



Court of Appeals of Georgia

May 11, 2015

TO: Ms. Pinghua Wang, 3154 Bayonet Court, Marietta, Georgia 30068

RE: **A15A1641. Pinghua Wang v. The State**

CASE STATUS - DISPOSED

- The referenced appeal was _____ on _____. The remittitur issued on _____, divesting this Court of any further jurisdiction of your case. The case is therefore, final.

CASE STATUS - PENDING

- The above referenced appeal is in your name before this Court. The appeal was docketed in the September 2015 Term and a decision must be rendered by the Court by the end of the January 2015 Term which ends on or about July 16, 2015.**

We are returning your documents to you.

APPOINTMENT OF COUNSEL

- The Court of Appeals does not have the power or authority to appoint counsel for you. Any requests for appointed counsel should be directed to the trial court.

EXTRAORDINARY MOTION FOR NEW TRIAL

- An Extraordinary Motion for New Trial is filed in the trial court. It is appealed to the Court of Appeals of Georgia by Discretionary Application under OCGA §5-6-35.

The Court of Appeals of Georgia will need a stamped filed copy from the order of which you are appealing. Also, pursuant to Rule 1(a), a Certificate of Service must accompany all pleadings in this Court. The Certificate of Service is not to the clerk of the Court of Appeals, but to the district attorney who is the prosecuting officer.

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

**SPECIAL NOTICE
REGARDING CASES TRANSFERRED
FROM THE SUPREME COURT OF GEORGIA
TO THE COURT OF APPEALS OF GEORGIA**

Court of Appeals Case Number: A15A1641

Transfer/Docket Date: April 20, 2015

Style: PINGHUA WANG v. THE STATE

If briefs have been filed by appellant and briefs have been filed by appellee in the Supreme Court, no other briefs are required.

If the appellant has not filed a brief, the appellant must file a brief within 20 days of date of transfer from the Supreme Court and docketing in the Court of Appeals. Appellee has 40 days from date of transfer from the Supreme Court and docketing in the Court of Appeals or 20 days after appellant's brief is filed, whichever is later, to file appellee's brief.

If appellant has filed appellant's brief in the Supreme Court and the case is transferred prior to appellee's brief having been filed in the Supreme Court, appellee has 20 days from date of transfer from the Supreme Court and docketing in the Court of Appeals to file appellee's brief.

If appellee's brief is filed in the Court of Appeals, appellant has 20 days from date of appellee's brief in which to file appellant's reply brief.

If the case has not been argued in the Court of Appeals, either party may request oral argument in the Court of Appeals within 20 days of date of transfer from the Supreme Court and docketing in the Court of Appeals. The court will determine whether to approve the request.

If the case has been argued in the Court of Appeals, no second argument in the Court of Appeals is permitted, unless by order of the Court sua sponte or upon motion by the parties and an order from the Court of Appeals granting a second oral argument.

COURT OF APPEALS OF GEORGIA

47 Trinity Avenue, S.W., Suite 501

Atlanta, Georgia 30334

(404)656-3450

Business Hours: Monday - Friday, 8:30 a.m. to 4:30 p.m.

NOTICE OF DOCKETING - DIRECT APPEAL

APPEAL CASE NUMBER: A15A1641

DATE OF DOCKETING: April 20, 2015

STYLE: PINGHUA WANG v. THE STATE

IMPORTANT RULE REQUIREMENTS AND INFORMATION

Briefs: Appellant's brief (including an Enumeration of Errors as Part II) shall be filed within 20 days of the date on this docketing notice. Appellee's brief shall be filed within 40 days after the docketing date or 20 days after the filing of the appellant's brief whichever is later. Requests for extensions of time to file briefs must be made by motion. Failure to timely file briefs or to follow any Court rules or orders may cause the appeal to be dismissed or may cause non-consideration of a brief and may subject the offender to contempt.

Filing Fees: No appellant's brief shall be received for filing without the \$80.00 filing fee except for those Appellants who are: 1) incarcerated and pro se, 2) represented by appointed counsel/public defender, or 3) paupers (with affidavit).

Related Cases: Attorneys must notify the Court if the above-styled case is related to any other case that is or was docketed in the Court. (E-filers file this as "Information" on the Docket. Hard copy submissions should be by separate letter to the Clerk.)

Attorneys: Attorneys: Note that Rule 46 requires that all submissions be via electronic format. E-filing instructions are found at www.gaappeals.us.

Pro Se Filing by US Postal Mail or Delivery Service: The contents of a properly addressed mailing other than a motion for reconsideration shall be deemed filed on the date of the U.S. Postal Service postmark date if it is stamped on the envelope or container. A filing received from an overnight delivery service is deemed filed on the date shown on the envelope or container. If no date appears on the container or envelope of a mailing or delivery, the contents shall be deemed filed on the date of receipt by the court. **Motions for reconsideration are deemed filed on the date the motion is physically received in the Clerk's office, i.e., the postmark date is not relevant.**

Oral Argument: A Request for Oral Argument shall be filed within 20 days of the date on this docketing notice. If oral argument is requested and granted by this Court, the argument is tentatively scheduled for Sep 16 2015 before the Third Division: P. J., Ellington, J., Dillard, J., McFadden. A calendar will be sent to counsel of record confirming the exact date of oral argument. If the calendar has not been received at least ten days prior to the tentative oral argument date, please contact the Clerk's office.

Communications: There shall be no communications relating to pending appeals with any judge or member of the judge's staff.

To: Supreme Court of Georgia

RE: State vs. Pinghua Wang

Superior Court of Floyd County Case Number: 14-CR-01042-JFL-002

Supreme Court of Georgia Case Number: S15A0831

Inquiry

Tia Milton
Chief Deputy Clerk,
Supreme Court of Georgia
244 Washington Street, SW
572 State Office Annex
Atlanta, Georgia 30334

RECEIVED IN OFFICE
2015 MAY -8 PM 2:49
FERRY COST ADMINISTRATOR
COURT OF APPEALS OF GA

Clerk Milton:

On March 2, 2015, I received a letter from you and the letter indicated the case with number S15A0831 was transferred to the Court of Appeals. On April 20, I received a letter from Court of Appeals of Georgia which provided information on submitting briefs and other information, the letter is attached. Attached you will also find the inquiry I sent to the Supreme Court of Georgia on March 6, 2015 in which I explained why I choose Supreme Court of Georgia over Appeals Court of Georgia.

Certificate of Service

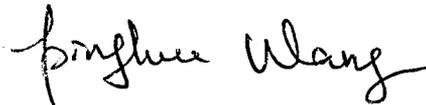
I certify that a copy of this document is served to following people via post office mail:

Georgia Attorney General, Sam Olens
40 Capitol Square, SW
Atlanta, Ga 30334

And

Tia Milton
Chief Deputy Clerk,
Supreme Court of Georgia
244 Washington Street, SW
572 State Office Annex
Atlanta, Georgia 30334

Date: April 27, 2015



Signature: Pinghua Wang

Address: 3154 Bayonet CT,
Marietta, GA, 30068

Telephone: 770-578-6985

pwang0p@gmail.com

To: Supreme Court of Georgia

RE: State vs. Pinghua Wang

Superior Court of Floyd County Case Number: 14-CR-01042-JFL-002

Supreme Court of Georgia Case Number: S15A0831

Inquiry

Therese Barnes
Clerk, Supreme Court of Georgia, Room 572
244 Washington Street
Atlanta, Georgia 30334

Ms. Therese Barnes:

To my surprise, I received an opinion from the chief deputy clerk of Supreme Court of Georgia yesterday, March 4, 2015, the opinion is attached. I have been thinking that I am consulting with Supreme Court of Georgia to see how to proceed with my appeal, so then we follow Laws and Rules correctly. I was confused with the laws written the way they are written at various places and I tried to find lawyers to represent me at various stages but often failed to find one. I have been contacting my attorney at the trial to see if he is willing to represent me in the Supreme Court of Georgia. Now I request the Supreme Court of Georgia to reconsider my appeal and withdraw the opinion of transferring the appeal to the

Court of Appeals. Here is why I choose the Supreme Court of Georgia over Court of Appeals as appeal court.

- I read the following paragraph from the web site of the Court of Appeals:

The Georgia Court of Appeals is the intermediate appellate court in Georgia. It was established in 1906 and has twelve judges who serve in four divisions. The Court of Appeals has statewide appellate jurisdiction of all cases except those involving constitutional questions, land title disputes, the construction of wills, murder, election contests, habeas corpus, extraordinary remedies, divorce and alimony and cases where original appellate jurisdiction lies with the Supreme Court. The Court of Appeals may certify legal questions to the Supreme Court.

I believe my case does involve constitutional questions at least as I pointed out in my various legal court documents, such as, in the United States District Court for Northern District of Georgia and in the appeal documents to the Supreme Court of Georgia. Plus some of things which happened or are happening around me, I couldn't understand.

- According to the Unified Appeal Procedure, the case shall be considered by the Supreme Court of Georgia automatically.
- I keep sending inquiries to Supreme Court of Georgia because I was afraid that the law suit simply quite down without any final verdicts, or receiving simple verdict such as "it was dismissed" without any explanation just as what happened in previous courts. I hope I could have opportunity to speak

out for myself and have a fair trial. I believe what happened to me should never have happened and my tenured teaching professor job should have never been interrupted.

Now I have a few inquiries:

- I have attorney at the trial and I requested to have a new trial and I appealed the case to higher court, the attorney was listed in the appeal documents, reasons were given why a new trial was requested, can the attorney withdraw the representation in the retrial and in higher court in such a criminal case?
- Rules in the Supreme Court of Georgia clearly stated the clerk of the court is responsible for sending docketing information to all attorneys and all pro se parties. Though the appellant's attorney indicated not to go further to represent the appellant and she filed the appeal on her own, shall clerk send docketing information to at least the attorney for the other party? The appellant made requests to the court clerk to send docketing information to appellant's attorney at the trial and the attorney for the other side.
- Rules in the Supreme Court of Georgia indicate pro se party should be treated same as attorney, but the admission forms and other forms available for attorneys to use are not suite for pro se parties.

- Talking about the brief, because an legal issue couldn't be resolved between the United States District Court for Northern District of Georgia and the United States Court of Appeals for the Eleventh Circuit, submission of brief there was made impossible in 2013. I really hope same thing won't happen here. And I like to add, though brief wasn't submitted in 2013 and not yet right now, right here, the major contents were already submitted, including major issues involved, major arguments, jurisdiction statement, corporate disclosure statements, statues and authorities, and etc.
- Again, appellant likes to point out that she still hopes the issues can be resolved within the legal system. Purpose of the appeal is to overturn the verdict done in the Superior Court of Floyd County, to get my tenured professor job back as I requested in my initial law suit in the United States District Court for the Northern District of Georgia, and settle things for what happened last a few years.

Certificate of Service

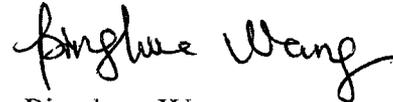
I certify that a copy of this document is served to following people via post office mail:

Georgia Attorney General, Sam Olens
40 Capitol Square, SW
Atlanta, Ga 30334

And

Therese Barnes
Clerk, Supreme Court of Georgia, Room 572
244 Washington Street
Atlanta, Georgia 30334

Date: March 6, 2015



Signature: Pinghua Wang

Address: 3154 Bayonet CT,
Marietta, GA, 30068

Telephone: 770-578-6985

pwang0p@gmail.com