

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

November 20, 2015

To: Mr. Lorenzo Shelton, GDC422969, Phillips State Prison, 2989 West Rock Quarry Road, Buford, Georgia 30519

Docket Number: Style: Lorenzo Shelton v. William Terry, Warden

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:**

For Additional information, please go to the Court's website at: www.gaappeals.us

COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR APPLICATIONS

11/20/15

CA
PT

To: *Lorenzo Shelton*

Docket Number: Style: *Lorenzo Shelton v. William Terry*

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15. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rules 1(c), 30 (e) and 31 (c)
16. 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).

For Additional information, please go to the Court's website at: www.gaappeals.us

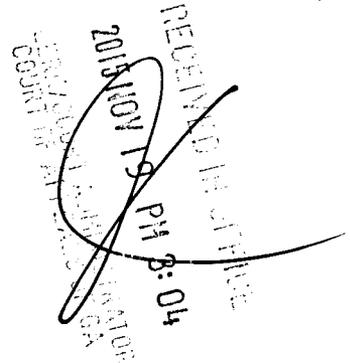
IN THE COURT OF APPEALS OF GEORGIA
STATE OF GEORGIA

LORENZO SHELTON
422969 APPELLANT

V S

CASE NO
08-CU-29

WILLIAM TERRY
WARDEN APPELLEE



APPLICATION FOR APPELLATE REVIEW

LORENZO SHELTON APPLICANT APPLIES TO
THIS COURT AS FOLLOWS:

(1) TO ISSUE AN ORDER GRANTING THE
APPLICANT AN APPEAL FROM THE
JUDGEMENT OF THE SUPERIOR COURT OF
MACON COUNTY HONORABLE JUDGE
W. JAMES SIZEMORE PRESIDING IN CASE
STYLED 08-CU-29 SEVERAL MOTIONS A
MOTION TO RECONSIDER WITH EXHIBITS
A MOTION TO AMEND, A MOTION TO AMEND NEWLY
DISCOVERED EVIDENCE, A MOTION FOR NEWLY
DISCOVERED EVIDENCE AND A NOTICE FOR RULING.

(2) APPLICANT SHOWS THAT JURISDICTION TO HIS BELIEF IS PROPERLY HELD IN THIS COURT BECAUSE HE FEELS THAT THE RECORD WILL SHOW:

(3) APPLICANT ONLY HAD 20 DAYS TO APPEAL DUE TO EITHER THE MAIL ROOM STAFF AT MACON STATE PRISON OR THE CLERK OF MACON COUNTY SUPERIOR COURT WITH HOLDING HIS LEGAL MAIL

(4) ACCORDING TO SUB STANTIVE LAW FRONT TO BACK OF LAUNDRY MAT IS NOT AN ELEMENT OF KIDNAPPING THE FACTORS USED IN GARZA V STATE WERE NOT PROPERLY APPLIED TO THIS HABEAS CORPUS

(5) HITTING SAID VICTIM ABOUT THE FACE AND BODY IS NOT AN INTENT TO RAPE AS USED IN JOHNSON V STATE 298 GA APP 642 (2009) WHICH WAS NOT FACTORED INTO APPLICANTS 08-CU-29 HABEAS CORPUS

(6) APPLICANTS SPECIAL PRESENTMENT WAS NEVER HELD IN OPEN COURT THERE ARE NO MINUTES TO SHOW THAT A GRAND JURY WAS SWORN AS REQUIRED BY LAW
O.C.G.A 9-12-16 WEATHERBED V STATE GA
736, 524 SE2D 452 (1999) ZUGAR V STATE 194 GA
285 21 SE2D 647 (1942).

CERTIFICATE OF SERVICE

I CERTIFY THAT I HAVE THIS DAY SERVED
THE APPELLEE'S COUNSEL WITH A COPY OF
THE WITHIN AND FOREGOING DOCUMENT BY
DEPOSITING THE SAME INTO THE US
POSTAL MAIL BOX POSTAGE PRE PAID
AND ADDRESSED AS FOLLOWS:

MR WILLIAM L MARTAIN III
CLERK

COURT OF APPEALS OF GEORGIA
SUITE 501
47 TRINITY AVENUE
ATLANTA GEORGIA 30334

MRS. JUANITA M. LAJOLER CLERK
MALON COUNTY SUPERIOR COURT
PO BOX 337
DOLLETHORPE GA 31068

MS. PAULA K SMITH
SENIOR ASSISTANT ATTORNEY GENERAL
DEPARTMENT OF LAW
40 CAPITOL SQUARE SW
ATLANTA GEORGIA
30334 - 1300

THIS THE 2 DAY OF NOVEMBER 2015

IN THE - COURT OF APPEALS OF GEORGIA
STATE OF GEORGIA

LORENZO SHELTON,
Plaintiff
422969
Inmate Number

Civil Action No. 08-CV-29

WILLIAM TERRY vs.
WARDEN
Defendant(s)

Nature of Action:
HABEAS CORPUS

RECEIVED IN OFFICE
2015 NOV 19 PM 3:04
CLERK OF SUPERIOR COURT

REQUEST TO PROCEED IN FORMA PAUPERIS

I, LORENZO SHELTON, depose and say that I am the plaintiff in the above entitled case; that in support of my request to proceed without being required to prepay fees, costs, or give security therefor, I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor; that I believe I am entitled to redress.

I further swear that the responses which I have made to questions and instructions below are true.

1. List any and all aliases by which you are known: _____

2. Are you presently employed? Yes No
If the answer is "Yes," state the amount of your salary or wages per month, and give the name and address of your employer: _____

If the answer is "No," state the date of last employment and the amount of the salary and wages per month which you received: SEPTEMBER 26 2006
1400.00

3. Have you received within the past twelve months any money from any of the following sources?
Business, profession, or form of self-employment? Yes No
Pensions, annuities, or life insurance payments? Yes No
Rent payments, interest or dividends? Yes No

Gifts or inheritances?

Yes

No

Any other sources?

Yes

No

If the answer to any of the above is "Yes," describe each source of money and state the amount received from each source during the past twelve months: _____

4. Do you own any cash, or do you have money in a checking or savings account? (Include any funds in prison accounts): Yes No

If the answer is "Yes," state the total value of the items owned: _____

5. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? Yes No

If the answer is "Yes," describe the property and state its approximate value: _____

6. List the persons who are dependant upon you for financial support, state your relationship to those persons, and indicate how you contribute toward their support: _____

ZONORA AND TRENTON SHELTON MY KIDS
ALL MY 401 K WENT TO THEM

I understand that a false statement or answer to any question in this affidavit will subject me to penalties for perjury and that state law provides as follows:

- a. A person to whom a lawful oath or affirmation has been administered commits the offense of perjury when, in a judicial proceeding, he knowingly and willfully makes a false statement material to the issue on point in question
- b. A person convicted of the offense of perjury shall be punished by a fine of not more than \$1,000 or by imprisonment for not less than one nor more than ten years, or both. O.G.C.A. § 16-10-70.

Locoy Shelton
Signature of Plaintiff

10-29-15
Date

VERIFICATION

I, LORCINO SHERTON, do swear and affirm under penalty of law that the statements contained in this affidavit are true. I further attest that this application for in forma pauperis status is not presented to harass or to cause unnecessary delay or needless increase in the costs of litigation.

I am the plaintiff in this action and know the content of the above Request to Proceed in Forma Pauperis. I verify that the answers I have given are true of my own knowledge, except as to those matters that are stated in it on my information and belief, and as to those matters I believe them to be true. I have read the perjury statute set out above and am aware of the penalties for giving any false information on this form.

[Signature]

Signature of Affiant Plaintiff

11-2-15

Date

Sworn to and subscribed before me this 2 day of November, 2015.

[Signature]
Notary Public or Other Person Authorized to Administer Oaths

my commission expires March 23, 2018

**Jennifer J Campbell
Notary Public
Gwinnett County, Georgia**

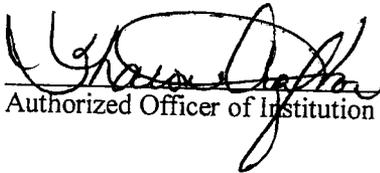
Please note that under O.G.C.A. § 42-12-5 service of an affidavit in forma pauperis, including all attachments, shall be made upon the court and all named defendants. Failure by the prisoner to comply with this code section shall result in dismissal without prejudice of the prisoner's action.

THIS FORM IS TO BE COMPLETED ONLY BY AN AUTHORIZED INDIVIDUAL AT THE INSTITUTION WHERE THE INMATE PLAINTIFF IS PRESENTLY INCARCERATED, OR HIS/HER DESIGNEE.

CERTIFICATION

I hereby certify that the Plaintiff herein, LORENZO SHELTON,
has an average monthly balance for the last twelve (12) months of \$ 10 on account at
the PHILLIPS STATE PRISON
_____ institution where confined. (If not confined for a full
twelve (12) months, specify the number of months confined. Then compute the average monthly balance
on that number of months.)

I further certify that Plaintiff likewise has the following securities according to the records of said
institution: N/A



Authorized Officer of Institution

10-29-15

Date

NOTE: Please attach a copy of the prisoner's inmate account of the last 12 months, or the period of incarceration (whichever is less).

Spendable Amount	Reserved Amount	Receipts On Hold	Funds Balance	Obligations/Court Charges
\$0.00	\$10.00	\$0.00	\$10.00	\$758.47

RECEIPTS

Receipt Date	Transaction ID	Receipt Type	Receipt Details	Receipt Amount
01/24/2009	5830810	MAIL ROOM RECEIPT	BOA RECEIPT - 16252309451	\$9.25
01/23/2009	5829253	MAIL ROOM RECEIPT	SANDRA SHELTON - 6252309451	\$9.25
01/08/2009	5745115	CONSOLIDATE BANKING CONVERSION	MACON STATE PRISON - 20291	\$10.00

WITHDRAWALS

Date	Request Date	Location Paid	Withdrawal Type	Payable To	Detail	Amount	Check No
03/09/2009		CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee 02/2009	\$0.23	10204
01/30/2009		CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	MACON STATE PRISON	STORE PURCHASE	\$9.25	2640
01/24/2009		CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	MACON STATE PRISON	STORE PURCHASE	\$1.82	1782
01/23/2009		CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	RECORD ID = 5849759. ILS 04/18/2008	\$0.95	2664
01/23/2009		CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	RECORD ID = 5736027. MEDICAL 3/26/08	\$4.70	2582
01/23/2009		CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	MONTHLY PROCESSING FEE FOR 01/2009	\$1.00	2665
01/23/2009		CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	RECORD ID = 6672046. ILS	\$0.55	2664

OBLIGATIONS

Paid Status: P = Partially paid; Y = Paid in full; R = Reversed; W = Written off

Date	Location Incurred	Obligation Type	Payable To	Obligation Detail	Amount	Paid
10/28/2015	CENTRAL ACCT-OFFENDER TRUST	INDIGENT LOAN	PHILLIPS STATE PRISON	RECORD ID = 20073882. 2 NON-LEGAL ON 10/28/2015	\$0.98	
10/27/2015	CENTRAL ACCT-OFFENDER TRUST	INDIGENT LOAN	PHILLIPS STATE PRISON	RECORD ID = 20071908. 4 LEGAL ON 10/27/15	\$1.96	
10/14/2015	CENTRAL ACCT-OFFENDER TRUST	INDIGENT LOAN	PHILLIPS STATE PRISON	RECORD ID = 20045260. 1 NON-LEGAL USED ON 10/14/2015	\$0.49	
10/08/2015	CENTRAL ACCT-OFFENDER TRUST	INDIGENT LOAN	PHILLIPS STATE PRISON	RECORD ID = 20036563. NON-LEGAL MAIL 2 MAILING	\$0.98	
10/01/2015	CENTRAL ACCT-OFFENDER TRUST	MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 10/2015	\$1.00	