

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

April 14, 2015

To: Ms. Tia Simon, Paralegal, Shana M. Rooks & Associates, LLC, Post Office Box 1015,
Jonesboro, Georgia 30237

Case Number: _____ Lower Court: _____ County Superior Court

Court of Appeals Case Number and Style: A15A1201. Venyke Medley v. Justan Mosely

Your Motion for Reconsideration is 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



SHANA M. ROOKS

& ASSOCIATES, LLC

Attorney and Counselor At Law

Specializing in Family Law and Personal Injury

April 9, 2015

VIA FIRSTCLASS MAIL

Court of Appeals of Georgia

47 Trinity Avenue S.W.

Suite 501

Atlanta, GA 30334

RE: VENYKE MEDLEY V. JUSTAN MOSELY

GEORGIA COURT OF APPEALS

CASE No: A15A1201

Dear Clerk:

Enclosed please find *Motion for Reconsideration*. Please file the original and return the file stamped copy in the self-addressed envelope provided. If you have any questions or concerns please contact our office.

With best professional regards, I am

Very truly yours,

Shana M. Rooks & Associates, LLC

Tia Simon

Paralegal to Shana M. Rooks

SMR/ts

Enclosures

cc: Venyke Medley

Mailing address: POST OFFICE BOX 1015 • JONESBORO, GEORGIA 30237

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2015 APR 13 PM 3:51
CLERK OF SUPERIOR COURT
COURT OF APPEALS OF GEORGIA

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RECEIVED IN OFFICE
15 APR 13 PM 3:51
COURT OF APPEALS OF GEORGIA

IN THE COURT OF APPEALS OF GEORGIA

VENYKE MEDLEY,)
) APPELLANT,)
))
VS.)
))
JUSTAN MOSLEY,)
) APPELLEE.)
))

CASE NUMBER
A15A1201

MOTION FOR RECONSIDERATION

COMES NOW *Venyke Medley*, Appellant by and through undersigned counsel and files her Motion for Reconsideration of Dismissal and shows the following:

1.

Appellant filed a timely Notice of Appeal of the Fulton County Superior Court Civil Action File Number 2013-CV-233539.

2.

Appellant paid all cost to transcribe the proceedings of the hearing for which she sought to appeal and paid all cost to have the Fulton County Superior Court remit the entire file to the Court of Appeals.

3.

Appellant waited to receive notification that the case was docketed and notification to file her enumeration of error and brief supporting her appeal.

4.

On or about March 27, 2015, appellant's counsel received an email of a Dismissal for failure to submit the required enumeration of errors and brief.

5.

On Tuesday, March 31, 2015, counsel for Appellant contacted the Clerk of Court for the Georgia Court of Appeals to inquire how the notice of docketing was submitted to counsel advising of the deadline in which to file.

6.

Counsel for appellant was advised that the docketing notification was emailed to the very email that she had received the Dismissal notification.

7.

Counsel was further advised that her emails should be combed to locate the notice sent on March 2, 2015.

8.

Counsel for appellant shows that after combing her emails, spam, junk, trash and otherwise she did not find a notification from the court on March 2, 2015.

9.

Furthermore, counsel shows that she has filed appeals with the Court of Appeals on a few occasions and is well aware of the process and would have only missed a filing deadline because she was unaware one existed.

10.

Counsel further shows that given the nature of the custody matter and the facts surrounding the proceedings on the trial level, Appellant would be unjustly harmed if an extension to file her brief is not granted.

11.

Counsel for appellant further shows that if granted an extension in which to file, the court may shorten the time by which the brief would need to be filed.

WHEREFORE, Appellant prays her Motion for Reconsideration is granted.

This 9th day of April 2015.

Shana M. Rooks /s/
Shana M. Rooks
Georgia Bar No. 614121
Attorney for *Venyke Medley*

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Telephone: 770.473.1989
Facsimile: 770.473.9149

IN THE COURT OF APPEALS OF GEORGIA

VENYKE MEDLEY,)	
APPELLANT,)	CASE NUMBER
)	
VS.)	A15A1201
)	
JUSTAN MOSLEY,)	
APPELLEE.)	
)	

CERTIFICATE OF SERVICE

I certify that today I have served trial counsel for Appellee with this Motion for Reconsideration through Certified Mail Article Number 7012 2920 0000 9556 7023.

Kevin Hicks
501 College Street
Suite 201
Macon, GA 31201

This 9th day of April, 2015.

Shana M. Rooks /s/
Shana M. Rooks, Esq.
Attorney for Appellant
GA Bar #: 614121

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