

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

January 22, 2015

To: Mr. Jontae Hower, GDC1001048709 (F-1), Johnson State Prison, Post Office Box 344,
Wrightsville, Georgia 31096

Case Number: _____ Lower Court: _____ County Superior Court _____

Court of Appeals Case Number and Style: A14A2293. Jontae Hower v. The State

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 your name.**
- 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: _____
- 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.

TO NATHANIEL MIDDLETON (ESQ.)

FROM JONTAE HOWER (CLIENT)

GDC # 1001048709

DATE JANUARY 13, 2015

LOCATION JOHNSON STATE PRISON, P.O. BOX 344, WRIGHTSVILLE, GA 31096.

REFERENCE FOLLOW-UP ATTORNEY/CLIENT CORRESPONDENCE

CASE # A14A2293

Dear Mr. Middleton,

GREETINGS: I am contacting you and/or your office regarding the above criminal-appeal case.

Previously, I've sent you a letter requesting (1) for you to file a Motion to Stay the proceedings (to address unexhausted legal claims) before the Georgia Court of Appeals render a decision or opinion (2) for you to send me all Attorney/Client Case Files in your possession, custody or control, pertaining to the above criminal-appeal case, and (3) I asked for you to contact me immediately concerning all the above listed issues. To date, I have not heard from you or your office. I still ask that these things be done and for you to contact me.

Moreover, my mom visited your office and spoke with you about my case this past Friday, January 09, 2015. You told my mom that it might or could be beneficial somehow if I fired you? and then requested the Courts to allow me to proceed In Forma Pauperis? I'm sorry but I don't

really understand how this new development can somehow benefit me or my case. I'm the layman, you're the lawyer remember? I've paid (and continue to pay) for your Professional Legal Services. I'm feeling cheated. If you no longer wish to represent me, my case and/or my best interests, then, please notify the Court(s) that you wish to resign or Withdraw as my Attorney of Record... and reimburse the funds I've already paid (around \$13,000.00) minus your Guilty Plea representation.

I need your help! I'm fighting for my life back here! Please start putting your heart and mind into helping me if you truly intend to do so, and stop ignoring me and what needs to be done to mount a strong and winning defense in my case. If you're going to help me, then be sincere and help. But by all means, please don't hurt me.

I need your services and ask that you do all that you can to help me with my case - I wanna go home!

Please review my case and my letter(s) and write me back as soon as possible. Be as detailed as possible in your response. I would also like for you to send me a copy of the Appeal Brief etc... that you filed with the Appeals Court on my behalf in this case. PLEASE HELP ME. Your kind assistance, time, and consideration is greatly appreciated.

Respectfully,

Signed: Jonathan Horner

CC: CLERK, GA CT. OF APPEALS.