

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

April 28, 2015

To: Mr. Emory A. Lee, GDC979050 CS16B. Glynn County Detention Center, 100 Sulpher Spring Road, Brunswick, Georgia 31520

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

Court of Appeals Case Number and Style: \_\_\_\_\_

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: \_\_\_\_\_
- 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.
- 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.

# PETITION

I, EMORY A. LEE, RESPECTFULLY ADDRESS THIS SAID HONORABLE COURT OF APPEAL OF GEORGIA. REQUESTING YOUR BOARD TO CAREFULLY SHOW LEGAL CONCERN AND NOTICE OF MY (PLEA) FOR FAIR JUSTICE; IN THIS HERE COMPLAINT. I AM NOT FOR A LEGAL CONVICTION APPEAL; OR REQUESTING ONE (HOPEFULLY I WANT IN THE FUTURE) BUT PETITION FOR YOUR BOARD TO REVIEW MY ALLEGATIONS, THAT CAN BE SHOWN TO YOUR OFFICE BY WAY OF FAX - TO VERIFY BURDEN OF PROOF (912-242-8911 LORE LEE) FOR CONTACT (PLEASE!!)

(1)\*

THE (STATE) ARE TRYING TO REVOCATE I, EMORY A. LEE, BASE ON ARREST. FROM A PROCLAIM DNA MATCH (7-30-2014) THAT DOES NOT CONFIRM TO EARLY TEST OF 6-23-2014 (BEFORE MY ARREST 7-30-2014) IN NO RELATION -

(2)

INVESTIGATION PRIOR TO ALLEGED RAPE (MAY 13 2014) INVESTIGATOR MR. WILLIAM TOMLINSON OF THE GLYNN COUNTY POLICE DEPT BAGER 222 - KNOWING AND HAVING SUCH KNOWLEDGE OF REPORTS THERE WAS NO IDENTITY OF INTRUDER; AND ALWT SLEPT NEXT TO INCIDENT BUT DID NOT SEE OR HEAR ANYTHING. ONLY BASE ON A HUNCH! I THINK (IT WAS MR. EMORY) AND BY SMELL (OF COLON) IN TEST 6-23-2014, DOES NOT COMPARE! TO OFFENDER'S PROFILE WHEN DEVELOP

(3)

KNOWING THERE WASN'T ENOUGH IDENTITY AND EVIDS. FOR GROUNDS! FOR A PROPER CAUSE, DECIDED TO COLLECT DNA FROM (EMORY LEE) ON 7-8-2014 (WHEN AT THE PRIMARY SCEN OR FROM (WARD'S) (LEFT INNER THIGH A DNA SUBSTANCE) AFTER ACCUSATION. OR OTHER EVIDENCE (GIVING) 5-13-14!! - SECONDARY EVIDENCE!! NOT! THE PRIMARY FROM THE SCEN OR RAPE TEST OF (WRRO). ON 7-30-2014 (STRANGELY) PRODUCE A POSITIVE DNA MATCH OF EMORY A. LEE. (HOW POSSIBLE?? HOW!!)

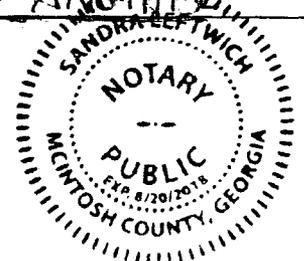
3 (A) AFTER (ALL)

- ON DATE SEPTEMBER 21<sup>ST</sup> 2014, MY ATTORNEY (THEN) MR ASHLEY WOODS (NOW) MR GRAYSON P. LANE, HAVED RECEIVE THE 2<sup>ND</sup> TEST FROM THE PRIMARY OF (WARD). THAT DOES NOT ALSO COMPARE TO OFFENDER. OF MORE BURDEN OF PROOF. -

- (CONCLUSIVE) -

THE STATE AND MY ATTORNEY WITHOUT A FIGHT! OF WHAT IS PRESENTED!! I FEEL HAS CO-ASTIDE TO THE DO-AWAY OF ALL TEST!! THAT FACTS FINOER MY INNOCENT OF BURDEN OF PROOF. TO DO ANOTHER TEST (CALL A V-STAR) DEALING WITH FAMILY MEMBER TREATES. THIS IS A MIS-CARRIAGE OF JUSTICE AGAINST ME AND MY FAMILY. BASE!!

ON HUNCH! RACIAL CONTENTION OF WHITE OFFICERS AND AFRICAN AMERICAN ABUSE OF MEN OF CERTAIN GENDER! COURT RM. OR OUT!! SOMEONE HAVE TO STOP IT, TO STAND FOR JUSTICE



IN MY "NOT GUILTY PLEA" STANDS WITH BURDEN OF PROOF THAT SHOWS NECESSARY IMPLICATION SO STRONG TO THE CONTRARY WOULD BE UNREASONABLE, FOR MY "UNLAWFUL" MALICIOUS ARREST WITHOUT PROBABLE CAUSE, FOR AN IMPROPER PURPOSE AN ABUSE OF PROCESS!!

TEST 1 → NEVER! DISCOVERY!  
BY DEFENSE ATTORNEY UNTIL 1-2015

6-23-14  
DUE TO THE VICTIM (WARD) DNA IS IN SUCH ABUNDANCES! IT DOES NOT COMPARE TO THE OFFENDER THAT IT OVERWHELMS THE OFFENDERS PROFILE WHEN DEVELOPED!!  
FORENSIC JESSICA ROMANSKI (G BI) DIVISION SAV. GA.

7-30-14  
INV. WILLIAM TOMLINSON OF GWINN COUNTY POLICE DEPT PROCLAIMED A POSITIVE DNA MATCH OF SUSPECT EMORY A LEE. FOR ARREST, CHARGE AND INDICTED BY SAME DOCUMENT. HE STATE UNDER OATH CONFIDENTLY...  
SECONDARY EVIDS

TEST RESULTS FROM LOCKERBOX #1

PROCLAIM MATCH FROM LOCKERBOX WARD 5-13-14  
\*HOW SCIENTIFIC POSSIBLE??  
(SAID) TEST 1 6-23-14 ??

5-13-14  
(WARDS)  
MEDICAL EXAMINATION RAPE KIT TEST!!!  
"PRIMARY EVIDS" AT THE SCENE OR FOR TEST OF VICTIM...  
FOUND DNA SUBSTANCE!! ON LEFT INNER THIGH

7-8-14  
PRIOR DURING WILLIAM TOMLINSON INVESTIGATION HE VISIT EMORY LEE 1ST TIME, AND COLLECTED (2) SWABS OF DNA...  
SECONDARY EVIDS NOT FROM SCENE OR OR VICTIM, BUT THE SUSPECT.  
ADMISSIBLE

#1 LOCKERBOX (WARDS)  
THE EXAMINER DID NOT SAY DNA MALE OR FEMALE... IT (SAID) SUBSTANCE??

#2 LOCKERBOX (LEES)  
\*WHERE DID #2 LOCKERBOX GO TO WHAT FORENSIC (G BI) LAB OR DIVISION OH! SAINT SIMON DOC. O'HARA (MARIE) TO BE TESTED IN COPY (SEE)