

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

January 26, 2015

To: Mr. Val Jerome Ealey, GDC386979, Dooly State Prison, Post Office Box 750, Unadilla, Georgia 31091

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).

- Again, there is no case pending in the Court of Appeals of Georgia under your name. I am enclosing a copy of the Rules of the Court of Appeals of Georgia for your review.**
- 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.

RECEIVED IN OFFICE

2015 JAN 22 PM 3:25

CLERK OF THE ADMINISTRATOR
COURT OF APPEALS OF GA

January 13, 2015

FROM: Val Jerome Ealey; GDC#386979; Clayton County Trial Court
Case No. 2008-CR-01875-5

TO: Clerk of The Court OF Appeals OF Georgia

RE: Re-submittal OF Motion and Exhibits (documents) For
Filing; And clarification OF My intentions

On January 9, 2015, the Clerk of this Court returned my "Motion-Request To Proceed In Forma Pauperis, And Instructions to The Trial Court To Send Up The Case For Appellate Review," with a notice that there is no case pending in the Court OF Appeals OF Georgia under My NAME. However, the Clerk did stamp the attached In Forma pauperis application as being received in your OFFICE ON January 8, 2015. (See Request To Proceed In Forma pauperis application, attached to the enclosed motion styled to this Court).

To clarify the purpose OF My enclosed motion; The trial Court, under Clayton County Superior Court case Number-2008-CR-01875-5, has denied my motion to arrest and set aside a void judgement (conviction) in that Court. Also, the trial Court refuses to allow me to appeal its denial in Forma pauperis. (See enclosed exhibits A-F, supporting motion styled to this Court).

The reason there is no case pending in This Court under My NAME is because the trial Court refuses to grant In Forma pauperis.

In the enclosed Motion styled to the Court of Appeals of Georgia, I am asking this Court for a discretionary appeal... in hopes that the Court finds that I am entitled to a direct appeal.

A timely Notice of Appeal and Affidavit of indigency was filed in the Trial Court. However, the Trial Court refuses to send up the case without, first, receiving filing fees from me, the appellant.

I submit that the enclosed In Forma pauperis application certifies that I am indigent as a matter of law and fact.

I hope the foregoing has clarified my intended actions. Please advise me if further action is required.

Note: I am enclosing a copy of my original letter to your office explaining my inability to obtain copies of my exhibits.

Thank You kindly

This 14th day of January, 2015

Robert E. Ealey Jr.

My Commission Expires Sept. 20, 2016

Submitted By:

Val J. Ealey

Val J. Ealey

GDC# 386979

January 4, 2015

From: Val Jerome Ealey, Appellant

To: Clerk of The Court of Appeals of Georgia

Re: Enclosed Exhibits "A" through "F"

I have been advised by the prison Law Library supervisor that he, nor the prison administration, cannot provide or make copies of any legal documents for inmates (prisoners) unless there is an order from the courts.

Because I am unable to make copies of my exhibits, "A" through "F," attached to the enclosed motion, I was not able to attach a copy of the exhibits to the enclosed three copies of my motion for each justice.

Also, because the enclosed exhibits, "A" through "F," are the only copies I have of those documents, I am left without a record (copies) of those documents.

Will you please, if I am granted in forma pauperis status, return me a copy of exhibits "A" through "F" so that I will have them for my record.

Your assistance is very much appreciated

Sincerely
Val Ealey

RECEIVED IN OFFICE

IN THE COURT OF APPEALS FOR THE STATE OF GEORGIA

2015 JAN 22 PM 3:25

COURT OF APPEALS

VAL JEROME EALEY
-YS-
STATE OF GEORGIA

Docket No. _____

MOTION-REQUEST TO PROCEED IN FORMA PAUPERIS, AND
REQUEST FOR INTERVENTION ORDER AND INSTRUCTIONS
TO THE TRIAL COURT TO SEND UP CASE FOR APPELLATE REVIEW

Comes now Val Jerome Ealey, appellant in the above-styled action, and respectfully moves this Honorable Court to allow him to proceed in forma pauperis on appeal from the denial of his Motion In Arrest of Judgement Pursuant to D.C.G.A. 17-9-61, and D.C.G.A. 17-9-4-Void Judgement, which was filed in the Superior Court of Clayton County; Case No. 2008-CR-01875-5. (See attached Exhibit "A").

Said motion was denied by the Honorable Judge Albert B. Collier, on October 17, 2014, for lack of jurisdiction. (See attached Exhibit "B").

A timely Notice of Appeal and Request to proceed in forma pauperis was filed. (See attached Exhibit "C").

Appellant's Request to proceed in forma pauperis was subsequently denied on November 11, 2014. (See attached Exhibit "D").



2014

Georgia Court of Appeals

R U L E S

Last Update: October 21, 2014