

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

March 2, 2015

To: G. Gargandi Vaughn, Esq., Mitchell & Mitchell, P.C., 108 South Thornton Avenue, Post Office Box 668, Dalton, Georgia 30722

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: \_\_\_\_\_
- Electronic filing is mandatory in this Court. The following Rule 46 became effective January 1, 2015.

### XXII. ELECTRONIC FILING OF DOCUMENTS

#### Rule 46. Electronic Filing of Documents.

Counsel is required to use the Court's electronic filing system and to follow the policies and procedures governing electronic filing as set forth in the Court's electronic filing instructions. The Clerk of Court may grant a request for exemption from mandatory electronic filing for good cause shown. An adverse decision by the Clerk of Court may be appealed by motion to the Court via a paper filing.

Rule passed October 21, 2014 - effective January 1, 2015

RECEIVED IN OFFICE MITCHELL & MITCHELL, P.C.

2015 FEB 27 PM 2:09

ATTORNEYS AT LAW  
ESTABLISHED 1924

CLERK OF COURT  
COURT OF APPEALS OF GA

TERRY L. MILLER  
G. GARGANDI VAUGHN  
WILLIAM J. KIMSEY  
REBECCA B. KENDRICK

108 S. THORNTON AVENUE  
POST OFFICE BOX 668  
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D. WRIGHT MITCHELL  
(1895 - 1970)  
DOUGLAS W. MITCHELL, JR.  
(1923 - 1984)  
NEIL WESTER  
(1944 - 2006)

February 23, 2015

Court of Appeals  
State of Georgia  
47 Trinity Avenue, SW  
Suite 501  
Atlanta, GA 30334

**VIA CERTIFIED MAIL RETURN RECEIPT**  
**REQUESTED 7012 3460 0001 1197 6365**

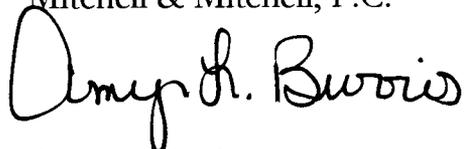
RE: In the Interest of G.R.B, a child (Father)  
Court of Appeals, State of Georgia  
Appeals Case No. A14A2032

Dear Clerk of Court of Appeals:

Please find enclosed the original and three copies of the Notice of Intent to File Certiorari which needs to be filed in the above-referenced matter. Please file the original and two copies and return one stamped filed copy to me in the self-addressed stamped envelope which I have provided for your convenience. Should you have any question or need additional information please do not hesitate to contact me. Thank you for your cooperation and attention to this matter.

Very truly yours

Mitchell & Mitchell, P.C.



Amy L. Burris

Legal Assistant to G. Gargandi Vaughn

\alb  
Enclosures

IN THE COURT OF APPEALS  
STATE OF GEORGIA

IN THE INTEREST OF

G.R.B., a child (Father)

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:

APPEAL CASE NO.:  
A14A2032

**NOTICE OF INTENT TO APPLY FOR CERTIORARI**

Respectfully Submitted,

MITCHELL & MITCHELL, P. C.  
G. Gargandi Vaughn  
Georgia Bar No. 726270  
P. O. Box 668  
Dalton, GA 30722-0668  
Telephone: 706-278-2040  
gvaughn@mmfirmlaw.com  
ATTORNEY FOR APPELLEES

**CERTIFICATE OF SERVICE**

I do hereby certify that I have this day served a copy of the within Notice of Intent to Apply for Certiorari by depositing a copy thereof, sufficient postage prepaid, in the United States mail addressed as follows:

Joann Brown Williams  
Meriwether & Tharpe, L.L.C.  
11475 Great Oaks Way  
Suite 125  
Alpharetta, GA 30022  
Attorney For Appellant

Jerry W. Moncus  
Moncus Law Firm  
216 West Morris Street  
Dalton, GA 30720  
Attorney For Ivey McReynolds

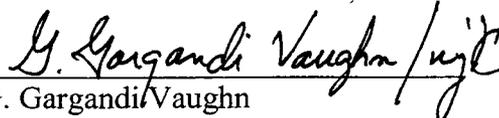
Curtis Kleem  
McCamy, Phillips, Tuggle & Fordham, L.L.P.  
411 West Crawford Street  
Dalton, GA 30720  
Attorney for Willard and Carolyn Bowen

Bart Barnwell  
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402 West Cuyler Street  
Dalton, GA 30720  
Guardian Ad Litem

Bruce Kling  
Special Assistant Attorney General  
208 West Gordon Street  
Dalton, GA 30720  
Attorney For DFCS

This 23<sup>rd</sup> day of February, 2015.

MITCHELL & MITCHELL, P. C.

  
G. Gargandi Vaughn