

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

June 30, 2015

To: Mr. James L. Royal, GDC21468, Hancock State Prison, Post Office Box 339, Sparta, Georgia 31087

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.

Until a case is docketed in this Court, all communications should be directed to your attorney of record.

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.

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.

James L. Royal 21468  
Hancock State Prison  
P.O. Box 339  
Sparta, Georgia 31087-0339

June 23, 2015

RECEIVED IN OFFICE  
2015 JUN 26 PM 3:35  
CLERK/COURT ADMINISTRATOR  
COURT OF APPEALS OF GA

Re: appropriate procedure

Clerk of Appeals Court,

I am writing your office requesting information as to the correct procedure in a matter. Please allow me to explain.

I have filed a couple of motions into the Superior Court of Dougherty County, namely;

- MOTION TO CORRECT A TRIAL TRANSCRIPT - FILED 6/23/14
- WRIT OF MANDAMUS - FILED 10/1/14

I even wrote to the Judicial Qualifications Commission, all to no avail.

My question of procedure is, what am I to do when I can not move a court to respond to motions I file? What is the procedure?

I thank-you in advance and eagerly await your response.

*J. Royal*  
James L. Royal  
JAMES L. ROYAL 21468