

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

April 13, 2015

To: Mr. Richard E. Daniel, GDC216862, Jenkins Correctional Center, 3404 Kent Farm Drive, Millen, Georgia 30442

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.** 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.
- 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.
- Other: Enclosed, please find a copy of the opinion in the above appeal.**

RECEIVED IN OFFICE

April 8, 2015

Dear clerk,

2015 APR 10 PM 3:53

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA.

RE: Case No: A14A2334 (Richard Eugene Daniel v. The State)

I'm Requesting copy's of the decision's rendered in my Appeal.

1.) I Filed A Motion to Remand December 5, 2014 (Certified Mailing No: 7013 1710 0000 3337 3553.) I AS OF yet Have not Recieved Any written decision on this motion.

2.) I Filed A Motion to File A Supplemental Brief February 2, 2015 (Certified Mailing No: 7013 1710 0000 3337 3584) I AS OF yet have not Recieved Any written decision on this motion.

3.) I ALSO Filed A motion to supplement the Record, February 2, 2015 (Certified mailing No: 7013 1710 0000 3337 3584) I AS OF yet have not Recieved Any written decision on this motion.

I ALSO would ASK PURSUANT TO C.O.A. RULES 35. That I Be Provided with A Copy OF the OPINION AND OR Judgement CONCERNING The Above NAMED Appeal.

I HAVE RECEIVED THE NOTICE OF
REMITTIVE DATED MARCH 17, 2015

BUT I HAVE NOT RECEIVED ANY
OF THE OPINIONS AND OR JUDGEMENTS
I'M REQUESTING.

I HAVE A CONSTITUTIONAL RIGHTS
AS A PRO SE APPELLANT TO HAVE A
COPY OF ANY AND ALL OPINIONS AND
OR JUDGEMENTS PERTAINING TO MY APPEAL
AND ALSO AS NOTED BEFORE COURT OF
APPEALS RULE 35.

copy in file

Respectfully

Richard E. Daniel
PRO SE.

G.D.C. 216862
JENKINS CORRECTIONAL CENTER
3404 KENT FARM DR.
MILLEN GA. 30442

THIRD DIVISION
BARNES, P. J.,
BOGGS and BRANCH, JJ.

NOTICE: Motions for reconsideration must be *physically received* in our clerk's office within ten days of the date of decision to be deemed timely filed.
<http://www.gaappeals.us/rules/>

March 2, 2015

NOT TO BE OFFICIALLY
REPORTED

In the Court of Appeals of Georgia

A14A2334. DANIEL v. THE STATE.

BRANCH, Judge.

On appeal from the denial of his motion to withdraw a guilty plea, Richard Daniel argues that the trial court erred when it concluded that Daniel's counsel was not ineffective at the hearing at which the plea was entered. We find no error and affirm.

“After sentencing, a guilty plea may only be withdrawn if the defendant establishes that such withdrawal is necessary to correct a manifest injustice – ineffective assistance of counsel or an involuntary or unknowingly entered guilty plea.” *Green v. State*, 324 Ga. App. 133 (749 SE2d 419) (2013) (citation and punctuation omitted). “The trial court is the final arbiter of all factual issues raised by