

**COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR APPLICATIONS**

August 11, 2015

To: Mr. Fernandis M. Jordan, GDC1149956, CCA/Coffee Correctional Facility, Post Office Box 650,
Nicholls, Georgia 31554

Docket Number: Style: Fernandis M. Jordan v. The State

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

1. Your Application was not accompanied by the statutory filing fee, \$300.00 civil; \$80.00 criminal, 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. Portions of the record included were not tabbed and indexed. Rules 30 (e) and 31 (c).
3. **A stamped "filed" copy of the trial court's order to be appealed was not attached to your Application. Rules 30 (b) and 31 (e)**
4. A stamped "filed" copy of the Certificate of Immediate Review was not attached to your Interlocutory Application. Rule 30(b)
5. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
6. There were an insufficient number of copies of your document. Rule 6
7. No Certificate of Service accompanied your document(s). Rule 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.
8. Your Certificate of Service did not include the complete name and /or mailing address of each opposing counsel and pro se party. Rule 1(a) and 6
9. Your document exceeds page limits. Rules 24(f) , 30(e) and 31(c)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. No extension of time for filing an interlocutory application will be granted . Rule 30 (g) . No extension of time will be granted for filing a discretionary application unless the motion for extension is filed on or before the due date of the discretionary application.
12. The type font was smaller than 10 characters per inch; type was not double-spaced or/and type was on both sides of the paper. Rules 1(c), 24(b), 37(a) and 41(b).
13. Your motions were submitted in an improper form (joint, compound, or alternative motions in one document). Rule 41 (b)
14. Margins were too small or paper size was incorrect. Rules 1(c), 24(c), 30(e), 31(c) and 41(b).
15. Your document was submitted for filing more than 30 days after the date of the order granting, denying or dismissing the application or the order granting, denying or dismissing the Motion for Reconsideration. Rules 30(j) and 31(j).
16. **Other:**

For Additional information, please go to the Court's website at: www.gaappeals.us

IN THE _____ COURT OF GEORGIA
STATE OF GEORGIA

Fernandis m. Jordan
APPELLANT,

v.

STATE OF GEORGIA,
APPELLEES.

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CASE NUMBER: 03R 320

APPEAL FROM Deugherty COUNTY
SUPERIOR COURT CASE NO:

APPLICATION FOR DISCRETIONARY APPEAL

STATE OF GEORGIA

Fernandis m Jordan

APPELLANT,

v.

STATE OF GEORGIA,
APPELLEES.

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CASE NUMBER: 03R 320

APPEAL FROM Daugherty COUNTY
SUPERIOR COURT CASE NO:

APPLICATION FOR DISCRETIONARY APPEAL

Comes now Fernandis M. Jordan in the above styled case and pursuant to § 5-6-35 and Supreme Court Rule 33 and 34 or Court of Appeals Rule 31, applies to this Honorable Court for a Discretionary Appeal on the grounds that: (1) The lower Court committed reversible error and (2) The case is one of first impression and the setting of a precedent. In support of this application, Appellant shows the Court as follows:

ORDER APPEALED

The Superior Court of Daugherty County, Judge Saulters, entered an order on September 26, 2014 being appealed, denying Appellant's _____ or _____.

I. STATEMENT OF FACTS AND PROCEDURAL HISTORY

(Briefly set forth facts relevant of this case as well as a brief statement of the procedural history here)

II. STATEMENT OF THE ISSUES

1. The lower Court committed reversible errors;
2. The case is one of first impression and the setting of a precedent is desired.

III. ARGUMENT AND CITATION OF AUTHORITY

1.

THE LOWER COURT COMMITTED REVERSIBLE ERRORS
(SUPPORTING ARGUMENT AND CITATION OF AUTHORITY)

2.

THE CASE IS ONE OF FIRST IMPRESSION AND THE SETTING OF A PRECEDENT IS DESIRED
(SUPPORTING ARGUMENT AND CITATION OF AUTHORITY)

CONCLUSION

For the reason stated above, Appellant urges this Honorable Court to grant this Application and allow full briefing on this matter.

This 5 day of August . 2015

Respectfully submitted,

Fernando M. Jordan

Appellant, In Pro se

* Don't forget to include a certificate of service.

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Statement of Facts and Procedural history

The Petitioner Fernandis M. Jordan was sentenced to a term of incarceration, twenty years serve eleven with the remainder to be served on probation.

Subsequently Jordans probation was revoked on September 26, 2014. The petitioner/defendant Fernandis Jordan was not charged with a new crime. Only violating the terms set forth in the conditions of his probation.

The court revoked all the remainder of the probation and sentenced the Petitioner to serve eight years, six months and twenty days in the Department of Correction.

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Statement of issues

1. The lower court committed reversible errors;

The law does not allow the court to take over two years when revocation is Technical violation only. O.G.G.A 42-8-34.1.(c)

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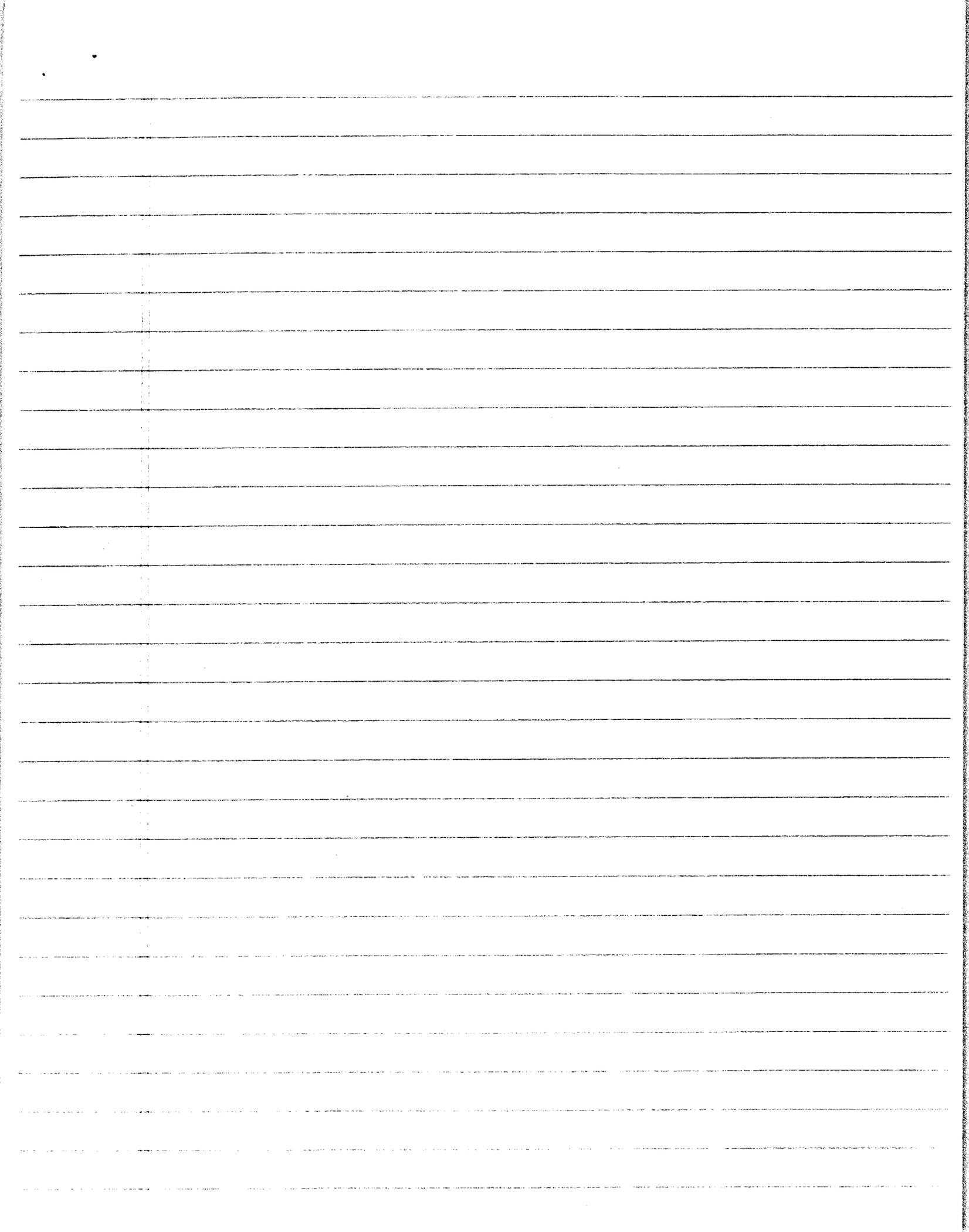
Argument and citation of authority

The law allows only two years to be revoked
Hunt v. State No. A14A0073 June 24, 2014 OCGA
42-8-34.1.(c)

Henley v. State 319 GA App 776, 779-980 (2) 732 SE 2d 836
2012.

Parker v. State 275 GA App 35, 619 SE 2d 750 (2005)

The Petitioner has sought relief in the Superior Court to no avail. The Superior Court does not respond to any correspondence with the petitioner. Petitioner has tried to get sentencing documents and transcripts of the revocation hearing. But the Clerk of court does not respond nor does the Court itself. Therefore petitioner has filed this discretionary appeal.



Certificate of Service

This is to certify that I have this day a served a true and correct copy of the within and foregoing document(s) upon the party(s) listed below by depositing a copy of the same in the United States mail in a properly addressed enveloped with adequate postage thereon or submitted same to the institutional legal mail system, to bellow addressee(s)

Clerk of Courts
Daugherty County
PO Box 1827
225 Pine Ave
Albany Ga 31701

Clerk of Court
Stephen E. Castlen
47 Trinity Ave SW ste 501
Atlanta, Georgia 30334

Document(s) Included:
1) Discretionary Appeal

This 5th Day of August, 20 15

Respectfully submitted,
Fernandis M. Jordan
Pro Se
Signature: Fernandis M. Jordan
Print: Fernandis M. Jordan
GDC#: 1149956
Address: Coffee County Correctional Facility
PO Box 650
Nicholls, Georgia 31554