

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

September 1, 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 current 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. The mailing address for the Supreme Court of Georgia is: 244 Washington Street, S.W., Suite 572, Atlanta, Georgia 30334.
- 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-01690-9

STATE OF GEORGIA

NOTICE OF APPEAL

RECEIVED IN THE
CLAYTON COUNTY SUPERIOR COURT
2015 AUG 27 PM 3:38

Notice is hereby given that Demetruis Carter, defendant above-named, hereby Appeal to the Court of Appeals of Georgia from an ORDER on MOTION to CORRECT VOID SENTENCES. GRANTED in part AMENED SENTENCE and DENIED the vacation of its Conviction and Sentences on August 1, 2015 to Correct Void Sentence.

No current

The offense (s) for w *Case* are Armed Robbery, Aggravated Assault with a Deadly Weapon, Mark Criminal use of, Violation of Georgia Controll Substance Act and Possession of Firearm by Felon, and the Sentence (s) imposed are as follows: Ten (10) Years to be served. Concurrent with all counts, Ten (10) Years to be served. Concurrent with all counts. Twelve (12) months to be

A14D00074 final s convicted
Altered I.D.

Served, Concurrent with all counts. Twelve (12) months to be served. Concurrent with all counts. Twelve (12) months to be served. Concurrent with all counts.

Defendant pro-se Motion to Correct Void Sentence filed March 9, 2015; the State's Response to Defendant's Motion to Correct Void Sentence filed July 10, 2015; the Defendant's Motion to Compel Ruling filed July 23, 2015; and the Defendant's Response to State's Response to Defendant's Motion to Correct Void Sentence filed July 31, 2015; on July 13, 2015 the Court issued an ORDER that Amended Sentence which merged the Aggravated Assault and Armed Robbery Convictions and sentences. On August 5, 2015 the Court GRANTED in part the Defendant's Motion to Correct Void Sentence and DENIED the Defendant's request to vacate his ~~conv~~ convictions and sentences. On August 5, 2015.

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

1. Guilty Plea and Sentence Transcript
2. Final Disposition
3. All Motions mentioned above
4. The Ex Parte Production Order

5. The ORDER ON MOTIONS. August 5, 2015
6. The ORDER on AMENDED SENTENCE. July 13, 2015

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

The Court of Appeals of Georgia, rather than the Supreme Court of Georgia has Jurisdiction of this case on Appeal pursuant to Article 6, Section 5, Paragraph 3.

Respectfully Submitted

Demetrius Carter Pro-Se
Signature of Defendant

Date: August 19, 2015

Address: Demetrius Carter
G.D.C.# 1202606
Valdosta State Prison
P.O. Box 310
Valdosta, Ga. 31603

Sworn to and subscribed before me this 19th day of August,
2015

Jonja Wilma

Notary Public or other persons 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 United States Mail with sufficient postage affixed thereon.

This 19th day of August, 20 15.

Demetrius Carter

Pro Se

Demetrius Carter

PARTIES SERVED:

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Georgia, Suite 501,
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