

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

May 18, 2015

To: Mr. Bobby Paradise, GDC713524, Washington State Prison, Post Office Box 206,  
Davisboro, Georgia 31028

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 still 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.

Clerk's office of

Georgia Court of Appeals

47 Trinity Ave, Suite 501

ATLANTA, Ga 30334

RECEIVED

2015 MAY 15 PM 3:47

CLERK'S OFFICE

MAY 10, 2015

IN RE: BOBBY PARADISE V. THE STATE OF GEORGIA:

Dear Clerk,

October 6, 2014

~~November 19, 2014~~

I Filed a "MOTION FOR PRODUCTION OF Documents AND Records at Government expense," with the Walker County Superior Court, requesting a copy of the trial court's Denial of an "EXTRAORDINARY MOTION" I had Filed in that court, November 19, 1998, (and Although I wrote the clerk and Judge several letters, never received the order), which Prevent me From appealing that alleged Denial, Even Filed a "MOTION FOR Evidentiary Hearing" on the above motion, Feb. 15, 1999, and the trial court took any action in response to that motion (Appeal court's decision handed down in Appeal case #A12A1892, Page 2)

The above "MOTION to Produce" is the third such MOTION which Paradise has Filed since 1998, & along with 2 Freedom of information Acts, requesting the court's order.

I Finally Received that order October 14, 2014, which Appears to have had the Formal clerk, MR. Bill McDaniel's name Forged to make it appear it had been Filed November 19, 1998, Whether it was Filed or not at this Point is irrelevant, the Fact of the matter is I've been denied Access to the Court of Appeals' review, because I was never Provided with a copy of the order.

Even though I explained it to this Appellate court in my response to the Appellee's Late Response brief Filed in Appeals case # A12A1892, this court mistakenly characterized it as Paradise never appealed the Denial NOV. 19, 1998,

November 12, 2014, Paradise Filed with the trial court his "EXTENSION OF TIME FOR FILING AN OUT-OF-TIME APPEAL" which was thereafter Denied December 18, 2014

December 29, 2014 Paradise Filed his NOTICE OF APPEAL with certificate of service showing I mailed a correct copy to the opposing party (Dist. Attorney MR. Herbert (Buzz) FRANKLIN P.O. Box 1025, Lafayette, Ga. 30728.

March 24, 2015 Paradise wrote this court's clerk requesting the status of his Appeal, and this clerk sent Paradise a Form letter dated March 30, 2015, Advising Paradise there was no Appeal Pending in that court.

April 12, 2015, Paradise wrote the trial court clerk inquiring as to why is the clerk refusing to transmit the record to the Appellate court, Pursuant to Appeal rule the clerk had 20 days to do so. It has been 130 days since Notice was given, and the trial court clerk still refusing to send the record, that it can be Appealed.

Does this court not contact the trial court clerk requesting the record? I have a constitution right to Appeal the Denial, however, the chief Judge Jon B. Wood continues to be vindictive toward Paradise, and does all he possible can to insure Paradise is not

3.

get any relief of the sentences that have put Paradise in double jeopardy of his life.

These constitutional Rights have been clearly establish as well as the laws and statutes of the state of Georgia.

You [A]ny court cannot sentence a Defendant more than once for the same conduct, this court has mistakenly ruled in previous Appeals Paradise has filed with the Appeals court, simply STATING Paradise fails to show his sentences are void.

I ASK the Appeals court to show me Law and conclusion that authorize a trial court to sentence a defendant more than once for conduct or counts Alleging the identical conduct, same alleged victim, with the date not being essential

1. The sentence is void if the Judge refuse to consider a defendant under the First offenders Act.
2. The sentence is void if the Judge sentences a Defendant more than once for the same conduct.
3. The sentence is void if the Judge fails/refuse to consider any other facts prior to sentencing.
4. The sentence is void if the Judge imposes a sentence that would constitution cruel and unusual Punishment
5. The sentence is void if the Judge sentences the

4.

Defendant out of vindictive and/or resentment toward  
the Defendant's Refusal to Plead Guilty.

Thank you for your time and service in this  
matter.

Sincerely

Bobby Paradise 713524

AUTRY STATE PRISON

P.O. Box 648 (F-1-111M)

Pelham, Ga. 31779