

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

May 4, 2015

To: Ms. Rebecca Boone, GDC1179455, Arrendale State Prison, Post Office Box 709, Alto, Georgia 30510

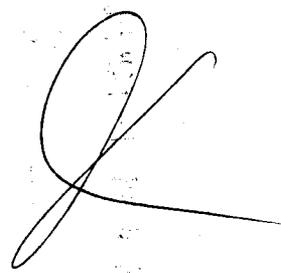
Case Number: _____ Lower Court: _____ County Superior Court

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.
- 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.
- 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.

From: Rebecca Boone 1179455
Arrendale State Prison
PO Box 709
Atto, Georgia 30510



To: Georgia Court of Appeals CLERK
47 Trinity Avenue SW S-501
Atlanta, Georgia 30334

Date: April 28, 2015

Re: Denial of Certificate of Probable Cause Case No. S15H0171

Dear Clerk,

Enclosed is the original and a copy of my Notice of Appeal to the denial by the Georgia Supreme Court of my application for Certificate of Probable Cause and a Certificate of Service. Please stamp the copy "filed" and return it to me here at the prison. Also enclosed is a copy of my letter to the Georgia Supreme Court regarding their decision of my application for Certificate of Probable Cause that I would like filed with

my Notice of Appeal.

Sincerely,
Rebecca Boone

Copy to:

Clerk of Georgia Supreme Court

State Attorney General

Habersham County Superior Court Clerk

Georgia Court of Appeals

Rebecca Boone
Applicant

Case No. S15H0171

v

Tony Howerton, Warden

NOTICE OF APPEAL

Notice is hereby given that Rebecca Boone, proceeding pro se, applicant herein, hereby appeals to the Georgia Court of Appeals from the judgment entered in this action on March 30, 2015.

Motion to Reconsider was filed and denied on April 20, 2015.

The clerk will submit the entire case omitting nothing. Transcript of evidence and proceedings will be filed by the clerk for inclusion in the record on appeal.

This Court, rather than the Habersham County Superior Court, has jurisdiction of this case on appeal for the reason that pursuant to Georgia Rules of Court Annotated Rule 1(a) and Rule 1(b) and Fed. Rules of Appellate Procedure 22 Rule 11(a) a prisoner can request the Court of Appeals to issue a Certificate of Appeal from a District Court's denial of petition for Writ of Habeas Corpus.

Respectfully submitted this 28 day of April, 2015.

Rebecca Boone 1179455
Pro Se
Arrendale State Prison
PO Box 709
Alto, Georgia 30510

CERTIFICATE OF SERVICE

This is to certify that I have, on this day, submitted complete and correct copies of the foregoing Notice of Appeal upon the parties listed below by placing same in the United States Mail with sufficient postage affixed thereto.

This 28 day of April, 2015. Rebecca Boone
Clerk of the Georgia Supreme Court
244 Washington Street SW Rm 572
Atlanta, Georgia 30334

State Attorney General
40 Capitol Square SW
Atlanta, Georgia 30334

Clerk of Habersham Co. Superior Court
295 Llewellyn Street S-110
Clarkesville, Georgia 30523

Sworn and subscribed before me this 28 day April, 2015

Notary Public Karin Wilbanks
Exp. 8/25/17
Habersham Co.

Georgia Court of Appeals

Rebecca Boone
Applicant

Case No. S15H0171

v

Tony Howerton, Warden

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Notary Public Karen Wilbanks
Exp. 8/25/17
Habersham Co.

Dear Justices of the Georgia Supreme Court

Thank you for notifying me of your decision on my Motion to Reconsider the denial of my application for Certificate of Appeal even if it did not turn out as I would have liked and even though you still did not set forth any reasons for your denial.

The jailhouse lawyers here have ideas on how with various legal maneuvers one can "compel" you to set forth the reasons for your denial of my application for Certificate of Appeal and my Motion to Reconsider that denial.

But while I may not be the smartest person regarding legal proceedings and officers of the Court I'm not the dumbest one either.

I was married to a police officer who physically abused me and women before me for decades with impunity.

I worked closely with the courts for 20 years and observed the various ways a prisoner can be hindered from legal recourse.

I worked for the District Attorney before he prosecuted me in these underlying crimes who fired me because I would not become involved in a personal relationship with him.

If you do not want to tell me why you denied my application for Certificate of Appeal and my Motion to Reconsider that denial I know I can not compel you to do so.

So I come to you and simply ask you please set forth the reasons why you denied my application for Certificate of Appeal and my Motion to Reconsider that denial and send that to me here at the prison so I will have some idea of how to proceed legally.

Thank you for the difficult job you do.

This 28 day of April, 2015 Rebecca Boone

copy to Georgia Court of Appeals and its Clerk,
Clerk of Georgia Supreme Ct., Attorney General and file
Sent certified mail

Sworn and subscribed before me this 28 day of April, 2015.
Notary Public Karen Wilbanks, Exp. 8/25/17

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