

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

May 22, 2015

To: Mr. Asa Oliver, III, GDC184441, Baldwin Correctional Facility, Post Office Box 218,  
Hardwick, Georgia 31034

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 Eleventh Circuit Court of Appeals is: 56 Forsyth Street, N.W., Atlanta, Georgia 30303.**
- 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 GEORGIA COURT OF APPEALS  
ELEVENTH CIRCUIT

ASA OLIVER

-VS-

FAYETTEVILLE MUNICIPAL COURT

CASE No. F12-15764

CHARGES: 166955 NO INSURAN  
166956 D.U.I

APPEAL

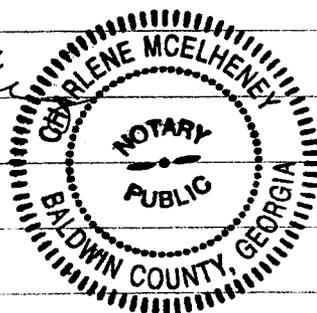
ON DECEMBER 20, 2014 DEFENDANT FILED MOTION  
FOR SPEEDY TRIAL.

ON MARCH 18, 2015 THE CLERK OF COURT FORWARDED  
TO ME. JUDGE MARTIN DENIAL OF REQUESTED RELIEF.

NOW, THE DEFENDANT IS ASKING THIS COURT TO  
DISMISS THESE CHARGES AS A RESULT OF MY RIGHT  
WAS VIOLATED AS SECURED BY THE SIXTH AND FOURTEENTH  
AMENDMENTS OF THE CONSTITUTION.

*Charlene M. McElheney*  
Notary Public

Expires 10-20-18



Respectfully Submitted,  
this 18 day of May 2015  
By: *Asa Oliver*

REQUEST TO PROCEED IN FORMA PAUPERIS

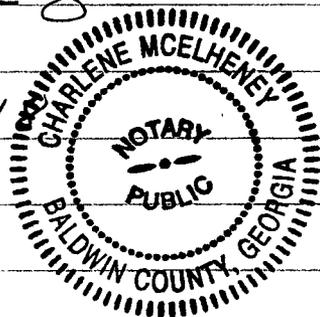
DEFENDANT IN THE ABOVE STYLE CASE  
SUBMITS TO THIS COURT THAT HE HAS NO  
MEANS OF PAYING COSTS OR FEES TO THE  
COURT AS A RESULT OF HIS POVERTY BUT  
BELIEVES HE IS ENTITLED TO REDRESS.

WHEREFORE, DEFENDANT ASK THIS COURT TO HEAR  
HIS CASE AT HAND IN FORMA PAUPERIS.

I DECLARE UNDER PENALTY OF LAW THE FOREGOING  
IS TRUE AND CORRECT.

*Charlene McElheny*  
Notary Public

*Expires 10-2014*



Respectfully Submitted,  
This 18 day of May 2015  
By: *Case [Signature]*

FAYETTEVILLE Municipal Court

STATE OF GEORGIA

-v-

ASA OLIVER

CASE No<sup>#</sup> F12-15764

CHARGES: 166955 No INSURANCE

166956 D.U.I.

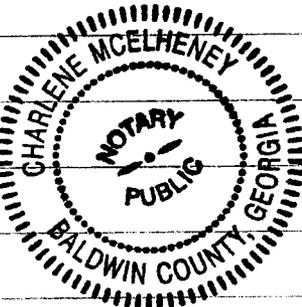
MOTION FOR EXTENSION OF TIME TO  
FILE APPEAL.

COMES NOW ASA OLIVER, AND MOVES THE COURT TO GRANT HIM AN EXTENSION OF TIME TO FILE HIS APPEAL.

THIS IS AN APPEAL FROM DENIAL MOTION FOR SPEEDY TRIAL. -MARCH 18, 2014

I ASK FOR THIS MOTION BECAUSE I DID NOT KNOW I COULD APPEAL THIS DENIAL UNTIL ANOTHER INMATE TOLD ME I COULD. AND JUDGE MARTIN DID NOT INFORM ME OF NO APPEAL RIGHT IN HIS LETTER NOR DID HE STATE WHY HE DENIED MY MOTION IN THE LETTER.

*Charlene McElhenny*  
Notary Public  
Expires 10-2018



Respectfully Submitted  
this 18 day of May 2014  
By: *Asa Oliver*

# CERTIFICATE OF SERVICE

This is to certify that I, HAVE this day SERVED the opposing Party(ies) to this ACTION with a TRUE AND CORRECT copy of the within AND FOREGOING APPEAL by placing A COPY OF SAME IN THE UNITED STATES MAIL, with ADEQUATE POSTAGE THEREON TO ENSURE PROMPT DELIVERY, AND ADDRESSING it to:

GEORGIA COURT OF APPEALS  
47 TRINITY, S.W. SUITE 501  
ATLANTA, GA. 30334

This 18 day of MAY 2015

Asa Oliver III

ASA OLIVER III

BALDWIN STATE PRISON

HARDWICK, GA. 31034

TELEPHONE NUMBER  
770-719-4277

FAYETTEVILLE MUNICIPAL COURT  
CITY OF FAYETTEVILLE

760 JIMMIE MAYFIELD BLVD.  
FAYETTEVILLE, GA 30215

March 18, 2015

Asa Oliver, III GDC 184441  
Baldwin Corrections Institute  
PO Box 218  
Hardwick, GA 31034

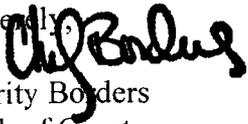
Dear Mr. Oliver,

Judge Martin has reviewed your Motion for a Speedy Trial for case# F12-15764 for citation 166955 No Insurance and citation 166956 DUI Less Safe.

Judge Martin stated that your case will remain intact and pending until your completion of your sentence at Baldwin Correction Facility.

If you have any further issues please call or write our office.

Sincerely,

  
Charity Borders  
Clerk of Court  
Fayetteville Municipal Court