

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

**July 8, 2015**

**To:** E. Michael Ruberti, Esq., LLC, 4315 Sixteenth Street, St. Simons Island, Georgia 31522

**Docket Number: Style: Frank Musah Dean, Jr. v. Zenobia Waters Valentine**

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: Your Application for Interlocutory Appellate Review is being returned to you since it was e-filed on July 6, 2015 via Vincent Keese.**

**When you come to be sworn-in to the Bar of the Court of Appeals of Georgia, please bring your admission form and check with you.**

**Also enclosed, please find two checks, #1161 payable to the United States Court of Appeals in the amount of \$300.00 and check #1163 payable to the United States Court of Appeals in the amount of \$30.00 both drawn on SunTrust Bank. In the future, please make checks payable to this Court as the Georgia Court of Appeals. The United States Court of Appeals is the federal court.**

**E. MICHAEL RUBERTI, ESQ., LLC**  
**Attorney At Law**

**E. MICHAEL RUBERTI**  
(Admitted in New York and Georgia)  
emr@rubertilaw.com

July 6, 2015

**Via USPS Overnight Mail**

Clerk  
Court of Appeals of Georgia  
47 Trinity Avenue S.W.  
Suite 501  
Atlanta, GA 30334

**Re: Frank Musah Dean, Jr. V. Zenobia Waters Valentine**  
**State Court of DeKalb County, Civil Action No. 13-A-49521**  
**APPLICATION FOR INTERLOCUTORY APPELLATE REVIEW**

Dear Sir or Madam:

Enclosed please find an original and one copy of Appellant's Application for Interlocutory Appellate Review, together with a check in the amount of \$300, in the referenced matter.

I am not admitted to the Georgia Court of Appeals as of this date, although I have applied for admission as of July 21, 2015. This precludes my submission of Appellant's Application for Interlocutory Appellate Review through the Court's electronic filing website. I therefore respectfully request that the Court accept a paper submission of Appellant's Application.

Please return a date stamped copy of the Application For Interlocutory Appellate Review (5 page additional copy included herewith) and return it to us in the enclosed stamped self-addressed envelope.

Thank you for the Court's attention to this matter.

Very truly yours,



E. Michael Ruberti

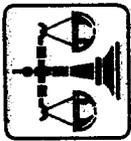
EMR/pas

Encl.

cc: Morris P. Fair, Esq.

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2015 JUL -7 PM 3:13  
COURT OF APPEALS OF GEORGIA

1161



E. MICHAEL RUBERTI, ESQ., LLC  
POST OFFICE BOX 20649  
SAINT SIMONS ISLAND, GEORGIA 31522  
912-634-2130



SUNTRUST  
64-10-610 ACH RT 061000104

7/5/2015

PAY TO THE  
ORDER OF

U.S. Court of Appeals

\$ \*\*300.00

DOLLARS

\*\*\*\*\*  
Three Hundred and 00/100\*\*\*\*\*

U.S. Court of Appeals

AUTHORIZED SIGNATURE

MEMO

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E. MICHAEL RUBERTI, ESQ., LLC

U.S. Court of Appeals

Dean Application

7/5/2015

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300.00

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**E. MICHAEL RUBERTI, ESQ., LLC**  
**Attorney At Law**

**E. MICHAEL RUBERTI**  
(Admitted in New York and Georgia)  
emr@rubertilaw.com

July 6, 2015

**Via USPS Overnight Mail**

Clerk  
Court of Appeals of Georgia  
47 Trinity Avenue S.W.  
Suite 501  
Atlanta, GA 30334

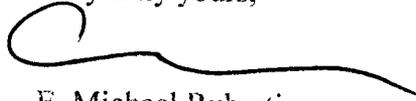
**Re: Attorney Admission Application**

Dear Clerk of the Court of Appeals:

Attached is my Admission Application, duly signed by two members of the bar of the Court of Appeals of Georgia, together with the accompanying fee of \$30.00.

My office is located on St. Simons Island, Georgia. I will be in Atlanta on July 21, 2015. I respectfully request to be sworn in to the Georgia Court of Appeals on July 21, 2015.

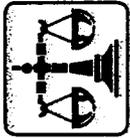
Very truly yours,



E. Michael Ruberti

EMR/pas

RECEIVED IN OFFICE  
2015 JUL -7 PM 3:13  
CLERK/COURT ADMINISTRATOR  
COURT OF APPEALS OF GA



**E. MICHAEL RUBERTI, ESQ., LLC**  
 POST OFFICE BOX 20649  
 SAINT SIMONS ISLAND, GEORGIA 31522  
 912-634-2130



ACH RT 061000104  
 64-10-610

1163

7/6/2015

PAY TO THE ORDER OF **U.S. Court of Appeals**

\$ **\*\*30.00**

DOLLARS

Thirty and 00/100 \*\*\*\*\*

**U.S. Court of Appeals**

*[Handwritten Signature]*  
 AUTHORIZED SIGNATURE

MEMO

Security features. Details on back

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E. MICHAEL RUBERTI, ESQ., LLC

1163

U.S. Court of Appeals

7/6/2015

admission

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Operating

30.00

Court of Appeals of Georgia

ADMISSION APPLICATION

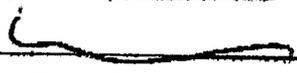
Bar Number: 618343

Date Admitted to State Bar: June 6, 2003

To the Honorable Court of Appeals of Georgia:

The petitioner, having been regularly admitted and licensed to practice law in the superior courts of this State, and being a member in good standing of the State Bar of Georgia, respectfully applies for admission to the bar of this Court.

Last Name: Ruberti First Name: E. Middle Name: Michael

Signature: 

Firm or Agency: E. Michael Ruberti, Esq., LLC

Mailing Address (Business address preferred):  
P.O. Box 20649  
St. Simons Island, Georgia 31522

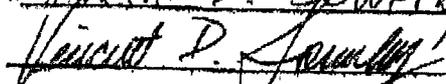
Telephone Number (912) 634-2130

E-mail Address emr@rubertilaw.com

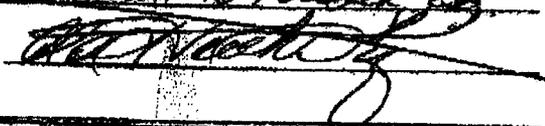
Sponsor Certification

We hereby certify that we are members of the bar of the Court of Appeals of Georgia, that we know the above applicant personally and that her/his private and professional character is good.

Bar Number: 668750 Printed Name: Vincent D. Swerby

Signature: 

Bar Number: 717559 Printed Name: Alan David Tucker Esq.

Signature: 

FOR CLERK'S OFFICE USE ONLY

Date of Admission: \_\_\_\_\_

Admission by: Clerk \_\_\_\_\_ Judge \_\_\_\_\_ Other \_\_\_\_\_

COURT OF APPEALS  
STATE OF GEORGIA

FRANK MUSAH DEAN, JR. )  
)  
Appellant, )  
v. )  
)  
ZENOBIA WATERS VALENTINE, )  
)  
Appellee. )  
\_\_\_\_\_ )

Civil Action File No. 13-A-49521

RECEIVED IN OFFICE  
2015 JUL 7 PM 3:13  
CLERK OF APPEALS  
COURT OF APPEALS OF GEORGIA

**APPLICATION FOR INTERLOCUTORY APPELLATE REVIEW**

Frank Musah Dean, Jr., applicant, applies to this Court as follows:

(1) To issue an order granting the applicant an interlocutory appeal from the Order of the State Court of DeKalb County denying plaintiff's motion for summary judgment, Honorable Janis C. Gordon, presiding, in the case styled *Frank Musah Dean, Jr. v. Zenobia Waters Valentine*, Civil Action File No. 13-A-49521, this Order having held:

The Court concludes that issues of material fact remain, so Dean is not entitled to summary judgment. The Note refers to a loan, but the Agreement refers to a loan or investment. Thus the parties' intent is not clear.

(2) Applicant shows that jurisdiction is properly in this Court pursuant to O.C.G.A. § 5-6-34(b) because the trial court has issued a certificate of immediate