

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

January 27, 2015

To: Mr. Ian Harris, GDC831283, Augusta State Medical Prison, 3001 Gordon Highway,
Grovetown, Georgia 30813

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.

In The Georgia Court of Appeals
State of Georgia

Ion Harris #831283
Petitioner

vs

Judge James G. Blanchard
(Richmond County Superior Court)
Respondent

Case number

RECEIVED IN OFFICE
2015 JAN 27 AM 11:47
SYSTEMS COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Petition for writ of mandamus

Comes now the petitioner, Ion Harris #831283, and brings this his Petition for Writ of Mandamus Against Judge James G. Blanchard of the Richmond County Superior Court, State of Georgia, and shows as follows:

The respondent Judge, Judge James G. Blanchard, is the judge presiding over the case of Ion Harris vs. Georgia Department of Corrections, civil action number 2013-RCV-00595, which was filed October 31, 2013 by the petitioner. The defendant in that case failed to comply with O.C.G. §11-12-10 and did not file an answer to the complaint of the petitioner. The petitioner filed a motion for Default Judgment in November 2014 (see plaintiff's copy of stamped filed motion for Default Judgment attached to petition) but the judge, Judge James G. Blanchard fails to rule upon the motion, which raises these facts. The petitioner has exhausted all available remedies available to him, the petitioner seeks the issuance of mandamus to receive default judgment and has no other remedies available to him in court.

Wherefore the petitioner prays mandamus issue.

This the 19th day of January, 2015.

Edwin Prose
Ion Harris #831283
A.S.M.P.
3001 Gordon Hwy.
Grovetown, GA. 30813

Please stamp
"filed" and return

IN THE SUPERIOR COURT of Richmond County
State of Georgia

CLERK OF SUPERIOR, STATE
AND JUVENILE COURT
FILED FOR RECORD
2014 NOV 20 AM 9:00
ELAINE D. JOHNSON, CLERK
RICHMOND COUNTY, GA.

Ian Harris

GDC # 831283

Plaintiff

vs.

Civil Action No. 2013 RCCV-595

Georgia Department of Corrections

Motion for Default Judgment

Comes now the plaintiff, Ian Harris # 831283, and brings this his Motion for Default Judgment against the defendant and shows as follows:

1.

O.C.G.A. 59-11-12 (a) states that a defendant shall serve his answer within 30 days after the service of the summons and complaint upon him. The defendant failed to serve his answer within 30 days after the service of the summons and complaint upon him therefore waiving any claim or defense he may have had. The plaintiff moves for default judgment against the defendant.

Wherefore the plaintiff prays this motion be granted and the defendant be found in default.

This the 9th day of November 2014.

Ian Harris Pro Se

Ian Harris # 831283

A.S.M.P.

3001 Garden Hwy.

Graveltown, GA. 30813

Certificate of service

This is to certify service of the foregoing Motion for Default Judgment upon the defendant, by mail, and addressed to:

Georgia Department of Corrections
State Officer South
315 Tift College Drive
Forsyth, GA. 31029-2314

This the 9th day of November, 2014.

Andrew Prose
Tan Harris # 831283
A.S.M.P.
3001 Gordon Hwy.
Grovetown, GA. 30813

In The Georgia Court of Appeals
State of Georgia

Ian Harris #831283
Petitioner

vs.

Judge James G. Blanchard
(Richmond County Superior Court)

Type of Action:
Mandamus Petition

Request to Proceed In Forma Pauperis

Come now the petitioner, Ian Harris #831283, and states in good faith and under the penalty of perjury that I am unable to pay costs of mandamus proceedings, that I believe I am entitled to both redress and relief from the Court, and that I am unable to provide financial records from the prison due to conflict of interest with the business office's accountant.

Wherefore the petitioner prays to proceed with mandamus proceedings.

This the 19th day of January, 2015.

Ian Harris Pro Se
Ian Harris #831283
A.S.M.P.
3001 Gordon Hwy
Grovetown, GA. 30813

Certificate of Service

This is to certify service upon the opposing party of the foregoing Petition for writ of Mandamus and Request to Proceed In Forma Pauperis by mail, and addressed to:

c/o Clerk of Court

To: James G. Blanchard
735 James Brown Blvd.
Augusta, GA. 30901

This the 19th day of January, 2015.

John Harris Pro Se.
John Harris # 831283
A.S.M.P.
3001 Gordon Hwy
Grovetown, GA 30813