



Court of Appeals of Georgia

November 6, 2015

TO: Mr. Marcus Sheldon James, GDC950243, Coffee Correctional Facility, Post Office Box 650, Nicholls, Georgia 31554

RE: A14A1661. Marcus Sheldon James v. The State

CASE STATUS - DISPOSED

- The referenced appeal was affirmed on February 12, 2015. The remittitur issued on April 8, 2015, divesting this Court of any further jurisdiction of your case. The case is therefore, final.

I have enclosed a courtesy copy of the Court's opinion for your review.

REQUEST FOR COPIES

- We also received your request for copies. Copies are \$1.50 per page in this Court. Your pauper status does not excuse you from the copy fees in this Court. The Court of Appeals of Georgia is not subject to the Open Records Act. Costs for copies you indicated you would like are:

A copy of the Index will cost \$4.00.

This Court cannot go through the record to make copies for you.

Please send your check or money order to the following address specifying exactly what copies you want to be sent to you. Your request will be processed and sent to you by return mail.

**Court of Appeals of Georgia
47 Trinity Avenue, S.W. • Suite 550
Atlanta, Georgia 30334**

APPOINTMENT OF COUNSEL

- You should direct an inquiry concerning appointment of counsel to the trial court from which you are appealing. This Court cannot appoint counsel for you.

FOURTH DIVISION
DOYLE, P. J.,
MILLER and DILLARD, JJ.

NOTICE: Motions for reconsideration must be
physically received in our clerk's office within ten
days of the date of decision to be deemed timely filed.
<http://www.gaappeals.us/rules/>

February 12, 2015

NOT TO BE OFFICIALLY
REPORTED

In the Court of Appeals of Georgia

A14A1661. JAMES v. THE STATE.

DO-060 C

DOYLE, Presiding Judge.

Following a bench trial, Marcus Sheldon James was convicted of aggravated child molestation and two counts of child molestation. He appeals, challenging the sufficiency of the evidence. We find the evidence sufficient and affirm.

In determining sufficiency of the evidence, the proper inquiry is whether, after viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt. In a bench trial, the trial court sits as the trier of fact[,] and its findings cannot be set aside unless they are clearly erroneous. In Georgia, it is well-settled that the clearly erroneous standard for reviewing findings of fact is equivalent to the highly deferential any evidence test.¹

¹ (Citation and punctuation omitted.) *Harris v. State*, 328 Ga. App. 852, 852-853 (763 SE2d 133) (2014), citing *Stokes v. State*, 317 Ga. App. 435, 436 (731 SE2d

10/30/15

- COPY -

Appeal Case #

Case No: 2011 CR 512
2012-CR 519

Columbia County
Superior Court

Honorable Carl C Brown
Presiding

To: Court of Appeals
State of Georgia
Clerk - 47 Trinity Ave
STE. 501 ATL GA 30334.

From: Marcus James
G.D.C. 950243 @
Coffee Correctional Facility
P.O. BOX 650
Nicholls GA 30554

Dear Clerk,

I am writing you to request a COPY of MY records and COPY of the Index in which WAS provided to you respectfully.

I am also seeking the cost of the bench trial transcript in connection with this case and or how many pages were provided to you in regards to the bench trial if any, and evidence.

I wrote the Clerk of Court in Columbia County and was advised your court has possession of the transcript.

Can you please at my request tell me how many pages it consist of so I can have the funds sent to you for a copy

I am also seeking a copy of the marked number 72 in your index - in particular request of WR DW T.V to broadcast proceedings, filed July 29th 2013.

I am also requesting a copy of the decision I never received.

Respectfully
Marcus James
Rose

RECEIVED IN OFFICE

2015 NOV -5 AM 2:36

CLERK/COUNTY CLERK DEPUTY
COURT OF APPEALS OF GA