

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

January 29, 2015

To: Mr. Jimmy Harper, GDC122972 K2-40, Georgia Diagnostic and Classification Center,
State Prison, PO Box 3877, Jackson, Georgia 30233

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.

FORM 1 - NOTICE OF APPEAL (CIVIL or CRIMINAL CASE)

RECEIVED IN OFFICE
2015 JAN 29 PM 3:21
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

NOTICE OF APPEAL

IN THE _____ (SUPERIOR, STATE, ETC.) COURT
OF Butts COUNTY

STATE OF GEORGIA

PLAINTIFF * CASE NUMBER

Jimmy Harper *

vs. *
DEFENDANT *

Bruce Chapman *

NOTICE OF APPEAL

Notice is given that Jimmy Harper (Plaintiff/~~Defendant~~) in the above matter hereby appeals to the Court of Appeals of Georgia from the judgment of the trial court entered on the 14th day of February, 2008, and (Butts County Habeas Corpus)

The clerk shall include record of habeas (omit nothing from the record on appeal/~~will omit from the record on appeal the following:~~ _____.)

A transcript of evidence and proceedings, hearings will ~~will not~~ be filed for inclusion in the record on appeal.

The Court of Appeals, rather than the Supreme Court, has jurisdiction of this appeal because the issue involved is not capital and appeals of such cases are not reserved to the Supreme Court of Georgia pursuant to Article VI, Section VI, Paragraphs II and III of the Constitution of the State of Georgia.

CERTIFICATE OF SERVICE

I certify that I have this day served Attorney General (opposing party or attorney) with a copy of this Notice of Appeal by GDCP mailroom (~~hand delivery~~/mailing a copy first class mail postage prepaid) to him/her at: 40 Capital Square SW, Atlanta (complete address of party served).
GA 30334-1300

This the 26 day of January, 2015.

Jimmy Harper (Sign your name.)

FORM 2 - PAUPER'S AFFIDAVIT

COURT OF APPEALS OF GEORGIA

RECEIVED IN OFFICE
2015 JAN 29 PM 3:21
CLERK/REGISTRAR
COURT OF APPEALS OF GA

Jimmy HARPER, *

APPELLANT *

vs *

CASE NUMBER

BRUCE Chatman, *

APPELLEE

PAUPER'S AFFIDAVIT

Comes now Jimmy HARPER (Appellant's name) first being duly sworn, deposes and states I am financially unable to pay the \$80.00 filing fee required for filing costs in the Court of Appeals of Georgia, and I request I be permitted to file brief, application, (Appellant's brief or Appellant's application) without having to pay filing fees.

This the 26 day of January, 2015.

Jimmy HARPER
(Your name printed or typed.)

Jimmy Harper (Sign your name.)

GEORGIA Diagnostic AND CLASSIFICATION PRISON, P.O. Box
3877, JACKSON GA. 30233
(Your complete address and telephone number.)

Sworn to and subscribed before me

this the 26 day of Jan, 2015

John Young Notary Public

SEAL



FORM 3 - NOTICE OF INTENT

COURT OF APPEALS OF GEORGIA

Jimmy Harper,

*

APPELLANT

*

vs.

Bruce Chatman,

*

CASE NUMBER

*

APPELLEE

NOTICE OF INTENT

Comes now Jimmy Harper (Appellant/~~Appellee~~) in the above appeal and files this Notice of Intent to apply for certiorari to the Supreme Court of Georgia.

This the 26 day of January, 2015.

Jimmy Harper (Sign your name.)

Georgia Diagnostic and Classification Prison

P.O. Box 3877, Jackson, GA 30233

(Your complete address.)

CERTIFICATE OF SERVICE

I certify that I have this day served Attorney General (opposing party or attorney) with a copy of this Notice of Intent by GDCP Mailroom (~~hand delivery~~/mailing a copy first class mail postage prepaid) to him/her at: 40 Capital Square SW,

Atlanta, GA 30334-1300

(complete address of party served).

This the 26 day of January, 2015.

Jimmy Harper (Sign your name.)

FORM 4 - NOTICE OF FILING CERTIORARI

COURT OF APPEALS OF GEORGIA

Jimmy Harper

*

APPELLANT

*

vs. Bruce Chatman

*

CASE NUMBER

*

APPELLEE

NOTICE OF FILING PETITION OF CERTIORARI

Comes now Jimmy Harper (Appellant/~~Appellee~~) in the above appeal and shows he/she this day filed an application for certiorari with the Court of Appeals of Georgia.

This the 26 day of January, 2015.

Jimmy Harper

(Sign your name.)

Georgia Diagnostic and Classification Prison
P.O. Box 3877, Jackson, GA 30233

(Your complete address.)

CERTIFICATE OF SERVICE

I certify that I have this day served Attorney General (opposing party or attorney) with a copy of this Notice of Filing Petition of Certiorari by GDCP Mailroom (~~hand delivery~~/mailing a copy first class mail postage prepaid) to him/her at: 40 Capital Square SW

Atlanta, GA 30334-1300

(complete address of party served).

This the 26 day of January, 2015.

Jimmy Harper

(Sign your name.)

Certificate of Service

This is to certify that I have, this day, served a true and correct copy of the foregoing motion to _____

Attorney General
40 Capital Square SW
Atlanta, Georgia 30334-1300

This 26 day of January, 2015.

Jimmy Harper
Name
GDC # 122972
Georgia Diagnostic & Classification Prison
PO Box 3877
Jackson, Ga. 30233

Note: The clerk's name and address do not appear on this page. Only the opposing party's title and address appear on this page.

Butts County Court house
Clerk of the court
26 Third St
P.O. Box 320
Jackson, GA 30233-1965

DONNA Flood, clerk
SUPERIOR Court of Murray County
P.O. Box 1000
Chatsworth, GA 30705

CLERK
Court of Appeals of Georgia
47 Trinity Avenue, S.W.,
Suite 501
Atlanta, GA 30334