

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

November 5, 2015

To: Mr. Michael Wayne Cox, GDC92333, Calhoun State Prison, Post Office Box 249,  
Morgan, Georgia 39866

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. We do not have a file to append your copy.
- 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.

RECEIVED IN OFFICE  
2015 OCT 29 PM 3:17  
CLERK OF SUPERIOR COURT  
APPELLATE DIVISION  
GA

10-24-15

Court of Appeals  
Appellate Division.

I had a Attorney - Mr. Timothy L. Lam.  
SBN-431151, That was appointed to me in  
Jasper County by a Superior Court Judge.

About the 14<sup>th</sup> day of April, 2015 at a hearing  
for a Motion for a New trial I informed  
Mr. Lam I want to declare a Ineffective  
Assistance and needed a Appeal Attorney  
to represent me.

After Mr. Lam sent to me everything he had  
in my record, I have yet to hear, Seen or  
been written from him or a Appeal Attorney.  
This has been About 5 months now. I filed  
a motion for a Appeal or Appellate Attorney  
to represent me, but haven't heard anything  
about that. Please help me with this problem.

Superior Court of Jasper County,  
Case No. 13CR08-119

Michael Wayne Cox #2333  
Calhoun State Prison  
P.O. Box 249  
Morgan, Ga 39866

Timothy L. Lam  
209 Church Street  
Monticello, Ga 31064  
706-468-0405  
SBN-431151

Respectfully Submitted,  
Michael W. Cox