



Court of Appeals of Georgia

July 14, 2015

TO: Mr. John O. Ellis, GDC1176320 F-1-203B, Dooly State Prison, Post Office Box 750,
Unadilla, Georgia 31091

RE: **A14A1500. John Oliver Ellis v. The State**

CHECK RETURN

- Your check number _____ in the amount of _____ written on the account of your firm for the filing fee in _____ is enclosed. Please be advised that this Court is returning your check since the filing fee was already paid by _____ .

CASE STATUS - DISPOSED

- The referenced appeal was affirmed on July 7, 2015. I have enclosed a copy of the opinion in the appeal for your review.**

CASE STATUS - PENDING

- The above referenced appeal is pending in your name before this Court. The appeal was docketed in the _____ Term and a decision must be rendered by the Court by the end of the _____ Term which ends on _____ .

APPLICATION FOR PERMISSION TO APPEAL A PROBATION REVOCATION

- To appeal a probation revocation, you will need to file a Discretionary Application with this Court. Rule 31 of the Rules of the Court of Appeals of Georgia describes a Discretionary Application and the items you would need to include with your application.

A Discretionary Application must be filed within 30 days of the stamped filed date on the order that you are appealing and the application must be accompanied by a proper Certificate of Service and a pauper's affidavit or the \$80.00 filing fee. You must also comply with all the other applicable rules of Court regarding filing with the Court of Appeals of Georgia.

Enclosed, please find a copy of the Rules of the Court of Appeals for your review.

**FIRST DIVISION
ELLINGTON, P. J.,
PHIPPS, P. J., and MCMILLIAN, J.**

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/>

July 7, 2015

**NOT TO BE OFFICIALLY
REPORTED**

In the Court of Appeals of Georgia

A14A1500. ELLIS v. THE STATE.

PHIPPS, Presiding Judge.

While represented by counsel, John Ellis pled guilty to aggravated child molestation and child molestation, and was sentenced in 2004. Acting pro se, he appeals the order of the Superior Court of Dougherty County dismissing the motion he filed in 2014 to withdraw the guilty plea. Finding no error, we affirm.

The record shows the following. Ellis pled guilty to the above charges on November 8, 2004.¹ The sentence was entered on November 10, 2004. Acting pro se, Ellis filed motions to withdraw the plea in December 2004, November 2008, and

¹ Ellis pled guilty “under *North Carolina v. Alford* [400 U. S. 25 (91 SCt 160, 27 LE2d 162) (1970)], which allows a guilty plea despite a claim of innocence where there is strong evidence of guilt that negates the claim of innocence and provides a factual basis for the guilty plea.” *Wyman v. State*, 267 Ga. App. 118 (598 SE2d 855) (2004).

IN THE COURT OF APPEALS
STATE OF GEORGIA

John O. Ellis GDC#1176320
P.O. Box 750 F-1 Rm 203B
Dooly State Prison
UNADILLA, GA. 31091

RECEIVED IN OFFICE
2015 JUL 13 PM 3:31
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

DEAR CLERK STEPHEN E. CASTEN,
I (John O. Ellis) submitted a
REPLY BRIEF PERTAIN TO CASE# A14A1500
APPROXIMATE 10 MONTHS AGO SEPTEMBER
23, 2014. I WILL REALLY APPRECIATED IF
YOU WOULD LET ME KNOW THE STATUS
OF MY CASE PLEASE.

THANK YOU
John O. Ellis
7-1-15