



Court of Appeals of Georgia

September 19, 2015

TO: Mr. Lonnie Whatley, Reg. No. 59541-019, United States Penitentiary - Atlanta, Post Office Box 150160, Atlanta, Georgia 30316

RE: **A15A1357. Lonnie Whatley v. The State**

CHECK RETURN

- Your check number _____ in the amount of _____ written on the account of your firm for the filing fee in _____ is enclosed. Please be advised that this Court is returning your check since the filing fee was already paid by _____.

CASE STATUS - DISPOSED

- The referenced appeal was dismissed on June 15, 2015. The remittitur issued on July 1, 2015, divesting this Court of any further jurisdiction of your case. The case is therefore, final. I have enclosed a copy of the Court's order for your review.**

CASE STATUS - PENDING

- The above referenced appeal is pending in your name before this Court. The appeal was docketed in the _____ Term and a decision must be rendered by the Court by the end of the _____ Term which ends on _____.

APPLICATION FOR PERMISSION TO APPEAL A PROBATION REVOCATION

- To appeal a probation revocation, you will need to file a Discretionary Application with this Court. Rule 31 of the Rules of the Court of Appeals of Georgia describes a Discretionary Application and the items you would need to include with your application.

A Discretionary Application must be filed within 30 days of the stamped filed date on the order that you are appealing and the application must be accompanied by a proper Certificate of Service and a pauper's affidavit or the \$80.00 filing fee. You must also comply with all the other applicable rules of Court regarding filing with the Court of Appeals of Georgia.

Enclosed, please find a copy of the Rules of the Court of Appeals for your review.

Court of Appeals of the State of Georgia

ATLANTA, June 15, 2015

The Court of Appeals hereby passes the following order:

A15A1357. WHATLEY v. THE STATE.

On May 18, 2015, this court denied appellant's motion seeking an appointment of appellate counsel, but granted him 20 more days to file his brief, which was initially due on April 2, 2015. The order noted that failure to file by that deadline would result in the dismissal of appellant's appeal.

On June 5, 2015, the appellant moved for an extension of 60 more days in which to file his brief. The request is hereby DENIED.

Although the appellant was ordered on May 18, 2015, to file a brief within 20 days, he has not done so as of the date of this order. Accordingly, this appeal is hereby DISMISSED as abandoned pursuant to Court of Appeals Rules 13 and 23 (a). See *Whittle v. State*, 210 Ga. App. 841, 842 (437 SE2d 842) (1993). (“[W]hen an appellant elects to pursue his own appeal, and fails to file enumerations of error or a brief after having been ordered to do so by this court, the appeal will be dismissed.”)



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 06/15/2015

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Stephen E. Castle, Clerk.

9-7-15

STATE OF GEORGIA
vs.
LONNIE WHATLEY

CASE NO. A15A1357

Dear Clerk

I'm writing regarding the status of my appeal. The state haven't responded to my brief and enumeration of errors. In the 2015 Georgia Court Of Appeals Rules 23, (b) the state must file a brief and haven't done one to this date.

Lonnie Whatley
Lonnie Whatley
#59541-019
USP ~~Atlanta~~ Atlanta
P.O. BOX 150160
Atlanta, GA 30315

RECEIVED IN OFFICE
2015 SEP 10 PM 3:54
CLERK OF SUPERIOR COURT
COUNTY OF FULTON, GA