

Fulton County Daily Report Questionnaire for Judicial Candidates

1. Name: Michael M. Sheffield

2. Office Address: 242 Culver Street/ Suite 103/ Lawrenceville Ga. 30045  
Telephone: 770-822-2599

2. 3. Born: Atlanta, Ga., November 3, 1949

4. Not applicable

4. 5. Married to Susan Sheffield  
Children Olivia 14, Matthew 12

6. Never been in the military.

5. 7. Career history: Wake Forest University, graduated cum laude in 1971  
6. Emory University Law School, graduated in 1974  
Law Clerk for Judge Bernard Rapkin in DeKalb Recorders Court 1974-1975  
DeKalb District Attorney's Office 1975-1984  
DeKalb Public Defender's Office 1984-1999  
Private Practice in Decatur 1999-2001  
Private Practice in Lawrenceville 2001-present

7. 8. Was appointed an associate judge for the City of Lilburn in 2001.  
Ran for a State Court seat in DeKalb County in 1984 and lost to Judge Anne Workman in a run-off. Lost in run-off in Court of Appeals race in 2004

9. I am a sole practitioner specializing primarily in criminal law.

11. 10. (a) I have regularly appeared in court the last 5 years.  
13. (b) Appearances in last 5 years: State Courts 98%, Administrative Boards 2% Federal Court 0%  
(c) Criminal 95%, Civil 5%  
(d) Jury trials 100%, Non-Jury 0%  
(e) I tried approximately 5 jury trials to conclusion in each of the last 5 years all as sole counsel.  
(f) 5 of the more significant cases I have handled are listed on the next pages.

12. 9070

8. All courts in Georgia including Court of Appeals and  
+ 1975. No federal courts

154 Ga. App. 633 (1980)

STATE VS. HAYGOOD

The defendant was tried for an aggravated assault on his wife who was so severely beaten that she was unable to remember any of the circumstances of the assault and was unable to identify her attacker. There were no direct witnesses to the crime, but through a presentation of circumstantial evidence the State was able to convict the defendant. The evidence included an unusual procedure whereby the DeKalb Medical Examiner was called on to determine the cause on an injury to a living victim. The medical examiner was able to match injuries to the victim's face with a ring removed from the defendant's hand at the time of his arrest. I served as the sole counsel for the State at the jury trial and in the appeal which was affirmed by the Georgia Court of Appeals.

(g) I have done approximately 25 cases in administrative hearings involving the administrative revocation of drivers licenses of clients charged with DUI over the past 5 years.

11. I was a judge in the City of Lilburn but had no written opinions or cases appealed to appellate courts.

12. (a) From 1975-1999 I appeared in court all the time as an Assistant District Attorney and an Assistant Public Defender. I tried approximately 15 jury trials in each of those years. All of the cases were in Superior Court.

(b) I did not do any administrative hearings during that time.

13. I have written approximately 50 appeals during my career in the DeKalb District Attorney's Office, the DeKalb Public Defender's Office and private practice. I have 2 cases pending now on appeal, one being in Gwinnett Superior Court.

14. Available if necessary.

15. My practice has been trial and appellate work.

16. Never been in practice other than law.

17. A law clerk should help the judge research the law in civil and criminal matters.

18. Hard work on the judge's part is necessary to move the high case load that is in the Georgia Court of Appeals.

19. I have never held or run for public office.

19. 20. I have never been sued by a client.

21. I have never published any books or articles.

22. I served as chairman of the Gwinnett County Law Day program for 2001. Our program was

presented the Law Day Award by the State Bar of Georgia Local Bar Activities Committee as the best Law Day program that year for local bars between 251 and 500 members.

- 23. State Bar of Georgia: Board of Governors from DeKalb County 1997-2001  
 Chairman of the Lawyers Assistance Committee 2001-2003  
 Fellow of the Lawyers Foundation of Georgia

9.

Gwinnett County Bar Association: President 2004-2005  
 President-Elect 2003-2004  
 Vice-President 2002-2003  
 Treasurer: 2001-2002  
 Law Day Chairman: 2000-2001

DeKalb County Bar Association: President: 1995-1996  
 Vice-President 1994-1995  
 Secretary 1993-1994  
 Treasurer 1992-1993  
 Executive Committee 1989-1992  
 Law Day Co-Chairman 1988-1989

- 9. 24. Member and Past President of the Decatur Lions Club  
 Member of the Norcross Rotary Club  
 Member of Perimeter Presbyterian Church

22. 25. Never been arrested, charged or held by anybody. Never violated any law of anybody.

23. 26. Never been disciplined or cited by the State Bar. Was the subject of three complaints in 15 years in the DeKalb Public Defender's Office. None of them were pursued by the State Bar.

21. None

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June 14, 2004

STATE VS. KENNETH KORITTA263 Ga. 703 (1994)  
206 Ga. App. 228 (1992)

#16  
Kenneth Koritta was charged with Murder in the shooting death of a visitor to his apartment in Atlanta. At trial Koritta had requested a charge on both accident and self-defense which the trial court had refused ruling that the defendant had to choose between accident or self-defense, but he could not get a charge on both. At trial with another attorney the defendant was convicted of Voluntary Manslaughter and sentenced to 18 years in prison. I represented the defendant on his appeal which was denied by the Georgia Court of Appeals. I applied for a Writ of Certiorari with the Georgia Supreme Court which was granted. I represented the defendant before the Supreme Court where his conviction was overturned and a new trial was granted. At his new trial both accident and self-defense were charged, and the defendant was found not guilty.

STATE VS. TRUVORIS FAIR

1995-1998

Truvoris Fair was a 13 year old juvenile charged in the murder of a man walking back to his apartment from a convenience store in Stone Mountain where he was shot in the head. The police had no suspects until they answered a call of a suicide attempt by Mr.

Fair. While paramedics were assisting Mr. Fair, he volunteered the statement that he had killed someone the month before in Stone Mountain. Further questioning led the police to charge Mr. Fair with the murder. I served as lead counsel for Mr. Fair in three separate jury trials. The first two ended in hung juries when no verdict could be reached. The third trial ended in a conviction for the State, but in April, 1998 a Motion for New Trial was granted. The State then accepted a plea from Mr. Fair to the reduced charge of Voluntary Manslaughter.

STATE VS. SIM BROOKS

171 Ga. App. 55 (1984)

Sim Brooks was charged with three sexual attacks on women near South DeKalb Mall and was convicted of two counts of rape, and one count of aggravated sodomy, attempted aggravated sodomy, and one count of aggravated assault. On appeal the issues involved the taking of a saliva sample from the defendant, the admissibility of time sheets from the defendant's employer, and the refusal of the trial court to have closing argument transcribed. I served as the sole counsel for the State at the jury trial, and I wrote the appellate brief before the Georgia Court of Appeals where the conviction was affirmed.

STATE VS. WILLIAM DENNIS

166 Ga. App. 715 (1983)

This trial involved the armed robbery of several employees and a customer at a Pizza Hut in Decatur by the defendant and a co-defendant. Both defendants were wearing stocking masks during the commission of the crime. Dennis was armed with a revolver and the co-defendant with a knife. The issue on appeal involved the search of the defendants' apartment where items taken in the armed robbery and a weapon used to commit the crime were recovered. I served as sole counsel for the State at the jury trial. Another assistant district attorney handled the appeal which was affirmed by the Georgia Court of Appeals..