

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

February 26, 2015

To: Mr. Lonnie Spargo, GDC1283381, Coffee Correctional Facility, Post Office Box 650  
Nicholls, Georgia 31554

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 \_\_\_\_\_  
\_\_\_\_\_ 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: \_\_\_\_\_
- 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.

Feb. 23, 2015

Clerk, CA Court of Appeals  
47 Trinity Ave, Suite 501  
Atlanta, GA 30334

RECEIVED IN OFFICE  
2015 FEB 26 10 3:10  
CLERK OF SUPERIOR COURT  
COURT OF APPEALS  
OF GA

Re: Docketing Notice - Baker County Case No. 2008 R-017

Dear Clerk,

I am writing you with utmost importance and concern. As of this date, I have not received a Docket Number for the above case number from Baker County. I received an index from the trial court clerk that stated the record was sent to the CA Court of Appeals on February 4, 2015.

I am well aware that Rule 13 of the COA states:

"Failure of counsel to receive the docketing notice shall not relieve counsel of the responsibility to file briefs timely. See Rule 23."

Being Pro-Se and an inmate, I am at the mercy of the prison mail to receive such notice. My Appeal Brief is complete and ready to be mailed as soon as I receive the Docket number. An extension of time will not be necessary in this case. I am advising you that I will be sending

the Appeal Brief to your office on March 2, 2015.

Should this create difficulties, please advise me ASAP so that I will know how to proceed.

Thank you for your time in this matter and in advance for your prompt response.

Sincerely,

Lonnie Spargo

Lonnie Spargo, Pro-Se

GDC 128 3381

Coffee Corrections

Po Box 650

Nicholls, GA 31554