

*The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 15, 2006

Mr. Mitchell D. Durham
Attorney at Law
301 Washington Avenue
Marietta, Georgia 30060-2095

RE: A05A0315. Bernard Depree, Jr. v. The State

Dear Mr. Durham

Pursuant to this Court's Record Retention Schedule, the record and/or transcript(s) for the above appeal is scheduled for destruction. While the original record is maintained by the trial court, the clerk's office recycles a copy of the record one year after the remittitur date.

This case has been on a hold status at your request. If you anticipate the case will come back to the Court of Appeals, please notify the clerk's office, in writing, to continue to hold the record.

If you are interested in retrieving the record, you must call (404) 657-8360 and ask for Lola Diamond to arrange a pick up date. Please have the above referenced Court of Appeals case numbers available when you call.

Please send your written responses to this Court at the above address by Wednesday, March 1, 2006. If we do not hear from you **by that date**, the record will be recycled.

Thank you for your attention to this matter.

Sincerely,



William L. Martin, III
Clerk and Court Administrator
Court of Appeals of Georgia

WLM, III/ld
cc: Mr. Bernard Depree
GDC377017

COURT OF APPEALS OF GEORGIA
334 STATE JUDICIAL BUILDING
ATLANTA, GEORGIA 30334

PAGE NO. 1

PREPARED DATE FEBRUARY 15, 2006

***** C A S E H I S T O R Y R E P O R T *****

CASE NU. A05A0315 DOC DATE: 092404 CODE: 78012 DIV: 3 CITE
STYLE: BERNARD DEPREE. JR. V. THE STATE

(01500) VGCSA XREF: RE SUP-CT:
COST PD: 092404 RECEIPT#: 9999 PAID BY: PAUPER
CAL MMY: 0105 ARG. REQ: BY: ARGU: (IND: DATE:
ARGU ATTY (NT) 1. (EE) 1.
2. 2.

***** CERTIORARI DATA *****
NOTICE OF INT.: 0 NOTICE OF APP.: 0 SC #: CERT (G/D): DATE
SC JUDG: REMITT DATE: 0

***** REMITTITUR DATA *****
REMITT DATE: 101904 OPINION SENT: C/A CASE STATUS: R

***** LOWER COURT DATA *****
SHORT STYLE: BERNARD DEPREE V. THE STATE
LC # 999456133
LC JUDGE: HON. JAMES BODIFORD LC COUNTY: Cobb
LC NAME: SUPERIOR COURT CLERK: MR. JAY C. STEPHENSON
JUD DATE: 102903 NOA:112603

RECORD DATE	DESCRIPTION	PARTS
092404	LOWERCOURT RECORDS.	01
092404	TRANSCRIPTS.	04
0		
0		
0		
0		

***** PARTY DATA *****
PARTY TYPE: NT PARTY NAME: DEPREE BERNARD
Mr. Mitchell D. Durham MR. BERNARD DEPREE
ATTORNEY AT LAW GDC ID 377017
301 WASHINGTON AVENUE CENTRAL STATE PRISON
MARIETTA GA 300602095 MACON GA 31213
() - () - - () -

PARTY TYPE: EE PARTY NAME: STATE THE
Mr. Patrick H. Head
DISTRICT ATTORNEY
COBB COUNTY COURTHOUSE
MARIETTA GA 30090
() - () - - () -

***** FILING DATA *****

***** MOTION DATA *****
(05404) DISMISSED 092804

***** JUDGE VOTING *****804
CODE JUDGE NAME VOTE VAC D. VOTE

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

June 16, 2006

Mr. Drew W. Powell
Public Defender's Office
Mountain Judicial Circuit
Post Office Box 253
Clarkesville, Georgia 30523

RE: A05A0332. Charles Roger Nolf v. The State

Dear Mr. Powell:

Pursuant to this Court's Record Retention Schedule, the record and/or transcript(s) for the above appeal is scheduled for destruction. While the original record is maintained by the trial court, the clerk's office recycles a copy of the record one year after the remittitur date.

This case has been on a hold status. If you anticipate the case will come back to the Court of Appeals, please notify the clerk's office, in writing, to continue to hold the record.

If you are interested in retrieving the record, you must call (404) 657-8360 and ask for Lola Diamond to arrange a pick up date. Please have the above referenced Court of Appeals case numbers available when you call.

Please send your written responses to this Court at the above address by Monday, July 3, 2006. If we do not hear from you by **that date**, the record will be recycled.

Thank you for your attention to this matter.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld

COURT OF APPEALS OF GEORGIA
334 STATE JUDICIAL BUILDING
ATLANTA, GEORGIA 30334

PAGE NO. 1

PREPARED DATE JUNE 16, 2006
***** CASE HISTORY REPORT *****

CASE NU. A05A0332 DOC DATE: 092704 CODE: 91013 DIV: 4 CITE
STYLE: CHARLES ROGER NOLF V. THE STATE

(01542) VEHICULAR HOMICIDE XREF: SUP-CT:
COST PD: 092704 RECEIPT#: 9999 PAID BY: PAUPER
CAL MMY: 0105 ARG. REQ: BY: ARGU: (IND: DATE:
ARGU ATTY (NT) 1. (EE) 1.
2. 2.

***** CERTIORARI DATA *****
NOTICE OF INT.: 0 NOTICE OF APP.: 0 SC #: CERT (G/D): DATE
SC JUDG: REMITT DATE: 0

***** REMITTITUR DATA *****
REMITT DATE: 030405 OPINION SENT: C/A CASE STATUS: R

***** LOWER COURT DATA *****
SHORT STYLE: CHARLS NOLF V. THE STATE
LC # 03SUCR113W
LC JUDGE: HON. ERNEST H. WOODS LC COUNTY: Habersham
LC NAME: SUPERIOR COURT CLERK: MR. DAVID C. WALL
JUD DATE: 081604 NOA: 091004

RECORD DATE	DESCRIPTION	PARTS
092704	LOWER COURT RECORD	02
092704	TRANSCRIPTS.	03
0		
0		
0		
0		

***** PARTY DATA *****
PARTY TYPE: NT PARTY NAME: NOLF CHARLES R
Mr. Drew Watson Powell
PUBLIC DEFENDER
MOUNTAIN JUDICIAL CIRCUIT
CLARKESVILLE GA 30523
(706) 754-6427 () - () -
POB 253
PARTY TYPE: EE PARTY NAME: STATE THE
Mr. Michael H. Crawford Mr. Earnest Jay McCollum
DISTRICT ATTORNEY CHIEF ASSISTANT DISTRICT ATTORNEY
P.O. BOX 2138 P. O. BOX 2138
CLARKESVILLE GA 305232138 CLARKESVILLE GA 305230000
(706) 754-4496 (754) 449-6 - () -

***** FILING DATA *****
(03001) BRIEF OF APPELLANT 110504
(03003) BRIEF OF APPELLEE 112404

***** MOTION DATA *****
(04001) FOR EXT TO FILE/NT 101604
(05215) EXT/GRANT/15 DAYS/NT 102004

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 1, 2006

Mr. Ron L. Quigley
Davis • Matthews & Quigley, P.C.
3400 Peachtree Road, N.E.
14th Floor Lenox Tower II
Atlanta, Georgia 30326-1186

RE: A05A0952. Hector M. Leon v. Monterrey Mexican Restaurant of
Wise, Inc., et al.

Dear Mr. Quigley:

Pursuant to this Court's Record Retention Schedule, the record and/or transcript(s) for the above appeal is scheduled for destruction. While the original record is maintained by the trial court, the clerk's office recycles a copy of the record one year after the remittitur date.

This case has been on a hold status. If you anticipate the case will come back to the Court of Appeals, please notify the clerk's office, in writing, to continue to hold the record.

If you are interested in retrieving the record, you must call (404) 657-8360 and ask for Lola Diamond to arrange a pick up date. Please have the above referenced Court of Appeals case numbers available when you call.

Please send your written responses to this Court at the above address by Tuesday, March 14, 2006. If we do not hear from you **by that date**, the record will be recycled.

Thank you for your attention to this matter.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld

COURT OF APPEALS OF GEORGIA
334 STATE JUDICIAL BUILDING
ATLANTA, GEORGIA 30334

PAGE NO. 1

PREPARED DATE MARCH 01, 2006

***** CASE HISTORY REPORT *****

CASE NU. A05A0952 DOC DATE: 011405 CODE: 99045 DIV: 3 CITE
STYLE: HECTOR M. LEON V. MONTERREY MEXICAN RESTAURANT OF WISE, INC. ET AL

(01225) CONTRACT XREF: RE SUP-CT:
COST PD: 020205 RECEIPT#: 2055 PAID BY: DAVIS MATTHEWS & QUIGLEY
CAL MMY: 0405 ARG. REQ: BY: ARGU: (IND: DATE:
ARGU ATTY(NT) 1. (EE) 1.
2. 2.

***** CERTIORARI DATA *****

NOTICE OF INT.: 000000 NOTICE OF APP.: 000000 SC #: CERT(G/D): DATE
SC JUDG: REMITT DATE: 000000

***** REMITTITUR DATA *****

REMITT DATE: 112305 OPINION SENT: C/A CASE STATUS: R

***** LOWER COURT DATA *****

SHORT STYLE: HECTOR LEON V. MONTERREY MEXICAN
LC # 00A0117758 LC COUNTY: Gwinnett
LC JUDGE: HONORABLE GENE REEVES CLERK: MR. THOMAS LAWLER
LC NAME: SUPERIOR COURT
JUD DATE: 032903 NOA:040704

RECORD DATE	DESCRIPTION	PARTS
011405	LOWERCOURT RECORDS.	01
011405	TRANSCRIPTS.	
0		
0		
0		
0		

***** PARTY DATA *****

PARTY TYPE: NT PARTY NAME: LEON HECTOR M
Mr. Ron L. Quigley
DAVIS, MATTHEWS & QUIGLEY, P.C.
3400 PEACHTREE ROAD, N.E. *14th Floor Lenox Tower II*
ATLANTA GA 30326 ~~0000~~ *1180*
(404)601-2601 () - () -

PARTY TYPE: EE PARTY NAME: MONTERREY MEXICAN
Mr. Raymon D. Burns Mr. Michael Todd Smith
ATTORNEY AT LAW ANDREW, MERRITT, REILLY & SMITH
7 LUMPKIN STREET SEVEN LUMPKIN STREET
LAWRENCEVILLE GA 30045 LAWRENCEVILLE GA 30045
(678)377-0422 (377)042-2 - () -

***** FILING DATA *****

(03001)	BRIEF OF APPELLANT	020205
(03003)	BRIEF OF APPELLEE	022305
(03014)	REPLY BRIEF/NT	031105

***** MOTION DATA *****

(05404)	DISMISSED	110705
---------	-----------	--------

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 20, 2006

Mr. Timothy L. Lam
Attorney at Law
209 Church Street
Monticello, Georgia 31064

RE: A05A1368. Kenji Barber v. The State

Dear Mr. Lam:

Pursuant to this Court's Record Retention Schedule, the record and/or transcript(s) for the above appeal is scheduled for destruction. While the original record is maintained by the trial court, the clerk's office recycles a copy of the record one year after the remittitur date.

This case has been on a hold status. If you anticipate the case will come back to the Court of Appeals, please notify the clerk's office, in writing, to continue to hold the record.

If you are interested in retrieving the record, you must call (404) 657-8360 and ask for Lola Diamond to arrange a pick up date. Please have the above referenced Court of Appeals case numbers available when you call.

Please send your written responses to this Court at the above address by Friday, May 5, 2006. If we do not hear from you by that date, the record will be recycled.

Thank you for your attention to this matter.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld

COURT OF APPEALS OF GEORGIA
334 STATE JUDICIAL BUILDING
ATLANTA, GEORGIA 30334

PAGE NO. 1

PREPARED DATE APRIL 20, 2006
***** CASE HISTORY REPORT *****

CASE NU. A05A1368 DOC DATE: 031805 CODE: 97051 DIV: 2 CITE
STYLE: KENJI BARBER V. THE STATE

(01507) AGGRAVATED ASSAULT XREF: RE SUP-CT:
COST PD: 031805 RECEIPT#: 9999 PAID BY: PAUPER
CAL MMY: 0705 ARG. REQ: BY: ARGU: (IND: DATE:
ARGU ATTY (NT) 1. (EE) 1.
2. 2.

***** CERTIORARI DATA *****
NOTICE OF INT.: 000000 NOTICE OF APP.: 000000 SC #: CERT (G/D): DATE
SC JUDG: REMITT DATE: 000000

***** REMITTITUR DATA *****
REMITT DATE: 040705 OPINION SENT: C/A CASE STATUS: R

***** LOWER COURT DATA *****
SHORT STYLE: KENJI BARBER V. THE STATE
LC # 2002R96
LC JUDGE: HON. TOMMY WILSON LC COUNTY: BUTTS
LC NAME: SUPERIOR COURT CLERK: MS. RONDA T. SMITH
JUD DATE: 010505 NOA: 030705

RECORD DATE	DESCRIPTION	PARTS
031805	LOWERCOURT RECORDS.	01
031805	TRANSCRIPTS.	01
0		
0		
0		
0		

209 Church Street

***** PARTY DATA *****
PARTY TYPE: NT PARTY NAME: BARBER KENJI
Mr. Timothy Larry Lam MR. KENJI BARBER
ATTORNEY AT LAW PRO SE GDC#1121934
P. J. Barber SCOTT STATE PRISON
MONTICELLO GA 310640000 HARDWICK GA 31034
(404)468-0405 () - () -
PARTY TYPE: EE PARTY NAME: STATE THE
Mr. Richard G. Milam
DISTRICT ATTORNEY
BUTTS COUNTY COURTHOUSE, P.O. BOX 1
JACKSON GA 30233
() - () - () -

***** FILING DATA *****
***** MOTION DATA *****
(05404) DISMISSED 032105

***** JUDGE VOTING *****105
CODE JUDGE NAME VOTE VAC D. VOTE

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 20, 2006

Mr. David A. Colquitt
Attorney at Law
Post Office Box 56302
Atlanta, Georgia 30343

RE: A05A1420. Greenbriar Development Services, Inc. d/b/a The Atrium
v. Gary Lee Pitts

Dear Mr. Colquitt:

Pursuant to this Court's Record Retention Schedule, the record and/or transcript(s) for the above appeal is scheduled for destruction. While the original record is maintained by the trial court, the clerk's office recycles a copy of the record one year after the remittitur date.

This case has been on a hold status. If you anticipate the case will come back to the Court of Appeals, please notify the clerk's office, in writing, to continue to hold the record.

If you are interested in retrieving the record, you must call (404) 657-8360 and ask for Lola Diamond to arrange a pick up date. Please have the above referenced Court of Appeals case numbers available when you call.

Please send your written responses to this Court at the above address by Friday, May 5, 2006. If we do not hear from you by **that date**, the record will be recycled.

Thank you for your attention to this matter.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld

COURT OF APPEALS OF GEORGIA
334 STATE JUDICIAL BUILDING
ATLANTA, GEORGIA 30334

PAGE NO. 1

PREPARED DATE APRIL 20, 2006
***** CASE HISTORY REPORT *****

CASE NU. A05A1420 DOC DATE: 032505 CODE: 71066 DIV: 3 CITE
STYLE: GREENBRIAR DEVELOPMENT SERVICES, INC. D/B/A THE ATRIUM V.
GARY LEE PITTS

(01045) NEGLIGENCE/PERSONAL INJURY XREF: RE SUP-CT:
COST PD: RECEIPT#: PAID BY:
CAL MMY: 0705 ARG. REQ: BY: ARGU: (IND: DATE:
ARGU ATTY (NT) 1. (EE) 1.
2. 2.

***** CERTIORARI DATA *****

NOTICE OF INT.: NOTICE OF APP.: SC #: CERT (G/D): DATE
SC JUDG: REMITT DATE:

***** REMITTITUR DATA *****

REMITT DATE: 041505 OPINION SENT: C/A CASE STATUS: R

***** LOWER COURT DATA *****

SHORT STYLE: GREENBRIAR DEVELOPMENT V. PITTS
LC # 04A183673
LC JUDGE: HON. WAYNE PURDOM LC COUNTY: DeKalb
LC NAME: State Court CLERK: MR. KENNETH CHEEK
JUD DATE: 030305 NOA: 030805

RECORD DATE	DESCRIPTION	PARTS
032505	LOWERCOURT RECORDS.	01
032505	TRANSCRIPTS.	01

***** PARTY DATA ***** 01

PARTY TYPE: NT PARTY NAME: GREENBRIAR DEVELOPMENT

Mr. David Allen Colquitt
ATTORNEY AT LAW
P.O. BOX 56302

ATLANTA GA 30343

(378) 673-0 () - () -

PARTY TYPE: EE PARTY NAME: PITTS GARY

Mr. Darrell T. Farr
AUSBAND & FARR

4920 NORTH HENRY BLVD.
STOCKBRIDGE GA 30281

(593) 300-0 () - () -

***** FILING DATA *****

***** MOTION DATA *****

(04007)	TO WITHDRAW APPEAL/APPLICATION	041305
(05400)	WITHDRAWAL OF APPEAL/APPLICATION/GRANTED	041505

***** JUDGE VOTING ***** 505

CODE	JUDGE NAME	VOTE	VAC	D. VOTE
()	PJ. G. ALAN BLACKBURN			CC
()	JUDGM. YVETTE MILLER			CC

*The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

August 15, 2005

Ms. Sheila Studdard
Clerk, Superior Court
Fayette County Justice Center
One Center Drive
Fayetteville, Georgia 30214

RE: A04A0487. Anthony John Carter v. The State
Lower Court Case Numbers: 2002R0265

Dear Ms. Studdard:

We are returning the enclosed audiocassette in the above referenced matter for your files.
If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosure

*The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

June 1, 2005

Mr. Kenneth H. Skinner
Clerk, Superior and State Courts
Carroll County Courthouse
Post Office Box 1620
Carrollton, Georgia 30112

RE: A03A2265. Christopher E. Cook v. The State
Lower Court Case Nos. S22T01615
Carroll County State Court

Dear Mr. Skinner:

We are returning the enclosed videocassette in the above referenced matter for your files.
If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

June 1, 2005

Mr. Kenneth H. Skinner
Clerk, Superior and State Courts
Carroll County Courthouse
Post Office Box 1620
Carrollton, Georgia 30112

RE: A03A2104. Michael Taylor v. The State
Lower Court Case Nos. 99CR208
Carroll County Superior Court

Dear Mr. Skinner:

We are returning the enclosed videocassette in the above referenced matter for your files.
If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

*The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

June 1, 2005

Mr. Kenneth H. Skinner
Clerk, Superior and State Courts
Carroll County Courthouse
Post Office Box 1620
Carrollton, Georgia 30112

RE: A04A1387. Christopher Scruggs v. The State
Lower Court Case Nos. 03CR340
Carroll County Superior Court

Dear Mr. Skinner:

We are returning the enclosed videocassette in the above referenced matter for your files.
If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 31, 2005

Ms. Stefani Searcy
Clerk, State Court of Fulton County
TG800 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

RE: Your Case Number: 02V8039631F
Stacy Williams v. LEISERV, Inc., et al.

Dear Ms. Searcy:

I am in receipt of the record for the above appeal which was forwarded from your office to ours. Please be advised that we are unable to docket the appeal because the Notice of Appeal indicates a transcript will be filed for inclusion in the record on appeal. Since no transcript accompanied the record, we cannot file this appeal.

When the court reporter files a transcript, please certify same and send it to this office as a supplemental record. If there is, in fact, no transcript, please remit the record when the appellant has filed an amended Notice of Appeal to state that fact.

There is an amended Notice of Appeal contained in this record, however, that amended Notice of Appeal which is found at Page 4 of the record is an amended Notice of Appeal for a case different from the above referenced case.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of any assistance to you, please do not hesitate to contact me.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

cc: William H. Buckley, Esq.

RECORDS RETURN NOTICE

DATE 5/27/05

Style Stacy Williams v. Lesser, Inc.

Lower Court Fulton State

Lower Court Case NO. 02VB039631F

REASON:

-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
- Notice of Appeal not stamped filed
- No Index/Improper Index
- Not properly assembled
- Main/Cross/Companion in same record
- Pages not numbered
- No appealable order in record
- No order on Motion for New Trial
- No Motion for New Trial (have order thereon)
- Order not signed by Judge
- No Notice of Appeal after Order granting Out of Time
- Notice of Appeal does not state to which Court
- Appealed or Appealed to one/jurisdiction to other
- Pages copied front/back
- Only one side printed of duplex document
- Other There is an amended "Notice of Appeal" to a different case

TO: COURT OF APPEALS OF GEORGIA

STACY WILLIAMS,
Plaintiff/Appellant,

*FROM: STATE COURT OF FULTON COUNTY

*CIVIL ACTION FILE NO. 02VS039631 F

vs.

*

LEISERV, INC., d/b/a Brunswick
Cedar Creek Lanes and
BRUNSWICK CORPORATION
d/b/a Cedar Creek Lanes,
Defendants/Appellees.

*

*

RECEIVED

MAY 26 2005

COURT OF APPEALS
OF GA

INDEX

PAGE

1. Notice of Appeal – Filed August 4, 2004.....	1
2. Amended Notice of Appeal – Filed February 2, 2005	4
3. Summons and Complaint – Filed October 7, 2002	7
4. Marshal’s Entry of Service – Dated October 10, 2002	24
5. Marshal’s Entry of Service – Dated October 10, 2002	25
6. Answer of Leiserv, Inc. – Filed November 6, 2002	26
7. Certificate of Service of Discovery Documents – Filed November 26, 2002	32
8. Certificate of Service of Discovery Documents – Filed December 3, 2002	33
9. Affidavit of Default for Brunswick Corporation – Filed December 10, 2002.....	34
10. Certificate of Service of Discovery Documents – Filed December 12, 2002	38
11. Notice of Change of Address – Filed January 23, 2003	39

12. Certificate of Filing Discovery – Filed January 3, 2003	42
13. Order Entering Default Judgment against Defendant Brunswick Corporation – Filed February 17, 2003	43
14. Motion to Open Default of Defendant Brunswick Corporation – Filed February 28, 2003	46
15. Brief in Support of Defendant Brunswick Corporation’s Motion to Open Default – Filed February 28, 2003	62
16. Affidavit of W. Seaborn Jones – Filed February 28, 2003	74
17. Certificate of Clerk – Filed February 28, 2003	78
18. Answer of Brunswick Corporation – Filed March 11, 2003	81
19. Consent Order Opening Default – Filed March 11, 2003	86
20. Motion for Summary Judgment of Defendants Leiserv, Inc. and Brunswick Corporation – Filed January 28, 2004	88
21. Statement of Undisputed Facts and Theories of Recovery of Defendants Leiserv, Inc. and Brunswick Corporation – Filed January 28, 2004	91
22. Brief in Support of Motion for Summary Judgment of Defendants Leiserv, Inc. and Brunswick Corporation – Filed January 28, 2004	98
23. Certificate of Filing Original Discovery of Defendants Leiserv, Inc. and Brunswick Corporation – Filed January 28, 2004	114
24. Deposition of Stacy Williams – Filed January 28, 2004	115A
25. Affidavit of Dennis Lockhart – Filed January 28, 2004	201
26. Consent Stipulation for Enlargement of Time Within which to File Plaintiff’s Response to Defendant’s Motion for Summary Judgment – Filed February 27, 2004	205
27. Consent Stipulation for Enlargement of Time Within which to File Plaintiff’s Response to Defendant’s Motion for Summary Judgment – Filed April 27, 2004	208

28. Plaintiff's Response to Defendant's Motions for Summary Judgment – Filed June 1, 2004	211
29. Plaintiff's Brief in Opposition to Defendants' Motion for Summary Judgment – Filed June 1, 2004	214
30. Plaintiff's Statement of Material Facts as to which There Exists a Genuine Issue to be Tried – Filed June 1, 2004	222
31. Reply Brief of Defendants Leiserv, Inc. and Brunswick Corporation – Filed June 18, 2004	225
32. Affidavit of Cheryll Shumate – Filed June 1, 2004.....	233
33. Affidavit of Tim McGinley – Filed June 1, 2004	236
34. Final Order Granting Defendants' Motion for Summary Judgment – Filed July 7, 2004.....	241

ATTORNEYS FOR APPELLANT

Samuel S. Olens
William H. Buckley
EZOR & OLENS, P.C.
3715 Northside Parkway
Building 300, Suite 600
Atlanta, GA 30327

ATTORNEY FOR APPELLEES

W. Seaborn Jones
OWEN, GLEATON, EGAN, JONES & SWEENEY, LLP
1230 Peachtree Street, N. E. - Suite 1400
Atlanta, GA 30309-3574

JUDGE

Judge Susan B. Forsling

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 31, 2005

Ms. Linda Carter
Clerk, Superior Court
DeKalb County Courthouse • Room 207
556 North McDonough Street
Decatur, Georgia 30030-3380

RE: Your Case Number: 03CV1731-6
Cherilyn Howard v. Christopher Allen

Dear Ms. Carter:

I am in receipt of the record for the above appeal which was forwarded from your office to ours. Please be advised that we are unable to docket the appeal because the Notice of Appeal indicates a transcript will be filed for inclusion in the record on appeal. Since no transcript accompanied the record, we cannot file this appeal.

When the court reporter files a transcript, please certify same and send it to this office as a supplemental record. If there is, in fact, no transcript, please remit the record when the appellant has filed an amended Notice of Appeal to state that fact.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of any assistance to you, please do not hesitate to contact me.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

cc: Ms. Cherilyn Howard

Cherilyn Howard : No.
 Appellant :
 Vs : Term , 2004
 Christopher Allen :
 Appellee : Court of Appeals of Georgia

RECEIVED
 MAY 27 2005
 COURT OF APPEALS
 OF GA

Index

1. Notice of Appeal, filed 10/23/03-----	1.
2. Original Complaint, filed 1/23/03-----	2.
3. Marshal /Sheriff's Entry of Service, filed 3/13/03-----	10.
4. Marshal/ Sheriff's Entry of Service, filed 4/28/03-----	11.
5. Notice to All Parties, filed 6/4/03-----	12.
6. Notice to All Parties, filed 7/16/03-----	13.
7. Certificate of Service, filed 8/25/03-----	14.
8. Legitimation and Temporary Visitation Order, filed 9/23/03-----	15.
9. Notice of Hearing, filed 3/21/05-----	18.
10. Motion for Contempt, filed 4/29/05-----	19.
11. Order, filed 4/29/05-----	33.

IN THE SUPERIOR COURT
OF DEKALB COUNTY
STATE OF GEORGIA

PLAINTIFF,

CHERYLYN HOWARD, *

vs. *

CASE NUMBER 03-CV-1731-6

*

DEFENDANT,

CHRISTOPHER ALLEN,

NOTICE OF APPEAL

Notice is given that (Plaintiff) in the above matter hereby appeals to the Court of Appeals of Georgia from the judgment of the trial court entered on the 23rd day October 2003.

The clerk shall omit nothing from the record on appeal.

A transcript of evidence and proceedings will be filed for inclusion in the record on appeal.

The Court of Appeals, rather than the Supreme Court, has jurisdiction of this appeal because the issue involved is Legitimation, Temporary Visitation, and Name Change and appeals of such cases are reserved to the Supreme Court of Georgia pursuant to Article VI, Section VI, Paragraphs II and III of the Constitution of the State of Georgia.

APPEALS/ADMITTED
2003 OCT 23 10 11 AM
CLERK OF SUPERIOR COURT
DEKALB COUNTY, GEORGIA
L.S.

CERTIFICATE OF SERVICE

Cheryl Howard
5098 Post Road Trail
Stone Mountain, Georgia 30088

I certify that I have this day served Christopher Allen with a copy of this Notice of Appeal by mailing a copy first class mail postage pre-paid to him at 4031 Ward lake Trail, Ellenwood, Georgia, 30294.

This the 23rd day of October 2003.

Cheryl Howard

Signature

Cherilyn Howard
October 23, 2003
(404)328-9277
(4) 270-9269
5098 Post Road Trail
Stone Mountain, Georgia 30088

Christopher Allen
October 23, 2003
(404)328-2110
4031 Ward Lake Trail
Ellenwood, Georgia 30294

2/1/03
T.J

RECORDS RETURN NOTICE

DATE 5/27/05

Style Cheryl Howard v. Christopher Allen

Lower Court DeKalb Superior

Lower Court Case NO. 03CV17316

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
- Notice of Appeal not stamped filed
- No Index/Improper Index
- Not properly assembled
- Main/Cross/Companion in same record
- Pages not numbered
- No appealable order in record
- No order on Motion for New Trial
- No Motion for New Trial (have order thereon)
- Order not signed by Judge
- No Notice of Appeal after Order granting Out of Time
- Notice of Appeal does not state to which Court
- Appealed or Appealed to one/jurisdiction to other
- Pages copied front/back
- Only one side printed of duplex document
- Other _____

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 31, 2005

Ms. Adayna B. Broome
Clerk, Superior Court
Mitchell County Courthouse
Post Office Box 427
Camilla, Georgia 31703-0427

RE: Civil Action No. 03-V-193
Oscar Lopez v. Carl Humphrey, Warden

Dear Ms. Broome:

Enclosed please find the record in the above appeal which was forwarded from your office to our office. Please be advised that we are unable to docket this appeal because the record does not contain a stamped filed copy of the Notice of Appeal. Additionally, the Notice of Appeal does not show a Certificate of Service to opposing counsel or party.

Without a Certificate of Service showing the complete name and mailing address of opposing counsel, we are unable to docket the appeal.

It is necessary to have a stamped filed copy of the Notice of Appeal so the Court of Appeals will be able to determine that the Notice of Appeal was timely filed. Also, without a Certificate of Service showing the complete name and mailing address of opposing counsel, we are unable to send out Docketing Notices.

When the appellant files an amended Notice of Appeal to include the complete name and mailing address of the opposing counsel or party, and when a stamped filed copy of the Notice of Appeal is attached to the record, please return the record for docketing.

Sincerely,



William L. Martin, III
Clerk/Administrator

WLM, III/ld
Enclosures

cc: Mr. Oscar R. Lopez
GDC1101312 EF489307

ADAYNA B. BROOME

CLERK SUPERIOR COURT
CLERK STATE COURT
CLERK JUVENILE COURT

P.O.BOX 427
CAMILLA, GA. 31730

(912)336-2022

May 24, 2005

RECEIVED

MAY 31 2005

COURT OF APPEALS
OF GA

Mr. William L. Martin, III
Clerk and Court Administrator
Court of Appeals
334 State Judicial Building
Atlanta, Georgia 30334

Re: Oscar Lopez vs. Carl Humphrey, warden
Civil Action No. 03-V-193

Dear Mr. Martin:

At the Petitioner's request, please find enclosed the above styled appeal.

I trust that you will find everything in order. If so, please file the same in your court.

Sincerely yours,



Adayna B. Broome
Clerk

Encl.

cc: Mark Gilbert
Oscar Lopez

RECORDS RETURN NOTICE

DATE 5/31/05

Style Oscar Lopez v. Carl Humphrey, Warden

Lower Court Mitchell Superior

Lower Court Case NO. 03V197

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
- Notice of Appeal not stamped filed
- No Index/Improper Index
- Not properly assembled
- Main/Cross/Companion in same record
- Pages not numbered
- No appealable order in record
- No order on Motion for New Trial
- No Motion for New Trial (have order thereon)
- Order not signed by Judge
- No Notice of Appeal after Order granting Out of Time
- Notice of Appeal does not state to which Court
- Appealed or Appealed to one/jurisdiction to other
- Pages copied front/back
- Only one side printed of duplex document
- Other _____

IN THE SUPERIOR COURT OF MITCHELL COUNTY
STATE OF GEORGIA

OSCAR R. LOPEZ)
)
)
 PLAINTIFF) CASE NO. 03-v-193
)
)
 VERSUS)
)
)
 CARL HUMPHREY, WARDEN)
)
)
 DEFENDANT)

Page No.

- | | |
|--|--------|
| 1. Notice of Appeal filed May 24, 2005 | 1 - 3 |
| 2. Motion for Appointment of Counsel | 4 - 8 |
| 3. Response in Opposition to Motion | 9 - 11 |
| 4. Order Denying Motion | 12 |

CERTIFICATE OF CLERK

②

IN THE SUPERIOR COURT OF MITCHELL COUNTY
STATE OF GEORGIA

OSCAR R. LOPEZ
Petitioner

CIVIL ACTION No. 03-V-193

Vs.

CARL HUMPHREY, WARDEN,
RESPONDENT.

NOTICE OF APPEAL

Notice is hereby given that OSCAR R. LOPEZ, Petitioner ABOVE NAMED, hereby Appeals to the Court OF APPEALS from the denial of Motion for Appointment of Counsel entered herein on JANUARY 21, 2005.

The clerk will please omit NOTHING from the record on Appeal.

THE COURT OF APPEALS HAS JURISDICTION OF THIS CASE.

RESPECTFULLY Submitted This February 2, 2005

Oscar Lopez

OSCAR R. LOPEZ

489307

Putty STATE PRISON

POST OFFICE BOX 648

Dallas County, Georgia

PAUPER' AFFIDAVIT

I, OSCAR R. LOPEZ hereby certify under the penalty of perjury that I Am indigent. Due to my indigency, I request that this Appeal be filed without requiring the filing fee be paid.

This 2 DAY OF February, 2005.

Respectfully Submitted,
Oscar Lopez

PRO-SE OSCAR R. LOPEZ

489307

Autry STATE PRISON

Post OFFICE BOX 648

Pelham, Georgia 31779

*The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 25, 2005

Ms. Juanita Hicks
Clerk, Superior Court Fulton County
136 Pryor Street, S.W., 1st Floor
Room C155
Atlanta, Georgia 30303

RE: A03A2541. David Reedman v. The State
Lower Court Case Numbers: 02SC01696

Dear Ms. Hicks:

We are returning the enclosed exhibits in the above referenced matter for your files. If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosure

*The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 25, 2005

Mr. Douglas J. Mencher
Clerk, City Court of Atlanta Annex
150 Garnett Street, S.W.
Atlanta, Georgia 30303

RE: A03A2235. Jonathan G. Pinch v. The State
Lower Court Case Numbers: 220001

Dear Mr. Mencher:

We are returning the enclosed videocassette in the above referenced matter for your files.
If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosure

*The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 25, 2005

Mr. Joe E. Johnston
Clerk, Superior Court
Floyd County Courthouse
3 Government Plaza • Suite 212
Post Office Box 1110
Rome, Georgia 30162-1110

RE: A03A0935. Walter Clifford Benefield v. The State
Lower Court Case Numbers: 01CR19096

Dear Mr. Johnston:

We are returning the enclosed audio cassette in the above referenced matter for your files.
If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosure

*The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 24, 2005

Ms. Carla Kicklighter
Clerk, Chatham County Juvenile Court
197 Carl Griffin Drive
Savannah, Georgia 31405-1362

RE: Your Case Number: 0402515
In the Interest of: J.R. McL a/k/a J.R.R.

Dear Ms. Kicklighter:

Enclosed please find the record for the above appeal which was forwarded from your office to our office. Please be advised that we are unable to docket this appeal. The Notice of Appeal states this is an appeal from the Juvenile Court of Bryan County, and as such, the record should be certified by the clerk of that Court. Also, no Motion for New Trial is contained in the record as indicated by the Notice of Appeal. There is no order denying the Motion for New Trial.

I apologize for the inconvenience this may have caused you. If you have any questions, please feel free to contact me.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

STATE OF GEORGIA
COUNTY OF CHATHAM

IN THE INTEREST OF
J.R.MCL. A/K/A J.R.R. CASE No. 0402515

RECEIVED

MAY 23 2005
COURT OF APPEALS
OF GA

LEROY BURKE, III, JUDGE
CHATHAM COUNTY JUVENILE COURT
197 CARL GRIFFIN DRIVE
SAVANNAH, GA 31405 (912) 652-6764

LEO G. BECKMANN
SPECIAL ASSISTANT ATTORNEY GENERAL
P.O. BOX 9525
SAVANNAH, GA 31412 (912) 232-3137

RICHARD C. METZ
ATTORNEY FOR APPELLANT
2423 ABERCORN STREET
SAVANNAH, GA 31401 (912) 238-4426

JONAH L. PINE
GUARDIAN AD LITEM
6205 ABERCORN STREET, SUITE 201
SAVANNAH, GA 31405 (912) 356-5550

**STATE OF GEORGIA
COUNTY OF CHATHAM**

**IN THE INTEREST OF:
J.R.McL. a/k/a J.R.R.**

INDEX

Notice of Appeal - filed 12-23-04	1
with certificate of service	2
Application for Extension of Time to File Transcript	3
with certificate of service - filed 01-24-05	4
Order Granting Extension for Filing of Transcript - filed 01-24-05	5
Application for Extension of Time to File Transcript	6
with certificate of service - filed 02-22-05	7
Order Granting Extension for Filing of Transcript - filed 02-22-05	8
Application for Extension of Time to File Transcript	9
with certificate of service - filed 03-21-05	10
Order Granting Extension for Filing of Transcript - filed 03-21-05	11
Application for Extension for Filing of Transcript	12
with certificate of service - filed 04-22-05	13
Order Granting Extension for Filing of Transcript - filed 04-22-05	14
Complaint	15
Petition for Termination of Parental Rights - 07-16-04	16-19
with verification	20
Affidavit for Service by Publication	21
Publication Order	22
Publication Notice	23-24
Affidavit of Payment for Publication	25
Letter Appointing Counsel for Mother	26
Subpoena List for Hearing 10-07-04	27
Proof of Service on Mother	28
Proof of Service on Father	29
Summons & Process to Sandra Brown	30
Summons & Process to Chad & Gwen Winters	31
with proof of service	32
Order Appointing Guardian Ad Litem	33

Letter Appointing Guardian Ad Litem	34
Letter Appointing Replacement Counsel for Mother	35
Motion for Production of State Prisoner for Trial	36-37
Order to Transport Mother	38
Order to Transport	39
Petitioner's Exhibits:	
# 1 Order of Adjudication & Disposition - filed 01-07-02	40-42
# 2 Order Transferring Immediate Temporary Legal Custody - filed 02-13-02	43
# 3 Order Transferring Temporary Legal Custody - filed 03-07-02	44-47
# 4 Supplemental Order Following Citizen Panel Review Filed 07-10-02	48
# 5 Supplemental Order - filed 12-16-2002	49
# 6 Extension-Permanency Order - filed 02-19-03	50-52
# 7 Order of Continuance - filed 03-25-03	53
# 8 Order Vacating Prior Order and Restoring Child's name - filed 04-25-03	54
# 9 Exhibit withdrawn	
#10 Supplemental Order - filed 08-07-03	55
#11 Order Transferring Temporary Legal Custody - filed 02-03-04	56-57
#12 Supplemental Order Following Judicial Panel Review - filed 08-05-04	58
Appellant's Exhibits:	
# 1 Letter from mother to child	59
# 2 Letter from mother to child	60
# 3 Letter from mother to guardian	61-62
# 4 Parenting Module I Certificate	63
# 5 Parenting Module II Certificate	64
Order Terminating Parental Rights - filed 11-23-04	65-71
Corrected Order Terminating Parental Rights - filed 12-06-04	72-78
Letter from Appellant's Attorney Requesting Transcript	79
Clerk's Certificate	80

RECORDS RETURN NOTICE

DATE 5/23/05

Style In the Interest of: J.R. McL aka J.R.R.

Lower Court 0402515 Chatham

Lower Court Case NO. ↓

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
- Notice of Appeal not stamped filed
- No Index/Improper Index
- Not properly assembled
- Main/Cross/Companion in same record
- Pages not numbered
- No appealable order in record
- No order on Motion for New Trial
- No Motion for New Trial (~~have order thereon~~) *NDA states*
- Order not signed by Judge *MNT filed*
- No Notice of Appeal after Order granting Out of Time
- Notice of Appeal does not state to which Court
- Appealed or Appealed to one/jurisdiction to other
- Pages copied front/back
- Only one side printed of duplex document
- Other NDA Styled "In the Juvenile Court of Bryan County"

should be "Chatham County"

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

HOLLY K.O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450

May 19, 2005

Mr. Jay C. Stephenson
Clerk of Superior Court
Cobb Judicial Circuit
Post Office Box 3370
Marietta, Georgia 30061-3370

RE: Your Case Number: 04927405
Donald Richards v. The State

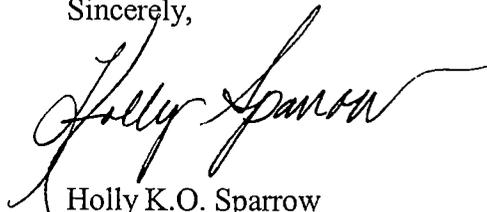
Dear Mr. Stephenson:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised that we are unable to docket the appeal since the record does not contain an order denying the Motion for New Trial. When the trial court files the order denying the Motion for New Trial, please append that to the record and include it in the Index and return the record to this office for docketing.

Obviously, should the Court grant the Motion for New Trial, that would obviate the need for an appeal, at least at this time.

If you have any questions or if I can be of any assistance to you, please do not hesitate to contact me.

Sincerely,



Holly K.O. Sparrow
Deputy Court Administrator
Court of Appeals of Georgia

HKOS/ld
Enclosures

DONALD RICHARDS,

*

COBB SUPERIOR COURT

APPELLANT

*

*

VS

*

STATE OF GEORGIA

*

APPELLEE

*

INDICTMENT NUMBER: 04-9-2740-05

INDEX

	<u>PAGE</u>
1. NOTICE OF APPEAL, Filed April 28, 2005.....	1 - 3
2. CERTIFICATE OF INDIGENCY, Filed November 19, 2004.....	- 4
3. GENERAL BILL OF INDICTMENT, Filed June 25, 2004.....	5 - 9
4. WARRANT # 03-W-1870, Filed May 23, 2003.....	10 - 11
5. MEMORANDUM, District Attorney, Filed June 25, 2004.....	- 12
6. DISCLOSURE STATEMENT, Filed June 25, 2004.....	- 13
7. DEFENDANT STATUS, Filed June 25, 2004.....	- 14

	<u>PAGE</u>
8. ENTRY OF APPEARANCE AND SUBSTITUTION OF COUNSEL, Filed June 25, 2004.....	15 - 16
9. DEFENDANT STATUS, Filed June 25, 2004.....	-17
10. DISCLOSURE STATEMENT, Filed June 25, 2004.....	- 18
11. ENTRY OF APPEARANCE, Filed August 6, 2004.....	- 19
12. DEMAND FOR SPEEDY TRIAL, Filed August 20, 2004.....	- 20
13. MOTION TO SET BOND, Filed August 20, 2004.....	21 - 22
14. PLEA AND ARRAIGNMENT, Filed August 23, 2004.....	- 23
15. MOTION TO SET BOND, Filed August 23, 2004.....	24 - 25
16. HEARING NOTICE, Filed August 23, 2004.....	- 26
17. SUPPLEMENTAL DISCLOSURE CERTIFICATE PURSUANT TO O.C.G.A. 17-16-1, Filed October 7, 2004.....	- 27
18. VERDICT, Filed October 7, 2004.....	- 28
19. SENTENCE SHEET, Filed October 7, 2004.....	-29
20. EVIDENCE LIST, State submitted, Filed October 7, 2004.....	30 - 31
21. EVIDENCE LIST, State submitted, Filed October 7, 2004.....	- 32

	<u>PAGE</u>
22. JUDGE'S LIST, Filed October 7, 2004.....	33 - 35
23. MOTIONS TO LIMINE, Filed October 7, 2004.....	36 - 37
24. PRISONERS PERSONAL HISTORY SHEET Filed October 12, 2004.....	- 38
25. CERTIFICATE OF SERVICE, File October 18, 2004.....	- 39
26. ORDER, Denying Motion for New Trial, Filed April 5, 2005.....	40 - 41
27. AMENDED SENTENCE, Filed April 12, 2005.....	- 42

RECORDS RETURN NOTICE

DATE 5/19/05

Style Donald Richards v. The State

Lower Court Cobb Superior

Lower Court Case NO. 04927405

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
- Notice of Appeal not stamped filed
- No Index/Improper Index
- Not properly assembled
- Main/Cross/Companion in same record
- Pages not numbered
- No appealable order in record
- No order on Motion for New Trial
- No Motion for New Trial (have order thereon)
- Order not signed by Judge
- No Notice of Appeal after Order granting Out of Time
- Notice of Appeal does not state to which Court
- Appealed or Appealed to one/jurisdiction to other
- Pages copied front/back
- Only one side printed of duplex document
- Other _____

I am sure there was never a motion filed

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 23, 2005

Ms. Juanita Hicks
Clerk, Superior Court Fulton County
136 Pryor Street • C-103
Atlanta, Georgia 30303

RE: Your Case Number: 2002CV61458
Wayne Arnold v. Gloria Arnold

Dear Ms. Hicks:

Enclosed please find the record for the above appeal which was forwarded from your office to ours. Please be advised that the Certificate of Service on the Notice of Appeal does not show service to opposing counsel, but to you.

Without a Certificate of Service showing the complete name and mailing address of opposing counsel, we are unable to docket the appeal, since we do not know to whom to send the Docketing Notice. When the appellant files an amended Notice of Appeal to contain a Certificate of Service with the complete mailing address of opposing counsel, please return the record to this office for docketing.

Please be advised that the record contains no order on the Motion for Out-of-Time Appeal. Additionally, since this is a divorce matter, Mr. Arnold should be appealing this to the Supreme Court of Georgia, and not the Court of Appeals. I believe the Discretionary Appeals procedures as outlined in OCGA §5-6-35 will apply since it is a domestic matter.

I apologize for any inconvenience this may have caused you. If you have any questions, please do not hesitate to contact me.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

cc: Mr. Wayne R. Arnold, Sr.
GDC383261 K-2

RECORDS RETURN NOTICE

DATE 5/20/85

Style Wayne Arnold v Gloria Arnold

Lower Court Fulton Superior

Lower Court Case NO. 200 2 CV 61458

REASON:

-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-

- No/improper certificate of Service *to clerk of LC*
- Improper Notice of Appeal *Not opposing party*
- Order not stamped filed
- Transcripts
- Notice of Appeal not stamped filed
- No Index/Improper Index
- Not properly assembled
- Main/Cross/Companion in same record
- Pages not numbered
- No appealable order in record
- No order on Motion for New Trial
- No Motion for New Trial (have order thereon)
- Order not signed by Judge
- No Notice of Appeal after Order granting Out of Time
- Notice of Appeal does not state to which Court
- Appealed or Appealed to one/jurisdiction to other
- Pages copied front/back
- Only one side printed of duplex document
- Other No Order on Motion for Out of time

*Appeal
+ should go to Supreme Court
Divorce*

TO THE COURT OF APPEALS OF GEORGIA

WAYNE RENARD ARNOLD,
SR.,
APPELLANT

-VS-

GLORIA JEAN ARCHIE
ARNOLD,

APPELLEE

CIVIL ACTION NUMBER
2002CV61458

FROM FULTON COUNTY
SUPERIOR COURT

INDEX	PAGE
1. NOTICE OF APPEAL, FILED MARCH 24, 2004.....	1
2. PETITIONER'S ORIGINAL PETITION FOR DIVORCE, FILED NOVEMBER 8, 2002.....	3
3. DOMESTIC RELATIONS CASE FILING INFORMATION FORM, FILED NOVEMBER 8, 2002.....	11
4. REQUEST TO PROCEED IN FORMA PAUPERIS, FILED NOVEMBER 8, 2002.....	18
5. CERTIFICATE OF SERVICE, FILED NOVEMBER 8, 2002.....	25
6. ORDER, FILED NOVEMBER 8, 2002.....	27

INDEX**PAGE**

7.	SHERIFF'S ENTRY OF SERVICE, FILED DECEMBER 2, 2002.....	28
8.	ANSWERS TO INTERROGATORIES, FILED DECEMBER 10, 2002.....	29
9.	REQUIRED DOCUMENTS TO BE PRODUCED, FILED DECEMBER 10, 2002.	35
10.	DOMESTIC RELATIONS FINANCIAL AFFIDAVIT, FILED DECEMBER 10, 2002.....	39
11.	FINAL ORDER DISMISSING AND CLOSING CASE, FILED FEBRUARY 27, 2003.....	50
12.	MOTION FOR OUT OF TIME APPEAL, FILED MARCH 24, 2005.....	51

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 23, 2005

Ms. Juanita Hicks
Clerk, Superior Court Fulton County
136 Pryor Street • C-103
Atlanta, Georgia 30303

RE: Your Case Number: 2004CV83279
Brian D. Creswell v. James Jeffrey Lacy

Dear Ms. Hicks:

Enclosed please find the record for the above appeal which was forwarded from your office to ours. Please be advised that the Certificate of Service on the Notice of Appeal does not show service to opposing counsel, but to you.

Without a Certificate of Service showing the complete name and mailing address of opposing counsel, we are unable to docket the appeal, since we do not know to whom to send the Docketing Notice. When the appellant files an amended Notice of Appeal to contain a Certificate of Service with the complete mailing address of opposing counsel, please return the record to this office for docketing.

I apologize for any inconvenience this may have caused you.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

cc: Mr. Brian D. Creswell, Sr.
GDC277565 Dorm I-2

RECORDS RETURN NOTICE

DATE 5/20/05

Style Brian Creswell v. James Lacy

Lower Court Fulton Superior

Lower Court Case NO. 2004 CV 83279

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
- Notice of Appeal not stamped filed
- No Index/Improper Index
- Not properly assembled
- Main/Cross/Companion in same record
- Pages not numbered
- No appealable order in record
- No order on Motion for New Trial
- No Motion for New Trial (have order thereon)
- Order not signed by Judge
- No Notice of Appeal after Order granting Out of Time
- Notice of Appeal does not state to which Court
- Appealed or Appealed to one/jurisdiction to other
- Pages copied front/back
- Only one side printed of duplex document
- Other _____

DIRECT APPEAL PREPARATION SHEET

DOCKET DATE: _____

CASE NUMBER: _____ JUDGE NO. _____

STYLE: Brian W. Creswell, Sr. v. James Jeffrey Lacy

CLASSIFICATION CODE: 01229

X REFERENCE: _____

APPLICATION CASE NO.: _____

SUPREME COURT CASE NO.: _____

PAUPER /

LOWER COURT JUDGE NO.: 22511 Heck

LOWER COURT COUNTY: 08 060 Des

LOWER COURT NAME: 07 001

CLERK OF LOWER COURT NO.: 14060

JUDGMENT DATE: 03/18/04

NOTICE OF APPEAL DATE: 04/02/04

LOWER COURT CASE NO.: 2004CV93297

RECORDS 1

TRANSCRIPTS _____

OTHER DOCUMENTS /

APPELLANT ATTORNEY BAR NO.

u / _____

APPELLEE ATTORNEY BAR NO.

OTHER ATTORNEY BAR NO.

TO THE COURT OF APPEALS OF GEORGIA

**BRIAN D. CRESWELL
APPELLANT**

-VS-

**JAMES JEFFREY LACY
APPELLEE**

) **CIVIL ACTION 2004CV83279**
)
)
) **FROM**
) **FULTON COUNTY**
) **SUPERIOR COURT**

INDEX

PAGE

- | | | |
|----|---|------|
| 1. | NOTICE OF APPEAL, FILED APRIL 2, 2004 | 0001 |
| 2. | GENERAL CIVIL CASE FILING INFORMATION FORM, FILED
MARCH 18, 2004 | 0006 |
| 3. | COMPLAINT – SUE, FILED MARCH 18, 2004 | 0007 |
| 4. | ORDER – DENIED, FILED MARCH 18, 2004 | 0017 |
| 5. | APPEALS GREEN CARD RECEIPT, FILED APRIL 20, 2004 | 0018 |

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 16, 2005

Mr. Douglas Sorrells
Clerk, Superior and State Courts
Forsyth County Courthouse
100 West Courthouse Square • Suite 100
Cumming, Georgia 30040

RE: Your Case Number: 03CR0090
Joe Haden Driver v. The State

Dear Mr. Sorrells:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised that we are unable to docket the appeal since the record does not contain an order denying the Motion for New Trial. When the trial court files the order denying the Motion for New Trial, please append that to the record and include it in the Index and return the record to this office for docketing.

Obviously, should the Court grant the Motion for New Trial, that would obviate the need for an appeal, at least at this time.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of any assistance to you, please do not hesitate to contact me.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

STATE VS. JOE HADEN DRIVER

CASE NO. 03CR-0090

TRANSCRIPT INDEX

- **ARRAIGNMENT, FILED JUNE 2, 2003**
- **SEALED ENVELOPE, FILED JUNE 6, 2003**
- **PLEA/SENTENCE, FILED MARCH 4, 2004**
- **WAIVER OF JURY TRIAL, FILED JUNE 4, 2004**
- **BENCH TRIAL, VOLUME I, FILED JUNE 4, 2004**
- **BENCH TRIAL, VOLUME II, FILED JUNE 4, 2004**
- **MOTION FOR NEW TRIAL, FILED DECEMBER 27, 2004**

RECORDS RETURN NOTICE

DATE 5/16/05

Style Joe Haden Driver v. The State

Lower Court Forsyth Superior

Lower Court Case NO. 03 CR 0090

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
- Notice of Appeal not stamped filed
- No Index/Improper Index
- Not properly assembled
- Main/Cross/Companion in same record
- Pages not numbered
- No appealable order in record
- No order on Motion for New Trial
- No Motion for New Trial (have order thereon)
- Order not signed by Judge
- No Notice of Appeal after Order granting Out of Time
- Notice of Appeal does not state to which Court
- Appealed or Appealed to one/jurisdiction to other
- Pages copied front/back
- Only one side printed of duplex document
- Other _____

IN THE SUPERIOR COURT OF FORSYTH COUNTY

STATE OF GEORGIA

THE STATE OF GEORGIA

V.

JOE HADEN DRIVER

FILED IN OFFICE

MAY 16 2005

CLERK COURT OF APPEALS OF GA

INDICTMENT:
03CR-0090

APPEAL INDEX

	<u>PAGE</u>
1. NOTICE OF APPEAL, FILED MARCH 30, 2005	1 - 2
2. WAIVER OF COURT APPOINTED COUNSEL, FILED SEPTEMBER 23, 2002	3
3. ENTRY OF APPEARANCE, FILED JANUARY 02, 2003	4-5
4. MOTION FOR SETTING OF BOND, FILED JANUARY 02, 2003	6-8
5. RULE NISI, FILED JANUARY 07, 2003	9-12
6. ORDER ALLOWING BOND, FILED JANUARY 10, 2003	13-16
7. CERTIFICATE OF SERVICE, FILED FEBRUARY 18, 2003	17

	<u>PAGE</u>
8. ORDER OF WITHDRAWAL, FILED FEBRUARY 18, 2003	18-23
9. NOTICE OF REQUEST OF RAFE BANKS III AND MARC N CUNAT TO WITHDRAW AS ATTORNEYS OF RECORD FOR JOE DRIVER, FILED FEBRUARY 03, 2003	11 24-30
10. RULE NISI, FILED FEBRUARY 11, 2003	31
11. STATE'S MOTION TO REVOKE BOND, FILED FEBRUARY 11, 2003	32-34
12. ORDER, FILED FEBRUARY 28, 2003	35
13. NOTICE OF ARRAIGNMENT, DATED MARCH 28, 2003	36
14. GENERAL BILL OF INDICTMENT, FILED MARCH 10, 2003	37-41
15. APPEARANCE BOND AND NOTICE OF ARRAIGNMENT, DATED SEPTEMBER 16, 2002	42-45
16. CRIMINAL ARREST WARRANT, DATED SEPTEMBER 15, 2002	46 - 49
17. ENTRY OF APPEARANCE, FILED APRIL 04, 2003	50-51
18. GENERAL DEMURRERS, FILED APRIL 15, 2003	52-55
19. MOTION TO REINSTATE BOND, FILED APRIL 15, 2003	56-59
20. MOTION FOR DISCOVERY AND COMPLIANCE WITH BRADY AND KYLES V WHITLEY, FILED APRIL 15, 2003	60-66
21. STATE'S DISCOVERY PACKAGE, FILED APRIL 18, 2003	67-70
22. MOTION REQUESTING PRE-TRIAL DISCLOSURE BY STATE OF ITS INTENTION TO INTRODUCE ANY "CHILD HEARSAY STATEMENTS" UNDER O.C.G.A. § 24-3-16, FILED MAY 12, 2003	71-74
23. RULE NISI, FILED MAY 12, 2003	75-76

	<u>PAGE</u>
24. RETURN OF SERVICE, FILED MAY 30, 2003	77-78
25. RETURN OF SERVICE, FILED MAY 30, 2003	79-80
26. RETURN OF SERVICE, FILED MAY 30, 2003	81
27. ORDER, FILED JULY 21, 2003	82
28. DEMAND BY ACCUSED FOR SPEEDY TRIAL, FILED JULY 30, 2003	83-84
29. SUPPLEMENTAL WITNESS LIST, FILED AUGUST 07, 2003	85-86
30. SUPPLEMENTAL WITNESS LIST, FILED AUGUST 07, 2003	87-88
31. WAIVER OF TRIAL BY JURY, FILED AUGUST 20, 2003	89
32. MOTION IN LIMINE, FILED AUGUST 20, 2003	90-91
33. MOTION IN LIMINE, FILED AUGUST 20, 2003	92-93
34. FINAL DISPOSITION, FILED AUGUST 25, 2003	94-95
35. PRISONERS PERSONAL HISTORY SHEET, DATED AUGUST 25, 2003	96-97
36. MOTION FOR NEW TRIAL, FILED SEPTEMBER 17, 2003	98-100
37. ATTORNEY'S CHANGE OF ADDRESS, FILED NOVEMBER 26, 2003	101-103
38. MOTION TO PROCEED IN FORMA PAUPERIS, FILED DECEMBER 26, 2003	104-105
39. AFFIDAVIT IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS, FILED DECEMBER 26, 2003	106-107
40. RULE NISI, FILED FEBRUARY 06, 2004	108

	<u>PAGE</u>
41. ORDER, FILED FEBRUARY 06, 2004	109
42. ORDER, FILED FEBRUARY 06, 2004	110
43. ORDER, FILED MAY 18, 2004	111
44. ORDER, FILED JULY 26, 2004	112
45. RULE NISI, FILED JULY 26, 2004	113
46. ORDER FOR PRODUCTION, FILED AUGUST 05, 2004	114-116
47. SECOND AMENDMENT TO MOTION FOR NEW TRIAL, FILED SEPTEMBER 28, 2004	117-119
48. RULE NISI, FILED NOVEMBER 03, 2004	120
49. RULE NISI, FILED NOVEMBER 03, 2004	121
50. MOTION FOR BOND, FILED JANUARY 18, 2005	122-124
51. STATE BOARD OF PARDONS AND PAROLE, FILED APRIL 08, 2005	125-127
52. PRIISONERS PERSONAL HISTORY SHEET, DATED MARCH 10, 2005	128-129

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 16, 2005

Mr. Douglas Sorrells
Clerk, Superior and State Courts
Forsyth County Courthouse
100 West Courthouse Square • Suite 100
Cumming, Georgia 30040

RE: Your Case Number: 98CR0106
Michael Eugene Robertson v. The State

Dear Mr. Sorrells:

I am in receipt of the record in the above appeal which was forwarded from your office to ours. Please be advised that we are having to return the record to you.

The first portion of the record is properly bound with roundhead fasteners. However, the other portions of the record are not securely bound and may come apart through handling of the clerk's office, the Court and/or the public.

Please rebind the record as you did the first part and return it to this Court for docketing.

I apologize for any inconvenience this may have caused you.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

RECORDS RETURN NOTICE

DATE 5/16/05

Style Michael Eugene Robertson v. The State

Lower Court Forsyth Superior

Lower Court Case NO. 98CR 0106

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts *are not properly bound too thick & staple*
- Notice of Appeal not stamped filed
- No Index/Improper Index
- Not properly assembled
- Main/Cross/Companion in same record
- Pages not numbered
- No appealable order in record
- No order on Motion for New Trial
- No Motion for New Trial (have order thereon)
- Order not signed by Judge
- No Notice of Appeal after Order granting Out of Time
- Notice of Appeal does not state to which Court
- Appealed or Appealed to one/jurisdiction to other
- Pages copied front/back
- Only one side printed of duplex document
- Other

I have first part of record

IN THE SUPERIOR COURT OF FORSYTH COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,
PLIANTIFF,

VS.

CASE NO. 98CR-0106

MICHAEL EUGENE ROBERTSON,
DEFENDANT,

RECEIVED

MAY 12 2005

COURT OF APPEALS
OF GA

APPEAL INDEX

	<u>PAGE</u>
1. NOTICE OF APPEAL, FILED MARCH 14, 2005	1-3
2. CRIMINAL WARRANT NO. 98-197, DATED JANUARY 29, 1998 OFFENSE RAPE	4-5
3. CRIMINAL WARRANT NO. 98-254, DATED JANUARY 29, 1998 OFFENSE: AGGRAVATED CHILD MOLESTATION	6-7
4. CRIMINAL WARRANT NO. 98-255, DATED JANUARY 29, 1998 OFFENSE: AGG. CHILD MOLESTATION	8-9
5. CRIMINAL WARRANT NO. 98-256, DATED JANUARY 29, 1998 OFFENSE: ENTICING A CHILD FOR INDECENT PURPOSE	10-11
6. MAGISTRATE COURT EXAMINATION HEARING LETTER, FILED JANUARY 30, 1998	12
7. ATTORNEY APPOINTMENT SHEET, DATED FEBRUARY 13, 1998	13

COURT OF APPEALS OF GEORGIA

334 STATE JUDICIAL BUILDING

ATLANTA, GEORGIA 30334

(404) 656-3450

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

NOTICE OF DOCKETING

MR. DOUGLASS SORRELLS
CLERK, FORSYTH SUPERIOR COURT
100 COURTHOUSE SQUARE
SUITE 010
CUMMING GA 30040

FORSYTH COUNTY GEORGIA
FILED IN THIS OFFICE
MAR 05 2002
Douglas Sorrells
CLERK SUPERIOR COURT

APPEAL CASE NUMBER: A02A1348 DATE OF DOCKETING: MARCH 01, 2002

STYLE: MICHAEL EUGENE ROBERTSON V. THE STATE

LOWER COURT COUNTY & CASE NUMBERS:

FORSYTH

98CR0106

WE HEREBY ACKNOWLEDGE RECEIPT AND FILING OF THE FOLLOWING:

RECORDS DESCRIPTION:	PARTS:
030102 LOWERCOURT RECORDS.	01
030102 TRANSCRIPTS.	10

WILLIAM L. MARTIN, III, CLERK

**STATE VS. MICHAEL ROBERTSON
CASE NO. 98CR-0106**

TRANSCRIPT INDEX

- **MOTION FOR NEW TRIAL, FILED DECEMBER 27, 2004**
- **PRE-TRIAL DISCUSSION, FILED JUNE 27, 2001**
- **TRIAL – VOLUME I, FILED NOVEMBER 30, 1998**
- **TRIAL – VOLUME II, FILED NOVEMBER 30, 1998**
- **TRIAL – VOLUME III, FILED NOVEMBER 30, 1998**
- **TRIAL – VOLUME IV, FILED NOVEMBER 30, 1998**
- **TRIAL – VOLUME V, FILED NOVEMBER 30, 1998**
- **TRIAL – VOLUME VI, FILED NOVEMBER 30, 1998**
- **TRIAL – VOLUME VII, FILED NOVEMBER 30, 1998**
- **TRIAL – VOLUME VIII, FILED NOVEMBER 30, 1998**
- **TRIAL – VOLUME IX, FILED NOVEMBER 30, 1998**

**ALL ABOVE TRANSCRIPT ARE COPIES, ORIGINAL MAILED TO
COURT OF APPEALS
FEBRUARY 26, 2002**

*The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 10, 2005

Ms. Brenda W. Smith
Clerk, Clayton County State Court
Harold W. Banke Justice Center
9151 Tara Boulevard, Room ICL181
Jonesboro, Georgia 30236

RE: Your Case Number 2005TK02428B and 200502429
Jaycee Alice Robinson v. The State

Dear Ms. Smith:

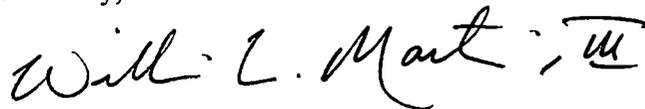
Enclosed please find the record which was transmitted from your office to ours. Please be advised that we are unable to docket this appeal since the Notice of Appeal has not been signed.

When the appellant files a Notice of Appeal which has been signed or files an amended Notice of Appeal which has been signed and which contains a Certificate of Service which has been signed, please return it to this office for docketing.

It is imperative that the appellant put the complete name and mailing address of the party to be served with our Docketing Notice.

I apologize for any inconvenience this may have caused you. If you have any questions, please feel free to contact me.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

cc: Ms. Jaycee Alice Robinson
Pro Se

RECORDS RETURN NOTICE

DATE 5/10/05

Style Jaycee Olive Robinson v. The State

Lower Court Clayton State

Lower Court Case NO. 2005TK02428B 200502429

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
- Notice of Appeal not stamped filed
- No Index/Improper Index
- Not properly assembled
- Main/Cross/Companion in same record
- Pages not numbered
- No appealable order in record
- No order on Motion for New Trial
- No Motion for New Trial (have order thereon)
- Order not signed by Judge
- No Notice of Appeal after Order granting Out of Time
- Notice of Appeal does not state to which Court
- Appealed or Appealed to one/jurisdiction to other
- Pages copied front/back
- Only one side printed of duplex document
- Other Notice of Appeal not signed

**THE COURT OF APPEALS
STATE OF GEORGIA**

RECEIVED

MAY 10 2005

COURT OF APPEALS
OF GA

JAYCEE ALICE ROBINSON

VS

CASE NO. 2005TK02428-29

STATE OF GEORGIA

.....
INDEX OF RECORD
.....

1. Notice of Appeal	1 - 5
2. Citation & Disposition	6 - 7
3. Citation & Disposition	8 - 9

STATE COURT OF CLAYTON COUNTY

Jaycee Alice Robinson

Case No. 2005TK02428B

Pro se, Plaintiff,

2005TK02429

vs.

State of Georgia

Defendant

NOTICE OF APPEAL

RE: Case against Jaycee Alice Robinson vs Atiya F. Parson

Bench trial held on March 29, 2005 at GA Hwy. 138 and intersection with Bethsaida Road (Clayton County jurisdiction) that occurred on January 30, 2005 at a little before 4:00 o'clock. Clayton County Police arrived on the scene there after, Citation given 676297 failure to yield right of way and Citation 676296 safety belt requirement.

Discrepancy not taken into account:

Police report states Driver 2 struck her vehicle in the front fender no explanation was noted as to how this happen. But the Police officer defended how it easily could had happen with Driver 2 going at 35 mph.

The Police did not accurately access the scene they fail to note Driver 1 direction was going East but was turned West went they arrived.

Driver 2 could had been cited following to close to on coming traffic rather they sought to hold Driver 1 liable for the accident.

Police report was written up incorrectly citing the wrong street jurisdiction was Clayton County not Fulton. Police report cites GA 138 (Fairburn Rd) intersection with Bethsaida Road, yes, this is Fulton County. Accident occurred GA 138 intersection with Bethsaida Road a half mile from Hwy 314.

RECEIVED & FILED

APR 25 2005

Brenda W. Smith
TRAFFIC VIOLATIONS
CLERK STATE COURT
CLAYTON COUNTY, GEORGIA

Accident:

On January 30, 2005 a little before 4:00 o'clock in the evening I was going East on GA Hwy 138 toward Hwy 314 to the service station for gas for our generator. I had clear the West lane and stopped in median for two on coming cars preventing me from going East, once they had cleared my view I preceded to enter when I got struck. I remember Driver 2 could not get over in the other lane because there was a car in that lane which did not stop. Driver 2 hit me with such an impact causing my vehicle to turn around in the opposite direction. I never moved from my starting point just turned around.

Driver 2 husband arrived on the scene shortly before Clayton County Police which lead me to believe she was distracted by being on the phone that how she lost control of her vehicle. I relive this accident everyday especially since I was held liable for it and not her. At the scene I was question from the first Clayton officer (tall) "was I on any type of medication and did I have problems with my legs". It appeared to what ever I said it was rebuttal with a point as to cover up and protect Driver 2. My question is why? The law is not there to hold some accountable for their action but others go free.

I was ask did I need an ambulance I said no because I did not need that expense to have to deal with afterward, but I did let them do vital which was 170/100 blood pressure and that pass off also.

Court March 29, 2005:

Driver 2 stated in court she had just got off the expressway at Union City when I pulled out in front of her. Union City exit is approximately 4 – 5 miles from the scene of the accident.

She stated she sustain injuries which she is still going through therapy for (Driver 2).

I did not state I sustain injuries and could not go through therapy because I had no transportation.

Driver 2 state damages to her car were \$7,000 plus worth my insurance company said my car was repairable so I lost my vehicle.

Driver 2 stated she did not know I got spin around and we both were driving SUV's.

It appears, as at the scene of the accident my statement was not taken into account because I was still held liable by the judge. It was disregarded the fact I did not hit her driver door which would have clearly put me at fault.

Certificate of Service

I Jaycee Alice Robinson of 1976 Ocee Drive, Riverdale, Georgia 30296 in Clayton County do certify this is the truth. That on the date below, I served a copy of this NOTICE OF APPEAL to the following parties at the addresses shown, by United States Mail, postage prepaid, unless another manner of service is expressly indicated:

Solicitors Office of Clayton County
9151 Tara Blvd
Jonesboro, GA 30236

Atiya F. Parson
182 Horseshoe Bend
Riverdale, GA 30274

This 19th date of April 2005.

By: _____
Jaycee Alice Robinson, pro se

Attachments

*The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 9, 2005

Ms. Betty Nelson
Clerk, Superior Court
Whitfield County
300 West Crawford Street
Post Office Box 868
Dalton, Georgia 30720

RE: A03A0130. Lexmark Carpet Mills, Inc. v. Color Concepts, Inc. d/b/a
Designer Carpets
Lower Court Case Number: 74534B

Dear Ms. Nelson:

We are returning the enclosed exhibits in the above referenced matter for your files. If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 10, 2005

Mr. Jay C. Stephenson
Clerk, Superior Court
Cobb County Courthouse
Post Office Box 3370
Marietta, Georgia 30061-3370

RE: Civil Action File Number: 05-1-046940
Victor P. Freeman, et al. v. Fannie Mae

Dear Mr. Stephenson:

I am in receipt of the record in the above appeal which was transmitted from your office to ours. Please be advised that the Certificate of Service on the Notice of Appeal does not give a specific name of the attorney or attorneys who are representing the appellee in this appeal. As such, we do not know to whom to send the Docketing Notice.

When the appellant files an amended Notice of Appeal which contains a Certificate of Service to show the complete name and mailing address of the party to receive the Docketing Notice, please re-submit the record to this Court for docketing.

I apologize for any inconvenience this may have caused you.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

cc: Victor P. Freeman

VICTOR P. FREEMAN and
CATHERINE FREEMAN,

APPELLANT

VS

FANNIE MAE,

*
*
*
*
*
*

COBB SUPERIOR COURT

CIVIL ACTION NUMBER: 05-1-0469-40

INDEX

	<u>PAGE</u>
1. NOTICE OF APPEAL, Filed January 31, 2005.....	1 - 2
2. SUMMONS, Filed January 18, 2005.....	- 3
3. PETITION FOR DECLARATORY JUDGMENT, Filed January 18, 2005.....	4 - 7
4. EMERGENCY (EXPARTE) PETITION FOR INTERLOCUTORY INJUNCTION, Filed January 18, 2005.....	8 - 10
5. ARGUMENT AND CITATION OF AUTHORITY, Filed January 18, 2005.....	11 - 12

	<u>PAGE</u>
6. COUNTER AFFIDAVIT TO WRIT OF POSSESSION PURSUANT TO O.C.G.A. 44-11-32, Filed January 18, 2005.....	13 - 18
7. DISCLOSURE STATEMENT, Filed January 18, 2005.....	- 19
8. FILING INFORMATION FORM, Filed January 18, 2005.....	- 20
9. RULE NISI TO EVICTION, Filed January 18, 2005.....	21 - 22
10. CERTIFICATE OF SERVICE, Filed January 24, 2005.....	- 23
11. ORDER SETTING ASIDE RULE NISI TO EVICTION, Filed January 26, 2005.....	24 - 25

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 13, 2005

Ms. Jo Alston
Clerk, Superior Court
Harris County Courthouse
Post Office Box 528
Hamilton, Georgia 31811-0528

RE: A03A2011. Veltetta Edge, et al. v. John Fugatt, et al.
Lower Court Case Number: 2000CV231

Dear Ms. Alston:

We are returning the enclosed exhibits in the above referenced matter for your files.
If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

*The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 13, 2005

Ms. Jackie Taylor
Clerk, Superior and State Courts
Troup County Courthouse
90 Dallis Street
Post Office Box 866
LaGrange, Georgia 30241-0866

RE: A04A0736. George Martin, Jr. v. The State
Lower Court Case Number: 02R637

Dear Ms. Taylor:

We are returning the enclosed videocassette in the above referenced matter for your files.
If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

*The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 13, 2005

Ms. Linda Pierce
Clerk, Superior Court
Muscogee County Courthouse
Post Office Box 2145
Columbus, Georgia 31994-2145

RE: A02A2440. James Smith v. The State
Lower Court Case Number: SU2000CR2767

Dear Ms. Pierce:

We are returning the enclosed videocassette in the above referenced matter for your files.
If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 11, 2005

Ms. Marcia L. Norris
Clerk, Superior Court
Spalding County Courthouse
Post Office Box 1046
Griffin, Georgia 30224-1046

RE: A04A0801. John Eabert Noble v. The State
Lower Court Case Number: 03R261

Dear Ms. Norris:

We are returning the enclosed exhibits in the above referenced matter for your files. If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosure

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 11, 2005

Ms. Sheila Studdard
Clerk, Superior Court
Fayette County Justice Center
One Center Drive
Fayetteville, Georgia 30214

RE: A03A2270. Claude Bell v. The State
Lower Court Case Numbers: 01R0530

Dear Ms. Studdard:

We are returning the enclosed exhibits in the above referenced matter for your files. If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/lid
Enclosure

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 11, 2005

Ms. Sheila W. Echols
Clerk
Coweta County State Court
9-A East Broad Street
Newnan, Georgia 30263

RE: A03A2528. Kenneth Ricky Brown v. The State
Lower Court Case Numbers: 2002TR1656 2002TR1657 2002TR1658

Dear Ms. Echols:

We are returning the enclosed videocassette in the above referenced matter for your files.
If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosure

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 13, 2005

Ms. Jackie Taylor
Clerk, Superior and State Courts
Troup County Courthouse
90 Dallis Street
Post Office Box 866
LaGrange, Georgia 30241-0866

RE: A02A2380. Timothy Hoffman v. The State
Lower Court Case Number: 01R26

Dear Ms. Taylor:

We are returning the enclosed videocassette in the above referenced matter for your files.
If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 13, 2005

Ms. Jackie Taylor
Clerk, Superior and State Courts
Troup County Courthouse
90 Dallis Street
Post Office Box 866
LaGrange, Georgia 30241-0866

RE: A03A1091. Demerich Demond Williams v. The State
Lower Court Case Number: 2001R20

Dear Ms. Taylor:

We are returning the enclosed three (3) videocassettes in the above referenced matter for your files. If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 13, 2005

Ms. Jackie Taylor
Clerk, Superior and State Courts
Troup County Courthouse
90 Dallis Street
Post Office Box 866
LaGrange, Georgia 30241-0866

RE: A03A1708. Ernest Whitley v. Larry W. Williams
Lower Court Case Number: 99CV192

Dear Ms. Taylor:

We are returning the enclosed exhibits in the above referenced matter for your files. If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

*The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 13, 2005

Ms. Linda Pierce
Clerk, Superior Court
Muscogee County Courthouse
Post Office Box 2145
Columbus, Georgia 31994-2145

RE: A03A1104. Record Retention Services, Inc. v. Adam Huff
Lower Court Case Number: SU01CV2022

Dear Ms. Pierce:

We are returning the enclosed six (6) audiotapes in the above referenced matter for your files.
If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

*The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 13, 2005

Ms. Linda Pierce
Clerk, Superior Court
Muscogee County Courthouse
Post Office Box 2145
Columbus, Georgia 31994-2145

RE: A93A1303. ICI America, Inc. v. Wanda Faye Banks, et al.
Lower Court Case Number: SC89CV13932

Dear Ms. Pierce:

We are returning the enclosed photos in the above referenced matter for your files. If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/lid
Enclosures

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 13, 2005

Ms. Linda Pierce
Clerk, Superior Court
Muscogee County Courthouse
Post Office Box 2145
Columbus, Georgia 31994-2145

RE: A03A0613. Sherry Bailey v. The State
Lower Court Case Number: SU199CR2627

Dear Ms. Pierce:

We are returning the enclosed videocassette in the above referenced matter for your files.
If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 13, 2005

Ms. Linda Pierce
Clerk, Superior Court
Muscogee County Courthouse
Post Office Box 2145
Columbus, Georgia 31994-2145

RE: A03A0771. Joseph Manning v. The State
Lower Court Case Number: SU00CR21375

Dear Ms. Pierce:

We are returning the enclosed videocassette in the above referenced matter for your files.
If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

May 13, 2005

Ms. Elaine Clarity
Deputy Clerk, Superior Court
Muscogee County Courthouse
Post Office Box 2145
Columbus, Georgia 31902

RE: Your Case No. SU03CR216
Alexander Johnson v. The State

Dear Ms. Clarity:

Enclosed please find the record you submitted to this Court in the above appeal. We have been holding this record since June 21, 2004 for the inclusion of the transcript of the Motion for New Trial. To date, we still have not received the transcript. As such, this appeal is premature and we are returning the record to you.

I apologize for any inconvenience this may have caused you. If you have any questions, please do not hesitate to contact me.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450

August 27, 2004

Ms. Elaine Clarity
Deputy Clerk, Superior Court
Muscogee County Courthouse
Post Office Box 2145
Columbus, Georgia 31902

RE: Your Case No. SU03CR216
Alexander Johnson v. The State

Dear Ms. Clarity:

Enclosed please find the record you submitted to this Court in the above appeal. We have been holding this record since June 21, 2004 for the inclusion of the transcript of the Motion for New Trial. To date, we still have not received the transcript. As such, this appeal is premature and we are returning the record to you.

I apologize for any inconvenience this may have caused you. If you have any questions, please do not hesitate to contact me.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

cc: William J. Mason, Esq.
Mr. Michael Craig • District Attorney's Office

1997



The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450

August 17, 2004

Mr. Kenneth H. Skinner
Clerk, Superior and State Courts
Carroll County Courthouse
Post Office Box 1620
Carrollton, Georgia 30112

RE: A97A0206. Charles Vincent v. Gary L. Bunch, et al.
Lower Court Case Nos. 95V0611

Dear Mr. Skinner:

We are returning the enclosed sealed disposition in the above referenced matter for your files.
If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

*The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450

June 25, 2003

Ms. Marlene M. Johnson
Clerk
Bibb County State Court
Post Office Box 5086
Macon, Georgia 31213-7199

RE: A97A1321. Benjamin G. Hudson, Jr., et al. v. Robert Santangelo
Lower Court Case Number: 38095

Dear Ms. Johnson:

We are returning a large exhibit in the above referenced matter for your files. If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosure

The Court of Appeals
Office of the Clerk
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450

March 23, 2004

Ms. Kathy K. Trost
Clerk of Superior Court
Walton County Courthouse
Post Office Box 745
Monroe, Georgia 30655-0745

RE: A97A1101. City of Social Circle, Georgia v. Veresa Sims, et al.
Lower Court Case Number: 950643

Dear Ms. Trost:

We are returning the enclosed plats in the above referenced matter for your files. If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,

Will. L. Martin, III

William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosure