

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

December 14, 2015

To: Ms. Connie Czako-Brower, GDC1237457, Lee Arrendale State Prison, Post Office Box 709, Alto, Georgia 30510

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.**

**Any questions you have about the Supreme Court of Georgia should be directed to that Court. The mailing address for the Supreme Court of Georgia is: 244 Washington Street, S.W., Suite 572, Atlanta, Georgia 30334.**

- 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.

Court of Appeals  
47 Trinity Ave., SW  
Suite 50  
Atlanta, GA 30334  
Attention: Stephen E. Castler

December 9, 2015  
RECEIVED  
2015 DEC 11 3:00  
COURT OF APPEALS OF GA

RE: A15A1314

Dear Mr. Castler:

My appellate attorney, Kevin Anderson, recently filed a direct appeal to the Court of Appeals. It was denied on October 27, 2015. Mr. Anderson advised me that he could not see a realistic argument that the Supreme Court would find merit with, so he has decided not to move forward on the direct appeal to the Supreme Court.

My question to you is: am I required to do a direct appeal to the Supreme Court to exhaust my state remedies, or am I at this point to move on to my state Habeas? I cannot find the answer to this in our Law Library and would very much appreciate your expertise in this matter.

Respectfully,  
Connie Czako-Brower  
Connie Czako-Brower  
GDC# 1237457 / E2-144T  
Lee Arrendale State Prison  
PO Box 709  
Alto, GA 30510