

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

March 19, 2015

To: Abigail R. Safford, Esq., Hoke Smith Tarpley, Post Office Box 2068, CSS, Dublin, Georgia 31040

Case Number: \_\_\_\_\_ Lower Court: \_\_\_\_\_ County Superior Court \_\_\_\_\_

Court of Appeals Case Number and Style: A15A1156. Tarpley v. The State

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.
- 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: \_\_\_\_\_
- Electronic filing is mandatory in this Court. The following Rule 46 became effective January 1, 2015.

### XXII. ELECTRONIC FILING OF DOCUMENTS

#### Rule 46. Electronic Filing of Documents.

Counsel is required to use the Court's electronic filing system and to follow the policies and procedures governing electronic filing as set forth in the Court's electronic filing instructions. The Clerk of Court may grant a request for exemption from mandatory electronic filing for good cause shown. An adverse decision by the Clerk of Court may be appealed by motion to the Court via a paper filing.

Rule passed October 21, 2014 - effective January 1, 2015



**IN THE GEORGIA COURT OF APPEALS**

**STATE OF GEORGIA**

|                            |          |                          |
|----------------------------|----------|--------------------------|
| <b>HOKE SMITH TARPLEY,</b> | <b>§</b> | <b>CASE NO. A15A1156</b> |
| <b>APPELLANT,</b>          | <b>§</b> |                          |
| <b>VS.</b>                 | <b>§</b> |                          |
| <b>STATE OF GEORGIA,</b>   | <b>§</b> |                          |
| <b>APPELLEE.</b>           | <b>§</b> |                          |

**BRIEF OF APPELLANT**

ABIGAIL R. SAFFORD  
 ATTORNEY FOR HOKE SMITH TARPLEY, APPELLANT  
 P.O. BOX 2068, CSS  
 DUBLIN, GEORGIA 31040  
 (478) 272-7210  
 GA. STATE BAR NO. 154706

RECEIVED IN OFFICE  
 2015 MAR 16 PM 4:11  
 COURT CLERK  
 GEORGIA COURT OF APPEALS

ADDRESS OF APPELLANT:  
 HOKE SMITH TARPLEY  
 DODGE STATE PRISON  
 2971 OLD BETHEL CHURCH ROAD  
 CHESTER, GEORGIA 31012



**DUBLIN CIRCUIT PUBLIC DEFENDER'S OFFICE**  
**CLAY TAPLEY, CIRCUIT PUBLIC DEFENDER**

*Abigail R. Safford, Chief Assistant Public Defender*

Natalie K. Glaser, Assistant Public Defender  
Colby M. Crabb, Assistant Public Defender  
W. Rocky Adams, Juvenile Public Defender  
Dawn Bracewell, Paralegal  
Carolyn Pope, Paralegal  
Carson Knight, Investigator  
Dru Watson, Investigator  
Sheryl Stanley, Administrative Assistant

Mailing Address:  
P.O. Box 2068  
Dublin, Georgia 31040  
(478) 272-7210  
(478) 272-3378

March 12, 2015

Clerk, Court of Appeals of Georgia  
47 Trinity Avenue, Suite 501  
Atlanta, Georgia 30334

RE: Hoke Smith Tarpley vs. State of Georgia

Dear Sir/Madam:

Enclosed herewith you will find the original and three copies of the Brief of Appellant in reference to the above mentioned individual. Please send me a file stamped copy in the self-addressed stamped envelope.

Thank you for your assistance in this matter. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

  
Abigail R. Safford  
Chief Assistant Public Defender  
Dublin Judicial Circuit

ARS/db

RECEIVED IN OFFICE  
2015 MAR 16 PM 4:11  
CLAY TAPLEY  
COURT OF APPEALS OF GA