

COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR BRIEFS OR MOTIONS

June 9, 2015

To: Mr. Neal Howard, GDC977727 J110, Dooly State Prison, Post Office Box 750, Unadilla, Georgia
31091

Docket Number: A15A1135 **Style:** Neal Howard v. The State

Your document(s) is (are) being returned for the following reason(s).

1. Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 **Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4. **No Certificate of Service accompanied your document(s). Rule 6**
5. **A Certificate of Service must include the complete name and mailing address of each opposing party. Rules 1(a) and 6. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.**
6. There were an insufficient number of copies of your document. Rule 6.
7. Your document exceeds page limits. Rules 24 (f) and 27 (a)
8. Your document was submitted without permission to file (supplemental brief or second motion for reconsideration). Rules 27 (a) and 37 (d)
9. Letter briefs and letter cites are not permitted. Rule 27 (b)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12. Type was on both sides of the paper; type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17. The Motion to Supplement has not been granted.
18. **Other: This Court filed the Appellant's Brief in the above referenced appeal on March 26, 2015 and the Amended Appellant's Brief on May 14, 2015. Your documents are being returned to you.**

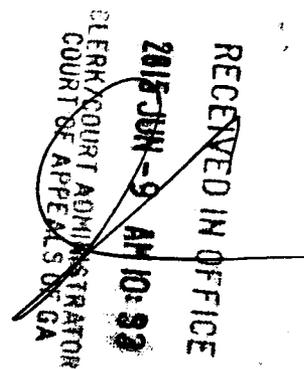
GEORGIA COURT OF APPEALS

NEAL HOWARD, 977722,
Appellant

v

CASE No. A15A1135

STATE OF GEORGIA,
Appellee



APPELLANT'S BRIEF AND QUESTIONS FOR COUNSEL

Comes now, the above-named appellant in the above-styled case submits this Brief and Questions as follow(s):

The appellant do not wish the appointment of counsel to void any previous correspondence he submitted but that the appoinment of counsel be for the protection of his rights, to insure that his correspondences are properly presented, excluding nothing, insure all rules and procedures are properly followed to prevent the dismissal of appeal, and to expedite a ruling the appellant has waited for approximately four years for.

QUESTION FOR COUNSEL

Can an attorney legally appear before the court in any capacity without submitting an entry of appearance or pleading and without providing the court, the record, or the appellant a bar and telephone number and an address in violation of or in non-compliance with Superior Court Rule 4.2; and Rule 4.6 and pursuant to or according to O.C.G.A. § 15-19-7; or 15-19-8

What are the ramifications or consequences for attorneys violating Rule 4.2; Rule 4.6; O.C.G.A. § 15-19-7; O.C.G.A. § 15-19-8 and what relief can the appellant be entitled to

Is it sufficient that the prosecutor notify the clerk of court rather than a defendant of states intent to seek enhanced punishment or is it required that the state produce a record that the defendant was unmistakably notified of states intent to seek enhanced punishment to impose a recidivist sentence

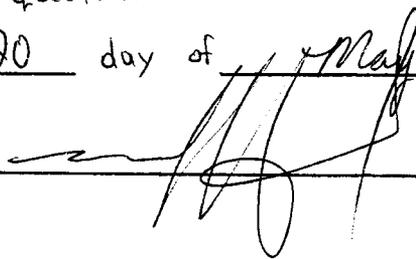
can the state used convictions obtained in violation of a defendant's right

to counsel when counsel abandoned the defendant during the critical stages of pretrial evident by the criminal docket report showing counsel as Laranda Martin contrary to the final disposition and indictment which shows counsel as Jonathan Oden and in violation of Superior Court Rule 4.3 which provides withdrawal or substitution of counsel.

Can a court impose a sentence during plea that the defendant clearly objects to a plea that he is not in agreement with informing the court of his not receiving notice of states intent to seek enhanced punishment in lieu of the fact that the prosecutor, defense counsel, or the trial judge ~~did~~ addressed, refuted, objected, or argued the defendant's claim.

In conclusion, the appellant pray that this Honorable Court adhere to the afore-mentioned brief and that counsel appointed by this court can answer the afore-mentioned question.

Respectfully submitted this 20 day of May 2015.



pro se

Neal Howard, 977722
Dooly State Prison
Unadilla, Ga. 31091

Neal Howard, 977722
Dooly State Prison
Unadilla, Ga. 31091

Unadilla June 2, 2015.

RECEIVED IN OFFICE
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COURT OF APPEALS OF GEORGIA

The Appellant hereby request a statis report as following
A15A1135. NEAL HOWARD v. THE STATE OF GEORGIA.

This case was docketed February 19, 2015 . The court requested that the appellant amend his appeal's brief and enumeration of errors and attach a certificate of service.

The Appellant ascerts that he is ignorant of the law and the court rules and a layperson. The Appellant ascerts that he is diligently, and to the best of his ability, pursuing this case. The Appellant ascerts that he is having difficulties when he is denied access to the court when he is not permitted the use of the legal library at Dooly State Prison. The Appellant also ascert that his mail is unjustly obstructed and delayed.

The Appellant being a layperson of the law and court rules was ignorant to the fact that he was entitled to representation when representation is not an entitlement in the habeas court.

The Appellant has shown this Honorable Court in previous correspondence that he does not have access to the legal library in addition to the obstruct-ion of his mail at Dooly State Prison. The Appellant requested counsel in the afore-mentioned correspondence and the Court has failed to respond.

In conclusion, the petitioner request a statis report inquiring into has this Honorable Court dismissed his appeal and pray that this Honorable Court respond and take into consideration his ignorance.

Respectfully submitted this 29 day of May 2015.



pro se

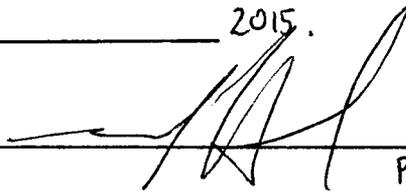
Neal Howard, 97722
Dooly State Prison
Unadilla, Ga. 31091

CERTIFICATE OF SERVICE

I have this day served the following parties with a copy of the foregoing by placing same in U.S. Mail with sufficient postage affixed thereon, to:

Court of Appeals of Georgia
47 Trinity Ave., S.W.
Suite 501
Atlanta, Georgia 30334

This 29 day of May 2015.



pro se

Neal Howard, 97722
Dooly State Prison
Unadilla, Ga. 31091

Mr. Gills, library attendant at Dooly State Prison, closes the library at will preventing inmates from utilizing the law library to properly prepare correspondence to challenge their convictions in lieu of the fact of not providing make-up days when we are only provide less than 2 hours per week.

As inmates and laypersons, ignorant of the criminal justice system and the many rules of criminal procedures, we are at a grave disadvantage to challenge prosecutors, attorney generals, and illegal and unconstitutional convictions. We do not have access to updated laws or rules nor are we accessible to new senate bills or programs like Westlaw. We do not have access to copy machines, keyboards, fax machines or office supplies.

Ms. Porter, mail attendant at Dooly State Prison for indigent defendant's, mail out indigent mail at her convenience rather than those of prescribed deadlines or in compliance with her job duties.

The grievance process takes 30 days to run its course where inmates are only allowed two active grievances regardless of the amount of incidents or deadlines of the courts and to file any additional grievance you must dismiss the other. The individual you are grieving is a colleague of the person over the grievance procedure and you being an inmate/number you are not considered an man and as inmates we suffer these conditions without relief. How can one successfully challenge a system designed to protect itself.

Then you read fairytales and fantasy novels and documents that speak of fables such as the right to due process of the law and the right to equal protection and opportunity of the law in lieu of the fact that when these lies were written negroes were in slavery and never amended into these documents. You read of phrases such as "ignorance is no excuse", when in fact - ignorance is THE excuse.

The courts take advantage of our ignorance to obtain convictions unconstitutional and otherwise. The courts appoint attorneys whose best interest is of the courts, rather than a defendant's, who assist the courts in obtaining unconstitutional convictions by taking advantage of a person's ignorance. Once a defendant realizes that his conviction's illegal and unconstitutional do the court employ and utilizes the defendant's ignorance of the criminal justice system

and rules of criminal procedures to dismiss the defendant's claims. This is also true in all courts yet when the courts, clerk's, and attorney's fail to adhere to these same rules are it considered mistakes regardless of the fact, unlike a defendant/petitioner, that these people are trained and skilled professionals (wow). So again I ask "how can one successfully challenge a system designed to protect itself and under these conditions.

I understand that this correspondence will be ignored, dismissed, and disregarded, because of its logic and truth, yet I submit it to show that even though I am a lay person who is ignorant of the law and rules of criminal procedure, I am not stupid.

What can I do when I am transfer to 5 different prisons within 18 months to delay my habeas corpus and relief I may be entitled to for more than 2 years.

What can I do when I file a notice of appeal October 4, 2011 and the court unjustly obstruct it and delay it for more than 3 years failing to transmit the record until February of 2015 from October 4, 2011.

What can I do when I am not allowed the use of the law library on many different occasions and where the law library is closed sometimes an entire month regardless of my habeas corpus or appeal.

What can I do when my mail is delayed for 18 months at a time due to transfers and regardless of my habeas corpus or appeal. What can I do when mail personnel refuses to mail out my mail regardless of deadlines.

What can I do when I don't have access to computer software, westlaw, update laws, case laws, and senate bills. When I don't have access to office supplies such as gym clips, staples, white-out, printers, copiers, and knowledge or the time to study this knowledge.

What can I do. Not a damn thing but to continue to suffer deprivation with ~~no~~ no relief.

This correspondence is truth and is not considered to ^{be} taken as disrespectful or insubordinate or contemptuous.