

COURT OF APPEALS OF GEORGIA

SCANNED

RETURN NOTICE

August 25, 2015

To: Mr. Casey Ates, GDC527461, Jenkins Correctional Center, 3404 Kent Farm Drive, Millen, Georgia 30442

Case Number: \_\_\_\_\_ Lower Court: \_\_\_\_\_ County Superior Court

Court of Appeals Case Number and Style: \_\_\_\_\_

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

- There is no case pending in the Court of Appeals of Georgia under your name.**
  - A Notice of Appeal is filed with the clerk of the trial court and not with the Court of Appeals of Georgia. See OCGA §5-6-37.** Once the trial court clerk has received and filed the Notice of Appeal, the trial court clerk will prepare a copy of the record and transcripts as designated by the Notice of Appeal and transmit them to this Court. Once the Notice of Appeal is docketed in the Court of Appeals of Georgia, a Docketing Notice with the Briefing Schedule and other important information is mailed to counsel for the parties or directly to the parties, if the parties are representing themselves. You do not need to provide this Court with a copy of the Notice of Appeal you filed with the superior court.
  - The Notice of Appeal must include a proper Certificate of Service.** A Certificate of Service must show service to the opposing counsel and contain the counsel's full name and complete mailing address. The opposing counsel must actually be served with a copy of your filing.
  - An Application for Writ of Habeas Corpus should be filed in the superior court of the county in which you claim you are illegally detained.** An appeal from a denial of an Application for Writ of Habeas Corpus is to the Supreme Court and not the Court of Appeals.
  - An Application for Writ of Mandamus should be filed in the superior court of the county official whose conduct you intend to mandate.** An appeal from a denial of an Application for Writ of Mandamus is to the Supreme Court and not the Court of Appeals.
  - Your appeal was disposed by opinion (order) on \_\_\_\_\_.** The Court of Appeals \_\_\_\_\_ . The remittitur issued on \_\_\_\_\_ divesting this Court of jurisdiction. The case decision is therefore final.
  - Again, your mailing/documents indicate that you intended to file your papers in another court rather than the Court of Appeals of Georgia. The address of the Clerk of the Eleventh Circuit Court of Appeals is: 56 Forsyth Street, N.W., Atlanta, Georgia 30303.**
- Your documents are addressed to the attention of the Honorable Douglas J. Mincher. He is the Clerk of the Eleventh Circuit Court of Appeals. You are sending your documents to the Clerk of the Court of Appeals of Georgia. The clerk here is the Honorable Stephen E. Castlen. Please make the change on your records.**
- If an attorney has been appointed for you and you are concerned with the representation provided by that attorney, you should address that issue to the trial court.** As long as you are represented by an attorney, you cannot file pleadings on your own behalf. Your attorney must file a Motion to Withdraw as Counsel and it must be granted, before you can file your own pleadings in this Court.
  - A request for an out-of-time appeal should be made to the trial court from which you are appealing.** If your motion is denied by the trial court, you can file an appeal of that decision by filing a Notice of Appeal with the clerk of the superior court.

8-3-15

RECEIVED IN OFFICE  
2015 AUG 24 PM 3:52

Dear; Honorable Clerk  
Please understand that I  
have no way to send a self  
address stamped envelop for  
stamps filed return so if  
it is possible charge to my  
account and return stamped  
filed copy please! also  
please advice the justices that  
i am having difficulties processing  
my legal actions thru this  
administration at this  
prison!

Casey Ates  
527461

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of process when returned  
for process

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Mail Receipt From V.S.P

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

CASEY ATES,

Plaintiff,

VS.

Parole Officer IRIS ARNOLD;  
Police Chief KEY McGUIRE; Warden  
WILLIAM TERRY; and Member of the  
Georgia Board of Pardons & Paroles  
ROBERT KELLER,

Defendants.

CASE NO.: 5:15-CV-21 (LJA)

**ORDER**

*Pro se* Plaintiff CASEY ATES, an inmate at the Bleckley Law Enforcement Center, has filed a lawsuit using this Court's *Bivens* complaint form (Doc. 1.) Because Plaintiff is suing state and municipal officials (as opposed to federal officials), the instant action is properly brought under 42 U.S.C. § 1983 rather than *Bivens*. The Court has therefore construed this lawsuit as a 1983 action.

Plaintiff has also filed a motion to proceed *in forma pauperis* (Doc. 2.) Based on his submissions, the Court finds that Plaintiff is unable to prepay the filing fee. Accordingly, the Court **GRANTS** Plaintiff's motion to proceed *in forma pauperis* and waives the initial partial filing fee pursuant to 28 U.S.C. § 1915(b)(1).

Plaintiff is nevertheless obligated to pay the full filing fee, using the installment

10

# Exhibit-C

## REQUEST FOR INDIGENT POSTAGE

- ( ) w FIRST CLASS POSTAGE (Maximum - Three)  
 AMOUNT
- ( 1 ) LEGAL POSTAGE (Maximum - Five)  
 AMOUNT
- ( ) SPECIAL MAILING (Maximum - One)

I fully understand that the funds for the purchase of Indigent Postage will be a loan from the Inmate Benefit Fund. If I receive any funds to my account, I will be required to reimburse the Inmate Benefit Fund in accordance with SOP IIB04-0001, Inmate Mail and Receipt of Funds.

Casey Ates 527461  
 INMATE/PROBATIONER SIGNATURE

7-8-15  
 DATE

[Signature]  
 SIGNATURE OF VERIFYING STAFF

7/9/15  
 DATE

.....  
 TO BE COMPLETED BY MAIL ROOM STAFF

NON-LEGAL POSTAGE USED:

DATE	MAILED TO	AMOUNT
	<b>RECEIVED</b>	
	JUL 13 2015	
	MAILROOM	
	JENKINS CORRECTIONAL CENTER	

LEGAL POSTAGE USED:

DATE	MAILED TO	AMOUNT
<u>7-8-15</u>	<u>Honorable, Clerk, Mr. Leonard</u>	
<u>7-8-15</u>	<u>Middle District Court P.O. Box 128</u>	<u>1.64</u>
	<u>MAcon, GA. 31202</u>	

SPECIAL MAILING:

DATE	MAILED TO	AMOUNT

TOTAL POSTAGE USED: 1.64 [Signature]  
 SIGNATURE OF MAIL ROOM STAFF

- XC: Mail Room  
 Bookkeeping  
 Inmate/Probationer File



UNITED STATES COURT OF APPEALS  
ELEVENTH CIRCUIT

CASEY ATEES, Pro SE  
PLAINTIFF

V.

IRIS SHEPARD  
Defendant, ET AL

APPEAL NUMBER: 15-12756-D

MOTION FOR

APPOINTMENT

OF COUNSEL

INTERLOCUTORY Appeal

APPOINTMENT OF COUNSEL

Pursuant to 28 U.S.C § 1915(E)(1) PLAINTIFF  
moves for an order Appointing Counsel to  
represent him in this case. In support of  
this motion plaintiff states:

1) PLAINTIFF is unable to afford Counsel. He has  
requested leave to proceed in FORMA PAUPERIS.

2) plaintiff Imprisonment will greatly limit  
his ability to litigate. The issues involved  
in this case are complex, and will require  
significant research and investigation.

Casey Atees  P. 1 of 2