



Court of Appeals of Georgia

September 19, 2015

TO: Mr. Steven Smith, GDC1299818, Dodge Sate Prison, Post Office Box 276, Chester, Georgia 31012

RE: **A15A2281. Steven Smith v. The State**

CHECK RETURN

- Your check number _____ in the amount of _____ written on the account of your firm for the filing fee in _____ is enclosed. Please be advised that this Court is returning your check since the filing fee was already paid by _____.

CASE STATUS - DISPOSED

- The referenced appeal was dismissed on September 11, 2015. I have enclosed a copy of the Court's order for your review. I am returning your documents to you.**

CASE STATUS - PENDING

- The above referenced appeal is pending in your name before this Court. The appeal was docketed in the _____ Term and a decision must be rendered by the Court by the end of the _____ Term which ends on _____.

APPLICATION FOR PERMISSION TO APPEAL A PROBATION REVOCATION

- To appeal a probation revocation, you will need to file a Discretionary Application with this Court. Rule 31 of the Rules of the Court of Appeals of Georgia describes a Discretionary Application and the items you would need to include with your application.

A Discretionary Application must be filed within 30 days of the stamped filed date on the order that you are appealing and the application must be accompanied by a proper Certificate of Service and a pauper's affidavit or the \$80.00 filing fee. You must also comply with all the other applicable rules of Court regarding filing with the Court of Appeals of Georgia.

Enclosed, please find a copy of the Rules of the Court of Appeals for your review.

Court of Appeals of the State of Georgia

ATLANTA, September 11, 2015

The Court of Appeals hereby passes the following order:

A15A2281. STEVEN SMITH v. THE STATE.

In 2009, Steven Smith pled guilty to voluntary manslaughter. In February 2015, Smith filed a pro se motion to vacate a void judgment, arguing that his arrest warrant was unlawful. The trial court denied the motion, and Smith filed this direct appeal. We lack jurisdiction.

A motion seeking to challenge an allegedly invalid or void judgment of conviction “is not one of the established procedures for challenging the validity of a judgment in a criminal case.” *Roberts v. State*, 286 Ga. 532 (690 SE2d 150) (2010). Because Smith is not authorized to collaterally attack his conviction in this manner, this appeal is subject to dismissal. See *id.*; see also *Harper v. State*, 286 Ga. 216, 218 (1) (686 SE2d 786) (2009) (overruling *Chester v. State*, 284 Ga. 162, 162-163 (2) (664 SE2d 220) (2008)); *Matherlee v. State*, 303 Ga. App. 765 (694 SE2d 665) (2010). Accordingly, Smith’s appeal is hereby DISMISSED.



Court of Appeals of the State of Georgia

Clerk’s Office, Atlanta, 09/11/2015

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Stephen E. Castles

_____, Clerk.

To: Court of Appeals of Georgia

Re: A15A02281. STEVEN SMITH V. THE STATE

RECEIVED IN OFFICE
2015 SEP 11 PM 3:32
CLERK OF SUPERIOR COURT OF APPEALS
COURT OF APPEALS
CORDEIRO

The cross-appellant has not motioned to the Georgia Court of appeals to withdraw anything. He has motioned that the relief he asks be granted of discharge, reversal of the unlawful conviction. There is something wrong. STEVEN SMITH has not initiated the Direct Appeal or has motioned a withdrawal, he seeks the clerk of the Court of appeals of Georgia to send him the docket history of the order initiating this direct appeal. Thanks for your cooperation in the matter.

Respectfully submitted

This 8 day of Sept. 2015



Steven Smith-Prose.

Certificate of Service

I hereby certify that I have this day served the opposing party(ies) with a true and correct copy of the within letter to the Appeals Court of Georgia with adequate postage affixed thereto to ensure delivery placed in the United States mail and addressed it to;

① Court of Appeals of Georgia
Suite 501
47 Trinity Avenue
Atlanta, Georgia 30334

Respectfully Submitted

This 8th day of Sept. 2015

Steve Smith

Steve Smith-prose

To: Clerk of Court

From: Steven Smith - pro se

Re: Final Disposition on any order recently decided.

RECEIVED IN OFFICE
2015 SEP -9 AM 11:22
CLERK OF COURT'S OFFICE

I need the final disposition on the order that has initiated the Direct Appeal case # A15A2281. Steven Smith has not filed for a direct appeal for any judgment. The State has appealed an order from Judge Howard Simms, or some other Judge, that was ordered in my favor to give cause to the direct appeal. Steven Smith needs the final disposition of any order that has been ^{granted} in his favor giving warrant to the Direct appeal, please send order of any judgments ^{granted} so that I may reply to the Direct appeal efficiently. Thank you for your cooperation.

Respectfully Submitted

This 2 day of Sept. 2015

Steven Smith
Steven Smith pro se

Certificate of Service

I hereby certify that I have this day served the opposing party(ies) with a true and correct copy of the within, letter to the Superior Court of Bibb County Clerk for final disposition giving warrant to the State's Direct Appeal, with adequate postage affixed thereto to ensure prompt delivery placed in the United States mail and addressed it to:

Clerk
Bibb County Superior Court
P.O. Box 1015
Macon, Ga. 31202

Court of Appeals of Georgia
Suite 501
47 Trinity Avenue
Atlanta, Ga. 30334

Respectfully Submitted

This 2 day of Sept. 2015

Steven Smith
Steven Smith Prose