

COURT OF APPEALS OF GEORGIA

SCANNED

1/28/16

RETURN NOTICE

August 14, 2015

To: Mr. Cedric D. Hart, GDC413116 J-2, Central State Prison, 4600 Fulton Mill Road, Macon, Georgia 31208

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 the name of Cedric D. Hart, Case Number 06-008354.**
- 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.

COURT OF APPEALS OF GEORGIA

FILED IN OFFICE
AUG 11 2015
COURT CLERK
CLERK COURT OF APPEALS OF G.

Cedric D. Hart
Petitioner

Case No. 06-008354

VS.

Declaration of Indigency

The STATE OF GEORGIA
Respondent

Declaration of Poverty

I Cedric D. Hart Declare's Pursuant to 28 USC § 1746, the Penalty of Perjury, that I Am by Law indigent and Cannot Afford the \$20.00 Filing Fee For this Action to be heard. I ask those Fee's be waived and I be Allowed To Commence this Action in the Court of Appeals. This 7th day of August 2015.

Respectfully Submitted

 PRO-SE

CEDRIC D. HART 413116
CENTRAL STATE PRISON J-2
4600 FULTON MILL ROAD
MACON, GA. 31208

RECEIVED
2015 AUG 13 PM 3:00
CLERK COURT OF APPEALS OF GA.

COURT OF APPEALS
STATE OF GEORGIA

FILED
OFFICE
AUG 11 2015
CLERK OF COURT
COURT OF APPEALS OF GA

CEDRIC D. HART
Petitioner

vs.

THE STATE OF GEORGIA
Respondent

CASE NO. 06-008354

MOTION TO DISMISS

RECEIVED IN
2015 AUG 13 PM 3:00
COURT OF APPEALS OF GEORGIA

MOTION TO DISMISS PURSUANT TO
O.C.G.A. § 15-6-21(b) AND 17-1-3

Comes Now Cedric D. Hart and Moves the COURT OF APPEALS OF GEORGIA TO ENFORCE COMPLIANCE in the Above entitled Case Pursuant to O.C.G.A. § 15-6-21(b) and Dismiss the Above-entitled Action Pursuant to O.C.G.A. § 17-1-3. Petitioner Avers As Follows:

(1)

Petitioner Cedric D. Hart, is charged with one count OF THEFT BY TAKING PROPERTY in the Above-entitled Action.

(2)

A Motion For Demand For A Speedy TRIAL was

Properly filed and Docketed February 26, 2015,
in the Jurisdiction of The Superior Court of Ful-
ton County, Fulton County, Georgia.

(3)

Pursuant to O.C.G.A. § 15-6-21 (a) A County over
1,000,000. Residents Require A Motion to be heard
within 90 days of it's Docketing. This has not
Happened and now the Statute of Limitation for
Prosecution of A Felony Offense O.C.G.A. § 17-1-
3, has expired.

(4)

Therefore Pursuant to O.C.G.A. § 15-6-21 (b), this
Court holds Jurisdiction to Dismiss this Action
in it's entirety.

Wherefore Petitioner Pray's this Court Adopts
AND Adhere To Grant A dismissal and Release
the Detainer Under O.C.G.A. § 17-1-3.

This 7th day of AUGUST 2015.

cc: Cathelene T. Robinson
FULTON County Superior Court
136 Pryor St. SW.
ATLANTA, GA. 30303

Respectfully Submitted
 Pro-SE

Cedric D. Hart 413116
CENTRAL STATE PRISON J-2
4600 FULTON Mill ROAD
MACON, GEORGIA 31208

Dem
closed
900

IN THE SUPERIOR COURT OF Fulton
STATE OF GEORGIA

FILED IN OFFICE
" " " " " "
COUNTY FEB 26 2015
Tim
DEPUTY CLERK SUPERIOR COURT
FULTON COUNTY, GA

Cedric D. HART
Petitioner

Vs.

CASE NO. 06-008354
03SC11776

STATE OF GEORGIA

DEMAND FOR SPEEDY TRIAL

Now Comes the petitioner, Cedric D. Hart, and files this

Demand For Speedy Trial pursuant to the Sixth Amendment of the United States
Constitution, and O.C.G.A. § 17-7-170 of the Statutes of the State of Georgia.

The Petitioner demands that he be brought to trial during the present or next Term
of Court on the following named charge(s): Theft by Taking of
Motor Vehicle

and any other charges known to be lodged against him, and within the jurisdiction of this
Honorable Court.

Respectfully submitted this 30 day of January, 20 15.

Cedric D. Hart
Cedric D. HART Pro Se
CTDC #413116
CENTRAL STATE PRISON
4600 Fulton Mill Rd.
MACON, GA. 31208

RECEIVED
JAN 30 2015
CENTRAL STATE PRISON
RECORDS OFFICE

CERTIFICATE OF SERVICE

This is to certify that I have this day served a true and correct copy of the within and foregoing document(s) upon the party(ies) listed below by depositing a copy of same in the United States Mail in a properly addressed envelope with adequate postage thereon to ensure that it reaches its destination properly addressed upon:

Paul Howard
District Attorney
136 Pryor St. 3rd Floor SW
Atlanta, GA 30303

Clerk of Superior Court
Fulton County Courthouse
Catherine Robinson
Atlanta, GA 30303

This the 30 day of JANUARY, 2015.



Michael Thomas
1/20/15

Corbett D. Hart
Corbett D. Hart
CPD #413116
CENTRAL STATE PRISON
4600 Fulton Mill Rd.
MACON, GA 31208