



Court of Appeals of Georgia

September 1, 2015

TO: Mr. David Roberson, GDC310363, Central State Prison, 4600 Fulton Mill Road, Macon, Georgia 31208

RE: **A15A2306. David Roberson v. The State**

CHECK RETURN

- Your check number _____ in the amount of _____ written on the account of your firm for the filing fee in _____ is enclosed. Please be advised that this Court is returning your check since the filing fee was already paid by _____.

CASE STATUS

- The referenced appeal was dismissed on August 21, 2015. The Motion for Reconsideration was filed on August 27, 2015.**

CASE STATUS - PENDING

- The above referenced appeal is pending in your name before this Court. The appeal was docketed in the _____ Term and a decision must be rendered by the Court by the end of the _____ Term which ends on _____.

APPLICATION FOR PERMISSION TO APPEAL A PROBATION REVOCATION

- To appeal a probation revocation, you will need to file a Discretionary Application with this Court. Rule 31 of the Rules of the Court of Appeals of Georgia describes a Discretionary Application and the items you would need to include with your application.

A Discretionary Application must be filed within 30 days of the stamped filed date on the order that you are appealing and the application must be accompanied by a proper Certificate of Service and a pauper's affidavit or the \$80.00 filing fee. You must also comply with all the other applicable rules of Court regarding filing with the Court of Appeals of Georgia.

Enclosed, please find a copy of the Rules of the Court of Appeals for your review.

8-26-15

COURT ADMINISTRATOR,

PLEASE LOOK INTO THIS CASE AS THE CLERK STEPHEN E. CASTLER HAS APPLIED THE WRONG APPEAL DOCKET NUMBER TO THE NONE APPEALABLE OUT-OF-DATE OLD NOTICE OF APPEAL. CLERK STEPHEN APPLIED THE NEW DOCKET NUMBER A15A2306 TO THE OUT-OF-TIME APPEAL WHICH THE TRIAL COURT DENIED ON FEBRUARY 5, 2014. ROBERSON FILED A NOTICE OF APPEAL FROM THE TRIAL COURT'S ORDER ON JUNE 27, 2014. ROBERSON NEVER RECEIVED A DOCKET NUMBER TO APPEAL THE CASE TO, FOR THE OUT-OF-TIME APPEAL. AND WITHDREW FROM FILING FURTHER WHEN HIS 30 DAYS PASSED BY AN NO DOCKET NUMBER.

DAVID ROBERSON HAS FILED A NEW MOTION ON APRIL 9, 2015 ENTITLED PLEADING A "REQUESTING A DECLARATORY JUDGEMENT AND INJUNCTIVE RELIEF". THE ORDER WAS DISMISSED ON JUNE 22, 2015. D. ROBERSON THEN APPLIED FOR A DISCRETIONARY APPEAL WHICH WAS ~~TAEN~~ FILED JULY 14, 2015 AND STAMPED JULY 16, 2015 BY COURT ADMINISTRATOR. D. ROBERSON WAS GRANTED THE DISCRETIONARY APPEAL AND GIVEN A NEW CASE NUMBER THE GRANTED NEW DOCKET NUMBER WAS A15A2306 WHICH WAS MISTAKENLY USED ON OUT-OF-TIME APPEAL DATED JUNE 27, 2014. THE CLERK DISMISSED THE OUT-OF-TIME APPEAL CORRECTLY BUT APPLIED THE WRONG DOCKET NUMBER

MY CASE NUMBER WAS 1993-CR-961-C
WHICH IS USED ON EVERY NEW MOTION
APPLYING FOR.

MY NEW DOCKET NUMBER A15A2306
IS FOR THE DISCRETIONARY APPEAL APPLICATION
THAT WAS GRANTED ON AUGUST 11, 2015
STEMMING FROM A MOTION FILED ON THE
9TH DAY OF APRIL, 2015, REQUESTING A
"DECLARATORY JUDGEMENT AND INJUNCTIVE
RELIEF"

PLEASE CORRECT THIS AS I'VE ALSO
MAILED A MOTION FOR RECONSIDERATION
SINCE THAT IS ALSO COURT PROCEDURE
THE 25TH OF AUGUST.

RESPECTFULLY SUBMITTED

DAVID ROBERSON
310363
CENTRAL STATE PRISON
4600 FULTON MILL RD.
MACON, GA. 31208