

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

August 4, 2015

To: Donald W. Osborne, Esq., 473 North Peachtree Street, Norcross, Georgia 30071

Case Number: _____ Lower Court: _____ County Superior Court

Court of Appeals Case Number and Style: A15A2159. Michael J. Cornwell v. Vertical Mortgage Fund I, LLC

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 _____, is also enclosed.**
- 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

COURT OF APPEALS OF GEORGIA

MICHAEL J. CORNWELL,

V.

VERTICAL MORTGAGE FUND I, LLC.

*
*
*
*
*
*
*

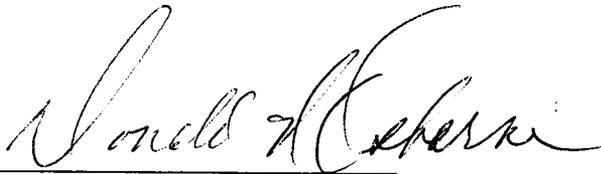
APPEAL CASE NO. A15A2159

ORIGINAL

DISMISSAL OF APPEAL

COMES NOW Plaintiff and dismisses his appeal of Civil Action File No. 12CV57862 in Bibb County Superior Court.

This 21st day of July, 2015



Donald W. Osborne
Attorney for Plaintiff
473 N. Peachtree Street
Norcross, Georgia 30071

RECEIVED IN OFFICE
2015 JUL 27 PM 3:03
CLERK/COUNTY CLERK
COURT OF APPEALS OF GA

COURT OF APPEALS OF GEORGIA

MICHAEL J. CORNWELL,

V.

VERTICAL MORTGAGE FUND I, LLC.

*
*
*
*
*
*
*

APPEAL CASE NO. A15A2159

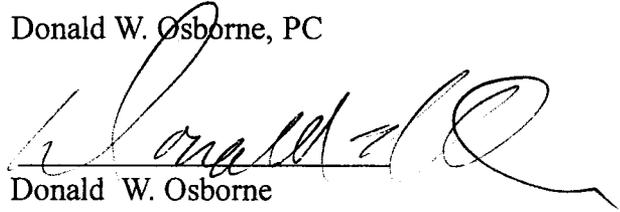
CERTIFICATE OF SERVICE

This is to certify that I have this day served all counsel to this action with a copy of the foregoing DISMISSAL OF APPEAL in the above-styled case via US MAIL to:

Peter L. Lubin
3740 Davinci Court, Suite 150
Peachtree Corners, Georgia 3009

This 21st day of July, 2015.

Donald W. Osborne, PC



Donald W. Osborne
Georgia Bar Number: 554978
Attorney for Plaintiff

473 N. Peachtree Street
Norcross, Georgia 30071