

**COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR APPLICATIONS**

April 28, 2015

To: Mr. Antonio Robinson, GDC403977 12-A1-106, Augusta State Medical Prison, 3001 Gordon Highway, Grovetown, Georgia 31803

Docket Number: **Style:** **Antonio Robinson v. The State**

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

1. Your Application was not accompanied by the statutory filing fee, \$300.00 civil; \$80.00 criminal, 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. Portions of the record included were not tabbed and indexed. Rules 30 (e) and 31 (c).
3. **A stamped "filed" copy of the trial court's order to be appealed was not attached to your Application. Rules 30 (b) and 31 (e)**
4. A stamped "filed" copy of the Certificate of Immediate Review was not attached to your Interlocutory Application. Rule 30(b)
5. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
6. There were an insufficient number of copies of your document. Rule 6
7. **A copy of your filing should be provided to the District Attorney and include his/her name and address on your Certificate of Service.**
8. **Your Certificate of Service did not include the complete name and /or mailing address of each opposing counsel and pro se party. Rule 1(a) and 6**
9. Your document exceeds page limits. Rules 24(f) , 30(e) and 31(c)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. No extension of time for filing an interlocutory application will be granted . Rule 30 (g) . No extension of time will be granted for filing a discretionary application unless the motion for extension is filed on or before the due date of the discretionary application.
12. The type font was smaller than 10 characters per inch; type was not double-spaced or/and type was on both sides of the paper. Rules 1(c), 24(b), 37(a) and 41(b).
13. Your motions were submitted in an improper form (joint, compound, or alternative motions in one document). Rule 41 (b)
14. Margins were too small or paper size was incorrect. Rules 1(c), 24(c), 30(e), 31(c) and 41(b).
15. Your document was submitted for filing more than 30 days after the date of the order granting, denying or dismissing the application or the order granting, denying or dismissing the Motion for Reconsideration. Rules 30(j) and 31(j).
16. **Other:**

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

COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR APPLICATIONS

COA

412415

To: Antonio Robinsan

Docket Number: Style: Antonio Robinsan v. The State

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15. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rules 1(c), 30 (e) and 31 (c)
16. Your document was submitted for filing more than 30 days after the date of the order granting, denying or dismissing the application or the order granting, denying or dismissing the Motion for Reconsideration. Rules 30(j) and 31(j).

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

IN THE COURT OF APPEALS OF GEORGIA

ANTONIO ROBINSON, INC #403977,
PETITIONER/MOVANT,

-VS-

THE STATE OF GEORGIA

CASE NO. A50326

(EXTRAORDINARY MOTION FOR NEW
TRIAL OUT-OF-TIME APPEAL) "APPEAL"

(MOTION FOR APPLICATION TO APPEAL)

COME NOW INTO THE STATE COURT OF APPEALS OF GEORGIA TO APPEAL FROM A DENIAL OF A MOTION FOR EXTRAORDINARY MOTION FOR NEW TRIAL AND MOTION FOR AN OUT-OF-TIME APPEAL PURSUANT TO: OBCAS 5-6-35 (OCCAS 6-701.1); PITTS V. STATE, 254 Ga. 298, 328 S.E.2d 732 (1985); McDONALD V. STATE, 180 Ga. App. 713, (2), 350 S.E.2d 581 (1986).

EXTRAORDINARY MOTION FOR NEW TRIAL AND BRIEF TOGETHER WITH RULE NISI PRODUCTION ORDER OUT-OF-TIME APPEAL AND APPOINTMENT OF ATTORNEY ALL MOTIONS WAS FILED ON JANUARY 29TH 2015 WITH A CERTIFICATE OF SERVICE. MOTIONS WAS DENIED WITHOUT A HEARING ON EITHER.

Grounds

PETITIONER FILED MOTION FOR EXTRAORDINARY PURPOSES BECAUSE THIS PRIOR CONVICTION WAS BROUGHT TO ATTENTION OF THE PAROLE CASE FOR A USE TO ENHANCE OF PUNISHMENT IN EXCESSIVENESS TO LENGTH OF PUNISHMENT MUST BE SERVED IN (GOC). GEORGIA DEPARTMENT OF CORRECTIONS.

1.

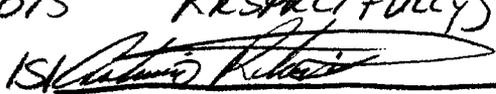
TRIAL COURT ERRORS USED AS GROUNDS

(a) AMENDING THE VERDICT A VERDICT MAY NOT BE AMENDED SO AS TO EFFECT A SUBSTANTIVE CHANGE IN THE VERDICT EVEN IF THE CHANGE IN THE VERDICT WOULD NOT AFFECT THE SENTENCE. *HOLLIS V. STATE*, 215 Ga. App. 35, 36, 450 S.E.2d 247 (1994).

(b) TRIAL COURT FAILURE TO FOLLOW CLEARLY LEGISLATIVE LAW WHERE THE TRIAL COURT JUDGE ABRASSED CONSTITUTIONAL DUE PROCESS AND EQUAL PROTECTION OF AMEND 14. BECAUSE IN THE PRIOR JURY TRIAL A FAIR DETERMINATION COULD NOT BE REACHED BY A JURY WHO WAS CONVINCED PETITIONER COULD NOT BE FOUND GUILTY OF CHARGE INDICTMENT BEYOND A REASONABLE DOUBT WHEN THE JUDGE DISAPPROVED THE VERDICT.

OCCAS 9-10-8 (GCA 3110-201), 17-9-22 (GCA 3110-201). ONCE A JUDGMENT OF NOT GUILTY HAS BEEN ENTERED, THE TRIAL JUDGE HAS NO AUTHORITY TO VACATE OR SET IT ASIDE, SHUMAN V. STATE, 146 Ga. App. 822, 249 S.E.2d 561 (1978). IN LINDSAY V. STATE, THE COURT POINTED OUT THAT THE DEFENDANT IS ENTITLED TO THE BENEFIT OF THE DOUBT IN THE CONSTRUCTION OF AN AMBIGUOUS VERDICT, 262 Ga. 665, 666 (1), 424 S.E.2d 616 (1993). ALSO SEE MALTBY V. STATE, 139 Ga. App. 342, 228 S.E.2d 368 (1976).

APPELLANT REQUESTED THAT THIS COURT WILL PASS UPON ALL ESTABLISH DUE PROCESS AND EQUAL PROTECTION ABANDONMENT OF UNDO FUNDAMENTALLY FAIRNESS OF THAT COURT CASE JUDGMENT. THEN SEE THAT THE END OF JUSTICE REQUIRES A DIFFERENT RESOLUTION. ARREST V. STATE, 265 Ga. 399, 400 (1), 456 S.E.2d 503 (1995).

THIS 20TH DAY OF APRIL 2015 RESPECTFULLY


IN THE COURT OF APPEALS OF GEORGIA

ANTONIO ROBINSON, DOC# 403999,

CASE NO. A50326

PETITIONER/APPELLANT,

- VS -

THE STATE OF GEORGIA

MOTION FOR EXTENSION OF TIME

NOVI INTO COURT THE ABOVE PRO SE APPELLANT, ANTONIO ROBINSON, FILES THIS HIS MOTION FOR EXTENSION OF TIME IN THIS COURT FOR THE ALLOWIANCE OF FILING OF BRIEF, AND OTHER MOTIONS, AND COPIES OF TRANSCRIPT TO APPELLANT, AND THE TRANSMITTING OF THE RECORDS. DEFENDANT / APPELLANT IS AN INDIGENT APPELLANT IN THIS APPEAL. HART V. STATE, 153 Ga. App. 53, 264 S.E. 2d 542 (1980); REV'D, 246 Ga. 212, 271 S.E. 2d 133 (1980). WHO CANNOT PAY FOR COPIES OF RECORDS IN TRIAL COURT.

This 20th day of APRIL 2015.

151 Antonio Robinson

CERTIFICATE OF SERVICE

I, ^{6DC#} ANTONIO ROBINSON 403977, DO HEREBY CERTIFY THAT I HAVE SERVED THE OPPOSING PARTIES WITH A COPY OF MOTION FOR APPLICATION TO APPEAL AND MOTION FOR EXTENSION OF TIME BY PLACING SAME IN THE UNITED STATES MAIL WITH SUFFICIENT POSTAGE.

PARTIES SERVED

CLERK of COURT of APPEALS of GEORGIA
47 TRINITY Ave. S.W.
ATLANTA, Ga. 30334

THIS 20th DAY OF APRIL, 2005.

 6DC#
PRO-SE LITIGANT
ANTONIO ROBINSON, 403977
AUGUSTA STATE MEDICAL PRISON
3001 BOARDMAN Hwy.
GROVE TOWN, Ga. 31803