

**COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR APPLICATIONS**

December 22, 2015

To: Mr. Victor Clement, GDC856871, Johnson State Prison, Post Office Box 344, Wrightsville, Georgia 31096

Docket Number: Style: Victor Clement v. The State

Your document(s) is (are) being returned for the following reason(s).

1. Your Application was not accompanied by the statutory filing fee, \$300.00 civil; \$80.00 criminal, or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 Please be advised that your pauper's affidavit should be notarized by a notary public.
2. Portions of the record included were not tabbed and indexed. Rules 30 (e) and 31 (c).
3. A stamped "filed" copy of the trial court's order to be appealed was not attached to your Application. Rules 30 (b) and 31 (e)
4. A stamped "filed" copy of the Certificate of Immediate Review was not attached to your Interlocutory Application. Rule 30(b)
5. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
6. There were an insufficient number of copies of your document. Rule 6
7. **You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service. Rule 6.**
8. Your Certificate of Service did not include the complete name and /or mailing address of each opposing counsel and pro se party. Rule 1(a) and 6
9. Your document exceeds page limits. Rules 24(f) , 30(e) and 31(c)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. No extension of time for filing an interlocutory application will be granted . Rule 30 (g) . No extension of time will be granted for filing a discretionary application unless the motion for extension is filed on or before the due date of the discretionary application.
12. The type font was smaller than 10 characters per inch; type was not double-spaced or/and type was on both sides of the paper. Rules 1(c), 24(b), 37(a) and 41(b).
13. Your motions were submitted in an improper form (joint, compound, or alternative motions in one document). Rule 41 (b)
14. Margins were too small or paper size was incorrect. Rules 1(c), 24(c), 30(e), 31(c) and 41(b).
15. Your document was submitted for filing more than 30 days after the date of the order granting, denying or dismissing the application or the order granting, denying or dismissing the Motion for Reconsideration. Rules 30(j) and 31(j).
16. **Other:**

For Additional information, please go to the Court's website at: www.gaappeals.us

COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR APPLICATIONS

EA

12/18/15

(P)

To: *Victor Clement*

Docket Number: Style: *Victor Clement v. The state*

Your document(s) is (are) being returned for the following reason(s).

1. Your Application was not accompanied by the statutory filing fee, \$300.00 civil; \$80.00 criminal, or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 **Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. Portions of the record included were not tabbed and indexed. Rules 30 (e) and 31 (c).
3. A stamped "filed" copy of the trial court's order to be appealed was not attached to your Application. Rules 30 (b) and 31 (e)
4. A stamped "filed" copy of the Certificate of Immediate Review was not attached to your Interlocutory Application. Rule 30(b)
5. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
6. There were an insufficient number of copies of your document. Rule 6
7. ~~No Certificate of Service accompanied your document(s).~~ Rule 6 You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
8. Your Certificate of Service did not include the complete name and /or mailing address of each opposing counsel and pro se party. Rule 1(a) and 6
9. Your document exceeds page limits. Rules 24(f) , 30(e) and 31(c)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. No extension of time for filing an interlocutory application will be granted . Rule 30 (g) . No extension of time will be granted for filing a discretionary application unless the motion for extension is filed on or before the due date of the discretionary application.
12. The type font was smaller than 10 characters per inch; type was not double-spaced or/and type was on both sides of the paper. Rules 1(c), 24(b), 37(a) and 41(b).
13. Your motions were submitted in an improper form (joint, compound, or alternative motions in one document). Rule 41 (b)
14. Margins were too small or paper size was incorrect. Rules 1(c), 24(c), 30(e), 31(c) and 41(b).
15. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rules 1(c), 30 (e) and 31 (c)
16. Your document was submitted for filing more than 30 days after the date of the order granting, denying or dismissing the application or the order granting, denying or dismissing the Motion for Reconsideration. Rules 30(j) and 31(j).

Ge Ct of App.
Clerk

IN THE SUPERIOR COURT OF FLOYD COUNTY.
AND THE COURT OF APPEALS
STATE OF GEORGIA

IN OFFICE
DEC 15 2015
COURT CLERK
COURT OF APPEALS OF GA

Victor Clement, #856871

Petitioner/Appellant

x
x
x
x
x
x
x
x
x

Cause No. 12CR00672-JF004

Nature of Offense: Thefts

City and State of Ga.

Respondent/Appellee

RECEIVED IN OFFICE
2016 DEC 18 AM 11:56
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

NOTICE OF Discretionary APPEAL

Notice is hereby given that Victor Clement,
Petitioner/Appellant in the above named action, hereby
appeals to Court of Appeals of the State of Georgia,
from the final Judgement from the Orders issued by
the Honorable Tambra Colston, Judge of the Superior
Court of Floyd County, denying Petitioner's/Appellant's
Motion for; ① appointment of Appellant Attorney.

② Defendant's Application for leave to Proceed with
Out of Time Motion, Order, filed Oct 13, 2015,
Order Denied.

③ Defendant's Out of Time Appeal filed Nov 20, 2015
④ Courts Denied, Order on Defendant's Motion
for Out of Time Appeal, filed Nov 25, 2015

Comes Now, appellant Victor Clement in above-entitled
action request Court of Appeals of Georgia to review
this case for possible reversal or at least an
SENTENCE MODIFICATION to fix mis-carriage
of justice by state laws. (1)

Petitioner/Appellant hereby moves the Clerk of this Honorable Court to;

- ① Forward all records, documents, and related materials to the Clerk of the Georgia Court of Appeals and;
- ② That the Clerk shall omit no part of the records including the hearing transcript on appeal.

This 16 day of December, 2015

Respectfully Submitted,
Victor Clement #856871
Victor Clement pro se?
Johnson State Prison
Post Office Box 344
Wrightville, Georgia 31096-0344

^{cc}
~~original~~ to; Floyd County Superior Court Clerk
Three Govt. Plaza P.O. Box 1110
ROME, GEORGIA 30161

^{original}
to; GEORGIA COURT OF APPEALS
Office of the Clerk
47 Trinity Avenue, Suite 501
Atlanta, Georgia 30334

CERTIFICATE OF SERVICE

This is to certify that I have served the opposing party with a complete and accurate copy of the foregoing documents. Service was made by placing the same in an envelope, and with sufficient postage affixed, placed in the U.S. Mail, and on this day mailed to the party(s) as follows: Notice of Discretionary Appeal #12CR00672 JF1004

Please stamp filed and return copy with self addressed stamped envelope enclosed
to: Appellant Victor Clement #856871
Johnson State Prison
P.O. Box 344
Wrightsville, Georgia 31096

original to;
GEORGIA COURT OF APPEALS
OFFICE OF Clerk
47 Trinity Avenue, Suite 501
Atlanta, Georgia 30334

^{cc}
~~original~~ to;

Floyd County Superior Court/Clerk
Three Govt. Plaza P.O. Box 1110
Rome, Ga 30161

(with #2 #3 #4
Exhibit enclosed)
court documents

This the 16 day of December, 2015

Victor Clement PRO SE
Victor Clement GDC# 856871

JOHNSON STATE PRISON

P.O. BOX 344

WRIGHTSVILLE, GEORGIA 31096

I am to and subscribed before me this
day of _____, 20____.

Notary Public or Other Person Authorized to Administer Oaths

#2

IN THE SUPERIOR COURT FOR THE COUNTY OF FLOYD,
STATE OF GEORGIA

STATE OF GEORGIA
VS.

VICTOR LAMAR CLEMENT

*
*
*
*
*

CRIMINAL NO. 12-CR-00672-JFL004

FILED IN OFFICE

OCT 13 2015

ORDER

CLERK

Having read and considered Defendant's Application for Leave to Proceed
with Out of Time Motion,

It is hereby the order of the Court that said Motion be **DENIED**.

SO ORDERED this 13th day of October, 2015.



TAMBRA P. COLSTON, JUDGE
FLOYD SUPERIOR COURT
ROME JUDICIAL CIRCUIT

#3

COPY

FILED IN OFFICE

IN THE SUPERIOR COURT OF Floyd COUNTY
STATE OF GEORGIA

NOV 20 2015

Victor Lamar Clement
DEFENDANT

CLERK

VS

CASE NO: 12-CR-00672-JFLO04

NATURE OF OFFENSE:

Thefts

STATE OF GEORGIA
RESPONDENT

OUT OF TIME APPEAL

Notice is hereby given that Victor Lamar Clement, defendant above-named, hereby makes his request for an OUT OF TIME APPEAL.

Defendant shows as follows:

1. Sentence was imposed by Floyd County, Georgia, on the 22nd day of August, 2011.

2. Direct appeal never occurred due to: defendant was never advised of his "mandatory" right to appeal to Court of Appeals, his gross injustice of sentencing defendant to a felony sentence when the state undisputed by plea hearing transcript "did not know the value," and no factual basis for plea, and indictment states \$500 or more would be void and a misdemeanor and trial court denied defendant Appellate Attorney and caused his attempt to Appeal sentence untimely.
This 17 day of November, 2015.

/s/ Victor Lamar Clement Pro-se

Victor Lamar Clement #856871

(Print you name & GDC#)
JOHNSON STATE PRISON
P.O. BOX 334 / DONOVAN ROAD
WRIGHTSVILLE, GEORGIA 31096

Sworn to and subscribed before me this 17 day of Nov, 2015.

Victor Phoenix pro se
Notary Public or Other Person Authorized to Administer Oaths

#4

IN THE SUPERIOR COURT FOR THE COUNTY OF FLOYD,
STATE OF GEORGIA

STATE OF GEORGIA
VS.

VICTOR LAMAR CLEMENT

CRIMINAL NO. 12-CR-00672-JFL004

FILED IN OFFICE

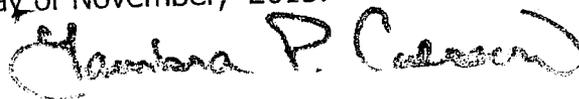
NOV 25 2015

ORDER

~~XXXXXXXXXXXX~~
CLERK

Having read and considered Defendant's Motion for Out of Time Appeal,
It is hereby the order of the Court that said Motion be **DENIED**.

SO ORDERED this 24th day of November, 2015.



TAMBRA P. COLSTON, JUDGE
FLOYD SUPERIOR COURT
ROME JUDICIAL CIRCUIT