

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

January 21, 2015

To: Mr. Ralph Smiley, GDC1117795, Augusta State Medical Prison, 3001 Gordon Highway,
Grovetown, Georgia 30813

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 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 _____
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.

Ralph Smiley
GDC-#1117795
Augusta State Medical Prison
3001 Gordon Highway
Grovetown, Georgia 30813

JANUARY 12, 2015

To: Clerk of Court
Court of Appeals of Georgia
47 Trinity Ave
Atlanta, Georgia 30334

RECEIVED IN OFFICE
JAN 16 PM 3:44
CLERK/COURT ADMINISTRATION
COURT OF APPEALS OF GA

RE: State vs. Ralph Smiley
Appeal No: NA
CRIMINAL ACTION No: 789514

Dear Clerk:

Please find my enclosed written inquiry about any status of pending appeal under the above style name / criminal action number. Further, the attorney named on the record appeal would be (KEITH GALLIGAN).

The conviction by jury trial findings of guilty was dated March 24, 2014, in the FANNIN COUNTY SUPERIOR COURT.

Therefore, if your computer data would exhibit any status of the above caption style direct appeal. Please forward to me a copy of your search fact-finding onto the above mailing add-
(over)

ress Please.

And if You Shall Need any other information. Please do not hesitate to Notify Me at the above stated and listed address.

RECEIVED IN OFFICE
MAY 18 1964
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MAY 18 1964

Sincerely,

Ralph Smiley

GDC 1117795