

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

September 22, 2015

To: Mr. Jerry Willis, GDC373983, Telfair State Prison, Post Office Box 549, Helena, Georgia 31037

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.

You may want to write the Center for Prisoners Legal Assistance, Inc. for answers to the questions in your letter. The mailing address for the Center for Prisoners Legal Assistance, Inc. is: Post Office Box 1268, Alpharetta, Georgia 30009. I have enclosed your letter so you may refer to your questions when you contact that agency.

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.

Telfair State Prison
P.O. Box 549
Helena Ga 31037

From: Jerry Willis #373983

Case # 92CR1368

To: Clerk of Court

RECEIVED
2015 SEP 18 PM 5:48
COURT OF APPEALS
CLERK OF COURT

Dear Clerk of Court, I am in the process of appealing a motion in which the lower courts may have rejected or refuse to grant.

My concern here is that I was convicted of Malice Murder and Felony Murder.

And I wanted to know if that could or would stop the appeals court from reviewing the issues or plain error that was raised in the motion.

This letter is not a request for any type of legal advise. But only to see am I allowed to appeal any issues that I may have filed in a motion to the lower court!

Again do my charge stop me from bringing issues before the appeals court for reviews.

Please provide me with a answer to the above question.

The trial court may or may not have made a decision on the motion. A timely response would be greatly appreciated...

Jerry Willis

If issues however can not be raised at the appeals level please explain why.

If I can appeal my issues to the appeals court please notify me as of this time frame in which I may raise my ~~claim~~ claim.

Thanks for your time.