

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

HALEY CROWE,
Plaintiff,

vs.

Civil Action File No.: 2025EDR0053

WAYLAND BRAXTON WILLIS,
Defendant.

**DEFENDANT'S MOTION TO CORRECT THE RECORD, VOID CONSENT ORDER,
AND RULE ON PENDING AFFIDAVIT OF INDIGENCE**

COMES NOW Defendant Wayland Braxton Willis, appearing pro se, and respectfully moves this Court pursuant to O.C.G.A. § 9-11-60, O.C.G.A. § 19-9-3(a)(8), and this Court's inherent authority to manage proceedings before it, for three narrow forms of relief: (1) correction of the record to reflect the documented circumstances under which the November 24, 2025 suspension order was entered; (2) reconsideration and vacation of the December 17, 2025 Consent Order for Psychological Evaluation, which was entered without Defendant's consent; and (3) a ruling on Defendant's Affidavit of Indigence filed December 9, 2025, which remains pending and governs the financial viability of every cost-bearing order currently operative against Defendant. In support thereof, Defendant states:

I. BACKGROUND

Defendant has proceeded pro se in this action since December 10, 2025, following the Court-approved withdrawal of Holly G. Chapman of Davis, Chapman & Wilder, LLC. Since that date, Defendant has filed twenty-one motions. As of the date of this filing, none have received a ruling, a response from opposing counsel, or a scheduled hearing. Defendant has had no contact with his minor child for 58 days as of this filing, and the suspension has been operative for 109 days since November 24, 2025, without adjudicated findings and without a hearing on the merits.

This motion does not ask the Court to adjudicate a dispute between Defendant and former counsel, and it does not use this Court as a vehicle for any malpractice claim. It asks for three

specific corrections to the operative record that are within this Court's existing authority and that bear directly on the fairness of the proceedings as they now stand.

II. THE RECORD PRECEDING THE NOVEMBER 24 SUSPENSION ORDER IS INCOMPLETE

On November 4, 2025, this Court entered an Order to Seal the October 22, 2025 unverified positive drug screen result. On November 12, 2025, this Court entered a second Order to Seal covering the MRO-verified negative retest results — both the Blood PEth20 and the 17-panel hair follicle test collected November 4, 2025. Both sealed documents were maintained in this Court's chambers at 640 Ronald Reagan Drive. By November 12, both the positive and the exculpatory negative results were physically in this Court's possession.

On October 29, 2025, six days after Defendant transmitted the unverified October 22 positive result to the Guardian Ad Litem, the Guardian Ad Litem unilaterally suspended Defendant's visitation without any court order. This ultra vires suspension remained in effect for 23 days. On November 20, 2025 — eight days after the MRO-verified negative results had been sealed in this Court's chambers — the Guardian Ad Litem contacted this Court's Judicial Assistant via email requesting a suspension order and a status conference. The Guardian Ad Litem's November 20 communication cited only the October 22 unverified positive result. The MRO-verified negatives, already sealed in this Court's chambers since November 12, were not referenced.

On November 21, 2025, this Court verbally ordered visitation suspended. The written order followed on November 24, 2025. The order was entered on a record from which the most recent, MRO-verified drug test results had been omitted — not by Defendant, who had no individual ability to supplement the record while represented by counsel, but by the two parties who held those results and contacted this Court.

Defendant respectfully requests that this Court take judicial notice of the foregoing and acknowledge, for purposes of the record, that the November 24 suspension order was entered without the benefit of the exculpatory November 7 results that were in the possession of both counsel and the Guardian Ad Litem at the time of the suspension request.

III. THE DECEMBER 17, 2025 CONSENT ORDER IS VOID FOR LACK OF CONSENT

On December 17, 2025, this Court entered a document captioned 'Consent Order for Psychological Evaluation,' directing Defendant to submit to a psychological evaluation by Dr. Amy Holsten at Defendant's cost. The order was presented by Plaintiff's counsel, Adam D. Land. It does not contain a signature block for Defendant. It was not signed by Defendant. Defendant was not consulted regarding its terms prior to its submission to the Court and had no knowledge of it before it was entered.

A consent order is a contract between the parties and is void as to any party who did not actually consent to its terms. *Brock v. Brock*, 279 Ga. 276, 277 (2005). The Georgia Supreme Court has held that a court may not enter a consent order binding a party who has not in fact consented. *Id.*

Here, the absence of Defendant's signature or signature block is not a technical defect — it reflects the actual circumstance: Defendant was never a party to the formation of the order. The order imposes both financial obligations and conditions on Defendant's parental rights without his participation.

Defendant further notes that upon attempting to comply, he determined that Dr. Amy Holsten is no longer in practice at the location referenced in the order. Defendant notified opposing counsel in writing and received no response. The order therefore imposes a continuing compliance obligation that is impossible to fulfill as written, compounding the due process deficiency in its formation.

This Court has authority to set aside orders that are void on their face. O.C.G.A. § 9-11-60(d). A consent order entered without the consent of the party it binds is void within the meaning of that statute. *Brock*, 279 Ga. at 277. Defendant moves this Court to vacate the December 17, 2025 Consent Order for Psychological Evaluation. If this Court determines that a psychological evaluation is warranted, Defendant respectfully requests that any such order be entered only after notice to Defendant, an opportunity to be heard on the terms, and a determination consistent with Defendant's financial circumstances as set forth in the pending Affidavit of Indigence.

IV. DEFENDANT'S AFFIDAVIT OF INDIGENCE REMAINS PENDING AND REQUIRES A RULING

On December 9, 2025, following entry of an order requiring Defendant to submit to a 17-panel hair follicle test and PEth blood test before 4:30 p.m. that same day — an order signed at 3:45 p.m. — Defendant filed an Affidavit of Indigence with this Court documenting his financial circumstances and his inability to bear the cost of the ordered testing. That affidavit has never been ruled upon.

The Supreme Court has held that a State may not condition a parent's ability to pursue fundamental parental rights on the payment of costs the parent cannot afford. *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996); *Boddie v. Connecticut*, 401 U.S. 371 (1971). Every cost-bearing order currently operative against Defendant — the December 9 testing order, the December 17 psychological evaluation order, and any ongoing GAL fee obligation — intersects directly with the financial circumstances documented in the pending affidavit.

Defendant respectfully requests that this Court issue a ruling on the December 9, 2025 Affidavit of Indigence. If granted, Defendant further requests that this Court reconsider all cost-bearing orders entered subsequent to that filing in light of Defendant's documented financial circumstances, including any obligation to contribute to Guardian Ad Litem fees under O.C.G.A. § 19-9-3(a)(8).

V. RELIEF REQUESTED

WHEREFORE, Defendant respectfully requests that this Court:

A. Correct the Record: Take judicial notice that the November 24, 2025 Order Immediately Suspending Visitation was entered on an incomplete record. Both the October 22, 2025 unverified positive result and the November 7, 2025 MRO-verified negative retest results had been sealed in this Court's chambers by November 12, 2025 — eight days before the Guardian Ad Litem's November 20 ex parte suspension request. Bell's November 20 communication to this Court cited only the October 22 unverified positive result.

The November 24 suspension order was therefore entered without the benefit of the most recent and exculpatory results that were already in this Court's physical possession;

B. Vacate the December 17 Order: Set aside the December 17, 2025 Consent Order for Psychological Evaluation as void pursuant to O.C.G.A. § 9-11-60(d) and *Brock v. Brock*, 279 Ga. 276 (2005), for lack of actual consent, and direct that any future psychological evaluation order be entered only after notice to and participation by Defendant;

C. Rule on the Affidavit of Indigence: Issue a ruling on Defendant's December 9, 2025 Affidavit of Indigence and, if granted, reconsider all cost-bearing orders entered subsequent to that filing, including Defendant's obligation to contribute to Guardian Ad Litem fees; and

D. Schedule a Hearing: Schedule a hearing on this motion and on the twenty-two pending motions (including the June 9, 2025 Motion for In-Camera Inspection of DFCS Records filed by former counsel).

Respectfully submitted, this **13th** day of **March, 2026**.



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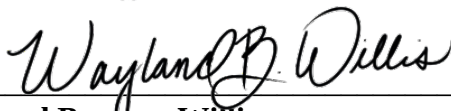
WAYLAND BRAXTON WILLIS,
Defendant.

CERTIFICATE OF SERVICE

I hereby certify that on this **13th** day of **March, 2026**, I served a true and correct copy of the foregoing motion upon the following parties via PeachCourt eService:

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Renee Bell, Guardian Ad Litem,
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