

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

August 17, 2015

To: Mr. Demetrius Carter, GDC1202606, Valdosta State Prison, Post Office Box 310,  
Valdosta, Georgia 31603

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. The 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.

IN THE SUPERIOR COURT OF CLAYTON COUNTY  
STATE OF GEORGIA

DEMETRUIS CARTER

-VS-

CASE NO: 2009-CR-018909

STATE OF GEORGIA

NOTICE OF APPEAL

RECEIVED  
2015 AUG 17 AM 11:19  
CLAYTON COUNTY ADMINISTRATOR  
COURT OF APPEALS

Notice is hereby given that DemetrUIS Carter, the defendant above-named, hereby Appeals to the Court of Appeals from an Amended Sentence, Order, entered on July 13, 2015.

The offense(s) for which defendant was convicted are Armed Robbery, Aggravated Assault, Altered I.D. Mark Criminal use of, Violation of Georgia Controlled Substance Act, and Possession of Firearm by Felon, and the Sentence(s) imposed are as follows:

Ten (10) Years. to be served, Ten (10) Years. to be served, Twelve (12) months to be served, Twelve (12) months to be served, Twelve (12) months to be served. all running Concurrent with all counts herein.

Motion To Correct Void Sentence, was filed on March 9, 2015 and ORDER, AMENDED SENTENCE was Filed July 14, 2015.

The Clerk will please omit the following from the record on Appeal:

1. Guilty Plea / Sentence Transcript on October 8, 2009
2. Final Disposition on October 8, 2009
3. Transcript of the proceedings on July 13, 2015
4. The Motion to correct Void Sentence
5. The ORDER. Amending Sentence on July 13, 2015

Transcript of evidence and proceedings will be filed for inclusion in the record on Appeal.

This Court of Appeals of Georgia and not the Supreme Court of Georgia has Jurisdiction of this Pursuant to Article 6, Section 5., Paragraph 3, of the Georgia Constitution.

Date: ~~August 3, 2015~~

Date: August 6, 2015

Respectfully Submitted.

Demetrius Carter Pro-Se

Demetrius Carter

G.D.C. 1202606

Valdosta State Prison

P.O. Box 310

Valdosta, Ga. 31603

Sworn to and subscribed before me this 6<sup>th</sup> day of  
August, 2015

Donja Wilheim  
Notary Public or other person authorized to administer oaths

CERTIFICATE OF SERVICE

I hereby certify that I have submitted complete and correct copies of the foregoing document(s) upon the parties listed below by placing the same in the Unites States Mail with sufficient postage affixed thereon.

This 6 day of August, 20 15.

Demetruis Carter

Pro Se

Demetruis Carter

PARTIES SERVED:

Georgia Court of Appeals

47 Trinity Ave, S.W.

Suite 501

Atlanta, Ga. 30334

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Jacqueline D. Wills

Clerk of Superior Court

9151 Tara Blvd.

Jonesboro, Ga. 30236

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