

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

September 16, 2015

To: Mr. Frederick Kelley, GDC783504, Wilcox State Prison, Post Office Box 397,
Abbeville, Georgia 31001

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

Court of Appeals Case Number and Style: A10A1723. Frederick Kelley 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. The mailing address for the Supreme Court of Georgia is: 244 Washington Street, S.W., Suite 572, Atlanta, Georgia 30334.
- 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: _____
- If an attorney has been appointed for you and you are concerned with the representation provided by that attorney, you should address that issue to the trial court.** 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.
- The Court do not maintain the tapes from oral argument recordings for over a year. Oral argument tape recordings are for the Court's use only.**

To: The Clerk's Office
Georgia Court of Appeals
334 State Judicial Building
Atlanta, Georgia 30334

RECEIVED IN DEPT. OF
CORRECTIONS
2015 SEP 10 PM 4:06

From: Frederick P. Kelley
Wilcox State Prison
783 504
P.O. Box 397
Abbeville, Georgia 31001

September 7, 2015

Ref. Kelley v. State, 308 Ga. APP 418.707
S.E. 2d 619 (2011) (Case no. A10A1723)

Dear Clerk,

I am writing asking for a copy of the records and/or transcripts of the Oral Arguments presented in this Honorable Court by my attorney Brian Steel and Ms. Lenora Grant Assistant District Attorney of DeKalb County on September 7, 2010, in the above case.

I am currently in my State Habeas corpus and without these records I will not be able to put on my case before the courts in a clear and fair manner.

I am not able to pay for the cost for said records/transcripts and is a pauper within the definition of the law.

Thanking you in advance for your help in this matter.

Sincerely,
Frederick D. Kelley

CERTIFICATE OF SERVICE

This is to certify that I have this day served a true and correct copy of the within and foregoing document(s) upon the parties listed below by depositing a copy of the same in the United States Mail in a properly addressed envelope with adequate postage thereon to ensure that it reaches its destination.

Ms. Meghan A. Hill
Assistant Attorney General
Georgia Department of Law
40 Capital Square S.W.
Atlanta, Georgia 30334-1360

The Superior Court of Wilcox County
Ms. Wanda F. Hawkins
Clerk of Superior Court
103 North Broad St
Abbeyville, Georgia 31001

This the 4th day of September, 2015.
