

**COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR APPLICATIONS**

February 20, 2015

To: Mr. Charles E. Thompson, 1129 Sunnydale Drive, Macon, Georgia 31201
Docket Number: **Style:**

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

1. Your Application was not accompanied by the statutory filing fee, \$300.00 civil; \$80.00 criminal, 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. Portions of the record included were not tabbed and indexed. Rules 30 (e) and 31 (c).
3. A stamped "filed" copy of the trial court's order to be appealed was not attached to your Application. Rules 30 (b) and 31 (e)
4. A stamped "filed" copy of the Certificate of Immediate Review was not attached to your Interlocutory Application. Rule 30(b)
5. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
6. There were an insufficient number of copies of your document. Rule 6
7. No Certificate of Service accompanied your document(s). Rule 6 You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
8. Your Certificate of Service did not include the complete name and /or mailing address of each opposing counsel and pro se party. Rule 1(a) and 6
9. Your document exceeds page limits. Rules 24(f) , 30(e) and 31(c)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. No extension of time for filing an interlocutory application will be granted . Rule 30 (g) . No extension of time will be granted for filing a discretionary application unless the motion for extension is filed on or before the due date of the discretionary application.
12. The type font was smaller than 10 characters per inch; type was not double-spaced or/and type was on both sides of the paper. Rules 1(c), 24(b), 37(a) and 41(b).
13. Your motions were submitted in an improper form (joint, compound, or alternative motions in one document). Rule 41 (b)
14. Margins were too small or paper size was incorrect. Rules 1(c), 24(c), 30(e), 31(c) and 41(b).
15. Your document was submitted for filing more than 30 days after the date of the order granting, denying or dismissing the application or the order granting, denying or dismissing the Motion for Reconsideration. Rules 30(j) and 31(j).
16. **Other: Your documents are being returned to you. This Court does not have the power or authority to appoint counsel for you, please direct any requests for counsel to the trial court.**

For Additional information, please go to the Court's website at: www.gaappeals.us

IN THE COURT OF APPEALS OF GEORGIA
STATE OF GEORGIA

CHARLES E. THOMPSON, Plaintiff
Civil Action No. 12-CV-58359

v.
ROBERT ALEXANDER TOTAL,
Defendants.

cc Notice of new mailing address
Plaintiff's new mailing address is:
1129 Sunnyvale Dr., Macon, GA 31207.

signed: Charles E. Thompson

Date: 12/3/15

RECEIVED
2015 FEB 19 PM 2:40
COURT OF APPEALS

IN THE APPEALS COURT OF GEORGIA
STATE OF GEORGIA

CHARLES E. THOMPSON, Plaintiff,

Civil Action NO:
12-CV-58359

v.
Robert Reichert, et al,
Defendants.

Notice of Interlocutory Appeal

Plaintiff in the above state appeal to this court's 2-6-2015 order which denied the filing of Plaintiff's Brief. And if this litigation is in the wrong forum or a petition for certiorari to the state supreme court I ask this court to put this appeal in its right forum as a proper venue where I appeal this 2-6-15 order for interlocutory review and all the transcripts must be included on the record for appeals by transferring it along with the other records. Nothing in this record should be omitted on appeal.

sign: Charles E. Thompson

Date: 2-13-2015

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2015 FEB 19 PM 2:40
CLERK OF APPEALS
STATE OF GEORGIA

Court Copy

Appeals
IN THE ~~SUPERIOR~~ COURT OF ~~THE STATE OF~~ Georgia
STATE OF GEORGIA

Charles E. Thompson
Plaintiff

vs.

Robert F. Reubert
Defendant

Civil Action: DCV-56359

POVERTY AFFIDAVIT

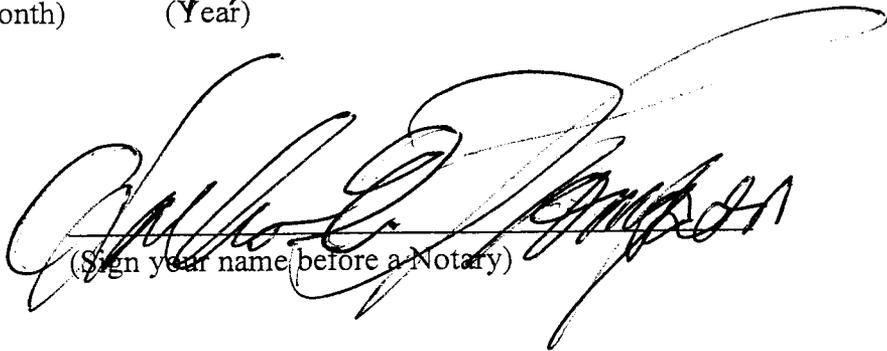
Comes now Charles E. Thompson, Plaintiff in the above styled ~~Affidavit~~ Affidavit (Enter name of the Petition), being first duly sworn, deposes and says:

1. That I, by reason of my poverty, am unable to pay the cost deposit required by O.C.G.A. § 5-6-77 to file a civil case in the courts of Bibb County.
2. That I am 69 years of age, and my monthly household income is \$ 400. A copy of my last two pay stubs/unemployment checks/other proof of income source is attached.
3. That I live at 129 Summit Ave, Marietta, GA 30067, and pay \$ 300 per month as rent.
4. My household consists of 1 number of people.
5. That I pay the following bills each month:

Name of Bill	Amount of Bill
<u>Landlord</u>	<u>\$ 300 per month</u>
<u>Gas Bill</u>	<u>\$ 25 per month</u>
<u>Water Bill</u>	<u>paid by landlord</u>

6. That I hereby request that I be able to proceed in this action without having to pay filing fees and associated costs.

Signed this 10 day of February, 2015
(Day) (Month) (Year)


(Sign your name before a Notary)

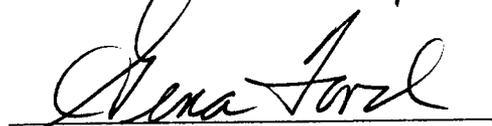
Petitioner's name (Print or type): Charles E. Thompson

Petitioner's Address 1129 Sunnyvale Dr
Mableton, GA

Petitioner's Telephone Number: (404) 537-9931

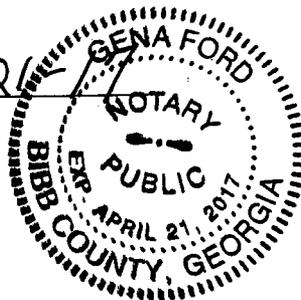
Sworn to and affirmed before me, this

10 day of February, 2015



Notary Public

My commission expires: 4-21-17
(Notary Seal)



copy BOTH 9/25. see other 9/28

Social Security Administration
Retirement, Survivors and Disability Insurance
Important Information

Southeastern Program Service Center
1200 Rev. Abraham Woods, Jr. Blvd.
Birmingham, AL 35285-0001
Date: November 15, 2013
Claim Number: 422-58-9649A



018768 1 AB 0.384 0058 LN T24P3 1108 02



CHARLES E THOMPSON
4006 HOUSTON AVENUE
MACON GA 31206-2561

As you requested, beginning November 2013, we will send any Social Security payments to your:

- financial institution, or
- new account at the same financial institution.

If you changed accounts, you should keep the old account open until we send a payment to the new account. It usually takes us 1 to 2 months to change where we send payments.

Please let us know right away if your address changes so we can send any future letters to your new address. Also, let us know if you change the bank account where we send your payments.

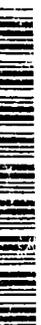
What We Will Pay And When

- You will receive \$396.00 for November 2013 around December 24, 2013.
- After that you will receive \$396.00 on or about the fourth Wednesday of each month.

If You Have Any Questions

We invite you to visit our website at www.socialsecurity.gov on the Internet to find general information about Social Security. If you have any specific questions, you may call us toll-free at 1-800-772-1213, or call your local Social Security office at 1-888-833-6155. We can answer most questions over the phone. If you are deaf or hard of hearing, you may call our TTY number, 1-800-325-0778. You can also write or visit any Social Security office. The office that serves your area is located at:

SOCIAL SECURITY
3530 RIVERSIDE DRIVE
MACON, GA 31210



**IN THE SUPERIOR COURT OF BIBB COUNTY
STATE OF GEORGIA**

Plaintiff

Civil Action No.: _____

v.

Defendant

ORDER ON AFFIDAVIT OF POVERTY

The Pro Se Plaintiff/Defendant having filed an Affidavit of Poverty with the Clerk of Court and the Court having reviewed the Affidavit and the other initial pleadings finds as follows:

Affidavit Approved- It appears to the Court that the Affiant is unable to pay the filing fees and associated costs of this action. Therefore, the Affiant's pleadings shall be filed, and the Affiant shall be relieved from paying the filing fee, sheriff's fee and other costs normally required.

Affidavit Not Approved- It appearing to the Court that the Affiant is able to pay the filing fee and associated costs of this action, or that filing should otherwise not be allowed under. Therefore the Affiant shall not be relieved from paying the filing fee, sheriff's service fee, or any other costs normally required.

This Order entered on _____, 20_____.

Judge
Bibb County Superior Court

IN THE APPEALS COURT OF GEORGIA
STATE OF GEORGIA

CHARLES E. THOMPSON, Plaintiff,

v.

ROBERT HEICHERT, et al,
Defendants,

Date: 2-13-15
Civil Action No.:

12-CV-58359

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COURT OF APPEALS OF GEORGIA

cc Application For Interlocutory Review

Plaintiff in the above style comes forward under O.C.G.A. 5-6-35(b) and (c) and show the following in support of his application for Interlocutory Review:

O.C.G.A. 5-6-35(b) holds: All appeals taken in cases specified in subsection (a) of this Code section shall be by application in the nature of a petition ~~petition~~ enumerating the errors to be urged on appeal and stating why the appellate court has jurisdiction. The application shall specify the order or judgment being appealed and, if the order or judgment is interlocutory, the application shall set forth, in addition to the enumeration of errors to be urged, the need for Interlocutory ~~Review~~ Appellate Review. id.

(2)

Plaintiff comes forward and interlocutorly appeal the clerk of court 2-6-2015 order, attached here to label as Exhibit A.

(C Enumeration of errors and the need for interlocutory appellate review)

(1) THE CLERK'S 2-6-15 order is extremely unconstitutional whereby such action amounts to a gross miscarriage of justice wherein such action is proven on the face of the records and as such the clerks have clearly denied Plaintiff's constitutional rights to due process of law just like the court below is doing which is a violation of my rights under the 1st amendment to the U.S. Const. whereby which gives Plaintiff the rights as a U.S. citizen to be able to petition the government for a redress of grievances.

Exhibit A, the unconstitutional order reads as such: your documents was submitted for filing more than 30 days after the date of the order granting, denying or dismissing the motion for reconsideration, id.

which acts by the clerk amounts to a miscarriage of justice because Plaintiff followed the instructions from the court in its 1-9-2015 order. Plaintiff have attached here to label as Exhibit B, is a copy of that

(3)
1-9-15 order which reads as follows: Case Status - Application granted. Discretionary Application, A15D016B, was granted by this court on December 15, 2014.

The notice of Appeal must be filed with the trial court and not with the Court of Appeals of Georgia, see O.C.G.A. 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 parties or directly to the parties if the parties represent themselves. You do not need to provide this court with a copy of the notice of appeal you file with the superior court. And as shown by this court order it is dated 1-9-2015, and Plaintiff submitted his brief to this court on 1-22-2015 ~~about~~ 13 days after the 1-9-15 order and this clerk mailed my brief back to Plaintiff as untimely which is clearly a gross miscarriage of justice and this proves beyond doubt that there is a great need for interlocutory review because Plaintiff's brief is so important that he cannot go forward with his case if he can't get his brief filed for review by this court which contains the merits of Plaintiff's case.

Plaintiff still have not received a briefing schedule as of now 2-10-2015. Plaintiff as a pro se litigant who is not skilled in law did follow the court's T-915 order but I did not wait for the briefing schedules, I submitted my brief prematurely prior to the court mailing me the briefing schedule as it promised in their 1-9-15 order now if my brief is ever unfiled it is this court's fault. Because as of now 2-10-15 I am still waiting on the briefing schedules to be mailed to me as the court promised in its T-915. Although the clerk mailed all parties copies of its 1-9-15 order promising that after the appeal was docketed a docketing notice with the briefing schedules mailed to plaintiff but the clerk did not comply nor abide by the court's rules prior to the clerk finding that Plaintiff's brief was unfiled because ~~it~~ Georgia Court of Appeals Rule 23 holds: (c) Appellant's brief, which shall contain as part 7 an enumeration of errors, shall be filed within 30 days after the appeal is docketed. If well it plaintiff had 30 days to file his brief after the appeal was docketed then his brief was premature because he mailed in his brief before the case was ever docketed which is obviously shown on the face of his record on T-915 that order shows his case was not docketed on T-915, under the heading and topic: case status - pending, it is not documented that the case was docketed in this section which notes the parties of the case and the date. The remainder section is left blank

(5)
on Exhibit B which is this court's 1-9-15 order wherein
this section it reads, The above referenced appeal is in
your name before this court. This appeal was docketed
in the _____ Term and a decision must be rendered
by the court by the end of the _____ term which
ends on _____. which is undisputable fact that
on 1-9-15 when this court issued that 1-9-15 order the
case had not been docketed at that time of the 1-9-15
order right? But yet when Plaintiff submitted his
BRIEF on 1-22-15 the clerk issued Exhibit A claiming
Plaintiff's BRIEF as untimely which amounts to a gross
miscarriage of justice because the case have not
been docketed as of yet NOR have the BRIEFING period
begun to run and in the BRIEFING schedule been iss-
ued and if this case have been docketed anyway this
court looks at any BRIEF is extremely timely under
all circumstances and if there is any BRIEF
untimely it is the court's fault by misleading me
with its 1-9-15 order which I was forced to fol-
low because I didn't have a copy of the court rules
on 1-9-15 because the court also held in its 1-9-15 or-
der under the heading Court Rules it hold: A copy
of the rules of the Court of Appeals of Georgia has been
enclosed for your review. And as the record shows I had
asked this court for a copy of its rules on more than one
occasion prior to them sending them to Plaintiff. There-
fore prior to that time I followed the court's orders

and that was all that I had to follow which I followed but
the court didn't follow its own rules and instructions
it wanted to plaintiff in its 1-9-15 order. Plaintiff as a pro
se litigant did follow the court's 1-9-15 order which
is all that could be expected of plaintiff as a pro se
litigant, because he did not have a copy of the court
rules prior to that time (see exhibit B). The clerk them
self did not follow the rules of this court, rule 13 holds:
Upon the docketing of every appeal and application
for appeal, the clerk shall mail notice of the docket-
ing date and schedule for briefing to all counsel.
And in this instant case the clerk of court never
did such a thing up to now 2-10-15 but yet she held that
my brief was untimely and she mailed it back to me which
is indeed a miscarriage of justice because on 1-9-15
we know for sure that the clerk had not mailed not-
ice of the docketing date and schedule for briefing to
all counsel at the time it wrote its 1-9-15 order because
the court held that it was to send plaintiff later on
notice of docketing date and schedule for briefing
see exhibit B and see for your self that at that time 1-9-15 the
case had not been docketed because if it had been
there would've been documented on the face of
exhibit B in the appropriate section which is especially
for the date and term of court the case was docketed
all those blanks are left blank on the face of exhibit B
where normally his would have been. This case had not

been docketed at that time nor had the clerk notified all parties of the briefing schedules because they was promised to be mailed in that 1-9-15 order exhibits.

Since these facts are undisputable Plaintiff's Brief was not untimely but premature and the clerk had inherent authority to hold plaintiff's Brief until she received the briefing schedule and then file it on the first day of the briefing schedule as this court's case law calls for her to have held plaintiff's Brief in abeyance until the briefing schedule was manifested or brought about. Rule 23 holds: Appellant's Brief which shall contain as part 2 an enumeration of errors shall be filed within 20 days after the appeal is docketed. 10. And as of now this case have not

been docketed and it is undisputable that it was not docketed on 1-9-15 when it mail plaintiff's exhibits informing him that after the case is docketed plaintiff and all parties would receive docketing notice and the briefing schedules. See Exhibit B dated 1-9-15. And the clerk of court had no consideration for these court rules before she mailed my brief back to plaintiff holding that it was untimely which is a miscarriage of justice because plaintiff submitted his Brief on 1-22-15 13 days after the clerk's 1-9-15 order which as a pro se litigant who have problems following the court rules plaintiff did all he could do under the totality of these circumstances by following his court's order of 1-9-2015. And at that time we can also see and -

(3)

3eives of one thing that the case was not docketed at that time because had it been it would've been docketed on the face of Exhibit B, in the appropriate designated heading for it on the 1-9-15 order. And I filed my Brief within 20 days after I received this court's 1-9-15 order informing me about the future briefing schedules and docketing. Even though this is clear evidence on the face of this record that proves that I had not received the briefing schedules nor had the case been docketed at that time and I submitted my Brief to this court on 1-22-2015, within 20 days of that time, in line with rule 23 of this court, but yet the clerk of court mailed my Brief back to me holding it as untimely which clearly is a gross miscarriage of justice and this clerk is extremely liable under section 1983. The court rule 23 had clearly: Appellant's Brief, which shall contain as part 2 an Enumeration of Errors, shall be filed within 20 days after the appeal is docketed. And rule 13 hold: upon the docketing of every appeal and application for appeal, the clerk shall mail notice of the docketing date and schedule for briefing to all counsel. In which the clerk in this instance did not abide by any of these court rules prior to her returning my Brief to me as of all things as untimely where plaintiff submitted his brief for filing prior to the docketing of the case and prior to the issuance of the briefing schedules by the clerk. It is a good example of a miscarriage of justice.

The chain of circumstances proves Plaintiff's Brief

Exhibit B shows that the Discretionary Application was granted December 15, 2014.

Plaintiff filed his notice of Appeal with the court below on December 18, 2014 wherein attached hereto label as Exhibit C, is a copy of that notice of Appeals.

Next on December 30, 2014, this Court sent Plaintiff an order which held: Discretionary Application A15DD166, was granted by this Court on December 15, 2014. A direct appeal has not been filed with this Court as of December 29, 2014. This was a very unusual order because we are going to see later that I was not required to submit a notice of Appeals to this Court but at that time Plaintiff followed the Court order and submitted a notice of Appeals to this Court on December 31, 2014 where by Plaintiff have a copy of that notice of Appeals attached hereto label as Exhibit D and copy of this 12-30-14 order label as Exhibit F.

Next on January 7, 2015, Plaintiff received an order from the which held: Application Granted 12-15-14 - notice of Appeals Filed with trial courts, where this Court acknowledged that Plaintiff's notice of Appeals was properly filed in the court below. Plaintiff have a copy of that Court interpretation attached hereto labeled as Exhibit E.

next, 2 days after that 1-7-15 information from this court, on January 9, 2015, Plaintiff received Exhibit B from this court which order read: THE NOTICE OF APPEAL MUST BE FILED WITH 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 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. A COPY OF THE RULES OF THE COURT OF APPEALS OF GEORGIA HAS BEEN ENCLOSED FOR YOUR REVIEW. see Exhibit B supra.

And on 1-22-2015, 13 days after that 1-9-15 order Plaintiff submitted his brief to this court's clerk for filing and they held it as untimely which the court can clearly see that such an act by this court's clerk amounts to a gross miscarriage of justice and the clerk is using my prose status as a weapon against Plaintiff because they wouldn't treat a seasoned lawyer in such an unusual manner. And besides these facts on 1-27-2015, this clerk mailed Plaintiff Exhibit G which held: your documents are submitted

ied for filing more than 30 days after the date of the order granting, denying or dismissing the application or the order granting, denying or dismissing the motion for reconsideration. And Plaintiff have also not this court order attached hereto labeled as Exhibit G. This was the first time the court mailed back to plaintiff his BRIEF because plaintiff responded to that 1-27-15 order in a timely manner and remailed his BRIEF back to this court. But on Feb. 6, 2015 this clerk Mail Plaintiff's BRIEF to him a second time and he have ~~nothing~~ other remedy available for him except for through his interlocutory appeal procedure because the BRIEF is the whole case, without it plaintiff will be denied his right to defend himself against this accuser. And as O.C.G.A. 5-6-35(b) demand cases must be shown, well in this instant case it is obvious that Plaintiff's case reflects a great, great need for interlocutory appellate review. All the facts pointed out supra, prove that there are a great need for interlocutory appellate review.

And beside the above facts Plaintiff submitted his BRIEF in a timely manner under all circumstances because he submitted his BRIEF 1-27-15 some 13 days after the court's 1-9-15 order where by Plaintiff had at least 10 days to respond to the court's 1-9-15 order where counting the 3 day grace period Plaintiff ~~submitted~~ had 13 days to submit his BRIEF ~~Counting~~ counting the time from 1-9-15 the date of that order to 1-27-15 the date Plaintiff submitted his BRIEF. Even

(12)

viewing that event or circumstance in that way still Plaintiff
Response to the Court's 1-9-15 Order was timely by submit-
ting his Brief 1-22-2015. Under all circumstances according
to this record as a prose in a plain language Brief was extremely
timely to the point of being premature. How could Plaintiff's
Brief be untimely when he followed all the procedure of
the Court as the Court mailed those procedures to Plaintiff
in the mail, and being as such ~~if~~ if there are anything un-
timely about Plaintiff's pleadings to this Court it is the Clerk's
fault and there are no way Plaintiff can be blamed at all
no way whatsoever according to the totality of these cir-
cumstances. The last thing my Brief could be is untimely
according to this record of proceedings because all of
Plaintiff's pleadings was filed in a timely manner in line
with the Clerk's orders they mailed to me leading me and
~~guiding~~ guiding and instructing me by use of
mandatory language and if anyone is to blame it is all the
Clerk's fault who is trying to keep my case out of Court just
like the Court below are doing.

Plaintiff relied on the inherent authority of this
Court to properly file his Brief. This is the last thing Plai-
ntiff thought ~~as~~ he would have to challenge, a system-
atic discriminatory process clearly carried out by the
Clerk's office. This instant case starting ~~from~~ from its be-
ginning to now which is over 5 years 2015 the case was fin-
ally filed in Court 2019 after this Court's remanded this
case back to the trial Court which Clerk will show

(13)

a pattern of racial discrimination done by all those clerks involve defendant as shown supra relied on the inherent authority of the Court for a pro se litigant who is unskilled in law without any training of the law formally or otherwise. The U.S. and Georgia Supreme Court hold: reliance upon Court's inherent power is inappropriate and unnecessary where specific remedies exist. See Matter of Inquiry Concerning a Judge No. 94-70454 S.E.2d 760, 265 Ga. ~~326~~ 326, reargument denied, Cert. Denied, Judicial Qualification Comm. of Georgia, 16 S. Ct. 176, 516 U.S. 1003, 133 L. Ed. 2d 454. And in this instant case Plaintiff had no other available remedy he could have used to try to get my brief properly filed other than giving it to the clerk and all who are concerned will certainly in writing that I was held to a higher standard than is required for a seasoned lawyer and I have kind of training in law and the court have clearly held that pro se pleadings must be liberally construed. In Davalo v. Perdue 215 Ga. App. 274, 95 S.E.2d 901, 862-863 (1994) hold: Further all Rules and Regulations relating to pleadings practice and procedure shall be liberally construed, so as to administer justice. O.C.G.A. 15-10-44(b). Pro se pleadings are held to less stringent standards than pleadings that are drafted by lawyers. See Thompson v. Long 201 Ga. App. 440, 481 (U) 411 S.E.2d 322 quoting supra Davalo v. Perdue, 449 S.E.2d at 862-863. In Wilson v. McNeely 307 Ga. App. 876, 980, 705 S.E.2d 874, 880 (2011) hold: As a matter of public policy, Georgia courts generally strive to resolve legal disputes on the merits, rather than on the punctilious enforcement of procedural rules, and therefore, may defer to a litigant's pro se status. See e.g. Bites v. Dept. of Revenue, 295 Ga. App. 656, 657, 171 S.W.3d 491, 492, 2005 WL 1000000, Travis v. Lutenbeck, 283 Ga. App.

642645, 6425, Edd 337 (2007); Advok v. Phillips, ~~269~~ 269 Ga. App. 583, 584 (U) 6445, Edd 633 (2007) (Quinn Wilson v. McNeely, 307 Ga. app. 876, 705 S. E. 2d 874); Wilson contends the trial court failed to show him deference as a pro se litigant but, rather, held him to a higher standard of courtroom procedural than it would have applied to a seasoned lawyer. See id. at 307 Ga. App. 876. Which is the same or very similar to Plaintiff's case in this instant case because Plaintiff ~~is~~ held supra, that this court did not give deference to Plaintiff's pro se status and now it is clear to see that this clerk of court have clearly violated this court's rules 13 and 23. The clerk didn't consider rule 24 which hold: That briefs shall not be accepted unless filed by a pro se litigant which ~~is~~ Rule clearly gives pro se litigant's deference when they are submitting briefs in support of their allegations. Court rule 23 clearly makes an exception for pro se briefs. Read rule 24 of the court rules and see for yourself and this court didn't consider this rule 24 prior to her refusing to file Plaintiff's brief. This court in Wilson v. McNeely, 307 Ga. app. at 890 hold: Georgia courts generally strive to resolve legal disputes on the merits rather than on the punctilious enforcement of procedural rules, and therefore, may defer to a litigant's pro se status, see q/s Kirby v. Dept of Revenue, 295 Ga. App. at 657 and a whole host of cases which is too numerous to recall. In this instant case off the evidence show that this clerk refused to file Plaintiff's brief because they are trying to avoid having this court to decide their merit's of Plaintiff's case by the punctilious enforcement of procedural rules in which this court clearly have condemned in Wilson v.

McNeely, 307 Ga. App. at 880. This Court's order is ~~superior~~ superior to all its other functions. And Plaintiff was bent on following these Court orders because of thought he asked this court on a number of occasions for a copy of its Rules, he didn't have a copy of those Rules ~~at the~~ at the time this court mailed Plaintiff Exhibit B, which is verbatim of its Rules after over 5 years of litigation. I guarantee you if you shall pull this case records you shall see this fact through-out all these pleadings. ~~nothing~~ I had nothing to follow at that time save for the Court orders. Right? All you have to do is check the records and see for your self. And under all circumstances of filing Plaintiff's Brief the Clerk of Court should have referred Plaintiff's pro-se status as a litigant as this Court case laws required for them to do, as spoken of in Wilson v. McNeely, this Court's case laws. But it seem as though all the clerk did was violated these Courts case laws and they didn't have any consideration for this Court's own Court rules. This clerk didn't follow the above mentioned Court rules nor this Court case laws which this Court shall see further evidence infra, that this Clerk of Court abandoned her duty as a Clerk and violated all the Rules concerning the filings of Prose Briefs. I believe she sympathize with white supremacist groups because there is absolutely no support for her contentions that my case was unimpaired according to the practice, policies, and customs of this honorable Court. It is extremely unusual for a clerk in the American judicial system to do such a thing as she did in case under a trial

(16)

standard than would she hold a seasoned lawyer to. And as I
tried to say supra, she did all of these things deliberately
which is obvious because only a white supremacist would
do such a thing. This court can't make me believe that this
clerk didn't know how to file a prose brief according to
some of the most simplest rules and procedures of the
court. Every case that come to this court have a brief
attached to. No one can make me believe based on these
facts that the clerk didn't know how to file a brief, that
is the biggest part of her job, or it is all her job and
concern for this court is for her to file the litigants
complaints which is her entire duty as a clerk. In this
instant case the clerk only comb through these court
rule 30 and 31. She could find some way to deny my brief which
fact is obvious because a court order is the supreme
authority of this court. When this court makes an order
it is in the same category as a court decision, right? When
as in this instant case the court makes an order or decis-
ion it have to consider its own rules, policies, and prac-
tices prior to them writing an order or decision. And in
this instant case this clerk didn't consider any of the
practices or policies or rules of this court prior to
her refusing my brief for filing. All she did as pointed
out by pra was comb through these rule 30 and 31 with the hope
that something may pop up so she could deny
my brief and she eventually found rule 30 and 31 which
which rules this court had considered when it wrote its
1-9-2015 order because I am a prose litigant which the

COURT showed me deference when it wrote its 1-9-15 decision informing me about being on the look out for a briefing schedule. And 2013 later on 1-22-15 I mailed in my BRIEF to this COURT and the CLERK combed through the Rules without having any respect for the COURT'S case LAW or for Plaintiff's PROSE status. I just went and asked the COURT what happened here? This CLERK did not honor the COURT'S case LAW, practices or customs according to this COURT'S own policy. It tells the clerk since there was no available briefing schedule, this clerk's duty in such an affair concerning the filing of prose pleadings. This COURT clearly that it is a premature notice of any of the pleadings that is before time of the court to process that pleading. The clerk is ordered by this COURT to hold his pleadings until the proper time for filing and when that time comes then this COURT ordered the clerk to file his case or notice of appeals on the first day of the relevant period.

Let's see what this COURT holds concerning its premature notice of the COURT case LAW in: Footnote of Mitchell v. according to the ARK. COURT'S order 03MS00001 Mitchell's appeal, Mitchell filed a premature notice of appeal on June 16, 2008. A premature notice of appeal is

treated as effective (upon the filing of the order of judgment appealed) and thus, Mitchell's notice of appeal was effective on July 2, 2006 the date the trial court's order granting summary judgment was entered. See also *In the Interest of J.A.D.*, 267 Ga.App. 103, 598 S.E.2d 842 (2004). And in this instant ~~case~~ case according to this court's 1-9-2015 promised briefing schedule and docketing notices Plaintiff filed his BRIFCON 1-22-2015 prior to the docketing of this case and prior to it issuing the briefing schedules. And therefore Plaintiff like the Plaintiff did in *Mitchell v. Camber* case in 1983 S.E.2d 931 submitted my brief premature. And the court held: A premature notice of appeal is treated as effective upon the filing of the order of judgment appealed, and thus, Mitchell's notice of appeal was effective on July 2, 2006 the date the trial court's order granting summary judgment was entered. See also *In the Interest of J.A.D.*, supra, 598 S.E.2d 842. And although this instant case concerns a premature filing of a brief prior to a briefing schedule prior to the docketing of this case, this case law also applies to this instant case if the clerk filed Mitchell's premature documents (notice of appeal) and he was a pro se litigant, then the clerk is mandated to use this same pro se procedure in this instant case because both cases are 100% identical except one pro se litigant document was a notice of appeal and the other pro se litigant's document was a brief under

(19)

these circumstances it was incumbent upon the clerk for her to treat both filings of these prose pleadings in the same manner and procedure which was handed down by this very court in note 1 of Mitchell v. Cancer Care Joint, Inc., supra, because both pleadings was vital pleadings and both was submitted premature ~~and~~ prior to their filing dates. And the clerk should have applied this same process and procedure to plaintiff's premature brief. This procedure is and has been certified by this court concerning prose premature filings of pleadings. Therefore the clerk discriminated against plaintiff in violation of the equal protection clause of the 14th 5th amendments to the U.S. Const; Art. I, sec. 1, para. II of the Georgia Const. because the clerk did not treat his prose premature pleading the same way she treated Mitchell's prose premature ~~pleading~~ pleading in Mitchell v. Cancer Care Joint, Inc., cited supra which also amounts to a denial of Due Process of LAW under the 5th and 14th amendments to the U.S. Constitution and under Art. I, sec. 1, para. I of the GA. Const.

It was mandated for the clerk to hold plaintiff's premature pleadings (his brief) until this court posted or handed down its briefing schedule like the clerk was forced to do in the Mitchell case, supra. And when the briefing schedules are set by the court

it was mandated by this court for this clerk to file
~~the~~ Plaintiff's premature brief on the first ~~day~~
 day the court set the briefing schedule like it did
 in Mitchell, where it is held a premature notice of
 Appeal is treated as effective upon the filing of
 the order or judgment. id. In this instant case Plaintiff's
 Brief should've been treated as effective upon the
 filing of the briefing schedule since he had submitted
 his proposed pleading like Mitchell did prior to the order
 or judgment of this court. This is this court's practice
~~and~~ and policy concerning the filing of proposed plead-
ings to this court which this clerk did not follow.
 She went about this court's case law as layed down in
 Mitchell v. Cancer Care Joint Fund 635 F.2d at note 1.

She did not consider this court's case laws at all which
 amounts to a miscarriage of justice because a ~~court~~
 court order which is a decision by this court is sup-
 reme over all other acts of the court because all
 those other acts of the court all leads the court to
 make their order or decision right. In other words
 the court orders is supreme unless they get overturned
 on appeal ~~by~~ be it by direct appeal or on other court
 appeal like Plaintiff is trying to do now by trying to get the
 court to overturn the court's 2-6-2015 order which
 held that Plaintiff's brief was untimely under court
 Rules 30(d) and 31(v). But in this instant case the clerk
 made a hasty order with ~~no~~ no consideration
 for Plaintiff's proposed status because they held my
 brief to the same standard as it holds for a seasoned

14WATER, neither did they (the clerks) consider case law as they are set down and established by this court in Mitchell v. Cancer Care Joint, Inc. supra concerning the filings of prose complaints.

Under all circumstances of this instant case the record proves beyond doubt that plaintiff have shown "Due Diligence" in getting his BRIEF filed by this court which is a factor that weighs heavily in plaintiff's favor because he is proceeding prose without a copy of the court rules ~~at all~~ until this court mailed plaintiff a copy of its rules on the day it made its 1-9-15 order promising briefing schedules. And under the totality of these circumstances plaintiff as an untrained prose litigant have clearly shown a great "Due Diligence" in following the naked orders of this court without a copy of their rules, which makes the court orders in this instant prose case ~~to~~ very important because that is all plaintiff had to follow and that is all the law expects of plaintiff to do is follow the court for orders because they are a lot more important than court rules because when the court makes an order or decision it have prior to that order or decision considered its own court rules rights. Although the proceduralism supporting is not layed down ~~in~~ in the court rules it is stayed down in the case law order by this court in Mitchell v. Cancer Care Joint, Inc. This procedure is not found in this court's rules but it was mandated in

This court in Mitchell and the court should have followed that procedure but the clerk did not follow the procedure as order for her to do in Mitchell and as such she denied plaintiff his right to due process of law and equal protection of law. The clerk did not abide by the above procedure for ~~the~~ filing of Complaints or pleadings as this court established in Mitchell. This procedure set down by this court is simple and unambiguous but the clerk did not treat Plaintiff's prose pleadings like they treated other similar situated prose litigants which is evidenced by the case Mitchell v. Center Care Painting. The clerk did not treat Plaintiff's prose pleadings like this court ordered in footnote 1 of Mitchell supra 835 E. 2d 923 which treatment was received by Mitchell. I didn't receive such treatment by the court.

But the threshold inquiry here is the fact that the clerk did not apply any of this court's order in Mitchell to Plaintiff's prose pleading which is an obvious error by the clerk. She did not follow any of these procedures which procedures are mandated by this court in Mitchell concerning prose pleadings that are submitted to this court ~~are~~ Plaintiff did the proper thing as a prose litigant by following this court's order which as pointed out supra was the only thing I did do. And the best interpreter of the court's order is the court and when the court made its order in footnote 1 of Mitchell it had consideration for its own rules when it made this special procedure for prose litigants. Our rules are the

fact a court order ⁽⁷³⁾ was unaltered & remains over
all of the other proceedings that led up to the court
order that may be in dispute, which leads to the ques-
tion in this instant case is it consistent for the court
rules the clerk used rule 30 and 31 to deny my brief
as untimely in light of this court's case laws in Mitchell
which establish the procedure by this court ~~in~~
in its handling of the identical case with the same
filing factors as was contained in Mitchell? And
the answer to that question is NO, because when the
court established that procedure for those victims
in Mitchell the court did have consideration for its
rules like it does for all of its decisions. Therefore I
did what any lawyer would've done was to follow the court
1-9-15 order which promised me the briefing schedule
which was pending that stage of the proceedings that
submitted by my attorney to this court on 1-22-15 about
12-13 local days or calendar days from this court's 1-3-15
and on 1-15-15 order. Any competent tribunal would
agree especially in light of Harris v. Ker, 184 U.S. 519,
30-21 (1972); see also Hampson v. Davis, 529 F.2d 30 (9th
975 (9th Cir. 2002)) hold: when the plaintiff is opposing, be-
cause the court must construe the pleadings liberally and
afford the plaintiff any benefit of doubt, quoting Cle-
eland v. Dennison, 200 U.S. Dist. Lexis 95870 (2007); see
also Wright v. Comm'r, 381 F.3d 4144 (2nd Cir. 2007) hold: courts
must construe pro se appellate briefs and submissions
liberally and interpret them to raise the strongest ar-
gument they suggest. Hulse v. Women, 63 F.3d 354 355 N.
(5th Circuit 1995) (per curiam) (same); Jackson v. Carey, 353

(24)
F.3d 750, 757 (9th Cir. 2003) held: courts hold prose com-
plaints to less stringent standards especially in civil
rights cases; accord; Hughes v. Loft, 350 F.3d 1157, 1160
(11th Cir. 2003).

- There are many occasions where this court have
decided many cases on their merits without issuing a
briefing schedule and as proof of this fact this court
never made a plaintiff the briefing schedule when it
decided the merits of this initial application for this
discretionary appeal which was granted by this court
nor did this court issue plaintiff a briefing schedule
for his previous application for discretionary appeal
which is evidenced in plaintiff's case, Thompson
v. Kerkert, 319 Ga. App. 373, 3 S.E.2d 342 (2012), so
in this instant case I did the same thing I did before
when I received this court's 1-9-15 order concerning
the briefing schedule, some 13 calendar days later on
1-22-15, Plaintiff submitted his brief for filing. Any com-
petent court would hold under the totality of these
circumstances the clerk should have followed the
procedures established by this court in Mitchell in
watching and the filing of Plaintiff's brief.

The Georgia Constitution of 1983, Art. I, Sec. 1, para. VII
was to define and protect the right of an individual
to self-representation in the courts of this state -
see Nelson v. Georgian Manor Condominium Ass'n, 253
Ga. 110, 321 S.E.2d 330 (1984). And in this instance the
clerk violated my right to self-representation because
she refused to do her court assigned duty which

was to file Plaintiff's Brief ⁽²⁵⁾ according to the standards established by this Court under Mitchell. Plaintiff's ~~prose rights~~ ~~to~~ self-representation is not protected at all which is evidenced by the Act of this clerk. This clerk mailed my Brief back to me 2 (two) times already. The first time 12-7-15, it held Plaintiff's Brief as untimely. I remain my Brief back to her in response to the Court's 12-7-15 order. And now the Court in this new 2-6-15 order returned my Brief again along with my response to that 12-7-15 order. ~~now~~ now I ask this Court to consider all of the above responses dated 1-31-15 in Plaintiff's behalf concerning the filing of Plaintiff's Brief. ~~in~~ In this instant case this Court according to Mitchell, must file Plaintiff's Brief and try the merits of his Brief. This Court must acknowledge the fact that throughout this entire procedure I did show due diligence in trying to get my Brief filed in this Court as a pro se litigant who did not have a copy of the Court Rules.

Conclusion

For all of the above reasons this Court must file Plaintiff's Brief and decide its merits which he prays in Jesus name to Jehovah that this Court will follow its own procedure as established by this Honorable Court in Mitchell v. Cancer Care Partners. Plaintiff declare under penalty of perjury that every word written herein supra is true according to Plaintiff's personal knowledge. It is obvious according to the claim of events that I did show due diligence as a pro se litigant who did not have a copy of the Court Rules.

Exhibit A

COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR APPLICATIONS

February 6, 2015

To: Mr. Charles E. Thompson, 1254 Third Street, Macon, Georgia 31201

Docket Number: A15D0166 Style: Charles E. Thompson v. Robert Reichert, et al.

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

- 1. Your Application was not accompanied by the statutory filing fee, \$300.00 civil; \$80.00 criminal, 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. Portions of the record included were not tabbed and indexed. Rules 30 (e) and 31 (c).
- 3. A stamped "filed" copy of the trial court's order to be appealed was not attached to your Application. Rules 30 (b) and 31 (e)
- 4. A stamped "filed" copy of the Certificate of Immediate Review was not attached to your Interlocutory Application. Rule 30(b)
- 5. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
- 6. There were an insufficient number of copies of your document. Rule 6
- 7. No Certificate of Service accompanied your document(s). Rule 6 You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
- 8. Your Certificate of Service did not include the complete name and /or mailing address of each opposing counsel and pro se party. Rule 1(a) and 6
- 9. Your document exceeds page limits. Rules 24(f) , 30(e) and 31(c)
- 10. Your request for court action must be submitted in motion form. Rule 41 (a)
- 11. No extension of time for filing an interlocutory application will be granted . Rule 30 (g) . No extension of time will be granted for filing a discretionary application unless the motion for extension is filed on or before the due date of the discretionary application.
- 12. The type font was smaller than 10 characters per inch; type was not double-spaced or/and type was on both sides of the paper. Rules 1(c), 24(b), 37(a) and 41(b).
- 13. Your motions were submitted in an improper form (joint, compound, or alternative motions in one document). Rule 41 (b)
- 14. Margins were too small or paper size was incorrect. Rules 1(c), 24(c), 30(e), 31(c) and 41(b).
- 15. **We cannot process your documents because they were submitted for filing more than 30 days after the date of the order granting, denying or dismissing the application or the order granting, denying or dismissing the Motion for Reconsideration. Rules 30(j) and 31(j).**

A15D0166. Charles Thompson v. Robert Reichert, et al. was granted on December 15, 2014.

16. Other:

For Additional information, please go to the Court's website at: www.gaappeals.us

Exhibit B



Court of Appeals of Georgia

January 9, 2015

TO: Mr. Charles E. Thompson, 1254 Third Street, Macon, Georgia 31201

RE: **A15D0166. Charles E. Thompson v. Robert Reichert, et al.**

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 - APPLICATION GRANTED

- Discretionary Application, A15D0166, was granted by this Court on December 15, 2014.

The Notice of Appeal must be filed with 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.

COURT RULES

- A copy of the Rules of the Court of Appeals of Georgia has been enclosed for your review.

CASE STATUS - PENDING

- The above referenced appeal is 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.

IN THE SUPERIOR COURT OF THE STATE OF GEORGIA
EXHIBIT C

State of Georgia

CHARLES E. THOMPSON,

Plaintiff/Appellant,

v.

Robert Kreukert, et al.,
Defendants.

Application No:

A15DD166

Civil Action No.

12-CV-58359

Notice of Appeal

Notice is hereby given that appellant in the above style appeal from this court's 10-30-2014 decision and do appeal it to the Georgia Court of Appeals. All transcripts shall be included in the record of appeal. Nothing in this record shall be permitted to be taken to the court by the appellant. The right to appeal the submitted appeal like notice of appeal to this court and I ask this court to use whatever discretion it has. I ask that my appeal right on the basis procedure violation.

Sign: Charles E. Thompson Date: 12-19-2014

IN THE COURT OF APPEALS OF GEORGIA
EXHIBIT D STATE OF GEORGIA

CHARLES E. THOMPSON, Plaintiff, Civil Action No.:

V.

ROBERT REICHERT et al.
Defendants

12CV58359

Application No. AISD 0166

Date: 12-31-2014

Signature: Charles E. Thompson

Notice of Appeal

Plaintiff in the above state appeals from the Court's 10-30-2014 decision which granted defendants motion for summary judgment. I appeal to this Appeals Court from the Superior Court and all transcripts of those proceedings are to be included on the records of appeals. If records are to be omitted, I timely submitted my notice of ~~appeal~~ appeal to the trial court within the days and at that time I did send a copy of that notice of appeal to this court and to the defendants as a matter of fact before that time I submitted a notice of appeal to this court which is in the records. But the court clerk returned it to me and as proof I have attached hereto a copy of the affidavit label ex. A that have the court's seal stamped on it albeit I did file my notice of appeal with the court below within 30 days of these events. 12-31-14

Exhibit E

COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR APPLICATIONS

COA

To: Charles E. Thompson A15D0166 11/7/15
Docket Number: Style: Charles E. Thompson v. Robert Reichert et al.

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

- 1. Your Application was not accompanied by the statutory filing fee, \$300.00 civil; \$80.00 criminal, 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. Portions of the record included were not tabbed and indexed. Rules 30 (e) and 31 (c).
- 3. A stamped "filed" copy of the trial court's order to be appealed was not attached to your Application. Rules 30 (b) and 31 (e)
- 4. A stamped "filed" copy of the Certificate of Immediate Review was not attached to your Interlocutory Application. Rule 30(b)
- 5. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
- 6. There were an insufficient number of copies of your document. Rule 6
- 7. No Certificate of Service accompanied your document(s). Rule 6 You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
- 8. Your Certificate of Service did not include the complete name and /or mailing address of each opposing counsel and pro se party. Rule 1(a) and 6
- 9. Your document exceeds page limits. Rules 24(f) , 30(e) and 31(c)
- 10. Your request for court action must be submitted in motion form. Rule 41 (a)
- 11. No extension of time for filing an interlocutory application will be granted . Rule 30 (g) . No extension of time will be granted for filing a discretionary application unless the motion for extension is filed on or before the due date of the discretionary application.
- 12. The type font was smaller than 10 characters per inch; type was not double-spaced or/and type was on both sides of the paper. Rules 1(c), 24(b), 37(a) and 41(b).
- 13. Your motions were submitted in an improper form (joint, compound, or alternative motions in one document). Rule 41 (b)
- 14. Margins were too small or paper size was incorrect. Rules 1(c), 24(c), 30(e), 31(c) and 41(b).
- 15. Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rules 1(c), 30 (e) and 31 (c)
- 16. Your document was submitted for filing more than 30 days after the date of the order granting, denying or dismissing the application or the order granting, denying or dismissing the Motion for Reconsideration. Rules 30(j) and 31(j).

For Additional information, please go to the Court's website at: www.gaappeals.us

★ application GRANTED 12/15/14.
- Notice of Appeals filed with trial Courts.

Exhibit F



Court of Appeals of Georgia

December 30, 2014

TO: Mr. Charles E. Thompson, 1254 Third Street, Macon, Georgia 31201

RE: **A15D0166. Charles E. Thompson v. Robert Reichert, et al.**

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 - APPLICATION GRANTED

- Discretionary Application, A15D0166, was granted by this Court on December 15, 2014. A direct appeal has not been filed with this Court as of December 29, 2014.**

CASE STATUS - PENDING

- The above referenced appeal is 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.

Exhibit
G

COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR APPLICATIONS

January 27, 2015

To: Mr. Charles E. Thompson, 1254 Third Street, Macon, Georgia 31201

Docket Number: Style: Charles E. Thompson v. Robert Reichert, et al.

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

1. Your Application was not accompanied by the statutory filing fee, \$300.00 civil; \$80.00 criminal, 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. Portions of the record included were not tabbed and indexed. Rules 30 (e) and 31 (c).
3. A stamped "filed" copy of the trial court's order to be appealed was not attached to your Application. Rules 30 (b) and 31 (e)
4. A stamped "filed" copy of the Certificate of Immediate Review was not attached to your Interlocutory Application. Rule 30(b)
5. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
6. There were an insufficient number of copies of your document. Rule 6
7. No Certificate of Service accompanied your document(s). Rule 6 You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
8. Your Certificate of Service did not include the complete name and /or mailing address of each opposing counsel and pro se party. Rule 1(a) and 6
9. Your document exceeds page limits. Rules 24(f) , 30(e) and 31(c)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. No extension of time for filing an interlocutory application will be granted . Rule 30 (g) . No extension of time will be granted for filing a discretionary application unless the motion for extension is filed on or before the due date of the discretionary application.
12. The type font was smaller than 10 characters per inch; type was not double-spaced or/and type was on both sides of the paper. Rules 1(c), 24(b), 37(a) and 41(b).
13. Your motions were submitted in an improper form (joint, compound, or alternative motions in one document). Rule 41 (b)
14. Margins were too small or paper size was incorrect. Rules 1(c), 24(c), 30(e), 31(c) and 41(b).
15. **Your document was submitted for filing more than 30 days after the date of the order granting, denying or dismissing the application or the order granting, denying or dismissing the Motion for Reconsideration. Rules 30(j) and 31(j).**
16. Other:

For Additional information, please go to the Court's website at: www.gaappeals.us

- Certificate of Service -

This is to certify that I have this day served true and correct copies of these documents on the party listed below:

Chambless, Higdon, Richardson,
Katz & Griggs, LLP
P.O. Box 18086
3200 ARK WRIGHT RD, Ste. 405
Macon, GA 31209-8086

This the 13th day of February, 2015

sign: Charles E. Thompson
P.E. SE
