

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

March 19, 2015

To: Mr. Robert C. Koski, Esq., The Koski Firm, 92 West Campbellton Street, Fairburn,  
Georgia 30213

Case Number: \_\_\_\_\_ Lower Court: \_\_\_\_\_ County Superior Court

Court of Appeals Case Number and Style: A14A2039. Buttacavoli v. Owen Gleaton, et al.

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: \_\_\_\_\_
- Electronic filing is mandatory in this Court. The following Rule 46 became effective January 1, 2015.

### XXII. ELECTRONIC FILING OF DOCUMENTS

#### Rule 46. Electronic Filing of Documents.

Counsel is required to use the Court's electronic filing system and to follow the policies and procedures governing electronic filing as set forth in the Court's electronic filing instructions. The Clerk of Court may grant a request for exemption from mandatory electronic filing for good cause shown. An adverse decision by the Clerk of Court may be appealed by motion to the Court via a paper filing.

Rule passed October 21, 2014 - effective January 1, 2015

Appeal No. A14A2039

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IN THE COURT OF APPEALS  
STATE OF GEORGIA

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Michelle Buttacavoli, et al.

Appellants,

vs.

Owen, Gleaton, Egan, Jones &  
Sweeney, LLP, et al.

Appellees.

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**NOTICE OF INTENTION TO APPLY FOR CERTIORARI**

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**Robert C. Koski**  
GBN 428580  
The Koski Firm  
92 West Campbellton Street  
Fairburn, Georgia 30213  
(404) 814 9700

**Counsel for Appellant Michelle Buttacavoli**

RECEIVED IN OFFICE  
2015 MAR 16 PM 2:28  
CLERK OF COURT & ADMINISTRATIVE SERVICES  
COURT OF APPEALS, GA.

IN THE COURT OF APPEALS  
STATE OF GEORGIA

MICHELLE BUTTACAVOLI, individually,) )  
And MICHELLE BUTTACAVOLI, as ) )  
Mother and next friend of NICOLE ) )  
BUTTACAVOLI, ) )

Appellant, ) )

vs. ) )

Appeal No. A14A2039

OWEN, GLEATON, EGAN, JONES & ) )  
SWEENEY L.L.P., and AMY J. ) )  
KOLCZAK, ) )

Appellees. ) )

**NOTICE OF INTENTION TO APPLY FOR CERTIORARI**

COMES NOW, The Appellant Michelle Buttacavoli and in compliance with Rule 38 (a)(1) of the Court of Appeals notifies this honorable Court of her intent to Apply for Certiorari to the Supreme Court of the State of Georgia in the above captioned case.

This the 13<sup>th</sup> day of March, 2015.



Robert C. Koski, GBN 428580  
Attorney for the Appellant

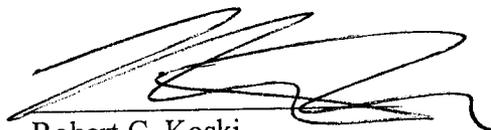
The Koski Firm  
292 West Campbellton Street  
Fairburn, Georgia 30213  
(404)-814-9700 (Phone)  
(404)-812-9944 (Fax)

**CERTIFICATE OF SERVICE**

I, Robert C. Koski, hereby certify that a copy of the foregoing pleading has been served on the on all parties to this matter; by placing a copy of same in the United States Mail in a properly addressed envelope with sufficient postage affixed thereon.

Kathryn S. Whitlock  
M. Elizabeth O'Neill  
HAWKINS PARNELL THACKSTON & YOUNG LLP  
4000 SunTrust Plaza  
303 Peachtree Street, NE  
Atlanta, Georgia 30308

This the 13<sup>th</sup> day of March, 2015.



Robert C. Koski  
Attorney

THE KOSKI FIRM  
92 West Campbellton Street  
Fairburn, GA 30213  
(404) 814-9700

**THE KOSKI FIRM**  
92 W. CAMPBELLTON, STREET  
FAIRBURN, GEORGIA 30213

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TEL: (404) 814-9700  
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Via Federal Express

March, 13, 2015

Clerk of the Court of Appeals  
State of Georgia  
47 Trinity Avenue S.W., Suite 501  
Atlanta, GA 30334

RE: Buttacavoli v, Owen, Gleaton, Egan, Jones & Sweeney, LLP, et al.  
Court of Appeals State of Georgia  
Appeal No. A14A2039

Dear Clerk:

Please find enclosed with this letter the original and three copies of a Notice of Intention to Apply for Certiorari for filing in the referenced case.

Please file the original of record and return a conformed copy in the self-addressed, stamped envelope provided.

Please do not hesitate to call if there are any questions.

Sincerely,



Tom Petersen  
Paralegal

encl.

cc: Kathryn S. Whitlock  
Ms. Buttacavoli

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COURT OF APPEALS OF GA