

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

October 29, 2015

To: Mr. Phillip A. Harwood, GDC1130009, Lee State Prison, 153 Pinewood Road, Leesburg, Georgia 31763

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).

This office has not received the record on your appeal from Fulton County, Georgia. You will need to continue checking with the clerk of the trial court.

I am enclosing a copy of this Court's Rules for your review.

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. We do not have a file to append your copy.

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. The mailing address for the Supreme Court of Georgia is: 244 Washington Street, S.W., Suite 572, Atlanta, Georgia 30334.

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.



2015

Georgia Court of Appeals

RULES

Last Update: January 21, 2015

Salute,

Please MAKE note that this letter ASKS Two questions pertaining to my Civil action: 2015 CV 257058 That has been laying in the clerks office for over six months and I've Filed a mandamus against the clerk, which is now over 30 days old.

The Time line is as Follows:

- (1) Civil action Filed: 2014 CV 244 226 - denied - MAY 23, 2014
- (2) Civil action ReFiled: June 9th 2014
- (3) Civil action ReFiled: NOV. 5th 2014
- (4) Feb. 2nd 2015 - unknown Judge denies Informa Pauper's Filing of June 9th 2014 Filing.
- (5) MARCH 15th 2015 - notice of Appeal Filed
- (6) Clerk assigns CASE number - 2015 CV 257058 - TO June 9th - 2014 - Stamped Filed April 30th 2015 -
- (7) The courts order of Feb. 2, 2015, had no civil action number assigned, And no Judge's name or Signature.
- (8) Sep, 2015 - mandamus Filed on clerk - no reply to date.

IT IS my contentions that Judge John Goger is bias in His rulings, And The clerks office AS well as The courts OF Fulton Co. all have conspired against me since Aug. 24th 1998, To cover-up every violation OF my rights and deny me access to the court in any manner they can. my civil action WAS denied, stating that: my action WAS an attempt to withdraw guilty Plea based on Ineffective Assistance of Counsel, An Attempt at an extraordinary motion for a new trial, or a tort claim, with no Justiciable LAW or Facts. The stated: Nature of action WAS: Punitive - Tort - Compensatory, There WAS no doubt what The civil action WAS about.

I have Presented in my civil action a Synthesis OF every issue To show the court as well as a Jury how and why my civil action should be granted. This civil action Shows how His constitutional rights were violated by His Attorneys, The DA's office and The court. what The laws require and The Procedures that The Supreme Court OF GA. have put in LAW and how, in my CASE, They were NOT Followed and what Incurs if The laws and Procedures were NOT Followed.

II

The Court ASSumes much, but Proves nothing in its order of Feb. 2nd 2015.

AS Shown, A Nov. 5th 2014 civil action WAS Filed before The Feb 2, 15 order WAS given. This action HASN'T been given an civil action number as To date.

The Purpose OF This letter, is, I am asking This Honorable court To issue a order To The clerk OF Fulton Co. To Forward my civil action and brief TO The Court OF Appeals or To Tell me what I must do To make The clerk File my notice OF Appeal TO This court, it's been over 6 months.

I believe That once The court OF Appeals Takes all The issues into account, This Honorable court Will Justify my Filing

I Sincerely Appeal TO The Court OF Appeals For help in This matter.

Respectfully Submitted
Phillip Anthony Harwood.

Phillip A. HARWOOD
1130009 - Lee State PRISON - G243
153 Pinewood Road
Leesburg GA. 31763
Civil action # 2015CV 257058