

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

January 9, 2015

To: Mr. James M. Davis, GDC1000386104 F-C26-T, Riverbend Correctional Institution,
198 Laying Farm Road, Milledgeville, Georgia 31061

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.

1-5-2015

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COURT OF APPEALS OF GA

TO: Court of Appeals

This case originated in Richmond County in 2009. At the time of my arrest I was living in Cobb County. Also Richmond issued a warrant on the same charges, same victims. These allegations are false, 2002 in Richmond and 2004 in Cobb. There was no medical evidence or DNA I was determined to prove that I was not guilty. My lawyer in Cobb informed me that the court did not need any evidence to convict me of child molestation. On the day of the trial in Cobb 9-28-2010 I took a plea of 15/7. My lawyer advised me that Richmond would run my sentence concurrent. Richmond never transported me after 3 months at Cobb I was sent to prison 12-22-2010. In 2013 the Parole Board granted me parole. Before I was set to be released Richmond put a hold on me. On April 15 2013 I Paroled out to Richmond County Jail. After serving 6 months Richmond offered me 10 years, I refused. On the day of the trial 10-15-2013 the Judge said he would give me credit for the time I had been incarcerated. The lawyer in Richmond never explained the plea to me.

Superior Court of Richmond County
State of Georgia

State of Georgia

v.

JAMES M. DAVIS

Case No: 2013-RCCR-865

Notice of Appeal

Comes now defendant, James
Matthew Davis, with this, his foregoing
Notice of Appeal, based on the denial
of his motion for modification of sentence
in the Superior Court of Richmond County
on December, 8, 2014.

Respectfully Submitted
James M. Davis
James M. DAVIS

This 5th day of JAN. 2015

Mary Jane Rootes
Mary Jane Rootes
NOTARY PUBLIC
Baldwin County, GEORGIA
My Commission Expires
10/23/2018

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CLERK OF COURT ADMINISTRATOR
COURT OF APPEALS, GEORGIA

My family obtained another Lawyer
to get me a Sentence motivation.

On Dec 8, 2014 I was denied. In appealing
this decision a copy of the transcripts with
the Judge telling me he would give me credit
for all the time I've been incarcerated help
me in this matter.

Thank you very much
James M Davis