



Court of Appeals of Georgia

November 6, 2015

TO: Mr. Carter Arnold, Jr., GDC367195, Telfair State Prison, 210 Long Bridge Road,
Helena, Georgia 31037

RE: **A15A1703. Carter Arnold, Jr. 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 dismissed on June 30, 2015. The remittitur issued on July 15, 2015, 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 or around _____.

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.

RECEIVED IN OFFICE
2015 NOV - 5 AM 2:40
CLERK OF SUPERIOR COURT
APPEALS OF GA

HELENA, GA. 31037
210 Longbridge Road
Telfair State Prison
October 14, 2015

Attn.: Honorable Judge Frank D. Horkan.
Post Office Box 2227
Moultrie, Georgia 31776

RE: State of Georgia vs. Carter Arnold,
Case No. 2013-CR-145; #AISA1703

Judge Horkan:

As the record will, —or, more so should—, reflect, on July 24, 2015, court-appointed counsel, Mr. Richard Parker, State Bar Number 563150, of the South Georgia Judicial Circuit Public Defender Office - Appellate Division, and I, both, appeared before the Court at the Lowndes County Judicial Complex, in Valdosta, Georgia.

From the respective "Notice" in which we both received distinctly prior, —Mr. Parker and I were literally acknowledged that the particular proceeding to which we were to appear before you per Order of the Court was specifically to "hear oral argument on the Motion to Determine Representation Filed by the DE-

pendant in this case."

Yet, upon our appearance before the Court of July 24th, there arose the necessity for us to clarify to the Court the factual reason as to why we had literally been "directed and required to be and appear before the Court at said date, time and place" according to the Order of the Court, June 5, 2015.

For some reason, unknown to either Mr. Parker or myself, we learned only upon our appearance before the Court on July 24th, that according to the Docket of Appearance we were actually scheduled for a hearing to have the trial judge review the Motion for A New Trial I filed, pro se and/or, the Motion for A New Trial filed by the subsequent court-appointed "conflict of interest" attorney William R. Folsom, State Bar Number 264428, who I was compelled to verbally motion the Court to dismiss and/or, withdraw, mere moments before jury selection and trial on October 7, 2013, under the undue influence of Mr. Folsom to invoke my right to self-representation.

Thus, upon, both, Mr. Parker and I, myself, being compelled

to emphasize upon the Court the nature of its ORDER of JUNE 5th, 2015, being solely to DETERMINE REPRESENTATION ON appeal. Nothing more, prior to July 24th had any communication of the Motion For A New Trial been received by either MR. PARKER or myself from the Court.

All of which brings me to the point of this letter. As I attempted to stress to, both, you and MR. PARKER on July 24th, and more so now, being I have received absolutely nothing from the Court or Office of the Clerk informing me of the Court's action in result of the hearing of July 24, 2015, nor any information whatsoever of the status of my Motion For A New Trial. Also, again, I wish to acknowledge you that on JUNE 30, 2015, the Court of Appeals the APPELLEE'S motion to dismiss my appeal was granted because no brief and enumerations of error had not been filed. But, both, you and MR. PARKER adamantly and in unison on July 24, 2015, told me that my appeal had not been dismissed. SEE: #A15A1703, ARNOLD v. STATE, Court of Appeals of Georgia. This has been an act of subversion all along from the Court "assigning" a fellow member of the Georgia Public Defender Standards Council to REPRESENT ME on appeal contrary to the law held by the SUPREME

COURT OF GEORGIA IN THE CASES OF COCHRAN V. STATE, 253 Ga. 10, 315 S.E. 2d 653 (1984); WHITE V. KELSO, 261 Ga. 32, 401 S.E. 2d 733 (1991) (cited in RYZAL V. THOMAS, 261 Ga. 661, 409 S.E. 2d 507 (1991)); JOHNSON V. STATE, 266 Ga. 775 (9), 779, 470 S.E. 2d 637 (1996); KENNEBREW V. STATE, 267 Ga. 400, 480 S.E. 2d 1 (1996); ACCORD, GEORGIA CONSTITUTION OF 1983, ART. 1, SECT. 1, PARA. 12, COMPARED WITH THE UNITED STATES CONSTITUTION, AMENDMENT 6, AS WELL AS THE CASES OF COSTELLO V. STATE, 240 Ga. App. 87, 87-88, 552 S.E. 2d 572 (1999), AND COOK V. STATE, 296 Ga. App. 496, 675 S.E. 2d 245 (2009).

THUS, IN REFLECTION OF THESE CITATIONS AND YOUR YEARS UPON THE BENCH, THE AUTHORITY OF LAW AS IT IS STATED IN THESE CASES AND HELD BY THE GEORGIA COURT OF APPEALS, THE SUPREME COURT OF GEORGIA, AND THE GEORGIA CONSTITUTION, WHAT ELSE COULD THIS BE OTHER THAN THE ABUSE OF DISCRETION OF THE COURT TO SUBVERSIVELY UNDERMINE "THE ADMINISTRATION OF CRIMINAL LAW... [VIA]... UNDUE HASTE IN [WHICH]... IS AS MUCH... CONDEMNED AS UNNECESSARY DELAY"? THE GEORGIA PUBLIC DEFENDER STANDARDS COUNCIL OF WHICH, BOTH, J. E. JARVIS, JR., STATE BAR NUMBER 0389665 AND MR. PARKER ARE MEMBERS OF THE SAME LAW FIRM. SO, IN REFLECTION OF THE FACT THAT EVEN WILLIAM FOLSOM IN HINDSIGHT SAW THE INEFFECTIVE ASSISTANCE OF COUNSEL

I was subjected to from the RECORD that Folsom says donot exist. YET, it is ONE of his own CON-
TENTIONS OF THE ERRORS in my CASE.

Anyway, your assistance in the matter of the
CLERK'S PERFORMANCE OF HER MINISTERIAL DUTIES
WILL BE VERY MUCH APPRECIATED.

Respectfully,

Carter Arnold, Jr
CARTER ARNOLD, JR
G.D.C. #367195
DEFENDANT, PRO SE

CERTIFICATE OF SERVICE

Georgia, Helena, Telfair County.

I, the undersigned person in this instant and foregoing action hereby certify that a true and correct copy of the same document(s)/material(s), properly addressed and with sufficient postage affixed has been placed in the hands of the designated mailroom personnel of Telfair State Prison pursuant to, both, Missaline v. Williams, 274 Ga. 552, 554 S.E.2d 720, 722 (2001) and Houston v. Lack, 487 U.S. 266, 108 S.Ct. 2379, 101 L.Ed. 2d 245 (1988) to be mailed to the below-listed this 14th day of October, 2015:

- Beth C. GREENE, Clerk
- Post Office Box 1349
- Valdosta, GA. 31603
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- Stephen E Castle, Clerk
- Ga. Court of Appeals
- 47 Trinity Ave. S.W.
- Atlanta, GA. 30334
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Carter Arnold Jr.