

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

February 26, 2015

To: Mr. Andrew Payne, GDC275881, Augusta State Prison, 3001 Gordon Highway,
Grovetown, Georgia 30813

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.

2-22-15

12:25 Noon

To Whom is Concerning;

Hello, my Name is Andrew Payne, "Case No: FE 0194, 0195, 0196,"
I am in Augusta State Med. Prison Now. I been lock up from 09
until Now. The office in Dublin Ga. Did not read me my rights there
were a lot of lie told on me, my lawyer Did Not "REPRESENT" me
like a lawyer. I stay lock up in jail for 19 Month with no lawyer. My
People Hire a lawyer But the Court would Not let him "REPRESENT" me
The Court gave me a lady that Did Not know my Case they told
her what to do and say in the Court room I knew it was a
sit-up then. I ask her to Put in for my "appeal" in 2010. I
am asking for Help... I got 3 life Sentence on Hear-Say NO
evident, The office told my friend that he were going to get the
D.A. to Put me away for 99 years. They ask me to take a Polygraph
I told them get me a lawyer I would take it But Not without a
lawyer you see I have a bad "HARD," they lock me up, and I could
not go to the doctor for 11 month I were in pain so one day a doctor
were Pastin By and I ask to speak with him He knew what was
wrong I thank God for him, Now I got a "Pacemaker" thank to
him. anyway Can you Help me get my appeal?

Andrew Payne

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2015 FEB 26 PM 3:09
COURT OF APPEALS
CLERK OF COURT
GA