

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

May 4, 2015

To: Mr. Jabari McLester, GDC836071, Macon State Prison, Post Office Box 426,
Oglethorpe, Georgia 31068

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.

April 22, 2015

To: Mr. Castlen, Administrator
State Court of Appeal
Suite 501 Trinity Ave.
Atlanta, Georgia 30334

RECEIVED IN OFFICE
2015 MAY -4 PM 3:28
OFFICE OF ADMINISTRATOR
COURT OF APPEALS OF GA

RE: Writ of Mandamus

Dear Clerk

I'm requesting review of the lower courts refusal to process the enclosed Writ of Mandamus Pursuant to § 9-6-20. As detailed within the enclosed letter, Counsel alleges to giving a copy of Petitioner's Trial Transcripts to an unnamed / unaddressed person is unprofessional and highly not probable. The issue is I'm indigent and was never afforded a copy during post conviction stages nor at any other stage and Petitioner has a Habeas Petition & cannot adequately address this matter without his Transcripts and seeks discretionary review by this court or the Supreme Court of Georgia.

JM: AOW

cc: FILE

Respectfully Submitted
By: Jaleni McRister Pro-Se
Baldwin State Prison
P.O. Box 218
Hardwick, Georgia 31024

April 22, 2015

To: Jacqueline D. Wills, Clerk
Court Records Division
9151 Tara Boulevard
Jonesboro, Georgia 30236-4912

RE: Notice of Appeal

Dear clerk

May this letter constitute a notice of appeal regarding this Courts failure to process petitioners Writ of Mandamus and /or relinquish a copy of petitioner Trial Transcript pursuant to Georgia Ann. 9-14-48 (d) and 9-15-2 (A). Petitioner intends to seek review by the Georgia COURT of Appeals as to infer and preserve jurisdiction over this COURT. Petitioner complied with all statutory requirements in attempting to obtain a copy of my Trial Transcript in which Trial counsels allegations the transcripts were given to an (UNAMED) family member shouldnt even be considered by the Court. The Courts failure to grant petitioner a copy of the Transcripts violates adequate due Process of law.

JM: AOW

cc: File

COURT OF APPEALS, 47 TRINITY AVE. ATL. GA. 30334

Sincerely
Jalan Mc Lester
BALDWIN STATE PRISON PO



DEBORAH C. BENEFIELD
CHIEF JUDGE
CLAYTON COUNTY SUPERIOR COURT

9151 TARA BOULEVARD
SUITE 4JC202
JONESBORO, GEORGIA 30236
(770) 477-3436 (PHONE)
(770) 477-3465 (FAX)

February 12, 2013

Jabari McLester, GDC #836071
E-1
Macon State Prison
P.O. Box 426
Oglethorpe, GA 31068

Re: State v. McLester, 2000CR00184-6

Dear Mr. McLester:

In response to your recent letter, Judge Benefield instructed me to inquire of Mr Schoolcraft regarding the documents you requested. Mr. Schoolcraft has advised me that he no longer has any of the documents regarding your case in his possession because he provided them to your family years earlier.

Sincerely,

Glenda Hasty, Secretary to
Judge Deborah C. Benefield

cc: Clerk's File
District Attorney

Jacqueline D. Wills
Clerk

Rita M. Whitlock
Deputy Clerk Administrator

CLERK SUPERIOR COURT
CLAYTON COUNTY JUSTICE CENTER
9151 Tara Boulevard
Jonesboro, Georgia 30236-4912

www.claytoncountyga.gov/courts/clerk-of-superior-court.aspx

COURT RECORDS DIVISION

ENCLOSED IS BEING RETURNED FOR REASON(S) CHECKED BELOW:

- PLEASE COMPLETE THE ATTACHED FORMS
- PLEASE FILL OUT SERVICE AFFIDAVITS
- SUMMONS NOT PROPERLY FILLED OUT
- INSUFFICIENT COST: TOTAL COST SHOULD BE \$ 205.00
- NO CHECK ENCLOSED money order
- PLEASE SIGN CHECK
- ANSWER IS PREMATURE
- THE CASE HAS BEEN PAID/RELEASED
- ANSWER FILED BY DEFENDANT (see copy attached)
- NO PROOF OF SERVICE ON DEFENDANT
- BEFORE ANY FUNDS MAY BE DISBURSED, AN ORDER MUST BE PREPARED FOR THE JUDGE'S SIGNATURE
- FILED IN WRONG COUNTY
- CIVIL ACTION CASE NUMBER AND/OR ORIGINAL DATE OF FILING NEEDED
- WARRANT NUMBER/CRIMINAL CASE NUMBER NEEDED
- THIS OFFICE DOES NOT PERFORM RECORD CHECKS
- PLEASE MAIL ORIGINAL DOCUMENT(S) WITH ORIGINAL SIGNATURE(S)
- OTHER New civil case East above

FOR ADDITIONAL INFORMATION CALL _____ AT (770) 477-3405

SINCERELY,
JACQUILINE D WILLS
CLERK OF SUPERIOR COURT

Civil/ Domestic
Suite 1CL19A
770-477-3405

Criminal/ Microfilm
Suite 1CL19
770-477-3405

Real Estate
Suite 1CL25
770-477-3405

Jury

April 15, 2015

To: Linda T. Miller, Clerk
Court Records Division
9154 Tara Blvd. Jonesboro
Georgia, Zip Code 30236

RE: Writ of Mandamus Petition

Dear Clerk

May you please file the enclosed Writ of Mandamus
Petition and forward receipt.

JM: ADW

cc: File

Respectfully Submitted
By: Calvin Mc Lester Pro-SE
Baldwin State Prison
P.O. Box 218
Hardwick, Georgia 31026

APR 20 2015

IN THE SUPERIOR COURT OF CLAYTON
STATE OF GEORGIA

JABARI Mclester
Petitioner

Inmate Number

Civil Action No. _____

vs.
CEORIC TAYLOR
Judge BENEFIELD
Stanley Schoolcraft III
Respondent

PETITION FOR A WRIT OF MANDAMUS

Comes now Jabari Mclester, the Petitioner in the above styled action, who pursuant to O.C.G.A. 9-6-20, et seq. moves this Court for issuance of a writ of mandamus directed to the above named respondent(s) ordering the performance of their duties as OFFICIAL of COV. In support thereof, the Petitioner shows the following:

1.

Respondent(s) (is) (are) employed by CLAYTON COUNTY Judicial ^{Grist} in the official capacity of Sentencing Judge and as such (is) (are) subject to the jurisdiction of this Court.

2.

The Petitioner states a claim in that petitioner is being denied access to material documents related to his case Ex. Trial Transcript and Trial COUNSEL, i.e. Stanley Schoolcraft III Alleges has given to a relative of MINE'S

3.

The Petitioner has attempted to exhaust administrative remedies by doing the following:

By submitting several letters to counsel to no avail. Petitioner has several Georgia Bar Complaint Receipts and given adequate Notice to Respondent.

4.

The Respondent(s) (is) (are) under a duty to act pursuant to Georgia Ann. § 9-6-20 in that the respondents have a legal and moral obligation to afford the petitioner access to the requested records.

5.

Petitioner has a clear legal right to the relief sought, has exhausted administrative remedies, and now has no other remedy other than Mandamus to obtain said relief.

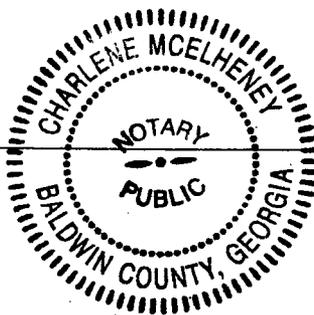
6.

If the Petitioner is not granted relief, he will suffer damages of not being able to adequately appeal his conviction. Petitioner was not afforded the trial record as provided for under the laws of Georgia.

WHEREFORE, the Petitioner respectfully requests that this Court issue a mandamus nisi to Respondent requiring him to show cause at a time and place to be designated by the Court not less than ten days, nor more than thirty days from this date, why a mandamus should not be issued requiring him to produce the requested records i.e. Trial Transcripts or verification as to whom was given these material documents

and that upon the hearing the mandamus be made absolute and the Respondent by required to produce the requested information(s) or show cause as to why Petitioner shouldn't be given access to them.

Charlene McElhenny
Notary



This 17 day of April, 20 15.
Jason McElhenny
~~Notary Public~~
Petitioner Pro Se

Baldwin State Prison
P.O. Box 218
Hardwick, Georgia 31021

IN THE SUPERIOR COURT OF CLAYTON
STATE OF GEORGIA

JABARI Mester
Petitioner

Inmate Number

Civil Action No. _____

GEORGE TAYLOR, vs.

Judge School

Stanley Schmoock III
Respondent

MANDAMUS NISI

The foregoing petition having been read and considered, let the same be filed and let the Defendant(s) named be and appear before me at my office in the _____ courthouse, Georgia, on the _____ day of _____, 20____ at _____ o'clock ____M., then and there to show cause why mandamus absolute should not be issued against them as prayed and such other relief be granted as the facts of the case my warrant.

It is further ordered that the Defendant(s) be served as soon as practicable.

This _____ day of _____, 20____.

JUDGE, SUPERIOR COURT