

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

August 4, 2015

To: Mr. Larry Harper, GDC928762, Georgia Diagnostic and Classification Center, State Prison, Post Office Box 3877, Jackson, Georgia 30233

Docket Number: A15D0416 **Style:** Larry A. Harper 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. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service. Rule 6
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

IN THE GEORGIA COURT OF APPEALS
STATE OF GEORGIA

FILED IN OFFICE
JUL 31 2015
COURT CLERK
CLERK COURT OF APPEALS OF GA

STATE OF GEORGIA

-VS-

LARRY A. HARPER

Docket Number: A15D0416

MOTION FOR RECONSIDERATION

Larry Harper Prose Atty

GDC: 928762

Georgia Diagnostic and Classification Center
State Prison

Post Office Box 3877

Jackson Georgia 30233

Please Service: Paul Howard Jr.

District Attorney Office

136 Pryor Street, S.W. 4th Floor
Atlanta Ga. 30303

Proof of Service:

Peter K. Johnson

Deputy District Attorney

136 Pryor Street, S.W.

Third Floor

Atlanta Ga. 30303

RECEIVED IN OFFICE
2015 JUL 31 PM 3:56
COURT CLERK
CLERK COURT OF APPEALS OF GA

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IN THE GEORGIA COURT OF APPEALS
STATE OF GEORGIA

STATE OF GEORGIA

-VS-

LARRY A. HARPER

Docket Number: A1500416

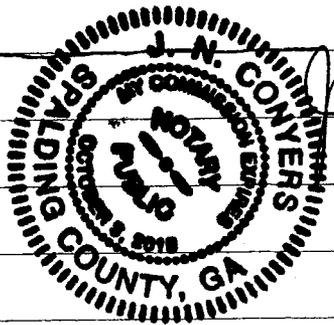
MOTION FOR RECONSIDERATION

Comes now, the defendant Larry A. Harper Sr. Prose
Atty. Would like this court to reconsider the dismissal
order on June 10, 2015 and prays that this court grants
said motion.

Duly sworn and respectfully submitted, this 20th day
of July 2015

so order this date 20th day of July 2015

151



[Handwritten signature]

Respect fully submitted,
151 Larry A. Harper Sr. Prose Atty

IN THE GEORGIA COURT OF APPEALS
STATE OF GEORGIA

STATE OF GEORGIA

-vs-

LARRY A. HARPER

Docket Number: A1520416

AFFIDAVIT IN SUPPORT OF MOTION
FOR RECONSIDERATION

COMES NOW, Larry Alfonza Harper Jr. Defendant IN the above style case and file this Affidavit and show this court the following:

I

The defendant Larry Alfonza Harper Jr. Pose may can show and prove that he did seek stamped "filed" copy of the certificate of immediate review from the trial court O.C.G.A § 5-6-34 (b) for a interlocutory appellate review. see Exhibit (A) Transcripts of motion's hearing proceedings on March 26, 2015 see MT page 81, line 12 to 18. But the trial court judge denied my request to get a stamped copy "filed" certificate of immediate review that is require by the O.C.G.A § 5-6-34 (b) see Exhibit (A) Transcript of motion's hearing proceedings on March 26, 2015 see MT page, 81 line 19 to 25 page 82, line 1 to 5.

II

This is the reason why the defendant Larry Albanca Harper Jr. Prose Atty wrote a discretionary appeal because the Judge abuse her discretion and abuse of power by violating my right to due process, my letting the defendant have a "filed" copy of ~~copy~~ the certificate of immediate review.

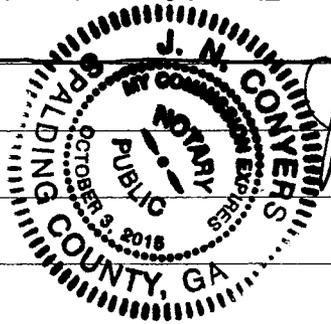
so the only option that defendant was to a discretionary appeal.

wherefore the defendant pray that this court grants the motion for reconsideration.

Duly sworn and respectfully submitted, this the 20th day of July, 2015

so order this date 20th day of July, 2015

151



J. N. Conyers

Respectfully submitted,
151 *Larry Albanca Harper Jr.* Prose Atty

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IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,)
)
Plaintiff,)
)
vs.)
)
LARRY HARPER,)
)
Defendant.)

CRIMINAL INDICTMENT
NO. 12SC116032

(COPY

MOTIONS HEARING

Transcript of the proceedings heard in the above-styled case before the Honorable Kimberly M. Esmond Adams, Judge, Atlanta Judicial Circuit, commencing March 26, 2015 at 3:30 p.m.

A P P E A R A N C E S:

On behalf of the State: PETE JOHNSON
ASSISTANT DISTRICT ATTORNEY

On behalf of Defendant: LARRY HARPER, PRO SE
CAMEIL REDDICK, ATTORNEY AT LAW
SECOND CHAIR

Denise M. Stewart, RPR, CCR 5780-1830-9308-4160
Official Court Reporter
Suite T-1857 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

1 presiding over the matter for nearly 15 months since
2 you filed it and you have not raised an issue. So
3 I'll consider it.

4 Mr. Johnson, anything from the state as relates
5 to this matter?

6 MR. JOHNSON: Just simply we believe based upon
7 review of the motion, there are no valid grounds for
8 the request to recuse. We just request that you deny
9 the motion.

10 THE COURT: All right. Is there anything else on
11 behalf of the defense?

12 THE DEFENDANT: Yes, Your Honor.

13 For the record, I want to ask the court for
14 judicial stamped copy of all orders that were denied
15 today and I want to get a copy -- file copy of the
16 certificate for me to review so I -- the defense wants
17 to go to the appellate court for a second opinion for
18 all the grounds denied.

19 THE COURT: As to your request for written order,
20 the court has not entered written orders as to any of
21 these motions. The pronouncement of the court with
22 respect to its ruling on the various motions that I've
23 heard today are on the record. And I do not intend to
24 enter a written order. The record, I believe, is
25 sufficient for all of the matters the court has taken

1 up.

2 With regard to your request for certificate of
3 immediate review to appeal any or all of the rulings
4 of the court that were adverse to you, in this
5 afternoon's motions hearing, your request is denied.

6 Anything else?

7 THE DEFENDANT: I can't get an order for any of
8 the motions?

9 THE COURT: You will be provided a copy of the
10 record once Ms. Stewart is able to complete it. I'm
11 going to ask her to rush and complete this record so
12 that it can be provided.

13 I will enter a general order denying motions and
14 indicating what my ruling was. There will not be any
15 specific findings of fact or conclusions of law in the
16 order. I will list the various motions that the court
17 has heard and indicate what my ruling was with respect
18 to those matters, but that's the extent of it. I
19 think the record is sufficient.

20 Anything else?

21 THE DEFENDANT: Would it be filed through the
22 clerk's office?

23 THE COURT: Everything is filed in the clerk's
24 office.

25 THE DEFENDANT: So the order form -- do you know

C-E-R-T-I-F-I-C-A-T-E

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STATE OF GEORGIA:

COUNTY OF FULTON:

I, DENISE MARIE STEWART, Official Court Reporter, hereby certify that the foregoing transcript was taken down, as stated in the caption, and the colloquies, questions and answers were reduced to print by me or under my direction; that the foregoing pages represent a true, correct and complete record of the evidence given.

The above certification is expressly withdrawn and denied upon the disassembly and/or photocopying of the foregoing transcript, or any part thereof, including exhibits, unless said disassembly and/or photocopying is done under the auspices of the undersigned and the signature and original seal attached thereto.

I further certify that in accordance with OCGA 9-11-28(a) I am not a relative, employee, attorney, or counsel of any party, nor am I financially interested in the action.

This, the 8th day of April 2015.


DENISE MARIE STEWART
CCR 5780-1830-9308-4160

~~GEORGIA~~
IN THE ~~COURT OF~~ APPEALS
STATE OF GEORGIA

LARRY A. HANPER JR.
Petitioner

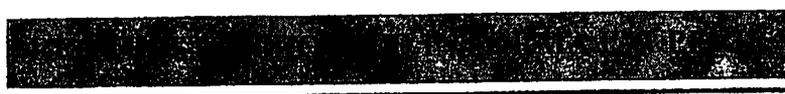
Inmate Number

case
No. ~~15~~ A1500416

vs.

Warden
STATE OF GEORGIA
Respondent
(Name of Institution where you are now located)

~~0.C.G.A. § 15-6-20~~
Attidavit of Indigency



I, Larry A. Hanper Jr., depose and say that I am the plaintiff in the above entitled case; that in support of my request to proceed without being required to prepay fees, costs, or give security therefor, I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor; that I believe I am entitled to redress.
I further swear that the responses which I have made to questions and instructions below are true.

1. List any and all aliases by which you are known: _____

2. Are you presently employed? Yes No
If the answer is "Yes," state the amount of your salary or wages per month, and give the name and address of your employer: _____

If the answer is "No," state the date of last employment and the amount of the salary and wages per month which you received: N/A

2. Have you received within the past twelve months any money from any of the following sources?
Business, profession, or form of self-employment? Yes No
Pensions, annuities, or life insurance payments? Yes No
Rent payments, interest or dividends? Yes No

Gifts or inheritances?

Yes

No

Any other sources?

Yes

No

If the answer to any of the above is "Yes," describe each source of money and state the amount received from each source during the past twelve months: _____

3. Do you own any cash, or do you have money in a checking or savings account? (Include any funds in prison accounts): Yes No

If the answer is "Yes," state the total value of the items owned: _____

4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? Yes No

If the answer is "Yes," describe the property and state its approximate value: _____

5. List the persons who are dependant upon you for financial support, state your relationship to those persons, and indicate how you contribute toward their support: N/A

I understand that a false statement or answer to any question in this affidavit will subject me to penalties for perjury and that state law provides as follows:

- a. A person to whom a lawful oath or affirmation has been administered commits the offense of perjury when, in a judicial proceeding, he knowingly and willfully makes a false statement material to the issue on point in question
- b. A person convicted of the offense of perjury shall be punished by a fine of not more than \$1,000 or by imprisonment for not less than one nor more than ten years, or both. O.G.C.A. § 16-10-70.

Larry A. Samp
Signature of Petitioner

Date

VERIFICATION

I, Henry A. Harper Jr., do swear and affirm under penalty of law that the statements contained in this affidavit are true. I further attest that this application for in forma pauperis status is not presented to harass or to cause unnecessary delay or needless increase in the costs of litigation.

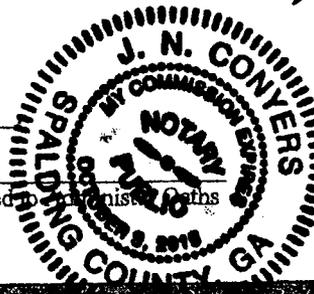
I am the plaintiff in this action and know the content of the above Request to Proceed in Forma Pauperis. I verify that the answers I have given are true of my own knowledge, except as to those matters that are stated in it on my information and belief, and as to those matters I believe them to be true. I have read the perjury statute set out above and am aware of the penalties for giving any false information on this form.

[Signature]
Signature of Affiant Petitioner

Date

Sworn to and subscribed before me this
20th day of July, 20____

Notary Public or Other Person Authorized to Administer Oaths



[Signature]





CERTIFICATION

I hereby certify that the Plaintiff herein, LARRY HARPER,
has an average monthly balance for the last twelve (12) months of \$ 285.79 on account at
the GEORGIA DIAGNOSTIC + CLASSIFICATION PRISON
institution where confined. (If not confined for a full
twelve (12) months, specify the number of months confined. Then compute the average monthly balance
on that number of months.)

I further certify that Plaintiff likewise has the following securities according to the records of said
institution: 0

Robert D. King
Authorized Officer of Institution

7-22-15
Date



GDC ID: 928762

Spendable Amount	Reserved Amount	Receipts On Hold	Funds Balance	Obligations/Court Charges
\$285.79	\$10.00	\$0.00	\$295.79	\$1,961.00

RECEIPTS

Receipt Date	Transaction ID	Receipt Type	Receipt Details	Receipt Amount
07/17/2015	14551046	JPAY DEPOSIT RECEIPT	JPAY - GRAY, QUINYANNA - 47917179	\$300.00
06/18/2015	14448345	MAIL ROOM RECEIPT	SWANSON SERVICES - 000016263	\$2.77

WITHDRAWALS

Date	Request Date	Location Paid	Withdrawal Type	Payable To	Detail	Amount	Check No
07/17/2015		CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	MONTHLY PROCESSING FEE FOR 07/2015	\$1.00	
07/17/2015		CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GA DIAG CLASS PRISON	RECORD ID = 19437993. 1 NON-LEGAL	\$0.49	
07/17/2015		CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GA DIAG CLASS PRISON	RECORD ID = 19430765. 1 NON-LEGAL	\$0.49	
07/17/2015		CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	RECORD ID = 19539563. 6/30/15	\$5.00	

OBLIGATIONS

Paid Status: P = Partially paid; Y = Paid in full; R = Reversed; W = Written off

Date	Location Incurred	Obligation Type	Payable To	Obligation Detail	Amount	Paid
07/01/2015	CENTRAL ACCT-OFFENDER TRUST	MEDICAL CO-PAY	GEORGIA DEPARTMENT OF CORRECTIONS	RECORD ID = 19539563. 6/30/15	\$5.00	Y
07/01/2015	CENTRAL ACCT-OFFENDER TRUST	MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 07/2015	\$1.00	Y
06/30/2015	CENTRAL ACCT-OFFENDER TRUST	INDIGENT LOAN	GA DIAG CLASS PRISON	RECORD ID = 19437993. 1 NON-LEGAL	\$0.49	Y
06/25/2015	CENTRAL ACCT-OFFENDER TRUST	INDIGENT LOAN	GA DIAG CLASS PRISON	RECORD ID = 19430765. 1 NON-LEGAL	\$0.49	Y
10/01/2006	RIVERS STATE PRISON	MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 10/2006	\$1.00	Y
09/01/2006	RIVERS STATE PRISON	MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 09/2006	\$1.00	Y
08/01/2006	RIVERS STATE PRISON	MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 08/2006	\$1.00	Y
07/01/2006	RIVERS STATE PRISON	MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 07/2006	\$1.00	W
06/05/2006	RIVERS STATE PRISON	MEDICAL CO-PAY	GEORGIA DEPARTMENT OF CORRECTIONS	RECORD ID = 3244762. 5/21/06	\$5.00	Y

CERTIFICATE OF SERVICE

I here by certify that on July 29, 2015
a true and correct copy of foregoing motion for Reconsideration
with first class postage pre paid has been
deposited in the U.S. mail
and properly addressed to the person whose names and
addressed are listed below.

so order this 29th day of July 2015
1st Deputy Attorney General.

Harry Atlanta Mayor Sr. Prosec Attorney
GDC: 928762
Georgia Diagnostic and Classification
center state Prison
Post office box 3877
Jackson Georgia 30233

Please service: Paul Howard Jr.,
District Attorney Office
136 Pryor street ^{4th} Floor
Atlanta, Georgia 30303

Cathelene "Tina" Robinson
Clerk of Superior Court
Fulton Co. Court House
Atlanta Ga. 30303

Proof of Service:
Peter K. Johnson
Deputy District Attorney Office
136 Pryor street, S.W.
Third Floor
Atlanta Georgia 30303