

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

February 12, 2015

To: Mr. Ray Roger Rivers, GDC94935 J-1, Calhoun State Prison, Post Office Box 249,
Morgan, Georgia 39866

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.
- Other: I am in receipt of your letter dated February 3, 2015, in which you requested assistance with obtaining counsel. Again, the Court of Appeals does not have the power or authority to appoint counsel for you. Any requests for appointed counsel should be directed to the trial court.**

RECEIVED IN DEPT.

15 FEB 10 PM 1:57

COURT OF APPEALS OF GA

DEAR CLERK,

FEB. 3rd 2015

I RECENTLY WROTE TO YOUR OFFICE ASKING IF YOU'D APPOINT ME COUNSEL FOR THE NOTICE OF APPEAL I FILED IN JONES COUNTY WHICH THE CLERK FILED IN THERE OFFICE ON NOV. 24th 2014.

I'VE ENCLOSED THE RESPONSE THE CLERK MAILED ME EXPLAINING WHY DOCUMENTS HAVE NOT BEEN FORWARDED YET TO YOU ALONG WITH THE RESPONSE THAT THE PUBLIC DEFENDER'S OFFICE DENYING ME COUNSEL FOR THE APPEAL.

IN YOUR RECENT RESPONSE TO ME, YOU SAID THAT I HAD NO PENDING CASE AS OF YET AND THAT I WOULD HAVE TO REQUEST COUNSEL FROM THE TRIAL COURT.

I'M ASKING ONCE YOU RECEIVE THE DOCUMENTS FROM JONES COUNTY, WOULD YOU PLEASE HELP ME WITH A APPEALS ATTORNEY? (PLEASE)

FROM THE START OF THIS CASE, THE ATTORNEY KERI THOMPSON WAS APPOINTED TO HELP ME WHICH I NEVER SAW OR TALKED ABOUT MY CASE! I WAS TRANSFERRED TO JONES COUNTY FOR TRIAL ON MAY 22 2013 AND ONCE IN HOLDING CELL AT COURT HOUSE A MR THOMAS J O'DONNELL CAME TO CELL CLAIMING THAT HE WAS MRS KERI THOMPSON ASSISTANT that she would be late, he had paperwork for a 15 yr RESIDIVIS and told me that if I did NOT TAKE PLEA 30 SERVE 15 THEN, THAT THE DISTRICT ATTORNEY WOULD SEE THAT I GOT THE RESIDIVIS, HE CLAIMED HE DID NOT KNOW WHAT TIME MRS THOMPSON WOULD BE IN AND THERE WAS NO WAY THEY COULD

get anything BETTER. I explained to him that the informant was DRESSED OUT AND BROUGHT TO ANOTHER County with that County NOT PRESENT, explained how the informant inticed ME into Jones County.

THE informant said I WERE CLOSE AS FRIENDS I THOUGHT, I KNOW HE WAS ON PAROLE OR PROBATION BUT DID NOT KNOW IT WAS ONE OF HIS GENERAL Rules NOT to do UNDERCOVER WORK.

I would NOT HAVE TAKEN A PLEA KNOWING WHAT I KNOW NOW ABOUT HIS condition of PAROLE OR HAD A DECENT LAWYER to help.

ON THE MOTION THAT WAS FILED AND DENIED, IT WAS DONE IN LAW LIBRARY WITH THE HELP OF FELLOW inmate, HE'S GOING HOME AND I WAS NOT OFFERED A ATTORNEY AT THE HEARING ON MOTION, DID NOT KNOW HOW TO REPRESENT MYSELF WAS ALL NERVOUS.

Will you PLEASE HELP ME WITH ATTORNEY?

Thank you Very Much
GOD BLESS

Ray Logan Rivers # 94935

RAY RIVER RIVERS # 94935
CALHOUN STATE PRISON D4 # 63
A.O. BOX 249
MORGAN, GA 39866

**OCMULGEE CIRCUIT PUBLIC DEFENDER'S OFFICE
P.O. BOX 747
GRAY, GEORGIA 31032
478/986-6185
478/986-6359**

December 17, 2014

*All SAME Drug deal informant
was Brought from Jones County Jail to
MONROE, inticed Back to Jones County*

Mr. Ray Rogers Rivers #94935
Calhoun State Prison
P.O. Box 249
Morgan, GA 39866

Re: recent letters

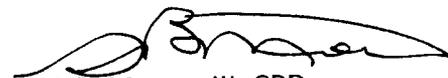
Mr. Rivers,

In response to your recent letters, our office will be unable to help you. You entered a plea some time ago and now are in some manner challenging the conviction. As I understand what happened in Jones County recently, you basically acknowledged your involvement in the criminal activity but contended that it took place in another county (Monroe). I believe you said you were somehow 'coerced' into Jones Country.

The fact is that you did enter the county and committed the act to which you pled guilty. The better course of action on your part would have been to file a motion to withdraw your plea, but that would have to have been done in the same term of court. That was not done.

Your recourse now would appear to be a petition of habeas corpus, and you are not entitled to appointed counsel in that proceeding.

Yours truly,



G.B. Moore, III, CPD
Ocmulgee Circuit



Jones Superior Court

110 South Jefferson Street
Post Office Box 39
Gray, Georgia 31032

Phones:
(478) 986-6671
(478) 986-6674
Fax
(478) 986-2030

Bart W. Jackson, Clerk

January 13, 2015

Ray Roger Rivers
GDC #94935
Calhoun State Prison
P O Box 249
Morgan, Georgia 39866

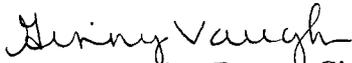
Dear Mr. Rivers,

We received your pro se "Notice of Appeal" on November 24, 2014. The appeal has not been done as we have not received the transcript from the court reporter yet.

All transcripts must be sent to the Court of Appeals with the appeal. Until I receive the transcript, I can't process the appeal.

I have kept your "Notice of Appeal" on my desk awaiting the filing of the transcript. Once the appeal is completed, I will send you a copy of the index.

Sincerely,


Ginny Vaughn, Deputy Clerk
Jones County Superior Court

FIRST OFFENDER PROBATION TREATMENT (if applicable)

Defendant has not previously been convicted of a felony and has not availed himself/herself of the provision... (8-60), and the Defendant consenting hereto, it is the judgment of the Court that no judgment of guilt be imposed... proceedings are deferred provided that said Defendant complies with the general and special conditions of probation... Court as part of the sentence.

that upon violation of any term or condition of probation, the Court may enter an adjudication of guilt and proceed to... to the maximum sentence provided by law. Upon fulfillment of the terms of probation or upon release of the Defendant by... to the termination of the period thereof, the Defendant shall stand discharged of said offense charged and shall be completely... of said offense charged.

the Order be forwarded to the Office of the State Probation System of Georgia and the Identification Division of the Georgia... investigation.

GENERAL CONDITIONS OF PROBATION

Defendant having been granted the privilege of serving all or part of the above-stated sentence on probation, hereby is sentenced to the... general conditions of probation:

- Do not violate the criminal laws of any governmental unit.
- Avoid injurious and vicious habits - especially alcoholic intoxication and narcotics and other dangerous drugs unless prescribed
- Avoid persons or places of disreputable or harmful character.
- Report to the Probation-Parole Supervisor as directed and permit such Supervisor to visit him/her at home or elsewhere.
- Work faithfully at suitable employment insofar as may be possible.
- Do not change his/her present place of abode, move outside the jurisdiction of the Court, or leave the State for any period of time without prior permission of the Probation Supervisor.
- Support his/her legal dependents to the best of his/her ability.
- Probationer shall, from time to time upon oral or written request by any Probation Officer, produce a breath, urine, and/or blood specimen for analysis for the possible presence of a substance prohibited or controlled by any law of the State of Georgia or of the United States.
- Do not purchase or consume beer, wine or any substance containing alcohol at any private or public facility or residence.
- Submit to search of his/her person, house, papers, automobile and/or effects at any time of the day or night without a search warrant whenever requested to do so by a Probation Officer and to consent to the use of anything seized as the result of said search as evidence in a proceeding to revoke this Sentence of Probation.
- Do not perform any undercover work for police agencies without permission of the Court.
- Shall not receive, possess, or transport any firearm or other offensive weapon.
- Submit to evaluations and testing relating to rehabilitation and participate in and successfully complete rehabilitative programming as directed by the department.
- Shall abide by curfews as directed by Probation Officer.
- Must report to your Probation Officer any arrest during your sentence of probation within 24 hours of your arrest.
- Pay a probation maintenance fee of \$ _____ per month beginning _____ to the assigned Probation Office for the term of probation. Pay a crime lab fee of \$ _____ to the assigned Probation Office.
- Pay as directed by the Court a fine of \$ _____; Indigent Defense Attorney Fee: \$ _____; Jail-10%: \$ _____; MVAP-5%: \$ _____; POPIDEF-a (10%-\$50 Cap): \$ _____; POPIDEF-B (10%): \$ _____; CVEF (DUI) - (\$26/11%-MESSER): \$ _____; BSITF-10%: \$ _____; DATE-50%: \$ _____; DETF-5%: \$ _____; Restitution: \$ _____; Photo Fee: \$ _____ per month, beginning _____ to the Floyd Superior Court Receiver and Jury Management Office; Floyd County Courthouse, P.O. Box 6193, Rome, Georgia 30152-6193.
- Do waive extradition to the State of Georgia from any jurisdiction in or outside the United States where I may be found and also agree that I will not contest any effort by any jurisdiction to return me to the State of Georgia.

CRIMINAL NOTE: "If you are convicted of a crime involving violence where you are or were a spouse, intimate partner, parent, or guardian of the victim or are or were involved in another, similar relationship with the victim, it may be unlawful for you to possess or purchase a firearm including a rifle, pistol, or revolver, or ammunition, pursuant to federal law under 18 U.S.C. 922 (g)(9) [and/or state law]."

may be Additional and/or other Special conditions of probation imposed by the Court under the terms of a negotiated plea, or on the... own volition, or by operation of law or required by any sentence whether the same be by negotiated plea, imposition of the sentence... Court, or by operation of law which may be specific to such offense, inclusive of but not limited to those special conditions of probation... by O.C.G.A. 42-1-2 for Sex Offenders (attach sex-offender's supplement if applicable) and as well for REDUCTION PROGRAMS... (probationer), clinical evaluation and complete substance abuse treatment program as directed by Probation Office. As to second... Offenders, in addition to the requirements of probation set out above, Defendant shall also be required at his/her own expense to equip... with an ignition interlock device approved by the Probation Supervisor for the first six months of the sentence.

all Special Programs, Orders and Directives applicable on the front side shall be explained fully to the Probationer by the Probation Officer. The... on the front side indicates a full understanding of applicable programs, orders and directives.

Handwritten note: "condition # 11, it was MEMORIAL day WEEKEND, plus WE KNOW NOT... Judge would APPROVE convicted felony, DRUG USER & DEALER on... of probation this UNDERMINED" Revised 10/2008