

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

August 10, 2015

To: Mr. Neal Howard, GDC977722 H-2-225T, 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. **An improper Certificate of Service accompanied your document(s). Rule 6**
5. **Your Certificate of Service did not 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: _____

COURT OF APPEAL OF GEORGIA

NEAL HOWARD, 977722

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DOCKET No. A15A1135

THE STATE OF GEORGIA

MOTION TO EXPEDITE RULING

Comes now, the above-named appellate moves this Honorable Court to immediately return a ruling on the above-styled case for reason(s) as follow:

The Fulton County Superior Court has unjustly delayed this case and any relief the appellate may or may not be entitled to for more than three (3) years.

The appellate filed his Notice of Appeal October 4, 2015. The Fulton County Superior Court waited to Febuary of 2015 (3 years and 4 months) to transmit the record to the Appellate Court.

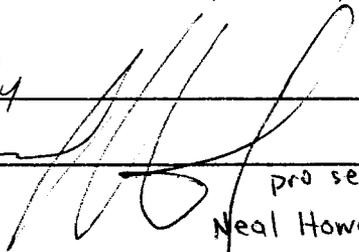
The appellate is the only person that suffers and is being denied any relief he may or may not be entitled to. In lieu of the fact that the trial court imposed a excessive, illegal, and void sentence. Also, the trial court imposed a recidivist sentence contrary to the statue governing repeat offenders, court rules of criminal procedure, and the federal constitution.

January 21, 2015 in the Dooly County Superior Court before Honorable Judge T.C. Hughes, case number 14DV-0707, the habeas trial judge ruled that the defendant's sentence was void and ordered him to be remanded to the trial court for resentencing. Relief for a void sentence is a plea withdrawal.

The Fulton County Superior Court is in non-compliance with the habeas order and denying the appellate his absolute right to withdraw his plea, and right to a fair and speedy trial garaunteed by the federal constitution.

In conclusion, the appellate moves this Honorable Court to immediately return a ruling on the merits of his case and in the name of justice and in accordance with the law, the constitution, and the rules of criminal procedure and prevent any more unjust delay so that the appellate may recieve any relief he may or may not be entitled to.

Respectfully submitted this 27th day of July 2015.


pro se
Neal Howard, 977722

H-2-225T
Dooly State Prison
P.O. Box 750
Unadilla, Ga. 31091

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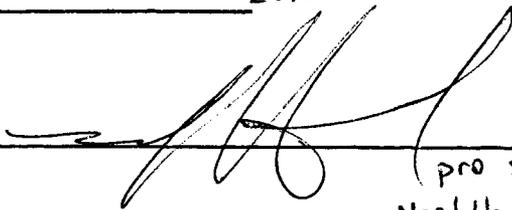
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

CERTIFICATE OF SERVICE

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

Georgia Court of Appeals
47 Trinity Ave. S.W.
Suite 501
Atlanta, Ga. 31091

This 27 day of July _____ 2015.



pro se
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