

COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR BRIEFS OR MOTIONS

March 5, 2015

To: Mr. Lyle Vincent Anderson, 1119 Trammell Street, Dalton, Georgia 30720

Docket Number: A15A0998 **Style:** Lyle Anderson v. The State

SCANNED

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

1. Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) 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. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4. **No Certificate of Service accompanied your document(s). Rule 6**
5. Your Certificate of Service did not include the complete name and mailing address of each opposing party. Rules 1(a) and 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.
6. There were an insufficient number of copies of your document. Rule 6.
7. Your document exceeds page limits. Rules 24 (f) and 27 (a)
8. Your document was submitted without permission to file (supplemental brief or second motion for reconsideration). Rules 27 (a) and 37 (d)
9. Letter briefs and letter cites are not permitted. Rule 27 (b)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12. Type was on both sides of the paper; type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17. The Motion to Supplement has not been granted.
18. Other: _____

For Additional information, please go to the Court's website at: www.gaappeals.us

IN THE COURT OF APPEALS
STATE OF GEORGIA

STATE OF GEORGIA

No. A15A0998

v.

L. VINCENT ANDERSON
Defendant/ Appellant

APPELLANT'S BRIEF

RECEIVED IN OFFICE
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CLERK OF SUPERIOR COURT
STATE OF GEORGIA

COMES NOW Appellant in the above case, and shows the following:

Part One. Statement of Proceedings Below.

1. The indictment (R 5-7) alleged not only two dates on which Appellant committed forgery, but twice quoted the statute to include "possession" of a (forged) document as within its scope.
2. To preclude the apparent failure of his not-yet-hired counsel, Jerry Moncus, to grasp this point, Appellant filed a special demurrer on April 10, 2014 to educate counsel on the origin of the "forgery" claim five days before the underlying civil

2. While it may also appear that Appellant was "unprepared" for that hearing, he *could not* have proceeded under the circumstance that he faced, of an unexplained noncompliance with his subpoena(s) for the very materials Moncus had failed to read, per Part One *passim*.

3. By the time of Appellant's motion to reconsider her denial of the principal motion, the judge had received both his "accepted" evidentiary materials (R 86- 108) and the underlying "trial preparation" materials referenced therein, which were not accepted into the Record. Quite aside from Appellant's ex-translator's failure to preserve a copy of the latter, the cross and direct examinations are not self-explanatory to this Court, without the emails that are merely referenced by blanks between the various parentheses. It was not Appellant's fault that they were not produced, but certainly imputes bad faith to Moncus (not to mention his purloining of at least \$900 from Appellant's pocket, after advising him that same was "not safe" at the jail) as two deputies were waiting to put him in handcuffs. If Moncus had not looked at those materials before trial, he had custody of