

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

September 25, 2015

To: Mr. Scottie Daniel, GDC305388, Augusta State Medical Prison, 3001 Gordon Highway, Grovetown, Georgia 30813

Docket Number: **Style:** **Scottie Daniel 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 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

(LAB)

9/24/15

To: *Scottie Daniel*

Docket Number: Style: *Scottie Daniel v. The State*

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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).

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

IN THE COURT OF APPEALS OF GEORGIA
STATE OF GEORGIA

STATE OF GEORGIA

VS.

SCOTTIE DANIELS,

DEFENDANT.

CASE NO. 05-CR-5601-4

FILED
2015 SEP 28 PM 5:10
COURT OF APPEALS OF GEORGIA

APPLICATION FOR DISCRETIONARY APPEAL

COMES NOW, SCOTTIE DANIEL, DEFENDANT IN THE ABOVE CASE IN THE SUPERIOR COURT OF DEKALB COUNTY, FILED HIS 'EXTRAORDINARY MOTION FOR NEW TRIAL' CHALLENGING HIS MAY 23, 2006, CONVICTION IN THE SUPERIOR COURT OF DEKALB COUNTY.

THE COURT, ON THE 7TH DAY OF AUGUST, 2015, WITH A HEARING DENIED THE MOTION, AND A "TIMELY" NOTICE OF APPEAL WAS FILED.

PURSUANT TO O.C.G.A. § 5-6-35(A)(7), AN ORDER DENYING AN EXTRAORDINARY MOTION FOR NEW TRIAL MUST BE APPEALED BY "APPLICATION FOR DISCRETIONARY APPEAL". SEE BAKCOM V. STATE, 227 GA. APP. 327, 328 (489 S.E.2d 129) (1997), THEREFORE, DEFENDANT SEEKS TO COMPLY WITH THIS COURT'S RULING AND ORDER.

CONCLUSION

RESPECTFULLY SUBMITTED, THIS 18TH DAY OF SEPTEMBER, 2015.

x Scottie Daniel

SCOTTIE DANIEL

CERTIFICATE OF SERVICE

I, SCOTTIE DANIEL, HAVING FIXED PROPER POSTAGE, AND PLACING
A COPY OF THE ABOVE AND FOREGOING DOCUMENT IN THE U.S. MAIL, SERVES
THE SAME TO:

CLERK,
COURT OF APPEALS OF GEORGIA
SUITE 501
47 TRINITY AVE.
ATLANTA, GA. 30334

DISTRICT ATTORNEY,
STONE MOUNTAIN CIRCUIT
700 DEKALB CO. COURTHOUSE
556 N. McDONOUGH STREET
DECATUR, GA. 30030

THIS 18TH DAY OF SEPTEMBER, 2015.

Scottie Daniel

SCOTTIE DANIEL

305388

AUGUSTA STATE MEDICAL PRISON

3001 GORDON HWY.

GROUETOWN, GA 30813