

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

SCANNED

July 10, 2015

To: Mr. Arturo Bladivia, GDC1118276, Dooly State Prison, Post Office Box 750, Unadilla, Georgia 31091

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. Please understand that the Court of Appeals of Georgia is an appellate court not an investigatory agency. You will need to seek counsel to assist you.**
- 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.
- 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 _____ is: _____
- 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.

ARTURO BALDIVIA, #1118276
DOOLY STATE PRISON
P.O. Box 750
UNADILLA, GA 31091

July 6, 2015

STEPHEN E. CASTLEN, CLERK
COURT OF APPEALS OF GEORGIA
47 TRINITY AVE., STE # 501
ATLANTA, GA 30334

RECEIVED IN OFFICE
2015 JUL -9 PM 3:00
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

SUBJ: DENIAL OF ACCESS TO APPELLATE COURT

DEAR HONORABLE CLERK CASTLEN:

I WRITE TO INFORM YOU OF A SITUATION I AM HAVING WITH THE CLERK'S OFFICE IN COBB COUNTY THAT, IN EFFECT, ABROGATES THE AUTHORITY OF THE COURT OF APPEALS OF GEORGIA TO REVIEW AN APPEAL SOUGHT BY ME REGARDING A SERIOUS MATTER INVOLVING THE PUNISHMENT SENTENCE FOUND IN COBB COUNTY INDICTMENT No. 02-9-01025.

THROUGH THE ENCLOSED DOCUMENT TITLED "CRIMINAL CASE PRINTOUT" YOU WILL FIND INDEXED MY MOTION TO MODIFY MY SENTENCE, ORDER DENYING SAID MOTION AND MY TIMELY SUBMITTED NOTICE OF APPEAL FROM SUCH DENIAL OF RELIEF (SEE ENTRIES DATED 12/15/08;

02/04/09 AND 02/19/09 RESPECTIVELY).

DUE TO BEING A PRISONER, LANGUAGE BARRIERS AND MY LACK OF RESOURCES, I AM UNABLE TO DO MUCH TO ENSURE ACCESS TO THE APPELLATE COURT FOR THE PURPOSE OF THE APPEAL. JURISDICTION OVER THAT CASE WAS CONFIRMED UPON YOUR OFFICE AND THE APPELLATE COURT IN MY NOTICE OF APPEAL SO THE SLIGHT NOT ONLY AFFECTS ME, IT AFFECTS THE ADMINISTRATION OF JUSTICE AS A WHOLE.

I AM UNCERTAIN IF YOU CAN OR HAVE THE AUTHORITY TO INTERVENE IN THIS MATTER. BUT THE NOTICE OF APPEAL GERMANE TO THE BESPOKE MOTION GRANTS YOU AND THE COURT OF APPEALS THE AUTHORIZATION TO LOOK INTO THE SAME TO GLEAN THE REASON FOR THE LOWER COURT'S FAILURE TO TRANSMIT THE CASE FILES TO YOUR OFFICE.

I PRAY FOR YOUR EARNEST ATTENTION AND EFFORTS IN THIS CONUNDRUM SO THAT I MAY SOMEHOW CONTINUE WITH THE APPEAL THAT HAS BEEN DELAYED, THUS, DENIED THROUGH NO FAULT ON MY PART.

RESPECTFULLY, I AM

Arturo Baldivia

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