

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

May 29, 2015

To: Mr. Steven J. Seibert, GDC132507, Al Burrus Correctional and Training Center, Post Office Box 5849, Forsyth, Georgia 31029

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 current 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: _____
- ☐ **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.

5-21-15

DEAR HONORABLE CLERK OF THE
COURT OF APPEALS OF GA.

I Am the Appellant in case NO# A15A0821
Robert Anthony Smith v. The State of GA.

I AM CONCERN ABOUT the following.

1. HAS the Appellee file his brief? If so, on
what date?

Appellee has yet to serve Appellant with a
Copy of brief

2. Is There Any way possible that you could
Forward me A Copy of the denial of motion
WHICH Appellant is now Appealing?

3. The date Appellee filed And Answer.

I Appreciate Any help you can provide in this
Situation

RECEIVED IN OFFICE

2015 MAY 28 PM 4:00

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Respectfully Submitted
Robert A. Smith
400D15 E-C.

Mr. Stephen E. Castle, Clerk
Court of Appeals of Georgia
47 Trinity Avenue, S.W., Suite 501
Atlanta, Georgia [30334]

May 21, 2015

RE: Appeal of Final Order, Gwinnett County Case No. 99-B-03499-1
STATE V. SEIBERT

Dear Clerk:

On April 22, 2015, I gave The Gwinnett County Court Clerk NOTICE OF APPEAL of a final ORDER in the above referenced Case, STATE V. SEIBERT, Indictment NO. 99-B-03499-1.

The Trial Court has not yet returned my copy of the NOTICE Stamped with the filed date nor have they answered my inquiry as to where the copy (stamped) is or if it has in fact been filed.

Have you received NOTICE of the Appeal from the Trial Court and has the Appeal been docketed?

Please inform me as to whether you have been given NOTICE and if the Trial Court has forwarded the Case file.

Thank you for your consideration in this gravely serious matter.

Sincerely,

Steven J. Seibert,
Mr. Steven J. Seibert,
Appellant
c/o STEVEN SEIBERT

TEMP GDC 132507 BCTC

P.O. Box 5849

Forsyth, Georgia

[31029]