

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

January 27, 2015

To: Mr. Dale Burts, GDC14891, Fayette County Jail, 145 Johnson Avenue, Fayetteville, Georgia 30214

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.

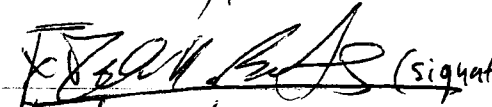
TO: The Attorney General
State Disciplinary Board of State Bar of Georgia
President, NAACP
Chief Justice, Georgia Court of Appeals

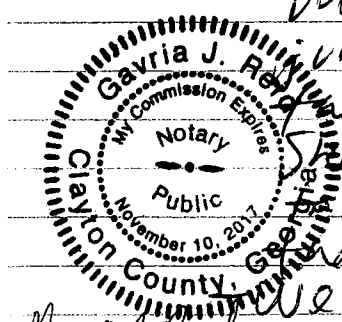
{ Romans 8:29
Psalm 37:3-11
Phil 4:6-7
written Sat, Jan 18th, 2014 }

In an effort to enlist methods of coercive control used to result in stiffer sentences or unfair & rushed plea agreements, the Fayette County Sheriff's Dept, as a Directive from & in collusion with the District Attorney's office the following tactics and strategies are employed with impunity for the sole purpose of coercive control & manipulation. Mind you, these can be documented and are used as a matter of protocol & unofficial policy for men inmates, most of them black males, who are not even residents of this county, as racial profiling is used to make illegal stops & unwarranted arrests, often times for what goes for ticketable offenses in neighboring jurisdictions, as the strategy to "manufacture crime" & "once criminals", as this human chattel has a financial incentive and is the major source of revenue for this municipality. Please help us stop mass incarceration!!

The following constitutional & human rights violations are used against unconvicted inmates, many of whom are only accused, without charge for months at a time, with prolonged unindicted incarcerations under these conditions:

- Our legal mail is being tampered with, intercepted, confiscated, delayed & destroyed.
- We are being systematically starved & underfed [most inmates consistently lose weight, I have lost 40 lbs]
- we are denied "adequate medical care" [personally I have had multiple medical emergencies, the result of an unprovoked beating at the hands of Peachtree City Police officer, R. McCollum, and a Fayette County Sheriff's Deputy, and ~~while~~ then Piedmont Hosp] I was taken to the hospital and refused & denied treatment, and released, prematurely, into the custody of Fayette County Jailors, as is routine & directly resulted in the death of inmate R. Joyner.

- I have been here going on my 8th month, and like many others who intend to fight the charges against them, I have NEVER discussed my case with an attorney from the public defenders office.  (signature)
- We are being denied our right to clergy visits, a violation of our first amendment freedom of religion whenever they are present, and restricted to only certain times
- The food service, willfully knowingly, for as long as 6 months and counting, is violating health codes, by serving leftovers, unheated at 38°.
- For the last two months, we have been served raw + uncooked baked goods/cloUGH at least twice a day
- all grievances are labeled UNFOUNDED, without proper review, as a matter of policy
- We are rarely if ever, notified in advance of court appearances, and as a result
- We are denied, and restricted from making meaningful court + neighboring jurisdiction court appearances, even when these jurisdictions make it known, to the Sheriff's Dept, in advance of their intent provide transportation, to and from these other neighboring jurisdictions.
- We are denied access to the recreational area, as any excuse is offered to restrict our freedoms + rights as inmates, as well as locked-down, restricted to 1-hr, and often times locked-down more than 20 plus hours a day, of supervised free time for weeks at a time, again, where any excuse or imagined infraction, often where the entire cell block is punished for the offenses of one or two inmates



Gavria J. Repp
11/21/15

I know that these may sound much like bickering + any one of them by themselves, very well be construed as such, but combined, along with numerous other unlisted grievances, they constitute a systematic and intentional device used to gain a tactical advantage in the courtroom. I am still suffering from untreated injuries - severe concussion + multiple stroke events, and I have a personal stake in immediate resolution of these issues. If, at all,