



Court of Appeals of Georgia

September 3, 2015

TO: Mr. William B. Songer, III, GDC251428, Baldwin State Prison, Post Office Box 218,
Hardwick, Georgia 31034

RE: **A15A0906. William Berry Songer 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 affirmed on August 12, 2015. The remittitur issued on August 31, 2015, divesting this Court of any further jurisdiction of your case. The case is therefore, final. I am returning your Motion for Reconsideration 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.

SCANNED

9/2/15

FILED IN OFFICE

SEP 2 2015

COURT CLERK
CLERK COURT OF APPEALS OF GA

IN THE COURT OF APPEALS OF GEORGIA
STATE OF GEORGIA

William B. Songer III
GDC # 251428
Appellant

CASE #.
A15A0906

VS

State of Georgia
Appellee

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2015 SEP -2 PM 3:34
CLERK COURT OF APPEALS OF GA

Motion for Reconsideration

I, William B. Songer III ask the honorable
Court of Appeals of GA. to RECONSIDER
my case # A15A0906 ON THE
following grounds:

1. Attorney John Howe failed to investigate or present evidence about his client's mental incompetency.

O.C.G.A. 17-7-130(b)(1) Fleeing or Attempting to Elude

Martin v Barrett, 279 GA 593, 619 S.E. 2d 656 (2005)

Bouchillon v Collins, 707 F.2d 589, 597, (11)(b) (5th Cir. 1990)

2. Attorney John Howe failed to advise the court of appellant's daily use of psychotropic drugs.

Jackson v State 285 GA 840, 684 S.E. 2d 594 (2009)

3. Attorney John Howe failed to advise or enter a plea of not guilty by reason of insanity.

(Note!) The fact of the matter that appellant suffered from P.T.S.D. was entered

into the record. The Court of Appeals acknowledged that Appellant suffered from P.T.S.D. in its' decision to Appellant.

" Guzman v State 260 GA. 689
Perry v State 269 GA. App. 178, 603, S.E.2d 562 (2004)

4. Attorney John Howe failed to object or withdraw the plea after the agreement of a non-negotiated plea was broken by District Attorney Vincent Facete.

(please see transcript pg. 6 lines 10 thru 18.)

Santobello v N.Y., 404 U.S. 257, 30, 1 Ed 2d 427, 915 S.Ct. 495

PLEASE REVIEW Appellant's Conclusion Response in his Brief IN Support of Out of Time Appeal.

PLEASE REVIEW Appellant's relief petition in his Brief in Support of Out of Time Appeal.

Respectfully Submitted
William B. Brown

Certificate of Service

This is to certify that I have served
Party(ies) to this action with a true and correct
copy of the within and foregoing Motion For
Reconsideration by placing a copy of same in
the U.S. Mail with adequate postage thereon
to ensure prompt delivery, and addressing it to:

Clerk of Appeal Court
Court of Appeal of GA.
47 Trinity Avenue
S.W., Suite 501
Atlanta, GA, 30334

Peter J. Skandalakis
District Attorney
Troup County Court Clk.
1000 Ridley Ave.
3rd Floor
LaGrange, GA, 30204

This 23rd day of August, 2015

William B. Boyer
ProSe

CERTIFICATE OF SERVICE

This is to certify that I have served Party(ies) to this action with a true and correct copy of the within and foregoing Motion for Reconsideration by placing a copy of same in the U.S. Mail with adequate postage thereon to ensure prompt delivery and addressing it to:

Peter J. Skandalakis,
District Attorney
Troup County Gov't Ctr.
1000 Ridley Ave.
3RD FLOOR
Lagrange, GA 30204

Clerk of Appeal Court
Court of Appeals of Georgia
417 Trinity Avenue
S.W., Suite 501
Atlanta, GA. 30334

This 23rd day of August, 2015

William B. Gagn
PRO SE