

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

February 6, 2015

To: Leda Shaw Lyerly, Esq., Hinton & Powell, 2901 Piedmont Road, N.E. • Suite A,
Monteith Commons, Atlanta, Georgia 30305

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 _____
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

LAW OFFICES
HINTON & POWELL

2901 PIEDMONT ROAD, N.E., SUITE A

MONTEITH COMMONS

ATLANTA, GEORGIA 30305-2790

A. JACK HINTON
jhinton@hintonpowell.com
DOUGLAS R. POWELL*
dpowell@hintonpowell.com

LEDA SHAW LYERLY
llyerly@hintonpowell.com

AMANDA R. LOPEZ
alopez@hintonpowell.com

TELEPHONE (404) 365-7077

TELECOPIER (404) 365-7079

hintonpowell.com

*ALSO MEMBER NORTH CAROLINA BAR

February 4, 2015

Mr. Stephen E. Castlen, Clerk
Georgia Court of Appeals
Suite 501
47 Trinity Avenue, S.W.
Atlanta, Georgia 30334

RECEIVED IN OFFICE
2015 FEB -5 PM 4:14
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA.

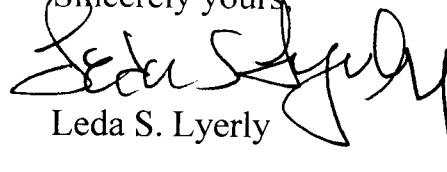
Re: McDonald v, West Point Food Mart, Inc.
Georgia Court of Appeals
Case No.: A15A0716

Dear Mr. Castlen:

Enclosed please find the original, two copies and an additional copy for return of the Appellant's Reply Brief in the above matter. Please file the original and two copies and return a "file-stamped" copy to our office in the enclosed envelope.

Thank you for your attention to this matter.

Sincerely yours


Leda S. Lyerly

/ls

Enclosures

cc: Mr. Mark D. Maholick, Esq.

ORIGINAL

IN THE COURT OF APPEALS

STATE OF GEORGIA

FAYE MCDONALD,

APPELLANT,

v.

WEST POINT FOOD MART, INC.,

APPELLEE.

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Case No. A15A0716

REPLY BRIEF FOR APPELLANT FAYE MCDONALD

A. Jack Hinton
Hinton & Powell
2901 Piedmont Road, N.E., Suite A
Monteith Commons
Atlanta, Georgia 30305
404-365-7077