

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

October 29, 2015

To: Mr. Bill Williams, GDC1249870, Phillips State Prison, 2989 West Rock Quarry Road, Buford, Georgia 30579

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).

**This office has not received the record on your appeal from Cobb County, Georgia. You will need to continue checking with the clerk of the trial court.**

**I am enclosing a copy of this Court's Rules for your review.**

**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. We do not have a file to append your copy.

**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.

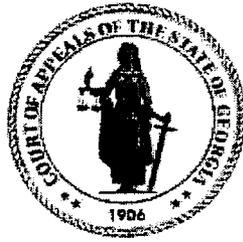
**An Application for Writ of Mandamus should be filed in the superior court of the county official whose conduct you intend to mandate.** An appeal from a denial of an Application for Writ of Mandamus is to the Supreme Court and not the Court of Appeals. The mailing address for the Supreme Court of Georgia 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.



**2015**

**Georgia Court of Appeals**

**R U L E S**

**Last Update: January 21, 2015**

Bill Williams, 1254970/A-1  
Phillips State Prison  
2989 West Rock Quarry Rd.  
Buford, Ga. 30519-4118

25 October 2015

Court Clerk & Administrator  
Georgia Court of Appeals  
334 State Judicial Building  
40 Capitol Square, SW  
Atlanta, Ga. 30334

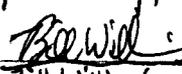
RECEIVED IN OFFICE  
2015 OCT 28 PM 3:34  
CLERK/COURT ADMINISTRATOR  
COURT OF APPEALS OF GA.

RE: REQUEST FOR ASSISTANCE

Dear Court Clerk & Administrator;

I filed a NOTICE OF APPEAL in Cobb County Superior Court case: 06-9-4192  
28/06-9-4193-28 on 9-11-15 from denial of my motion for out-of-time appeal. As of today, 6  
weeks after filing, the Cobb County Superior Court Clerk has still not transmitted the appeal  
for docketing, nor has that office responded to any of my correspondence requesting  
either compliance with the law or an explanation. The order denying my motion for out-of-  
time appeal is directly appealable (Lunsford v. State, 237 Ga. App. 696), but that right is meaningless if  
clerks can simply refuse to forward appeals and/or records.

Please either do whatever is necessary to get my appeal docketed, or advise  
me as to what I need to do. Thank you for your time and assistance.

Respectfully,  
  
Bill Williams