

COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR BRIEFS OR MOTIONS

May 8, 2015

To: Mr. Lee O. Smith, 1021 Ashley Station Boulevard, Apartment 204, Columbus, Georgia 31904

Docket Number: A15A1619 **Style:** Lee Smith v. Justin Brown, et al.

Your document(s) is (are) being returned for the following reason(s).

1. **Your Appellant's Brief, was not accompanied by the statutory filing fee (\$300.00 civil; \$80.00 criminal *Effective July 1, 2009) 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. A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
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4. No Certificate of Service or an improper Certificate of Service accompanied your document(s). Rule 6
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13. The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14. Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15. Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17. The Motion to Supplement has not been granted.
18. Other: _____

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COURT OF APPEALS OF GEORGIA

47 Trinity Avenue, S.W., Suite 501

Atlanta, Georgia 30334

(404)656-3450

APPEAL CASE NUMBER: A15A1619

STYLE: LEE SMITH V. JUSTIN BROWN

DATE OF DOCKETING: April 15, 2015

FILED IN OFFICE
MAY 04 2015
COURT CLERK
CLERK COURT OF APPEALS OF GA

COURT OF APPEALS OF GEORGIA
MAY 11 11 2:45 AM

BRIEF IN SUPPORT OF PLAINTIFF'S APPEAL

NOW COMES PLAINTIFF Lee smith, Deposes and says that, on may 30, 2014 she did not file an instant complaint on allegations arising out of an outomobile accident occurring on June 1, 2012, between a vehicle driven by the plaintiff, Lee Smith and a vehicle driven by the Defendant, Justin Brown, nor did she bring on a lawsuit on Novenber 26, 2013, but that the attorney's MIKE SLOCOMB who was handling her case up to a point, filed the complaint, not letting her know that she was supposed to be present at the Circuit Court in RUSSELL COUNTY, ALABAMA at any given time.

Furthermore, the Attorney's themselves nor their representative, showed up in court, plaintiff later found out. By the time that plaintiff found out about everything that had transpired, it was too late. The plaintiff is not an attorney, and is a lay person of the Laws and rules of the court system, she is doing the best that she can up to now

with this case, moreover the plaintiff did not have any jurisdiction over any of the proceedings that were handled by THE MIKE SLOCOMB LAW FIRM.

The plaintiff did not appeal or file a reconsideration in this matter because it was not in the hands of the plaintiff henceforth not having knowledge of any recourse against her, she should not be held accountable, and that res judicata should not be applied in this case, and that by throwing herself upon the mercy of the courts, that she be granted mercy from the courts under the circumstances.

Plaintiff never fully understood why the lawsuit was filed in Alabama in the first place when the accident happened in Georgia, The attorney's of THE MIKE SLOCOMB LAW FIRM, never conferred with the plaintiff about the law suit, there was never any conversation(s) between the plaintiff and her council at all, neither before, doing or after the proceedings, and that they only should be held accountable, being that they are professionals and do know the laws and the rules of the court's systems.

STATEMENT OF FACTS

The matter of the facts are as follows: (1) That the Defendant, Justin Brown, did hit the rear of the Plaintiff's vehicle. (2) That the defendant did cause the plaintiff damages. (3) That there were excessive damages inflicted upon the plaintiff. (4) That the plaintiff should be compensated for her damages in leu of her sufferings. (5) That the plaintiff did seek and receive medical treatment and still is and has to eventually have back surgery according to the specialist. (6) That the plaintiff is very

causing her damages and he should be held accountable, and although he didn't mean to do it, everything has its own set of consequences. This case is not without merit, and res judicata should not be applied to this case, not relating totally to the case in Tennessee that was filed in a foreign court and was dismissed with prejudice and was forever barred by res judicata. As far as the plaintiff knows, her case was dismissed without prejudice meaning that she can bring it back to be tried. This case should go on to be heard in the COURT OF APPEALS OF GEORGIA, 47 Trinity Avenue, s.w., suit 501, Atlanta, Georgia 30334.

CONCLUSION

With due respect to all of the undue stress that this situation and mediating circumstances that has arrived to this point, it is unfortunate that the accident involving the Plaintiff, Lee Smith, and the Defendant, Justin Brown has come to many injuries to the plaintiff, although all is not lost, the plaintiff is still alive and can recover in part from the damages that she has sustained, the recovering process has been long so far, and the plaintiff at this point doesn't know how much longer it will take to fully recover if a full recovery is to come, she can only hope and pray that there will be a full recovery, if not it is the will of GOD, but the plaintiff will be forever grateful that things are not worse than what they are, and that the plaintiff harbor no ill feelings against the defendant, but the plaintiff feels that she should be awarded compensatory damages for her injuries as the JUDGE or JUDGES may assess. THANK YOU for your time and consideration.

APPELLANT'S ENUMERATION OF ERRORS AS PART 2)

TO: THE COURT OF APPEALS OF GEORGIA

DATE OF DOCKETING: April 15, 2015

FROM: LEE SMITH

DATE: MAY 5, 2015

RE: APPELLANT'S ENUMERATION OF ERRORS AS PART 2)

This Appellant contends that there was insufficient evidence to support that the plaintiff, Lee Smith had any knowledge of the intent of the attorney's of THE MIKE SLOCOMB LAW FIRM, in which they never gave her adequate council and she contends the she did not have proper notice as to what her duties were in being present or not present in the law suite that was filed in the Circuit Court of Russell County Alabama in the case of Lee Smith v. Justin Brown or any other such law suite that was filed on the behalf of the plaintiff. This plaintiff has no idea or reason why this case was filed in Alabama instead of Georgia where the accident happened. This plaintiff is not an attorney, but a lay person of the law, and this should be taken in consideration.

LEE SMITH, plaintiff pro se

1021 Ashley Station Blvd. # 204

Columbus, Georgia

31904

(706-461-8635)

CERTIFICATE OF SERVICE

GEORGIA, MUSCOGEE COUNTY

This is to certify that i have this day served a copy of the foregoing, PLAINTIFFS BRIEF
IN SUPPORT OF THE appeal for the COURT OF APPEALS OF GEORGIA, 47 TRINITY AVENUE, S.W.
SUITE 501...

ATLANTA, GEORGIA 30334

And Appellant's Enumeration of Errors as part 2)

by serving a true copy of same in the UNITED STATES mail in an envelope properly
addressed, with proper postage to insure safe delivery upon:

WILLIAM LARSEN OF COUNCIL

Georgia Bar No. 438481

MARTIN SMOW, LLP

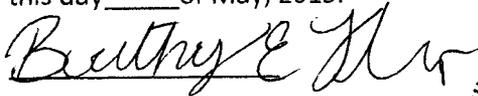
240 third street

p.o. bx 1606

Macon, Georgia 31202-1606

Attorney for Defendants

this day 4 of May, 2015.



LEE SMITH

1021 Ashley Station Blvd. # 204

Columbus, Georgia 31904

