

**COURT OF APPEALS OF GEORGIA  
DOCUMENT RETURN NOTICE FOR APPLICATIONS**

**August 11, 2015**

**To:** Mr. Brian Albert, 1022 Wildwood Gln, Villa Rica, Georgia 30180

**Docket Number: Style: Fernandis M. Jordan v. The State**

Your document(s) is (are) being returned for the following reason(s).

1.  Your Application was not accompanied by the statutory filing fee, \$300.00 civil; \$80.00 criminal, or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 Please be advised that your pauper's affidavit should be notarized by a notary public.
2.  Portions of the record included were not tabbed and indexed. Rules 30 (e) and 31 (c).
3.  **A stamped "filed" copy of the trial court's order to be appealed was not attached to your Application. Rules 30 (b) and 31 (e)**

**I am also enclosing with this mailing your Postal Money Order #22330642397 in the amount of \$300.00.**

4.  A stamped "filed" copy of the Certificate of Immediate Review was not attached to your Interlocutory Application. Rule 30(b)
5.  Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
6.  There were an insufficient number of copies of your document. Rule 6
7.  No Certificate of Service accompanied your document(s). Rule 6 You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
8.  Your Certificate of Service did not include the complete name and /or mailing address of each opposing counsel and pro se party. Rule 1(a) and 6
9.  Your document exceeds page limits. Rules 24(f) , 30(e) and 31(c)
10.  Your request for court action must be submitted in motion form. Rule 41 (a)
11.  No extension of time for filing an interlocutory application will be granted . Rule 30 (g) . No extension of time will be granted for filing a discretionary application unless the motion for extension is filed on or before the due date of the discretionary application.
12.  The type font was smaller than 10 characters per inch; type was not double-spaced or/and type was on both sides of the paper. Rules 1(c), 24(b), 37(a) and 41(b).
13.  Your motions were submitted in an improper form (joint, compound, or alternative motions in one document). Rule 41 (b)
14.  Margins were too small or paper size was incorrect. Rules 1(c), 24(c), 30(e), 31(c) and 41(b).
15.  Your document was submitted for filing more than 30 days after the date of the order granting, denying or dismissing the application or the order granting, denying or dismissing the Motion for Reconsideration. Rules 30(j) and 31(j).
16.  **Other:**

---

For Additional information, please go to the Court's website at: [www.gaappeals.us](http://www.gaappeals.us)

# The Court of Appeals of Georgia

Gwinnett County Superior Court Docket No. 15A 03197-8  
and Ref 13A-00870-8

BRIAN J. ALBERT,

Plaintiff-Appellant,

v.

Aimee Albert

Defendant-Appellee,

RECEIVED  
2015 AUG 11 PM 1:27  
COURT OF APPEALS OF GEORGIA

Appeal from the Gwinnett County Superior Court of Georgia

August 8<sup>th</sup>, 2015

CERTIFICATE OF INTERESTED PERSONS AND  
CORPORATE DISCLOSURE STATEMENT

The following is a complete list of the trial judge and all attorneys, persons, associations of persons, firms, partnerships, and corporations that have an interest in the outcome of this case:

Appellant-Brian James Albert, pro se

---

Appellant-Aimee Slye Albert

Debra Walls Hale (Attorney for Appellant)

Bar #: 735028 Tel: (770) 822-0811

Judge R. Timothy Hamil

**STATEMENT REGARDING ORAL ARGUMENT**

Appellant respectfully requests that this case be set for oral argument. Oral argument may be of particular assistance to the Court in resolving the case because the factual and legal issues are intertwined.

## TABLE OF CONTENTS

Certificate of Interested Persons and Corporate Disclosure Statement. . . . .	ii
Statement Regarding Oral Argument. . . . .	.iii
Table of Contents. . . . .	.iv
Table of Authorities.. . . .	v
Preliminary Statement and Statement of Jurisdiction.. . . . .	vii
Statement of Case.....	<b>5</b> -28
Certificate of Service.....	29-30

## § 12.3.6.3 Citation of Authorities

### **1. 2010 Georgia Code TITLE 16 - CRIMES AND OFFENSES CHAPTER 10 - OFFENSES AGAINST PUBLIC ADMINISTRATION ARTICLE 5 - OFFENSES RELATED TO JUDICIAL AND OTHER PROCEEDINGS**

**2. § 16-10-94 - Tampering with evidence O.C.G.A. 16-10-94 (2010)**  
**16-10-94. Tampering with evidence** (a) A person commits the offense of tampering with evidence when, with the intent to prevent the apprehension or cause the wrongful apprehension of any person or to obstruct the prosecution or defense of any person, he knowingly destroys, alters, conceals, or disguises physical evidence or makes, devises, prepares, or plants false evidence.

**3. *Article 1 Section 1 paragraph 1 of the constitution of Georgia (Rights of Persons)***

**4. Rule 24.9. Appointment, Qualification and Role of a *Guardian ad Litem*** 1. **Appointment** The Guardian ad Litem ("GAL") is appointed to assist in a domestic relations case by the superior court judge assigned to hear that particular case, or otherwise having the responsibility to hear such case. The appointing judge has the discretion to appoint any person as a GAL so long as the person so selected has been trained as a GAL or is otherwise familiar with the role, 46 duties, and responsibilities as determined by the judge. The GAL may be selected through an intermediary. The GAL shall represent the best interests of the child.

5. The Federal Child Abuse Prevention and Treatment Act (CAPTA) (42 U.S.C.A. § 5106g), as amended by the CAPTA Reauthorization Act of 2010, defines child abuse and neglect as, at minimum:

- "Any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation"; or
- "An act or failure to act which presents an imminent risk of serious harm."



POSTAL MONEY ORDER

Serial Number

22330642397

U.S. Dollars and Cents

22330642397

\$300.00

Three hundred dollars and 00/100 \*\*\*\*\*

Pay to The Court of Appeals

of Georgia

Cheq# 3

Address

Van Albert

Memo Albert v Albert

© 2008 United States Postal Service. All Rights Reserved.

POSTAL MONEY ORDERS - WARNING - NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS

1:00000800 21:

22330642397