

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

April 16, 2015

To: Mr. Craig Tomlinson, GDC854172, Washington State Prison, Post Office Box 206,
Davisboro, Georgia 31018

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.

COURT OF APPEALS OF GEORGIA

CRAIG LAPORTE TOMLINSON * CASE NUMBER:
APPELLANT *
VS. * 1316032
STATE OF GEORGIA *
APPELLEE *

RECEIVED IN
2015 APR 14 PM 1:24
COUNTY CLERK'S OFFICE
FULTON COUNTY, GEORGIA

NOTICE OF APPEAL

COMES NOW CRAIG LAPORTE TOMLINSON (APPELLANT) IN THE ABOVE APPEAL AND SHOWS HE THIS DAY FILED AN APPEAL OF SUPERIOR COURT OF FULTON COUNTY'S DENIAL OF SENTENCE MODIFICATION.

THIS THE 1 DAY OF APRIL, 2015.
CRAIG LAPORTE TOMLINSON (GDC#854172)
WASHINGTON STATE PRISON
P.O. BOX 206
DAVISBORO, GEORGIA 31018

CERTIFICATE OF SERVICE

I CERTIFY THAT I HAVE THIS DAY SERVED THE OPPOSING PARTY WITH A COPY OF THIS NOTICE OF APPEAL BY MAILING A COPY FIRST CLASS MAIL POSTAGE PREPAID TO HIM/HER AT:
CLECK OF FULTON COUNTY SUPERIOR COURT
136 PRYOR ST SW 3RD FLOOR
ATLANTA, GEORGIA 30303

THIS THE 1 DAY OF APRIL, 2015.

Craig LaPorte Tomlinson
PRO SE

COURT OF APPEALS OF GEORGIA

CRAIG LA PORTE TOMLINSON * CASE NUMBER:
APPELLANT

* 1316032

VS.

*

STATE OF GEORGIA
APPELLEE

*

NOTICE OF REQUEST FOR EXTENTION OF TIME

COMES NOW CRAIG LA PORTE TOMLINSON (APPELLANT) WITH
A REQUEST FOR AN EXTENTION OF TIME FOR THE PURPOSE
OF OBTAINING A COURT APPOINTED ATTORNEY TO SUB-
SEQUENTLY PREPARE/SUBMIT REQUIRED COURT OF
APPEAL DOCUMENTS FOR THE ABOVE STATED APPELLANT.

RESPECTFULLY SUBMITTED THIS THE 30 DAY OF MARCH, 2015,

Craig La Porte Tomlinson
APPELLANT
PRO SE

COURT OF APPEALS OF GEORGIA

CRAIG LAPORTE TOMLINSON *

APPELLANT *

vs *

CASE NUMBER

STATE OF GEORGIA *

1316032

APPELLEE

PAUPER'S AFFIDAVIT

Comes now CRAIG LAPORTE TOMLINSON (Appellant's name) first being duly sworn, deposes and states I am financially unable to pay the \$80.00 filing fee required for filing costs in the Court of Appeals of Georgia, and I request I be permitted to file Appellant's Application (Appellant's brief or Appellant's application) without having to pay filing fees.

This the 30 day of MARCH, 2015

CRAIG LAPORTE TOMLINSON

(Your name printed or typed.)

Craig LaPorte Tomlinson

(Sign your name.) (GDC# 854172)
PROSE

WASHINGTON STATE PRISON
PO BOX 206
DAVISBORO, GEORGIA 31018

(Your complete address and telephone number.)

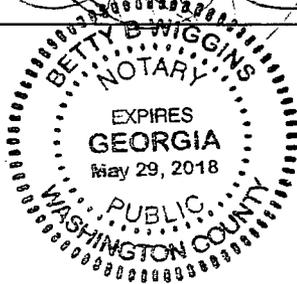
Sworn to and subscribed before me

this the 30 day of March, 2015.

[Signature]

Notary Public

SEAL



NOTICE OF APPEAL
IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

PLAINTIFF: * CASE NUMBER:
STATE OF GEORGIA *
VS. 1316032
*
DEFENDANT: JUDGE RUSSELL
CRAIG LA PORTE TOMLINSON *

NOTICE IS GIVEN THAT CRAIG LA PORTE TOMLINSON (DEFENDANT) IN THE ABOVE MATTER HEREBY APPEALS TO THE COURT OF APPEALS OF GEORGIA FROM THE JUDGEMENT OF THE TRIAL COURT ENTERED ON THE 5 DAY OF MARCH, 2015.

THE CLERK SHALL OMIT NOTHING FROM THE RECORD ON APPEAL. A TRANSCRIPT OF EVIDENCE AND PROCEEDINGS WILL BE FILED FOR INCLUSION IN THE RECORD ON APPEAL.

THE COURT OF APPEALS, RATHER THAN THE SUPREME COURT, HAS JURISDICTION OF THIS APPEAL BECAUSE THE ISSUE INVOLVED IS A SENTENCE MODIFICATION AND APPEALS OF SUCH CASES ARE NOT RE-SERVED TO THE SUPREME COURT OF GEORGIA PURSUANT TO ARTICLE VI, SECTION VI, PARAGRAPHS II AND III OF THE CONSTITUTION OF THE UNITED STATES AND GEORGIA.

CERTIFICATE OF SERVICE

I CERTIFY THAT I HAVE THIS DAY SERVED THE OPPOSING PARTY WITH A COPY OF THIS NOTICE OF APPEAL BY MAILING A COPY FIRST CLASS MAIL POSTAGE TO HIM/HER AT: 136 PRYOR ST SW SUITE C155 ATLANTA, GA. 30303

THIS THE 1 DAY OF APRIL, 2015

Craig LaPorte Tomlinson
[Signature]

IN THE SUPERIOR COURT OF Fulton COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

VS

*

*

INDICTMENT NUMBER:

*

13SC119661

*

Craig LaPorte Tomlinson

Defendant

MOTION FOR APPOINTMENT OF COUNSEL

Comes now, Craig LaPorte Tomlinson, Defendant, in the above entitled case and requests this Honorable Court to appoint an attorney to represent him in this action. Defendant is desirous of legal representation in this matter and is unable to afford to retain counsel on his own accord.

Respectfully submitted this the 30 day of March 2015.

Craig LaPorte Tomlinson
Defendant
PRO SE

Sworn and subscribed before me this

30 day of March 2015.

Notary Public EXPIRES
GEORGIA
May 29, 2018

Commission Expires

WASHINGTON COUNTY

CERTIFICATE OF SERVICE

I, CRAIG LA PORTE TOMLINSON (Your Name), hereby certify that I have cause to

be served a copy of the foregoing

MOTION FOR APPOINTMENT OF COUNSEL (Title of Motion) upon

COURT OF APPEALS CLERK (Position/Title of Opposing Party) by
STEVE CASTLEN

sending a true copy of the same by United States mail in a proper envelope with

adequate postage, properly addressed to:

1 COURT OF APPEALS CLERK / ADMINISTRATOR
STEVE CASTLEN
47 TRINITY AVE SUITE 501
ATLANTA, GA 30334

3. FULTON COUNTY DA OFFICE
PAUL HOWARD JR
136 PRYOR ST SW 3RD FLOOR
ATLANTA, GA 30303

2 CLERK OF FULTON COUNTY SUPERIOR COURT
136 PRYOR ST SW C-155
ATLANTA, GA 30303

This 30 day of MARCH, 2015

Craig LaPorte Tomlinson

Plaintiff, Pro Se
Washington State Prison
P.O. Box 206
Davisboro, Georgia 31018