

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

April 21, 2015

To: Mr. James Lee Robinson, GDC59696 L-5, Cobb County Adult Detention Center, Post Office Box 100110, Marietta, Georgia 30061

Docket Number: Style: Jimmy Lee 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. No Certificate of Service accompanied your document(s). Rule 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.
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

IN THE GEORGIA COURT OF APPEALS
STATE OF GEORGIA

FILED IN OFFICE

APR 17 2015

COURT CLERK
CLERK COURT OF APPEALS OF GA

Docket No. 14-1315-48

JIMMY LEE ROBINSON
VS

STATE OF GEORGIA

DISCRETIONARY APPEAL

RECEIVED IN OFFICE
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CLERK COURT OF APPEALS OF GA

COMENOW petitioner Jimmy Lee Robinson pro=SE and file this appeal from the Cobb Superior Court revocating petitioner probation on April 1, 2015 in the above-styled docket number.

The Georgia Court of Appeals has jurisdiction through Article VI Section IV para. III of the GA. Constitution and shall exercise appellate and certiorari jurisdiction in all cases not reserved to the Supreme Court or other courts by law. The decision of the Court of Appeals shall be binding unless conflict with Supreme Court precedents.

Enumeration of Error

1.

Trial court failed to inform petitioner of right to appeal probation revocation

2.

The petitioner has been incarcerated for more than (4) four months at the time of revocation hearing on April 1, 2015, and trial court

failed to give petitioner(CTS) credit for time served.

3.

The petitioner violations are a new misdemeanor charge of family violence battery (m) and in rears ~~of~~ fees \$ 160⁰⁰ and fines \$ 50⁰⁰, with 1st violation and 1st revocation

4.

After revocation hearing, petitioner was sentence to serve 2 yrs in prison with recommendation of ASAT, without failure of any urinalysis test, but with the testimony of ex-wife and the offense of charge

5.

Petitioner did not admit the allegations contained in the petition for revocation of probation.

6.

Petitioner could not afford legal counsel, so petitioner never had a chance to prepare for evidentiary hearing by subpoenaing phone records and surveillance video that could exonerate petitioner from this frivolous accusation.

THEREFORE petitioner prays that this court of Appeals honor and grant this petition for discretionary appeal,

so that petitioner can file appeal and pending charge will have a disposition, before a probation revocation hearing.

Respectfully Submitted,

James L. Schmitt
Petitioner

CERTIFICATE OF SERVICE

A copy of this discretionary Appeal was sent by the U.S. postal service on this 16 day of April 2015 to the District Attorney of COBB COUNTY, Victor Reynolds at 70 Haynes Street Marietta, Ga. 30090, THE Georgia Court of Appeals Clerk of Courts 47 Trinity Ave S.W. Suite 501 Atlanta, Ga. 30334

[Signature]
4/16/15
date



James L. Schmitt
Petitioner
4/16/2015
date