

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

**HALEY CROWE,**

Plaintiff,

v.

**WAYLAND BRAXTON WILLIS,**

Defendant.

Civil Action File No.: **2025EDR0053**

**DEFENDANT'S MOTION REGARDING PRIOR COUNSEL CONDUCT, NOTICE OF  
RESULTING PRO SE POSTURE, AND REQUEST FOR PROPORTIONATE  
CONSIDERATION OF FEES**

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COMES NOW Defendant Wayland Braxton Willis, appearing pro se, and respectfully files this Motion pursuant to O.C.G.A. §§ 19-9-3(a)(8), 9-15-14, and this Court's inherent equitable authority to manage the proceedings before it. Defendant moves for: (1) a formal finding by this Court that the circumstances under which prior counsel withdrew directly impaired Defendant's capacity to respond to, comply with, and prosecute the pending matters in this case; and (2) proportionate relief in the form of equitable fee allocation in connection with this proceeding, to the extent the Court finds such relief warranted.

**I. INTRODUCTION AND PURPOSE OF THIS MOTION**

Defendant has been proceeding without legal representation 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 been compelled to file twenty-five substantive motions pro se to address ongoing deprivations, none of which have been adjudicated. Defendant has had no in-person contact with his minor child for 161 days as of the date of this filing, and no communication of any kind since January 14, 2026.

This motion does not ask the Court to adjudicate a dispute between Defendant and former counsel, and it does not use this proceeding as a vehicle for malpractice claims pending in other forums. Its purpose is narrower and specific: to establish in this record — through documented,

docketed facts — the conduct that preceded and produced Defendant's unrepresented status, and to invoke this Court's authority under O.C.G.A. § 9-15-14(b) to address conduct that directly impacted these proceedings.

The record of this case, read without this context, creates a misleading impression — that Defendant voluntarily elected self-representation during a critical phase of these proceedings, and that the procedural posture of this case, including unanswered motions and missed compliance deadlines, reflects Defendant's own choices. The record as it exists does not reflect that Defendant was left without counsel at a hearing his own attorney scheduled, at which a same-day testing order was entered with a 45-minute compliance window, after nine months of billing silence and without adequate notice of the withdrawal. This motion corrects that record.

## **II. FACTUAL BACKGROUND**

### **A. Retention and Representation Period.**

On February 26, 2025, Defendant retained Holly G. Chapman of Davis, Chapman & Wilder, LLC to represent him in this action. The retainer agreement was executed at a fee of \$4,000.00. The representation encompassed a modification proceeding in which Defendant's established 50/50 joint custodial rights under the Final Judgment and Decree of Divorce (Case No. 2022EDR0589, entered August 10, 2023) were at issue. Defendant cooperated fully throughout the representation, including complying with all court-ordered drug testing, attending all scheduled proceedings, and providing counsel with documentary and evidentiary materials in advance of the September 12, 2025 deposition.

### **B. The November 18, 2025 Withdrawal Notice and Billing Disclosure.**

On November 18, 2025, Ms. Chapman filed a Notice of Intent to Withdraw as Attorney of Record pursuant to USCR 4.3. That notice was served to 6124 Gavin Road — an address Ms. Chapman knew to be incorrect. Defendant's correct address has been 806 Whispering Willow Ct., Grovetown, Georgia 30813 throughout this proceeding.

The November 18 withdrawal notice contained the first billing disclosure of the representation: that the retainer had been "exhausted for some time." At no prior point had Ms. Chapman notified Defendant that the retainer was depleted. The retainer agreement contained an explicit notification trigger requiring disclosure when the balance reached \$700.00. That obligation

was never satisfied. Defendant was denied the ability to make informed decisions about continued representation, substitute counsel, or cost allocation throughout the preceding nine months.

### **C. The December 9, 2025 Hearing and Withdrawal.**

On November 25, 2025, Ms. Chapman — while her own motion to withdraw was pending — filed a Notice of Status Conference scheduling a hearing for December 9, 2025. On December 2, 2025, she filed a formal Motion to Withdraw, in which Paragraph 11 requested permission to present evidence and argument ex parte at that same December 9 hearing. An address correction was not filed until December 8, 2025, one day before the hearing.

At the December 9 hearing, Ms. Chapman withdrew from representation. The Court entered a drug testing order (Exhibit B) signed and filed at 3:45 PM, requiring a 17-panel hair follicle test and PEth blood test at Analyze America, with a compliance deadline of 4:30 PM the same day — 45 minutes after the order was signed. Defendant was unrepresented, without funds, and unable to comply. An Affidavit of Indigence was filed that evening. It has never been ruled upon. The withdrawal as executed violated Uniform Superior Court Rule 4.3, which prohibits counsel from withdrawing in a manner that causes undue delay or prejudice to the client. Scheduling and conducting the hearing at which withdrawal was granted, without ensuring Defendant had adequate notice, substitute counsel, or the financial means to comply with orders entered that day, constitutes prejudice within the meaning of that Rule.

The Order Granting Withdrawal was filed December 10, 2025. It was drafted and presented to the Court by Ms. Chapman herself. Since December 10, 2025, Defendant has filed every pleading, motion, and response in this case without the assistance of counsel.

### **III. EFFECT OF PRIOR COUNSEL'S WITHDRAWAL ON THIS PROCEEDING**

The following consequences of Ms. Chapman's withdrawal are currently operative in this case and are directly traceable to the conduct described above:

- The December 9, 2025 testing order imposed a same-day compliance deadline that was factually impossible for an unrepresented, financially indigent defendant to satisfy. The failure to rule on the December 10, 2025 Affidavit of Indigence constitutes a failure of a ministerial administrative function, effectively barring an unrepresented, indigent litigant from access to the court process. The Affidavit has gone unruled for 108 days.

- The testing conditions imposed by that order remain operative, notwithstanding documented impossibility of compliance confirmed by the designated facility.
- The December 17, 2025 "Consent Order" for Psychological Evaluation was entered on opposing counsel's unilateral submission while Defendant's Affidavit of Indigence and Motion for Relief from the Testing Order were pending and unanswered. That order contains no Defendant signature block. Under *Brock v. Brock*, 279 Ga. 276, 277 (2005), it is void on its face.
- Twenty-five motions filed by Defendant since November 18, 2025 have received no rulings. Several of those motions specifically address the consequences of the circumstances described in this motion, including the void consent order, the indigency determination, and the testing compliance barriers. None has been scheduled for hearing. These circumstances directly impaired Defendant's ability to comply with court orders and prosecute pending motions, which remain unresolved.
- Defendant has been denied all in-person contact with his minor child since October 19, 2025, and all communication since January 14, 2026. These deprivations flow from conditions that an adequately represented defendant would have had counsel to challenge at the December 9 hearing and in the weeks following.

#### **IV. RELIEF REQUESTED**

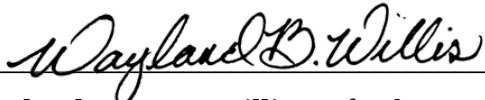
Defendant respectfully requests that the Court:

1. Direct that this Motion and the exhibits filed herewith be made part of the permanent record of Case No. 2025EDR0053, reflecting the conditions under which Defendant has been required to proceed pro se in this action;
2. Rule on Defendant's Affidavit of Indigence, filed December 9, 2025, as the financial threshold determination governing the feasibility of the testing orders and evaluations currently imposed upon Defendant as conditions precedent to any restoration of parenting time;
3. Pursuant to O.C.G.A. § 9-15-14(b), make findings as to whether the conduct of prior counsel — scheduling and presiding over the December 9 hearing while her withdrawal was pending, leaving Defendant unrepresented and unable to respond to an impossible same-day compliance order, after nine months of billing silence and without prior notice

of depleted funds — constitutes conduct that unnecessarily expanded these proceedings or was undertaken in bad faith within the meaning of O.C.G.A. § 9-15-14(b); and enter an order either awarding attorney's fees against former counsel payable to Defendant, or stating the specific reasons for denial. This Court has a duty to address conduct that directly impacted proceedings before it, and these circumstances directly impaired Defendant's ability to comply with court orders and prosecute the pending motions that remain unresolved in this action.

4. Grant such other and further relief as the Court deems equitable and appropriate in light of the documented circumstances of Defendant's unrepresented status.

Respectfully submitted this **30th** day of **March 2026**.



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**Wayland Braxton Willis**, Defendant Pro Se

806 Whispering Willow Ct.

Grovetown, Georgia 30813

legal@thebreakingproject.org | (762) 354-0014

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**HALEY CROWE,**

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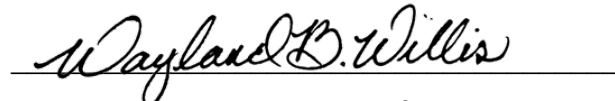
**WAYLAND BRAXTON WILLIS,**

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**CERTIFICATE OF SERVICE**

I hereby certify that on the **30th** day of **March 2026**, I served a true and correct copy of the foregoing **Motion Regarding Prior Counsel Conduct, Notice Of Resulting Pro Se Posture, And Request For Proportionate Consideration Of Fees** upon Adam D. Land, Esq., Tisdale Middleton & Land, 207 N. Belair Road, Evans, Georgia 30809, by electronic service through PeachCourt.



**Wayland Braxton Willis**, Defendant Pro Se

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Grovetown, Georgia 30813

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