal measures have, through prolonged non-action, hardened into an indefinite deprivation of Defendant's parental relationship with the child. This deprivation has occurred without findings of fact, without conclusions of law, and without a valid order authorizing the scope or duration of restriction imposed.

Absent intervention, custody continues to be governed by inertia rather than law.

Defendant requests that the Court enter an order granting the following relief:

1. Modification of custody granting Defendant primary physical custody and appropriate legal custody authority, or such custody relief as is necessary to restore lawful structure and prevent continued deprivation.
2. Immediate restoration of defined parenting time and communication absent specific findings justifying continued restriction.

3. Written findings of fact and conclusions of law supporting any continued limitation on Defendant's parental rights should the Court decline to grant immediate custody relief.

4. Such other and further relief is necessary to cure the ongoing deprivation and protect the child's best interests.

This relief is requested not as a matter of discretion, but as the only lawful means of ending an indefinite deprivation unsupported by adjudication.

Defendant expressly preserves all issues relating to due process violations, prolonged deprivation without adjudication, reliance on extrajudicial authority, and the continued alteration of custody through institutional non-action.

Respectfully submitted, this **30th** day of **January, 2026**.



Wayland Braxton Willis

Defendant, Pro Se
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing **Motion To Modify Custody And For Relief Based On Prolonged Deprivation And Due Process Breakdown** together with all exhibits, 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 **30th** day of **January, 2026**.



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