

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

January 22, 2015

To: Mr. Brian Tomlinson, GDC1000935850, Jenkins Correctional Center, 3404 Kent Farm Drive, Millen, Georgia 30442

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 in 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.

IN THE Superior COURT OF COFFEE COUNTY
STATE OF GEORGIA

STATE OF GA

VS.

Brian Tomlinson

RECEIVED IN OFFICE
2015 JAN 22 AM 11:12
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

CASE NO: 2013-06-194

NOTICE OF APPEAL

Comes Now THE Defendant Brian Tomlinson, PROSE IN THE Above-styled case and respectfully moves THIS COURT TO appeal this COURT'S Decision TO revoke THE Defendant's Probation. Wherefore THE Defendant shows as follows:

1. Defendant's Probation was revoked on June 6, 2013 for a Technical violation
2. ON June 6, 2013 After This Court violated my Probation I was sentenced to the DEPARTMENT OF Corrections for the remainder of my probation Term which exceeded the two year maximum time that I could be violated for on a Technical violation.
3. ON or about September 18, 2013 The Defendant File A Motion For a OUT OF Time Appeal
4. ON March 17, 2014 The Defendant was GRANTED His Motion for AN OUT OF Time Appeal by Honorable Judge Dewayne Gillis.
5. Defendant's IS DUE TO be RELEASE ON Oct 17, 2014 which exceeds THE MAXIMUM Time THE Defendant Probation could be revoke for. Defendant could only be revoked for twenty-four months for a Technical violation in accordance with Georgia conditions of Probation.

DEFENDANT Here by Request THAT ALL TRANSCRIPTS OF
COURT PROCEEDINGS IN THE ABOVE-STYLED CASE BE SENT TO
THE GEORGIA COURT OF APPEALS SO THAT DEFENDANT CAN
APPEAL HIS ILLEGAL PROBATION REVOCATION SENTENCE