

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

October 13, 2015

To: Mr. Deivi Polanco, GDC1001027990, Calhoun State Prison, Post Office Box 249,
Morgan, Georgia 39866

Case Number: _____ Lower Court: _____ County Superior Court

Court of Appeals Case Number and Style: **A16A0129. Deivi Polano v. Patricia Rodriguez**

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. The mailing address for the Supreme Court of Georgia is: 244 Washington Street, S.W., Suite 572, Atlanta, Georgia 30334.
- 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.
- A16A0129. Deivi Polano v. Patricia Rodriguez was transferred to the Supreme Court on September 22, 2014. The order transferring the appeal is attached for your review.**

Court of Appeals of the State of Georgia

ATLANTA, September 22, 2015

The Court of Appeals hereby passes the following order:

A16A0129. DEIVI POLANO v. PATRICIA RODRIGUEZ.

Deivi Polano filed this appeal from the superior court's final decree of divorce. The Supreme Court, however, has general appellate jurisdiction over divorce and alimony cases. See Ga. Const. of 1983, Art. VI, Sec. VI, Par. III (6). Accordingly, this application is hereby TRANSFERRED to the Supreme Court for disposition.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 09/22/2015

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Stephen E. Costello, Clerk.

**COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR BRIEFS OR MOTIONS**

To: 10/9/15
Docket Number: A16A0129 Style: Deivi Polano v. Patricia Rodriguez

Your document(s) is (are) being returned for the following reason(s).

1. Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) or a sufficient pauper's affidavit. OCGA§5-6-4 and Rule 5 **Please be advised that your pauper's affidavit should be notarized by a notary public.**
2. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4. No Certificate of Service or an improper Certificate of Service accompanied your document(s). Rule 6
5. Your Certificate of Service did not include the complete name and mailing address of each opposing counsel and pro se party. Rules 1(a) and 6. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
6. There were an insufficient number of copies of your document. Rule 6.
7. Your document exceeds page limits. Rules 24 (f) and 27 (a)
8. Your document was submitted without permission to file (supplemental brief or second motion for reconsideration). Rules 27 (a) and 37 (d)
9. Letter briefs and letter cites are not permitted. Rule 27 (b)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12. Type was on both sides of the paper; type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17. The Motion to Supplement has not been granted.
18. Other: A16A0129 was transferred to Supreme Court.

9.22.15

For Additional information, please go to the Court's website at: www.gaappeals.us

COURT OF APPEALS OF GEORGIA
STATE OF GEORGIA

APPEAL CASE NUMBER: A 16 40129 (A15D0529) OLD CASE NO. REFEREN
STYLE: DEIVI POLANCO VS. PATRICIA RODRIGUEZ
DATE OF DOCKETING: SEPTEMBER 14th, 2015.

RECEIVED
2015 OCT 18
11 36 AM
COURT OF APPEALS OF GEORGIA
CLERK OF COURT

MOTION FOR EXTENSION
OF TIME TO FILE BRIEFS.

HEREBY WITH THIS MOTION/REQUEST I DEFENDANT/PETITIONER REQUEST AN EXTENSION TO FILE MY BRIEFS. DESPITE BEING APPROVED BY THE LOWER COURT, GWINNETT COUNTY SUPERIOR COURT TO PROCEED IN FORMA PAUPERIS, I HAVE NO BEEN PROVIDED WITH THE TRANSCRIPTS OF THE BENCH TRIAL REGARDING THIS CASE AND OTHERS RELEVANT DOCUMENTS TO COMPLETE MY BRIEFS.

AT THIS POINT I PLEAD AND BEG THE COURT TO PLEASE GIVE AN EXTENSION UNTILL I RECEIVE THESE DOCUMENTS.

IN SUPPORT OF MY REQUEST FOR THIS EXTENSION, I HAVE ENCLOSED ANOTHER REQUEST I'M MAILING TO THE LOWER COURT TO PROVIDE ME AND FOWARD THESE DOCUMENTS TO THE SUPREME COURT.

DEFENDANT/PETITIONER IS IN NEED OF REQUESTED DOCUMENTS TO SUPPORT HIS APPEAL.

RESPECTFULLY SUBMITTED,

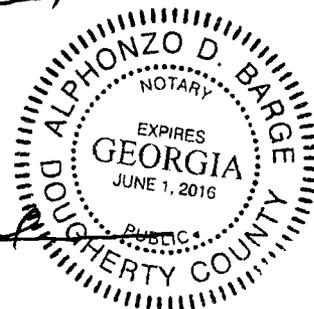
SWORN BEFORE ME

Deivi Polanco

DEFENDANT - PROSE

ON THIS 1 DAY OF Oct, 2015.

Alfonzo D. Barge
NOTARY PUBLIC



MY COMMISSION EXPIRES 6-1-16

IN THE SUPERIOR COURT OF BOWEN COUNTY
STATE OF GEORGIA

PATRICIA RODRIGUEZ
PLAINTIFF,
VS.
DEIVI POLANCO
DEFENDANT.

CIVIL
- ACTION

FILE NO. 12A-04012-9

RECEIVED IN OFFICE
2015 OCT -9 PM 3:36
CLERK OF SUPERIOR COURT
BOWEN COUNTY, GEORGIA

MOTION FOR TRANSMIT
OF COURT DOCUMENTS / TRANSCRIPT
AT GOVERNMENT EXPENSES.

HEREBY WITH THIS MOTION REQUEST I DEFENDANT PRO-SE REQUEST
THE TRANSMIT OF THE BENCH TRIAL PLUS THE HEARINGS IN WHICH THE
CASE HAVE BEEN HEARD BY YOUR HONOR JUDGE TOM DAVIS, THIS REQUEST
IS COMPLYING WITH THE ORDER ALLOWING PETITIONER / DEFENDANT TO
PROCEED IN FORMA PAUPERIS, HAVING BEEN READ AND CONSIDERED BY YOUR
HONOR JUDGE TOM DAVIS AND ORDERED JULY 14TH, 2015.

FOR THIS REASON COURT SHALL HEREBY ALLOWS PETITIONER TO PRO-
CEED AS A PAUPER IN HIS NOTICE OF APPEAL.

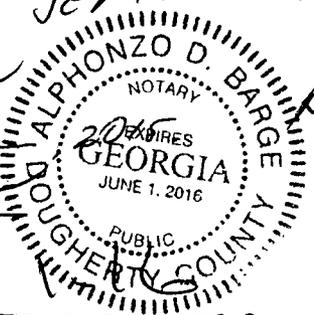
AT YOUR EARLIEST CONVINIENCE THE DEFENDANT REQUEST THE TRANSMIT
OF SUCH DOCUMENTS TO THE CLERK OF THE COURT TO FORWARD /
MAIL THESE DOCUMENTS TO HIS ADDRESS.

THE DEFENDANT STATES THAT HAVE NO BEEN PROVIDED WITH A COPY
OF SAID REQUESTED DOCUMENTS AND DEFENDANT IS ENTITLED TO SUCH
DOCUMENTS AND IS ACTING UNDER THE AUTHORITY OF M. L. B. VS. -
S. L. S 117 S. CT. 555 (1996).

INDIGENT DEFENDANT IS IN NEED OF REQUESTED DOCUMENTS TO
SUPPORT HIS APPEAL.

THIS 30TH DAY OF SEPTEMBER, 2015.

SWORN BEFORE ME
ON THIS 1 DAY OF Oct
Alphonzo P. Bay
NOTARY PUBLIC



Respectfully; DEIVI POLANCO
DEFENDANT (PRO-SE)

MY COMMISSION EXPIRES 6 -