

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

September 17, 2015

To: Mr. Terrance Walker, GDC1125349, Johnson State Prison, Post Office Box 344,
Wrightsville, Georgia 31096

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. The mailing address for the Supreme Court of Georgia is: 244 Washington Street, S.W., Suite 572, Atlanta, Georgia 30334.
- ☐ **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.

TO: THE CLERK AND COURT ADMINISTRATOR, OF GEORGIA COURT OF APPEALS.
FROM: MR. TERRANCE WALKER.
RE: STATUS OF APPEAL
DATE: September 8th 2015

RECEIVED
2015 SEP 11 PM 3:37
CLERK OF APPEALS

DEAR SIR OR MADAM,

I AM WRITING YOU TODAY IN REGARDS TO MY COURT APPOINTED ATTORNEY MR. DAREL C. MITCHELL. MR. MITCHELL REPRESENTED ME ON ABBRAVATED STALKING CHARGE IN 2010. I RECEIVED A TEN YEAR SENTENCE, WITH FOUR TO SERVE IN PRISON. I AM CURRENTLY INCARCERATED AT THE JOHNSON STATE PRISON, SERVING THAT SENTENCE. AT THE TIME OF SENTENCING THE JUDGE PRESIDING OVER THE CASE, ADVISED MR. MITCHELL TO FILE AN APPEAL ON MY BEHALF. MR. MITCHELL ACKNOWLEDGED THAT UNDERSTOOD THE INSTRUCTION'S FROM THE JUDGE AND THAT THE NECESSARY PAPERWORK WOULD BE FILED WITH THE COURTS.

THE CASE NUMBERS FOR THE CASE ARE 2010CC0116 AND CASE WAS IN MORGAN COUNTY, GEORGIA. THREE YEARS, AND COUNTING AND I'M STILL UNAWARE, IF AN APPEAL WAS IN FACT FILED ON MY BEHALF OR WHAT'S THE STATUS OF SAID APPEAL REGARDING THE COURT.

I'VE BEEN UNABLE TO GET ANY INFORMATION FROM MR. MITCHELL. CAN YOU PLEASE PROVIDE ME WITH ANY INFORMATION CONCERNING WHETHER OR NOT, AN APPEAL WAS FILED AND THE STATUS.

THANK YOU IN ADVANCE FOR YOUR TIME AND EFFORT.

Sincerely Yours

TERRANCE WALKER.