



**Court of Appeals of Georgia**

May 11, 2015

TO: Mr. Jerry Howard, GDC412015, Macon State Prison, Post Office Box 426, Oglethorpe, Georgia 31068

RE: **A15A1456. Jerry L. Howard v. The State**

**CHECK RETURN**

- Your check number \_\_\_\_\_ in the amount of \_\_\_\_\_ written on the account of your firm for the filing fee in \_\_\_\_\_ is enclosed. Please be advised that this Court is returning your check since the filing fee was already paid by \_\_\_\_\_.

**CASE STATUS - DISPOSED**

- The referenced appeal was dismissed on April 21, 2015. The remittitur issued on May 6, 2015, divesting this Court of any further jurisdiction of your case. The case is therefore, final. Enclosed, please find your Motion for Reconsideration.**

**CASE STATUS - PENDING**

- The above referenced appeal is pending in your name before this Court. The appeal was docketed in the \_\_\_\_\_ Term and a decision must be rendered by the Court by the end of the \_\_\_\_\_ Term which ends on \_\_\_\_\_.

**APPLICATION FOR PERMISSION TO APPEAL A PROBATION REVOCATION**

- To appeal a probation revocation, you will need to file a Discretionary Application with this Court. Rule 31 of the Rules of the Court of Appeals of Georgia describes a Discretionary Application and the items you would need to include with your application.

A Discretionary Application must be filed within 30 days of the stamped filed date on the order that you are appealing and the application must be accompanied by a proper Certificate of Service and a pauper's affidavit or the \$80.00 filing fee. You must also comply with all the other applicable rules of Court regarding filing with the Court of Appeals of Georgia.

Enclosed, please find a copy of the Rules of the Court of Appeals for your review.

IN THE GEORGIA COURT OF APPEALS  
STATE OF GEORGIA

SCANNED

5/8/15

RECEIVED IN OFFICE

2015 MAY -8 PM 2:54

COURT CLERK  
COURT OF APPEALS OF GA

JERRY L. HOWARD,  
defendant,

v.

STATE OF GEORGIA

CASE No A15A1456

FILED IN OFFICE

MAY 08 2015

COURT CLERK  
CLERK COURT OF APPEALS OF GA

MOTION FOR RECONSIDERATION

Now comes the defendant/appellant, Jerry L. Howard moving the Court to reconsidering its April 21, 2015 ruling denying his Direct Appeal. Said ruling was based upon the timing of the filing of the Notice of Appeal.

Appellant moves the Court to honor the mail-box rule. See Masoline v. Williams, 554 S.E.2d 720 and Houston v. Lack, 487

U.S. 266. Appellant swears under penalty of perjury that he placed his Notice of Appeal in the prison mailbox on October 16, 2014, timely filed. Appellant is attaching a copy. Appellant is also including the stamped/date envelope that contained this Court's April 21, 2015 ruling. Appellant prays the Court will ~~see~~

the flawed, broken and delayed workings of the prison mail system.

Appellant further avers that he has responded to the Court's ruling within 24 hours of receiving its order, respectfully submitting this pleading on Thursday, April 30, 2015.

Jerry Howard  
JERRY L. HOWARD, pro se  
# F-2, PO Box 426  
Oglethorpe, GA 31068

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(s) listed below by depositing a copy of same in the United States Mail in a properly addressed envelope with adequate postage thereon to below addresse(s).

Clark of Court of Appeals  
47 Trinity Ave. / Ste 501  
ATLANTA, GA 30334

Office of District Attorney  
133 MONTGOMERY ST  
SAVANNAH, GA 31401

This the 30 day of APRIL, 20 15.

Signature Jerry Howard  
JERRY L. HOWARD, pro se  
F-2, PO Box 426  
Oglethorpe, GA 31068

FILED IN OFFICE  
In The Superior Court of Chatham County

2014 OCT 17 STATE OF GEORGIA

State of Georgia

vs.

Jerry L. Howard

DEP. CLK. SUPERIOR CT.  
CHATHAM COUNTY, GA

Indictment No: CR08-0751

Notice of Appeal

Notice is hereby given that Movant above named, hereby Appeals to the Court of Appeal of Georgia, from the judgement entered herein on May 23, 2013.

The offense in which Movant was sentenced was: Rape; Aggravated Assault (Family Violence); and Cruelty to Children 3rd Degree, and the sentence imposed is as follows: Rape, Life without parole; Aggravated Assault (Family Violence), 20 years to serve; Cruelty to Children 3rd Degree, 12 months to serve.

The offense for which Movant was sentenced occurred in the case of the State of Georgia vs. Jerry Lewis Howard indictment No: CR08-0751.

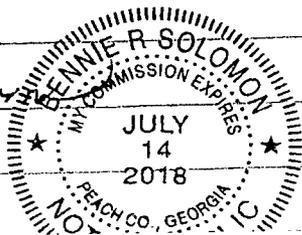
The Clerk will omit no documentary evidence and will not omit any motions filed in this case or from the case during which the case occurred from the record on Appeal and will transmit the record in its entirety including the Court reporter's transcript, tape recordings and notes of all proceedings in this case during which the adjudication of the case and all proceedings in the case.

The transcript of evidence and proceedings will be filed for inclusion in the record on appeal.

The Court of Appeals has jurisdiction of this Appeal as it involves a subject upon which jurisdiction is not conferred upon the Supreme Court of Georgia, by the 1983 Constitution of Georgia, Article VI, section VI, paragraph III, and involves the correction of error of law.

This 10 day of October, 2014.

Bernie R. Auler  
9/29/14



PRO SE  
Jerry L. Howard  
Jerry L. Howard  
P.O. Box 426  
Oakthorpe, GA 31068

**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(s) listed below by depositing a copy of same in the United States Mail in a properly addressed envelope with adequate postage thereon to below addresse(s).

Superior Court Clerk Office  
133 Montgomery Street  
Savannah, GA. 31401

~~XXXXXXXXXXXXXXXXXXXX~~  
133 Montgomery Street  
Savannah, GA. 31401

This the 10 day of October, 2014.

Pro se

Signature James L. Howard

