

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

June 8, 2015

To: Kevin Rose, GDC563571, Autry State Prison, Post Office Box 648, Pelham, Georgia 31779

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 appeal pending in the Court of Appeals of Georgia under your name to append the Request for Extension of Time. Your application was returned to you.**
- 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.

GEORGIA COURT OF APPEALS  
47 TRINITY AVE, S.W. • SUITE 501  
ATLANTA, GEORGIA 30334

CASE NO: 11-CR-0080-B

KEVIN ROSE, # 563571  
AUTRY STATE PRISON  
P.O. BOX 648  
PELHAM, GEORGIA 31779-0648

6-1-15

RE: DOCUMENT RETURN NOTICE FOR APPLICATIONS  
MAY 27, 2015, #3, #7, and #8.

DEAR COURT OF APPEALS

Filed in OFFICE MAY 18, 2015 CLERK OF COURT  
APPEALS OF GEORGIA.

REQUEST FOR EXTENSION OF TIME:

ON JUNE 1<sup>st</sup> 2015 I RECEIVED BACK FROM THE  
GEORGIA OF APPEALS A LETTER STATING I NEEDED  
"STAMPED FILE COPY" COPY OF THE ORDER  
DATED APRIL 6, 2015, ORDER DISMISSING MOTION  
TO MODIFY SENTENCE.

I'M ASKING FOR AN EXTENSION OF TIME TO  
CONTACT THE COURTS AND RECEIVE THE "STAMP FILE"  
BACK AND RESUBMIT, SO IT CAN BE DECIDED ON  
ITS MERITS.

CC: ALL PARTIES

Sincerely, Kevin S. Rose

CLERK OF SUPERIOR COURT  
MELICIA KENDRICK  
205 N. SELVIDGE, ST  
DALTON, GA 30720

CASE NO: 11-CR-0080-B

KEVIN ROSE, # 563571  
AUTRY STATE PRISON  
P.O. BOX 648  
PELHAM, GEORGIA 31779-0648

6-1-15

RE: APRIL 6, 2015 STAMP FILE COPY:

DEAR CLERK KENDRICK:

ON APRIL 6<sup>th</sup> 2015 Judge Boyett ordered  
a dismissal of a motion to modify a SENTENCE.  
THE COPY I RECEIVED WAS NOT MARKED  
"STAMP FILE COPY".

Will you please SEND ME A STAMP  
FILE COPY OF THIS ORDER. ALSO ENCLOSED IS  
A LETTER FROM THE GA. COURT OF APPEALS  
STATING I NEED THIS TO PURSUE MY  
APPEAL AND IN THE FUTURE PLEASE "STAMP  
FILE COPY ALL CORRESPONDENCE ESPECIALLY  
ORDERS.

THANK YOU.

CC: ALL PARTIES

Sincerely, Kevin Rose

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY THAT I HAVE SERVED THE OPPOSING PARTY WITH A COMPLETE AND ACCURATE COPY OF THE FOREGOING DOCUMENTS. SERVICE WAS MADE BY PLACING THE SAME IN AN ENVELOPE, AND WITH SUFFICIENT POSTAGE AFFIXED PLACED IN THE U.S. MAIL, AND ON THIS DAY MAILED TO THE PARTIES AS FOLLOWS:

CLERK OF SUPERIOR COURT  
MELICA KENDRICK  
205 N. SELWIDGE ST.  
DALTON, GA. 30720

GEORGIA COURT OF APPEALS  
47 TRINITY AVE. S.W.  
SUITE 501  
ATLANTA, GA. 30334

DISTRICT ATTORNEY  
BERT POSTON  
205 N. SELWIDGE ST.  
DALTON, GA 30720

THIS THE 1<sup>ST</sup> DAY OF JUNE 2015

Kevin S. Rose PRO SE  
KEVIN S. ROSE GDC#563571  
AURY STATE PRISON  
P.O. BOX 648  
PELHAM, GA.  
31779