

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

February 2, 2015

To: Mr. Lewis Alan Carlton, GDC1000935140, Wheeler Correctional Facility, Post Office Box 466, Alamo, Georgia 30411

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.
- Per your request, enclosed please find a copy of the Rules of the Court of Appeals of Georgia for your review.**

Lewis Alan Carlton

1000935140

P.O. Box 466

Alamo, GA 30411

Wheeler, C.F.

1-22-15

RECEIVED IN OFFICE
2015 FEB -2 AM 10:34
COURT OF APPEALS OF GA

RE: GA Appeal Court Rules of Court

Dear Sir/Madam:

Please ¹send to me the GA Appeal Court rules necessary when filing an appeal or brief and ²any other materials needed to understand the procedure, ³i.e. what is the difference between an application for a discretionary appeal, and a direct appeal?

⁴What is the format for constructing an appeal? Do you have samples of layout/formats that you can provide for me - old cases as examples - PLEASE !?

Respectfully,
Lewis Alan Carlton
Lewis Alan Carlton

P.S. Please file this appeal from out of Cobb Co. juvenile Ct. ~~etc.~~

Sorry, I realize that I am asking a lot from you but please help me, Thx.



2014

Georgia Court of Appeals

R U L E S

Last Update: October 21, 2014

GA
IN THE SUPERIOR COURT OF Appeals
STATE OF GEORGIA

RECEIVED IN OFFICE
2015 FEB -2 AM 10:53
CLERK/CLERK ADMINISTRATION
COURT OF APPEALS OF GA

Lewis Algn Carlton,
Plaintiff
1000935140
Inmate Number

Civil Action No. 12-CV-581-01-12-CV-581-01

State of GA vs.
Defendant(s)

Nature of Action:
Juvenile Ct of Cobb Co.
Interest of Carlton Children
12-CV-581-01-12-CV-581-01

REQUEST TO PROCEED IN FORMA PAUPERIS

I, Lewis Algn Carlton, depose and say that I am the plaintiff in the above entitled case; that in support of my request to proceed without being required to prepay fees, costs, or give security therefor, I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor, that I believe I am entitled to redress.

I further swear that the responses which I have made to questions and instructions below are true.

1. List any and all aliases by which you are known: None

2. Are you presently employed? Yes No

If the answer is "Yes," state the amount of your salary or wages per month, and give the name and address of your employer: N/A

If the answer is "No," state the date of last employment and the amount of the salary and wages per month which you received: Feb. 2012 (\$1000)

3. Have you received within the past twelve months any money from any of the following sources?

Business, profession, or form of self-employment?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Pensions, annuities, or life insurance payments?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Rent payments, interest or dividends?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Account Statement

CARLTON, LEWIS

Printed By:

GAY, KORTNEY

GDC ID: 1000935140

Date	Location Incurred	Obligation Type	Payable To	Obligation Detail	Amount	Paid
04/14/2014	CENTRAL ACCT-OFFENDER TRUST	INDIGENT LOAN	WASHINGTON STATE PRISON	RECORD ID = 17137797. 1NL/3L J.MORGAN, CHILD SUPT.DIVISION, COBB CO.SUPR.CLRK., BOARD OF PARD.&PARL	\$1.96	Y
04/10/2014	CENTRAL ACCT-OFFENDER TRUST	INDIGENT LOAN	WASHINGTON STATE PRISON	RECORD ID = 17132941. ILS	\$0.15	Y
04/09/2014	CENTRAL ACCT-OFFENDER TRUST	INDIGENT LOAN	WASHINGTON STATE PRISON	RECORD ID = 17130079. 2NL J. MORGAN-CARLTON, ZELL&ZELL	\$0.98	Y
04/07/2014	CENTRAL ACCT-OFFENDER TRUST	INDIGENT LOAN	WASHINGTON STATE PRISON	RECORD ID = 17123978. ILS	\$1.49	Y
04/01/2014	CENTRAL ACCT-OFFENDER TRUST	INDIGENT LOAN	WASHINGTON STATE PRISON	RECORD ID = 17114049. 1NL/4L J. MORGAN, CLERK OF COURT, ZELL&ZELL, COBB CO SUPR. CRT., JUVENILE CRT.	\$2.45	Y
04/01/2014	CENTRAL ACCT-OFFENDER TRUST	MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 04/2014	\$1.00	Y
03/27/2014	CENTRAL ACCT-OFFENDER TRUST	INDIGENT LOAN	WASHINGTON STATE PRISON	RECORD ID = 17006824. 1NL/2L ZELL&ZELL, ALEXANDER CAMPBELL KING LIBRARY, JESSICA MORGAN-CARLTON	\$1.47	Y
03/01/2014	CENTRAL ACCT-OFFENDER TRUST	MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 03/2014	\$1.00	Y
02/25/2014	CENTRAL ACCT-OFFENDER TRUST	INDIGENT LOAN	WASHINGTON STATE PRISON	RECORD ID = 16846072. 1NL JUVENILE CLERK	\$0.49	Y
02/01/2014	CENTRAL ACCT-OFFENDER TRUST	MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 02/2014	\$1.00	Y
01/15/2014	CENTRAL ACCT-OFFENDER TRUST	MEDICAL CO-PAY	GEORGIA DEPARTMENT OF CORRECTIONS	RECORD ID = 16658769. 01/13/2014 MED	\$5.00	Y
01/01/2014	CENTRAL ACCT-OFFENDER TRUST	MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 01/2014	\$1.00	Y
		MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 12/2013	\$1.00	Y
		MONTHLY REPORT FEE	GEORGIA DEPARTMENT OF CORRECTIONS	RECORD ID = 16332575. DISCIPLINARY INFO	\$4.00	Y
		MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 11/2013	\$1.00	Y
		MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 10/2013	\$1.00	Y
09/01/2013	CENTRAL ACCT-OFFENDER TRUST	MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 09/2013	\$1.00	Y
08/01/2013	CENTRAL ACCT-OFFENDER TRUST	MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 08/2013	\$1.00	Y
07/01/2013	CENTRAL ACCT-OFFENDER TRUST	MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 07/2013	\$1.00	Y



CORRECTIONS CORPORATION OF AMERICA
WHEELER CORRECTIONAL FACILITY

195 N Broad Street
PO Box 466
Alamo, GA 30411

Juvenile Court of Cobb County
32 Waddell Street
Marietta, Ga. 30090

In reference to case #:
12-CV-5161-04
12-CV-5160-04
12-CV-5159-04

From September 23, 2014 to December 23, 2014, Inmate Lewis Carlton (GDC# 1000935140) was housed at the Wheeler Correctional Facility. All of his court proceedings and legal correspondence were held at Wheeler Correctional Facility. It is noted that on August 29, 2014, an inmate was held at Wheeler Correctional Facility and should not occur in the future. We request that you advise us of any future proceedings in 12-CV-5161-04, 12-CV-5160-04, & 12-CV-5159-04.


Mike Carran, Assistant Warden

IN THE GEORGIA COURT OF APPEALS
STATE OF GEORGIA

IN THE INTEREST OF:

Carlton, Alexis Alana (F) D.O.B: 10-25-05 Case No: 12-CV-5161-04
Carlton, Alan Francis (M) D.O.B: 03-21-07 Case No: 12-CV-5160-04
Carlton, Ava Angelia (F) D.O.B: 03-18-09 Case No: 12-CV-5159-04

DIRECT APPEAL AND BRIEF
IN SUPPORT From Order Denying Atty.

Comes Now, Lewis Alan Carlton, the legal and biological father of the above named children and files this appeal from an order issued from the Cobb County Juvenile Court on November 19, 2014, denying a motion filed on October 19, 2014 requesting appointment of appellant attorney, from an order terminating father's parental rights, Oct. 9, 2014. The juvenile court knowingly sent the order to the wrong address and Wheeler C.F. mailroom staff held mail;^①

therefore, this is timely filed.

1. see: Attached letter from Wheeler C.F. Warden. pg. 1

JURISDICTION

The GA Appeals Court has jurisdiction from the juvenile court's order denying father a trial attorney and appellant attorney.

This jurisdiction is pursuant to the GA Constitution Art. VI, Section V, para. III. and Code section 5-6-35.

HISTORY

On September 26, 2014 in the Cobb County Juvenile Court a termination of parental rights proceeding began. At the very start the Appellant/father asked for appointment of counsel. After the first day and again Oct. 6th & 7th, 2014 father was forced to represent himself over his on-going objections.

The Court found the father indigent/in forma Pauperis but the juvenile Court refused to appoint appellant counsel, refuses to give discovery nor hearing transcripts.

ARGUMENT AND CITATION OF LAW

Pursuant to O.C.G.A. 15-11-98 (b) the court SHALL provide an indigent parent with effective assistance² of counsel at all stages of proceedings involving the termination of parental rights. See: O.C.G.A. 15-11-262 and In the Interest of A.M.A. 270 GA App 269, 602 SE2d 916 (2004).

RELIEF REQUESTED

This Appellant is requesting a re-hearing be held on the termination rights while he is appointed counsel, and the Cobb County Juvenile Court enforce the father's GA and U.S. Constitutional rights of due process.

1000435140
P.O. Box 466
Alamo, GA 30411

Lewis Alan Carlton
Lewis Alan Carlton

2. U.S. Constitution 6th Amendment

CERTIFICATE OF SERVICE

A copy of "Direct Appeal and Brief IN Support" was sent
by regular U.S. Mail on this 24 day of January 2015 to:

Sanders Deen
262 Washington Street
Marietta, GA 30090

1000935140
Bx 466
Alamo, GA 30411

Lewis Alan Carlton
Lewis Alan Carlton
(pro-se)