

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

**May 19, 2015**

**To:** Mr. Jabari D. McLester, GDC836021, Baldwin State Prison, Post Office Box 218, Hardwick, Georgia 31024

**Docket Number: Style: Jabari D. McLester v. Clayton County Superior Court**

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:**

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For Additional information, please go to the Court's website at: [www.gaappeals.us](http://www.gaappeals.us)

(PA)

COURT OF APPEALS OF GEORGIA  
DOCUMENT RETURN NOTICE FOR APPLICATIONS

5-19-15

To: Jabari D. Mclester

Docket Number:

Style: Jabari D. Mclester v. Clayton County Superior Court

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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(s) was (were) not securely bound at the top with staples or round head fasteners. Rules 1(c), 30 (e) and 31 (c)
16.  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).

For Additional information, please go to the Court's website at: [www.gaappeals.us](http://www.gaappeals.us)

May 13<sup>th</sup>, 2015

To: Court Clerk  
State Court of Appeals  
47 Trinity Ave. Ste. 501  
Atlanta, Georgia

RE: Status of requested Docket  
sheet and final Orders re  
The enclosed Application for  
Discretionary Appeal

Dear Clerk

PLEASE SEND a copy of a Docket sheet  
Detailing all communications received by the  
Court from petitioner & a copy of the Courts  
Final Disposition re the enclosed Application  
for discretionary Appeal as petitioner never received  
the Courts final Order.

JDM:ACW  
cc:File

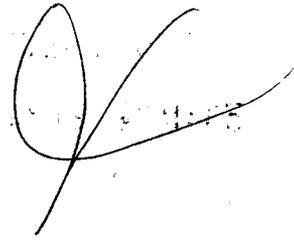
Respectfully Submitted  
By: Jaloni McLester GOC #1836011

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Baldwin State Prison  
PO Box 218  
Hardwick - GA. 31021

Applicant Copy

Court Of Appeals  
Office of The Clerk  
47. TRINITY Avenue, S.W. Suite 501  
Atlanta. Georgia 30334



Re: Filing the Application for Discretionary Appeal  
Along with The Enumeration of ERRORS with the  
Court of Appeals.

Dear Clerk:

Would you please file the enclosed  
Application for Discretionary Appeal along with the  
Enumeration of ERRORS with the Court of Appeals.

Regarding the \$80.00 filing fee, the Application has  
enclosed a notarize Affidavit of Indigence for  
Application for Discretionary Appeal along with the  
Enumeration of ERRORS at Government Expense to  
Support the filing fee.

For my record and reference, would you please  
send back to me a Stamp duplicate copy of the  
Application For Discretionary Appeal in the  
Enclosed Self-Address Stamp Envelope.

Finally, would you please stamp your letter head on the Self-Address envelope so that the Prison mail-room office would identify the Legal Documents as Legal Mail. Certified Mail/Return Receipt Number: 7007 3020 0002 5995 7060

Executed this 17 day of August 2010

Respectfully Submitted  
Jabari D. Mc Lester

Jabari D. Mc Lester  
Applicant  
GDC# 836071 / J-2-141  
Wilcox State Prison  
P.O. Box: 397  
ARBEVILLE, GEORGIA: 31001

Petitioner Defendant Copy

In The Superior Court Of Clayton County  
State Of Georgia

Jabari D. Mc Lester  
Petitioner Defendant

Case No# 2000CR00184-6

V/S

Clayton County Clerk  
Of Superior Court  
Respondent

FILED  
10 JUL 22 PM 3:07  
LINDA T. MILLER  
CLERK SUPERIOR COURT

Memorandum of Law in Support of Motion for  
Production of Certified Court Reporter Transcripts,  
Court Documents and Records at Government Expense.

-1-

Georgia Law Requires only that the Petitioner  
Defendant show some justification OR Necessity  
Such as applying for an Application For Writ of  
Habeas Corpus in order to be entitled to a Free  
Copy of the Certified Court Reporter. Transcripts,  
Court Documents and Records At the Government  
Expense.

See Billups V. STATE. 234 GA. 147 (1975)

Huddleston V. Clerk Of Superior Court Of Carroll County,  
240 GA. 52 (1997): Wilson V. Downie. 228 GA. 656. (1972)  
Davis V. Price. 239 GA 584 (1977) and Mullen V. Caldwell.  
229 GA. 575 (1972)

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Supreme Court held that an Indigent Petitioner.  
Defendant, whose Application For writ of Habeas Corpus  
was denied in the State Superior Court, was Automatically  
entitled to a free Copy of the Certified Court Reporter  
TRANSCRIPTS, COURT Documents AND RECORDS at Government  
Expense to Aid in Preparation and Presenting the  
Application For A Certificate OF Probable Cause to  
the Georgia Supreme Court.

See Gardner V. California. 393 U.S. 367. 88 S. Ct. 580

-3-

To interpose any Financial Consideration between  
an indigent prisoner of the State and His Exercise  
of a State Right to sue for His Liberty is to  
deny that Prisoner Equal Protection of the Laws  
as is guaranteed him by the Fourteenth Amendment  
See Robert V. Lavalley. 389 U.S. 40. 88. S. Ct. 194

-4-

An indigent Prisoner has some Constitutional Rights  
as non-indigent prisoner in connection with the  
Certified Court Reporter Transcripts, COURT Documents  
and RECORDS At Government Expense

See. United States V. Newsome. 257 F. Supp. 201

-5-

Supreme Court held that Copy of the Certified Court Reporter Transcripts, Court Documents and Records be provided At State Expense to indigent inmates upon Finding that inmate NOR his Trial Counsel could make up Certified Court Reporter Transcripts, Court Documents and Records of the PLEA HEARING PROCEEDINGS from Memory.  
See William V. Oklahoma City. 395 U.S. 458. 89 S. Ct. 1818

-6-

Supreme Court of Georgia held that complete Certified Court Reporter Transcripts, Court Documents were necessary to reach merits in the Habeas Corpus Petition and that indigent Petitioner. Defendant only has to show justification in order to be entitled to a Free Copy of the Court Reporter Transcripts, Court Documents and Records at Government Expense.  
See Montgomery V. Tremblay. 249 GA. 483. 292 S.E. 2d. 64.

## Penalty Of Perjury

I Jabari D. McLester. certify under Penalty of Prejury that I submitted a Memorandum of Law in Support of Motion For Production of Certified Court Reporter Transcripts, Court Documents and Records at Government Expense to the Clayton County Clerk of Superior Court by Certified Mail / Return Receipt Number.

7007 3020 0002 5995 6339

I Jabari D. McLester, Certify under Penalty of Perjury that the foregoing statement are True And Correct.

Executed this 20 day of July 2010

# Penalty Of Perjury

Respectfully Submitted:

Jabari Mc Lester

Jabari D. Mc Lester  
Petitioner Defendant

GDC# 836071 / J-2

Wilcox State Prison

P.O. Box: 397

ABBEVILLE, GEORGIA: 31001

Sworn and Subscribed Before Me This

20 Day Of July 20 10

Notary Public Gail Conner

My Commission Expires:

