

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

January 26, 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 _____
divesting this Court of jurisdiction. The remittitur issued on _____
- 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.

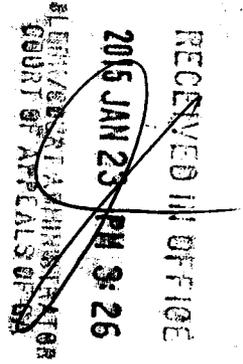
In The Georgia Court of Appeals
State of Georgia

ION HARRIS #831283
Petitioner

case number

VS.

Judge J. Carlisle Overstreet
(Richmond County Superior Court)
Respondent



Petition for Writ of Mandamus

Comes now the petitioner, Ion Harris #831283, and brings this his Petition for Writ of Mandamus against Judge ~~vs~~ J. Carlisle Overstreet of the Richmond County Superior Court, of the State of Georgia, and shows as follows:

The respondent judge, Judge J. Carlisle Overstreet, is the judge presiding over the case of Ion Harris v. Mental Health Parole Board and Georgia Department of Corrections, civil action number 2013-RCR-00362, which was filed in July 2013 by the petitioner. The defendant in that case failed to comply with O.C.G.A. § 9-11-12(a) and did not file an answer to the complaint of the petitioner, the petitioner filed a motion for default judgment in November 2014 but the judge, Judge J. Carlisle Overstreet fails to rule on 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 remedy available to him in court.

Wherefore the petitioner prays mandamus issue

This the 18th day of January, 2015.

Ion Harris Pro Se
Ion 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 J. Carlisle Overstreet
(Richmond County Superior Court)

Type of Action:
Mandamus Petition

Request to proceed In Forma Pauperis

Comes now Ian Harris GDC # 831283, the petitioner, and states in good faith and under the penalty of perjury that I am indigent and without the means to pay costs of said Mandamus proceedings, that I believe that I am entitled to redress and relief, from the Court, and that I am unable to obtain financial records from the ~~det~~ prison due to conflict of interest with the business officer's accountant.

Wherefore the petitioner prays he be allowed to proceed with his petition for writ of mandamus.

This the 18th day of January, 2015.

clerk
Ian Harris Pro Se
IAN HARRIS #831283
Augusta State Medical Prison
3001 Gordon Hwy.
Grovetown, GA. 30813

Certificate of Service

This is to certify service of the preceding Petition for Writ of Habeas Corpus and Request to proceed In Forma Pauperis upon the opposing party, by mail, and addressed to :

J. Carlisle Overstreet
735 James Brown Blvd
Augusta, GA 30901

This the 18th day of January, 2015.

Jonathan Prose
Jon Harris GDC# 831283
ASMP
3001 Gordon Hwy
Grovetown, GA. 30813