

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**STATE OF GEORGIA**

**Case Number: 1:23-cv-03720-SCJ**

**v.**

**DAVID J. SHAFER**

**Defendant.**

**DEFENDANT'S NOTICE OF WAIVER OF RIGHT TO BE PRESENT  
AT EVIDENTIARY HEARING SET FOR  
SEPTEMBER 20, 2023**

Defendant David Shafer, through the undersigned counsel, hereby notifies the Court and the parties that Defendant knowingly and voluntarily waives his right to be personally present for the Court's hearing on Defendant's Notice of Removal of State Court Action to Federal Court and Request for Habeas or Equitable Relief, Doc. # 1, set for Wednesday, September 20, 2023, Doc. # 4. Defendant understands that he possesses a right to be present at any stage of the proceedings at which witnesses are to be questioned, and Defendant freely and voluntarily waives that right. Defendant requests that the Court proceed during his absence, and agrees that his interests will be deemed represented at the hearing by the presence of his attorney the same as if Defendant himself was personally present in Court.

Respectfully submitted, this 18<sup>th</sup> day of September, 2023.

/s/ Craig A. Gillen

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*Counsel for David J. Shafer*

**CERTIFICATE OF COMPLIANCE**

The undersigned hereby certifies, pursuant to LCivR 7.1(D), that the foregoing document has been prepared with one of the font and point selections (Times New Roman, 14 point) approved by the Court in LCivR 5.1(B).

*/s/ Craig A. Gillen* \_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he, this 18th day of September, 2023, the undersigned served the foregoing document by filing the document via the Court's Case Management/Electronic Case Filing (CM/ECF) system, which will automatically serve notice of such filing on all attorneys of record.

*/s/ Craig A. Gillen* \_\_\_\_\_

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