

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

January 9, 2015

To: Mr. Turnbull Neville, GDC1000976378, Dooly State Prison, Post Office Box 750,
Unadilla, Georgia 31091

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 current 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.

In the Dooly County Superior Court Georgia
Turnbull Neville C

cause no. 2014DV0062

v.
The State of Georgia
et. al...

Ruli Nis

RECEIVED IN OFFICE
2015 JAN -9 PM 1:30
DEPARTMENT OF REVENUE
COURT OF APPEALS OF GA

Order

Petitioner, Turnbull's "Verified Motion that he be relieved from paying the remainder of the filing fee charged by the Dooly County Superior Court" has come before this Court. The Court having seen, investigated, inspected, and being duly advised in the premise of said things now finds that this motion be hereby granted. And now Order this day that the Petitioner may be relieved from any further payment obligation; waiving all other fees currently owed.

So Ordered this _____ day of _____
2015 by

Judge T. Christopher Hughes
Superior Court Judge

In the Dooly County Superior Court Georgia
Turnbull Newille C

re: Habeas no.
2014 DV 00102;
Application for Cert.
of Probable Cause
NO. S14H1822

v.
The State of Georgia;
Ga Attorney General;
Clerk, Court Reporter
et. al. . . .

cc: Georgia Court of Appeals;
Georgia Supreme Court

Petitioner's Verified Motion that
he be relieved from paying the remainder
of the filing fee charged by Dooly County
Superior Court

Now Comes the Petitioner, Turnbull and
moves this court for an Order directing the
Biller: Dooly County Superior Court, to either
reverse; refund; or waive the remainder
of any balance fees that Turnbull purports
owes to date to said court relevant to his
Certificate of Probable Cause to the Georgia
Supreme Court.

Certificate of Service

This will stand to certify that this day a copy of this motion (enclosed) was delivered / mailed to:

- Supreme Court of Georgia
244 Washington St., SW
Rm 572
Atlanta Ga 30334
- Georgia Court of Appeals
Suite 501
47 Trinity Av.
Atlanta Ga 30334
- Attorney General of Georgia
40 Capitol Square
Atlanta Ga 30334

Executed 1-05-2015

~~Wendell Neville C~~
Wendell Neville C
Respectfully

Reason:

1. The Court has placed a heavy burden on Turnbull and his family, that would be impossible to pay off now or in the near future, as the total filing fee is outrageously excessive and un-heard of.
2. There is no Statutory code or case law or Rule which states that Turnbull an indigent Pauper since December 2009 is responsible for paying for his Habeas Evidentiary hearings, Transcripts etc. and or to file a direct appeal from an adverse Judgment of his Habeas to the Ga. Supreme Court, as a matter of right.
3. The Clerk has violated her duties Pursuant to the Clerk's rule in failing to respond to Turnbull upon one occasion. The Court made on his previous motions for his Transcripts at Government expense before blindly stopping Turnbull with such a fee to pay without prior notice, receipt or bill copy of what must be paid and why.

4. Turnbull has already notified this court of his pauper's status when he first presented his Habeas Petition and with the same results today with no previous forewarnings or notification he was slapped with a fee of \$280.00 (after he had to conduct his own investigation like today where these fees were coming from and why)

5. Turnbull requested the local Court Rules to be forwarded to him by the County Court and to date he has not received them and the Prison law library has not to provide

10. Turnbull has previously filed a letter from his parent Doris Turnbull written to Turnbull expressing her hardship and change in financial obligations as she is responsible for not limited to paying for 2 of Turnbull's college expenses and room and board amongst other things

(2 Siblings)
college
expenses

7. Turnbull's Parent is discourage from making more hardship in sending Turnbull any more money to help with staples, stamps etc. if the Courts will keep billing Turnbull these outrageous amount of money - she refuse to send any money unless the court can

Provide official verified documentation, case law and statutes and other similar situations of inmates such as Turnbull who was responsible for paying almost 700.00 in filing fees.

8. This now puts Turnbull in additional debt and inability to properly effectuate his appeals, motions and presenting exhibits to the Court. The Prison makes no copies; the indigent supply is limited to 5 carbon sheets, 20 typing paper, 1 pen monthly; and just than 5 envelopes all per a week. and as the Court is aware Turnbull is placed in the position to handle a big case with no help of attorney or investigator. Although the Prison has an indigent legal supply request these items are not free as they are loans and Turnbull is billed everytime he uses this process.

9. Toddle Turnbull is also hindered from filing the final remainder of his exhibits to the Co. Supreme Court in support, as it was recently clarified by Prison official that Turnbull is only allowed to send non-legal mail per a week with maximum postage of 3-stamps equivalent to 1.47

In the past Turnbull relied on his local family member to assist Turnbull in making copies that he were unable to make in Prison. At this time Turnbull cannot as he has to portion any original exhibits to be copied and submitted to the court -- forward to said family member over a period of many weeks to ensure he meets the criteria of 1.47 equivalent to 5 pages a stamp x 3 per a week.

10. Turnbull was not presented with even an option to pay off these so-called court fees per a month of 25.00 subtracted from account (the Federal Courts allows indigent inmates this option if lump sum will cost hardship)

Wherefore for all the above reasons
Turnbull respectfully Prays this court to
either reverse the charge and refund Turnbull
any monies he has already contributed
to this Questionable Fee or Keep what
ever Turnbull has already paid towards the
balance but waive and void the remaining
balance and bill the Government or the
State for the fees.

Turnbull claims his innocents in these cases
and are not filing appeals for harassment
purposes or run up a bill, only he wishes
to prove his innocents, bring the truth to
light and clear his name

Subscribed and Verified under Penalty of
Perjury this ~~January 3, 2014~~ 2015

by :

J. Turnbull
Respectfully