

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

June 16, 2015

To: Mr. Devin Washington, GDC1001069250, Ware State Prison, 3620 North Harris Road,  
Waycross, Georgia 31501

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 \_\_\_\_\_  
divesting this Court of jurisdiction. The remittitur issued on \_\_\_\_\_
- 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: \_\_\_\_\_
- 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. Your document is being returned to you.**
- 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.

DEVIN WASHINGTON

JUNE, 9, 2015

EDC# 1001069250

WAKE STATE PRISON

3620 N. HARRIS (RECEIVED IN OFFICE)

WAYCROSS GA 31503

2015 JUN 15 PM 2:30

CASE# A15A0277)

CLERK/COURT ADMINISTRATOR  
COURT OF APPEALS OF GA

DEVIN WASHINGTON

VS

THE STATE

RE: THE ABOVE APPEAL IS PENDING BEFORE THIS COURT  
DOCKETED IN JANUARY 2015 TERM.

(GIBBS V. STATE) CASE NO. S14A0230 (APRIL 22, 2014)  
SUPREME COURT FINDS THAT THE TRIAL COURT IMPROPERLY SENTENCED HIM

THE EVIDENCE IS THAT GIBBS POSSESSED THE SAME  
HANDGUN TO ACCOMPLISH THE COMMISSION OF EACH  
FELONY. [AND THAT EACH WAS PART OF ONE AND THE  
SAME FATAL ENCOUNTER]

[THE COURT WARRANTS THE POSSESSION OF A GUN]  
CARRO, 277 GA. 867 (2004) STATE V. MARLOE 277 GA. 383 (2003)

CIC:

JACQUE D. HAWK

ATTORNEY FOR APPELLANT

THE HAWK FIRM

437 WALKER STREET

ATLANTA GA 30901

(706) 724-8537

STATE BAR NO. 338755