



SCANNED

Court of Appeals of Georgia

March 2, 2015

TO: Mr. Bernard Arnold, Sr., GDC911061 200R, Wheeler Correctional Facility, Post Office
Box 466, Alamo, Georgia 30411

RE: **A13A1240. Bernard Arnold v. The State**

CHECK RETURN

- Your check number _____ in the amount of _____ written on the account of your firm for the filing fee in _____ is enclosed. Please be advised that this Court is returning your check since the filing fee was already paid by _____.

CASE STATUS - DISPOSED

- The referenced appeal was affirmed on September 27, 2013. The remittitur issued on October 17, 2013, divesting this Court of any further jurisdiction of your case. The case is therefore, final.**

CASE STATUS - PENDING

- The above referenced appeal is pending in your name before this Court. The appeal was docketed in the _____ Term and a decision must be rendered by the Court by the end of the _____ Term which ends on _____.

APPLICATION FOR PERMISSION TO APPEAL A PROBATION REVOCATION

- To appeal a probation revocation, you will need to file a Discretionary Application with this Court. Rule 31 of the Rules of the Court of Appeals of Georgia describes a Discretionary Application and the items you would need to include with your application.

A Discretionary Application must be filed within 30 days of the stamped filed date on the order that you are appealing and the application must be accompanied by a proper Certificate of Service and a pauper's affidavit or the \$80.00 filing fee. You must also comply with all the other applicable rules of Court regarding filing with the Court of Appeals of Georgia.

Enclosed, please find a copy of the Rules of the Court of Appeals for your review.

IN THE COURT OF APPEALS
AND SUPREME COURT
STATE OF GEORGIA

FILED IN OFFICE

FEB 20 2015

COURT CLERK
CLERK COURT OF APPEALS OF GA

BERNARD ARNOLD SR.

V.

STATE OF GEORGIA

APPEAL CASE # A13A1240

CRIMINAL CASE # 98-CR-1314

CASE # S14C053

NOTION FOR OUT OF TIME APPEAL

NOW COMES, BERNARD ARNOLD SR., PROSE, AND FILES THIS MOTION
FOR AN OUT OF TIME APPEAL.

ATTORNEY JOHN GEE EDWARDS FILED PETITIONERS MOTION TO
THE GEORGIA COURT OF APPEALS, THE GEORGIA COURT OF APPEALS DENIED
HIS MOTION ON SEPTEMBER 27, 2003. ATTORNEY EDWARDS
WITHDREW FROM THE CASE AT THAT TIME.

ON JUNE 4, 2007 THE SUPREME COURT OF GEORGIA REVERSED
PETITIONERS SENTENCE FOR BURGLARY, THEFT BY TAKING, KIDNAPPING,
RAPE, AGGRAVATED SODOMY, CRIMINAL TRESPASS, AND THREE COUNTS
OF A FIREARM DURING THE COMMISSION OF A CRIME.

BECAUSE ISSUES HERE NEED TO BE ADDRESSED BY THE SUPREME
COURT OF GEORGIA ON (1) VINDICTIVE PUNISHMENT BECAUSE
HIS SENTENCE IS GREATER THAN THE ORIGINAL SENTENCE.
(2) AND A LETTER FROM THE PETITIONER SON TO THE JUDGE AND
THE LETTER SAY - DEAR JUDGE HARDY, I HUMBLY ASK YOU TO
PLEASE SENTENCE MY FATHER TO NO LESS THAN 20 YEARS WITHOUT
CREDIT FOR THE TIME HE HAS ALREADY SERVED.

IN THE COURT OF APPEALS AND SUPREME COURT
State of Georgia

BERNARD ARNOID SR.

V.
State of Georgia

Appeals # A13A1240
Criminal Case # 98-CR-1314
Case # S141053

Objection to Assistance
District Response

FILED IN OFFICE

FEB 20 2015

COURT CLERK
CLERK COURT OF APPEALS OF GA

ON DECEMBER 1, 2013 PETITIONER FILED A MOTION WITH THE COURT OF APPEALS AND THE SUPREME COURT TO GRANT PETITIONER AN OUT OF TIME APPEAL.

PETITIONER WAS RE-TRIED AND FOUND NOT GUILTY OF ALL CHARGES EXCEPT KIDNAPPING. THE COURT SENTENCED PETITIONER TO 30 YEARS TO SERVE, FIVE (5) YEARS LONGER THEN THE ORIGINAL SENTENCE.

PETITIONER NOW CHALLENGES THIS SENTENCE AS BEING VINDICTIVE AND ILLEGAL. PETITIONER BELIEVES THE APPEALS COURT OF GEORGIA HAS ERRORED IN THEIR DECISION AND THEREFORE FILES FOR AN OUT OF TIME APPEAL TO CHALLENGE THE ABUSIVE SENTENCE.

PETITIONER'S ATTORNEY NEVER INFORMED HIM HE HAD TO COMPLY WITH RULE 38 WITHIN 10 DAYS AFTER THE ENTRY OF JUDGEMENT AND 30 DAYS TO FILE

IN THE COURT OF APPEALS AND SUPREME COURT
STATE OF GEORGIA

APPEAL CASE NUMBER: A13A1240

BERNARD ARNOLD, SA,

FILED IN OFFICE

FEB 20 2015

Appellant,
VS

COURT CLERK
CLERK COURT OF APPEALS OF GA

STATE OF GEORGIA,
Appellee.

APPELLANT'S BRIEF

~~PRO, SE~~ PRO, SE

BERNARD ARNOLD SA

911061-200, B

Wheeler Correctional Facility

P.O. Box 466

Alamo, Georgia 30411