

The Court of Appeals
47 Trinity Avenue NW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

(404) 656-3450

May 2, 2017

Mr. Lee Bagel
Attorney At Law
5425 Peachtree Parkway
Norcross, GA 30092

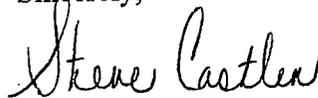
RE: A12A1694. Hampton Island, LLC et al v. Asset Holding Company 5, LLC
(1 box)

Dear Mr. Bagel:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

If you have any questions, please feel free to contact me.

Sincerely,



Steve E. Castlen^{lb}
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/rz

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

(404) 656-3450

May 2, 2017

Mr. H. Strickland
Jones, Cork & Miller
P.O. Box 6437
Macon, GA 31208

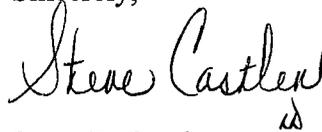
RE: A08A0688. Janice B. Haugabook et al v. Geoffrey Crisler et al.
(1 box)

Dear Mr. Strickland:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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Court of Appeals of Georgia

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(404) 656-3450

May 2, 2017

Mr. James Voyles
Attorney At Law
3745 Cherokee Street
Suite 702
Kennesaw, GA 30144

RE: A10A0359. Deborah Teasley et al v. Myron Freeman et al.
(1 box)

Dear Mr. Voyles:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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Sincerely,

Steve Castlen
LB

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CLERK AND COURT ADMINISTRATOR

(404) 656-3450

May 2, 2017

Mr. Barry Katz
Attorney At Law
3975 Roswell Road N. E.
Atlanta, GA 30342

RE: A11A0766. Clarence Knowles McKellar v. Clinton McKellar, Jr., et al
(1 box)

Dear Mr. Katz:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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May 2, 2017

Ms. Mary Priest
Clark & Clark
84 River Street
Ellijay, GA 30540

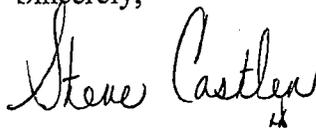
RE: A09A2228. Sassafras Mountain Estates Property Owners Association Inc.,
et al v. Carolyn R. Hawkins et al.
(1 box)

Dear Ms. Priest:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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CLERK AND COURT ADMINISTRATOR

May 2, 2017

Mr. Christopher Polillo
Walton County Public Defender
203 Milledge Avenue
Monroe, GA 30655

RE: A09A2231. William F. Walsh v. The State
(1 box)

Dear Mr. Polillo:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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(404) 656-3450

May 2, 2017

Mr. William Sams
Office of the Fulton County Attorney
141 Pryor Street S. W.
Suite 4038
Atlanta, GA 30303

RE: A11A0551. City of Atlanta et al v. John C. CLark et al
(1 box)

Dear Mr. Sams:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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(404) 656-3450

May 2, 2017

Mr. Neil Creasy
Simpson & Creasy, P.C.
7393 Hodgson Memorial Dr.
Suite 102
Savannah, GA 31406

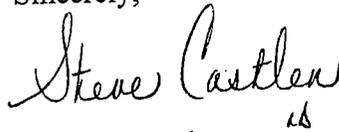
RE: A10A1375. Rector, Wardens and Vestrymen of Christ Church in
Savannah v. Bishop in the Episcopal Diocese of Georgia, Inc.
(1 box)

Dear Mr. Creasy:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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(404) 656-3450

May 2, 2017

Mr. John Parker
Paul, Hastings, Janofsky & Walker
600 Peachtree Street
Suite 2400
Atlanta, GA 30308

RE: A10A1133. Georgia Cash America, Inc., et al v. James H. Greene et al
(1 box)

Dear Mr. Parker:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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(404) 656-3450

May 2, 2017

Mr. Darren Riggs
GDC#000967762
Valdosta State Prison
P.O. Box 310
Valdosta, GA 31603

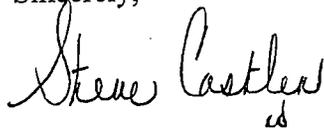
RE: A12A1662. Darren David Riggs v. The State
(1 box)

Dear Mr. Riggs:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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May 2, 2017

Mr. Mark Richards
1861 Windsor Creek Drive
Conyers, GA 30094

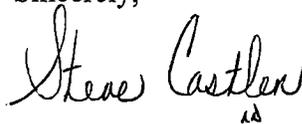
RE: A12A1814. Mark A. Richards v. D. R. Horton, Inc., et al
(1 box)

Dear Mr. Richards:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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(404) 656-3450

May 2, 2017

Mr. Herald Alexander
Alexander Law Firm, P.C.
2160 High Point Trail
Atlanta, GA 30331

RE: A09A0396. Mahmoud Abdul-Malik v. Airtran Airways, Inc. et al
(1 box)

Dear Mr. Alexander:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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(404) 656-3450

May 2, 2017

Mr. Brett Turner
Attorney At Law
131 Prominence Court
Suite 110
Dawsonville, GA 30534

RE: A12A1553. Warren Pennington v. The State
(1 box)

Dear Mr. Turner:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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Atlanta, Georgia 30334

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CLERK AND COURT ADMINISTRATOR

(404) 656-3450

May 2, 2017

Mr. Adam Struletz
Spielman & Hicks, LLC
6400 Powers Ferry Road, N. W.
Suite 300
Atlanta, GA 30339

RE: A12A0139. Ingles Markets, Incorporated et al v. Lynn K. Kempler et al.
(6 boxes)

Dear Mr. Struletz:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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Atlanta, Georgia 30334

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CLERK AND COURT ADMINISTRATOR

(404) 656-3450

May 2, 2017

Mr. Leon VanGelderren
Attorney At Law
2300 Henderson Mill Road
Suite 300
Atlanta, GA 30345

RE: A08A0209. Udeme Asuamah v. Barbara Haley et al
(1 box)

Dear Mr. VanGelderren:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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(404) 656-3450

May 2, 2017

Mr. Phillip Harwood
Pro Se GDC# 1130009
Wilcox State Prison
472 South Broad Street
Abbeville, GA 31001

RE: A10A0031. Phillip Anthony Harwood v. The State
(1 box)

Dear Mr. Harwood:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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CLERK AND COURT ADMINISTRATOR

May 2, 2017

Mr. Thurbert Baker
Dentons US LLP
303 Peachtree Street, N. E.
Suite 5300
Atlanta, GA 30308

RE: A10A0775. Coastal Marshlands Protection Committee v. Altamaha
Riverkeeper, Inc. (1 box)

Dear Mr. Baker:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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(404) 656-3450

May 2, 2017

Ms. Shauna Phillips
Paul Hastings, LLP
1170 Peachtree Street
Suite 100
Atlanta, GA 30309

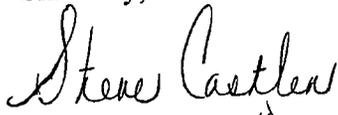
RE: A12A1015. Georgia Cash America, Inc., et al v. James H. Greene et al
(1 box)

Dear Ms. Phillips:

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May 2, 2017

Mr. Donald Johnson
The Johnson Law Firm
P.O. Box 187
Fayetteville, GA 30214

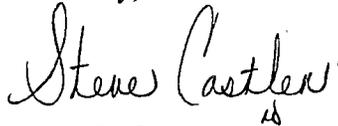
RE: A11A0916. Erik Van Wertz v. Lashonda Bonner Allen
(1 box)

Dear Mr. Johnson:

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May 2, 2017

Mr. Robert Feagin
Martenson, Hasbrouck & Simon, LLP
3379 Peachtree Road, N. E.
Suite 400
Atlanta, GA 30326

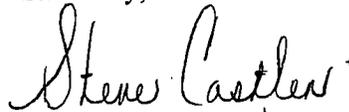
RE: A11A0550. John Clark v. Atlanta Independent School System
(2 boxes)

Dear Mr. Feagin:

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May 2, 2017

Mr. Louis Levenson
Louis Levenson & Associates
125 Broad Street, S. W.
Atlanta, GA 30338

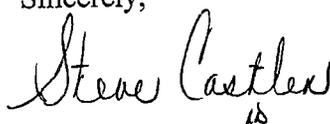
RE: A11A2125. Shon Owens v. Laytona Owens
(1 box)

Dear Mr. Levenson:

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(404) 656-3450

May 2, 2017

Ms. Kim Jackson
Bovis, Kyle, Burch & Medlin, LLC
200 Ashford Center North
Atlanta, GA 30338

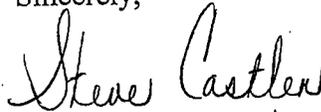
RE: A11A1979. Kessler, Schwarz & Solomiany v. Laytona Owens
(3 boxes)

Dear Ms. Jackson:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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(404) 656-3450

May 2, 2017

Mr. Terrence Shannon
Attorney At Law
P.O. Box 91
Porterdale, GA 30071

RE: A10A0917. Estate of William J. Shannon et al. v. Masood Ahmed et al.
(1 box);

Dear Mr. Shannon:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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(404) 656-3450

May 2, 2017

Mr. Robert McFarland
McFarland & McFarland
309 Pirkle Ferry Road • Suite B-400
Cumming, Georgia 30040

RE: A11A2100. Michael D. Peck, et al. v. Lanier Golf Club, Inc.
(1 box)

Dear Mr. McFarland:

The Court has been holding the record in the above appeal since the appeal was docketed in this Court. We can no longer continue to hold the record in this appeal. Please make arrangements to retrieve the record. Anyone picking up the records must call (404) 657-8360 and arrange a pick up date, in advance. Please have the above referenced Court of Appeals case numbers available when you call. If we do not hear from you by Monday, May 22, 2017, we shall recycle the paper.

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STEVE E. CASTLEN
CLERK AND COURT ADMINISTRATOR

(404) 656-3450

May 24, 2017

Mr. Phillip Anthony Harwood
GDC1130009
Dodge State Prison
Post Office Box 276
Chester, Georgia 31012

RE: A10A0031. Phillip Anthony Harwood v. The State

Dear Mr. Harwood:

If you are interested in retrieving the records, please have a friend or family member call (404) 656-8360 and arrange a pick up date as soon as possible and refer to the above case number. There is no charge for the pick up of your record. The record cannot be mailed to you.

The deadline for picking up the record is June 9, 2017. If the record has not been picked up by that date, it will be recycled. The record with this Court is a copy of the original record maintained with the lower court (Fulton County Superior Court).

Sincerely,



Steve E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

The Court of Appeals
47 Trinity Avenue SW, Suite 501
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STEPHEN E. CASTLEN
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404-656-3450

February 25, 2016

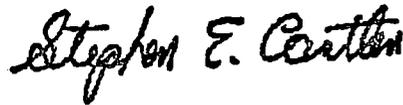
Mr. Jean J. Merilien
GDC1048466
Rutledge State Prison
7175 Manor Drive
Columbus, Georgia 31907

RE: A14D0015. Jean Jocelyn Merilien v. Kim Tutin, et al.

Dear Mr. Merilien:

This Court is in receipt of your letter requesting the return of the exhibits in the above referenced application. Per your request, the application is being returned to you at no charge.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

HOLD

CASE NO. A1400015

___ CASE PENDING IN THE SUPREME COURT

___ CASE PENDING ON APPLICATION FOR CERTIORARI

___ CASE PENDING IN THE COURT OF APPEALS

___ REMITTITUR SENT OUT LESS THAN ONE YEAR

Remittitur Date _____

___ CASE COMING BACK TO THE COURT OF APPEALS

OTHER: Wants Material Back
Jean Merilien

CALLING RECORD

(NT) NAME _____ PHONE _____
(EE) NAME _____

[] LETTER

DATE(S) OF CALL(S):

Lola, 2124116

This application
is being
recycled a can
now be returned
to the party that
requested the hold
Thanks! *ew*

RECEIVED IN OFFICE

2013 OCT -9 PM 6:24

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Jean J. Meridian 2, 1048466
Rtledge State Prison

September 26, 2013

ATTN: HONORABLE CLERK'S OFFICE
OF THE COURT OF APPEALS OF GEORGIA

RE: CASE NO. A14 DOOLIS MERIDIAN V. TUTIN

"IN REQUESTS TO RETURN ALL EXHIBITS FILED IN THIS CASE"

Dear Sir/Madam:

This appeal above case was filed/docketed on August 18, 2013, with all exhibits for court's apprising the facts.

HOWEVER, ON September, 9, 2013, the court denied appellant's Discretionary Appeal.

I makes this above request for exhibits to return to Him in hard copies for 'good cause' or 'good faith', this appellant were indigent, and had no other records of this original documents/exhibits send above. He had sent all his original exhibits to this court and now needed for further proceedings. He has no funds to pay this court for his above requested hard copies exhibits filed in this case with other additional pleadings. Please consider this respectfully demands on requests in "good faith" to allow the honorable clerk of said court to provides the posse indigent inmate with "hard copies" of all exhibits filed in this case on all pleadings.

Thank you very much for your cooperation in this matter.

respectfully submitted
Jean J. Meridian
posse.

cc: MS. SARAH E. STEADT OF, ESQ.
COURT OF APPEALS OF GEORGIA

(10/1)

Jean J. Menicien, 1048466
Rutledge state prison
7175 mardon rd.
COLUMBUS, GA 31907

MACON GA 310

07 OCT 2013 PM 2 L



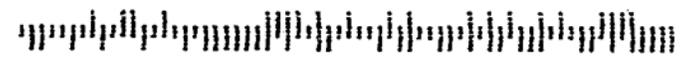
RECEIVED IN OFFICE

2013 OCT -9 PM 3: 24

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

TO: Hon. clerk office of GA. Court of Appea
47 Trinity Ave. (suite 501)
Atlanta, GA 30334

30334900647



The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

February 25, 2016

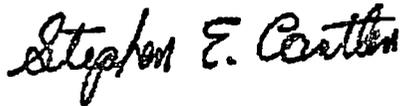
Mr. David Lewis
GDC105557
Phillips State Prison
2989 West Rock Quarry Road
Buford, Georgia 30519

RE: A14A2132. David T. Lewis v. The State

Dear Mr. Lewis:

In accordance to the Court's Record Retention Schedule, the referenced appeal, per your request, is being returned to you.

Sincerely,



Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld
Enclosures

Date: 7/3/2015

From: David Lewis 105557

Phillips State Prison

2989 West Rock Quarry Rd.

Buford Ga. 30519

To: Ga. Court of Appeals

Atlanta Ga.

Case# A14A2132

Date of Opinion Feb 10th 2015

RECEIVED IN OFFICE
2015 SEP -2 PM 3:49
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

I am requesting the Ga. Court of Appeals to send my record to me. This is to be utilized in my continued court proceedings in relation to my Habeas Corpus. I am not requesting a copy of my record, but my actual record.

Sincerely

David Lewis

2nd Request

The Court of Appeals
47 Trinity Avenue SW, Suite 501
Atlanta, Georgia 30334

STEPHEN E. CASTLEN
CLERK AND COURT ADMINISTRATOR

404-656-3450

September 3, 2015

RECEIVED IN OFFICE
2016 JAN 27 PM 3:33
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Mr. David Lewis
GDC105557
Phillips State Prison
2989 West Rock Quarry Road
Buford, Georgia 30519

RE: A14A2132. David T. Lewis v. The State

Dear Mr. Lewis:

I am in receipt of your letter dated July 3, 2015 regarding the above referenced appeal. This Court affirmed the judgment of the trial court on February 10, 2015. The remittitur date is ~~February 25, 2015~~.

Pursuant to this Court's Record Retention Schedule, the record(s) and/or transcript(s) for the above appeal will be scheduled for destruction one year after the remittitur date. Please know that the original record is maintained by the trial court.

Since you are requesting the record, the record will be placed on hold and one year **after** February 25, 2015, you may request the record and the record will be mailed to you. There are no charges.

Sincerely,

Stephen E. Castlen
Stephen E. Castlen
Clerk/Court Administrator
Court of Appeals of Georgia

SEC/ld

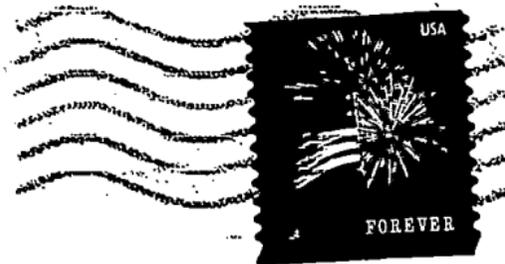
I am requesting the noted records to be sent to my above address. Thank you very much for your time.

David Lewis

David Lewis 10555 1
Phillips State Prison
2989 W. Rock Quarry Rd.
Buford Ga.

ATLANTA METRO 300

25 JAN 2016 PM 3:1

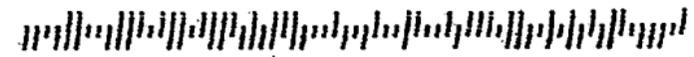


RECEIVED IN OFFICE

2016 JAN 27 PM 3:33
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA

Ga. Court of Appeals
47 Trinity Ave S.W. Suite 501
Atlanta Ga. 30334

30334900647



PHILLIPS STREET
2000 WEST ROCK QUARRY ROAD
New York, N.Y. 10019

The enclosed is being processed through special
mailing. Procedures for forwarding to you
The letter has been neither opened nor
If the writer has a question, please
which the writer has jurisdiction.
return the enclosed for further information
classification. If the writer encloses
correspondence for forwarding to another address,
on a return, the enclosure to the above address.



July 1, 2009

Ms. Jackie H. Dalton
Clerk, Superior Court of Laurens County
101 North Jefferson Street
Dublin, Georgia 31040

ATTN: Tanya

Dear Tanya:

Enclosed please find the documents I received along with the memorandum from the Post Office stating the mail had been damaged. Also, I have enclosed the envelope from Laurens Superior Court.

From the contents, I cannot determine to what case this information relates. Hopefully, you may be able to make that determination.

If you have any questions or if I can be of further 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



2. HDPR represents to the Secretary that:
 - a. Its taxpayer identification number is 66-0548924;
 - b. It is authorized to do business in Puerto Rico and is engaged in Puerto Rico in the business of retail sales;
 - c. HDPR determines its Puerto Rico taxable income under the PRIRC on the basis of 52-53 weeks fiscal year, ending on the Sunday nearest to January 31, and computes its taxable income under the accrual method of accounting;

**REPRESENTATIONS CONCERNING THE PAYMENT OF THE SPECIAL TAX OVER
DIVIDEND DISTRIBUTIONS AS OF JANUARY 31, 2009**

3. HDPR further represents to the Secretary that:
 - a. As part of the intercompany transactions generally held between HDPR and Parent, there is an Intercompany Receivable on the Puerto Rico books of HDPR which as of February 3, 2008 had an outstanding balance of \$73,596,000.
 - b. At present, HDPR has the intention of reducing, in the future, the receivable referred to in the preceding paragraph by \$73,300,000 by netting it against its Retained Earnings (as an actual dividend distribution).
 - c. In anticipation of such event, HDPR voluntarily and without being required to, intends to pay the applicable 10% dividend tax upon the decrease in HDPR net assets arising from the reduction of the Intercompany Receivable and dividend to be distributed after the execution of this closing agreement., pursuant to PRIRC Sections 1231(a)(1)(A)(ii) and 1150(a).
 - d. HDPR's accumulated Earnings and Profits (E&P) as of February 3, 2008 amounts to \$100,374,254.
 - e. Afterwards, as a result of a dividend distribution that took place on June 30, 2008, E&P were reduced by \$30,000,000.

 420

- g. HDPR represents that, at present, the matter covered on this section is not under review, audit or any other administrative procedure by the Treasury Department.

REPRESENTATIONS AND PROVISIONS CONCERNING
THE PENALTY FOR FAILURE TO FILE CERTAIN
INFORMATIVE STATEMENTS FOR THE YEARS 2001 TO 2005

4. HDPR further represents to the Secretary that:
- a. On June 25, 2001, HDPR and Homer TLC, Inc. ("Homer"), a non Puerto Rico resident affiliated entity, entered into an Intellectual Property Agreement whereby HDPR agreed to pay Homer a royalty equivalent to 4 % of HDPR's annual gross sales for a ten (10) years period for the right to use in Puerto Rico certain intellectual property rights belonging to Homer. Prior to June 21, 2001 (specifically from the period from taxable year 1999 through June 21, 2001), both parties had in place a similar royalty agreement.
 - b. Concerning this intercompany royalty agreement, HDPR represents that from taxable year 1999 through December 31, 2005 HDPR made royalty payments to Homer amounting to \$76,624,778, and as a responsible taxpayer it properly withheld and remitted to the Treasury Department \$22,221,186 representing 29% of such gross payments as required by section 1150 of the PRIRC.
 - c. HDPR further represents that inadvertently it failed to submit Informative Form 480.30 - "Nonresidents Annual Return of Income Tax Withheld at Source", where the royalty payments made to Homer had to be informed.
 - d. At present, the matter covered on this section is not under review, audit or any other administrative procedure by the Treasury Department.
 - e. Pursuant to a Closing Agreement entered into between HDPR and the Treasury Department in 2008 (the 2008 Closing Agreement), the taxable years ended on February 2, 2003 and February 1, 2004 were closed for matters covering among others, the filing and reporting requirements applicable to the royalty payments described above.

February 3, 2008 and prior years on account of the agreements in this Closing Agreement regarding the issues covered herein.

13. The agreements hereunder shall not be understood to preclude the Secretary from performing an audit of the corresponding income tax returns of HDPR for taxable years prior to fiscal year ended February 1, 2009, in conformity with the applicable provisions of the Code, subject, however, to the determinations and agreements in the Closing Agreement, so that the matters agreed to herein shall be closed for purposes of assessment for all the taxable years covered by this Closing Agreement, and as such, it is agreed that no interest, surcharges penalties or other additions to the tax (as provided under the PRIRC), are due from or payable by HDPR and/ or Parent with respect to any issues covered by this Closing Agreement; and,
14. Pursuant to Section 6126 of the PRIRC, respectively, this Closing Agreement once executed, shall be final and conclusive, and except when fraud, deceit or misrepresentation of a material factor is shown, shall not be reopened for any matters, nor shall this Closing Agreement be reviewed or modified by any officer, employee or agent of the Commonwealth of Puerto Rico, and this Closing Agreement shall not be annulled, modified, set aside or disregarded in any suit, action or proceeding.

IN WITNESS WHEREOF, the parties hereto subscribe and execute this Closing Agreement in San Juan, Puerto Rico this _____ of June, 2009.

SECRETARY OF THE TREASURY

BY: _____

Authorized Representative's Signature

NAME: Pablo Hymovitz Cardona, Esq.

TITLE: Assistant Secretary for Internal Revenue

APPEAR

AS PARTY OF THE FIRST PART: **HONORABLE JUAN C. PUIG MORALES**, in his capacity as Secretary of the Treasury of the Commonwealth of Puerto Rico (hereinafter referred to as the "Secretary"), represented herein by Pablo Hymovitz Cardona, Esq., in his capacity of Assistant Secretary for Internal Revenue;

AS PARTY OF THE SECOND PART: **HOME DEPOT PR HOLDINGS, INC.** (hereinafter referred to as "Parent"). Parent is a Corporation organized under the laws of the State of Delaware represented herein by its authorized representative, Rita L. Fadell, Assistant Secretary, who has been duly designated by Parent to act on its behalf and to represent the same before the Puerto Rico Treasury Department (hereinafter referred to as the "Treasury Department"); and,

AS PARTY OF THE THIRD PART: **HOME DEPOT PUERTO RICO, INC.** (hereinafter referred to as "HDPR"). HDPR is a corporation organized under the laws of The Commonwealth of Puerto Rico, represented herein by its authorized representative Karen Dewalt, Assistant Treasurer who has been duly designated by HDPR to act on its behalf and to represent the same before the Treasury Department.

WITNESSETH

The parties state that in accordance with the provisions of the PRIRC, they have full capacity to enter into this Closing Agreement and they further state:

GENERAL REPRESENTATIONS

Parent's Representations

1. Parent represents to the Secretary that:
 - a. Its taxpayer identification number is 58-2276544
 - b. It is the holder of all the issued and outstanding voting stock of HDPR;

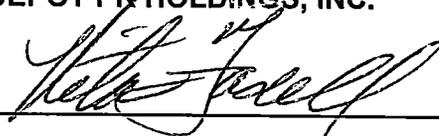


NAME: Karen Dewalt

TITLE: Assistant Treasurer

HOME DEPOT PR HOLDINGS, INC.

BY:



Authorized Representative's Signature

NAME: Rita Fadell

TITLE: Assistant Secretary



LAURENS COUNTY SUPERIOR COURT
P. O. BOX 2028
DUBLIN, GA 31040

CLERK OF

47 TRINITY A
SUITE 501
ATLANTA GEOR

JACKIE H. DALTON, Clerk

Laurens County Superior Court

P.O. BOX 2028

Dublin, Georgia 31040

Office (478) 272-3210

Fax (478) 275-2595

RECEIVED

JUL 15 2009

COURT OF APPEALS
OF GA

TO WHOM IT MAY CONCERN: WILLIAM L. MARTIN, III

THIS MATERIAL DOES NOT BELONG TO THE LAURENS COUNTY SUPERIOR COURT. IF
YOU HAVE ANY QUESTIONS PLEASE CALL THE NUMBER ABOVE.

BEATRICE WILLIAMS
DEPUTY CLERK



MEMORANDUM TO:

OUR POSTAL CUSTOMER

SUBJECT:

DAMAGED MAIL

The enclosed was found loose in the mail or has been damaged in handling in the Postal Service (whichever is applicable to your enclosure).

We realize your mail is important to you, and you have every right to expect it to be delivered intact and in good condition. The Postal Service makes every effort to properly handle the mail entrusted to it, but due to the large volume, occasional damage may occur.

When a Post Office handles an excess of 8 million pieces of mail daily it is imperative that mechanical methods be used to maintain production and ensure prompt delivery of the mail. It is also an actuality that modern production methods do not permit personal attention to individual pieces of mail. Damage can occur if mail is insecurely enveloped or bulky contents are enclosed. When this occurs and our machinery is jammed, it often causes damage to other mail that was properly prepared.

We are striving to improve our processing methods to assure that an occurrence such as the enclosed can be eliminated. We appreciate your concern over the handling of your mail and sincerely regret the inconvenience you have experienced.

Plant Manager

the "PRIRC").

APPEAR

AS PARTY OF THE FIRST PART: **HONORABLE JUAN C. PUIG MORALES**, in his capacity as Secretary of the Treasury of the Commonwealth of Puerto Rico (hereinafter referred to as the "Secretary"), represented herein by Pablo Hymovitz Cardona, Esq., in his capacity of Assistant Secretary for Internal Revenue;

AS PARTY OF THE SECOND PART: **HOME DEPOT PR HOLDINGS, INC.** (hereinafter referred to as "Parent"). Parent is a Corporation organized under the laws of the State of Delaware represented herein by its authorized representative, Rita L. Fadell, Assistant Secretary, who has been duly designated by Parent to act on its behalf and to represent the same before the Puerto Rico Treasury Department (hereinafter referred to as the "Treasury Department"); and,

AS PARTY OF THE THIRD PART: **HOME DEPOT PUERTO RICO, INC.** (hereinafter referred to as "HDPR"). HDPR is a corporation organized under the laws of The Commonwealth of Puerto Rico, represented herein by its authorized representative Karen Dewalt, Assistant Treasurer who has been duly designated by HDPR to act on its behalf and to represent the same before the Treasury Department.

WITNESSETH

The parties state that in accordance with the provisions of the PRIRC, they have full capacity to enter into this Closing Agreement and they further state:

GENERAL REPRESENTATIONS

Parent's Representations

1. Parent represents to the Secretary that:
 - a. Its taxpayer identification number is 58-2276544
 - b. It is the holder of all the issued and outstanding voting stock of HDPR;

2. HDPR represents to the Secretary that:

- a. Its taxpayer identification number is 66-0548924;
- b. It is authorized to do business in Puerto Rico and is engaged in Puerto Rico in the business of retail sales;
- c. HDPR determines its Puerto Rico taxable income under the PRIRC on the basis of 52-53 weeks fiscal year, ending on the Sunday nearest to January 31, and computes its taxable income under the accrual method of accounting;

**REPRESENTATIONS CONCERNING THE PAYMENT OF THE SPECIAL TAX OVER
DIVIDEND DISTRIBUTIONS AS OF JANUARY 31, 2009**

3. HDPR further represents to the Secretary that:

- a. As part of the intercompany transactions generally held between HDPR and Parent, there is an Intercompany Receivable on the Puerto Rico books of HDPR which as of February 3, 2008 had an outstanding balance of \$73,596,000.
- b. At present, HDPR has the intention of reducing, in the future, the receivable referred to in the preceding paragraph by \$73,300,000 by netting it against its Retained Earnings (as an actual dividend distribution).
- c. In anticipation of such event, HDPR voluntarily and without being required to, intends to pay the applicable 10% dividend tax upon the decrease in HDPR net assets arising from the reduction of the Intercompany Receivable and dividend to be distributed after the execution of this closing agreement., pursuant to PRIRC Sections 1231(a)(1)(A)(ii) and 1150(a).
- d. HDPR's accumulated Earnings and Profits (E&P) as of February 3, 2008 amounts to \$100,374,254.
- e. Afterwards, as a result of a dividend distribution that took place on June 30, 2008, E&P were reduced by \$30,000,000.

 42

- g. HDPR represents that, at present, the matter covered on this section is not under review, audit or any other administrative procedure by the Treasury Department.

REPRESENTATIONS AND PROVISIONS CONCERNING
THE PENALTY FOR FAILURE TO FILE CERTAIN
INFORMATIVE STATEMENTS FOR THE YEARS 2001 TO 2005

4. HDPR further represents to the Secretary that:
- a. On June 25, 2001, HDPR and Homer TLC, Inc. ("Homer"), a non Puerto Rico resident affiliated entity, entered into an Intellectual Property Agreement whereby HDPR agreed to pay Homer a royalty equivalent to 4 % of HDPR's annual gross sales for a ten (10) years period for the right to use in Puerto Rico certain intellectual property rights belonging to Homer. Prior to June 21, 2001 (specifically from the period from taxable year 1999 through June 21, 2001), both parties had in place a similar royalty agreement.
 - b. Concerning this intercompany royalty agreement, HDPR represents that from taxable year 1999 through December 31, 2005 HDPR made royalty payments to Homer amounting to \$76,624,778, and as a responsible taxpayer it properly withheld and remitted to the Treasury Department \$22,221,186 representing 29% of such gross payments as required by section 1150 of the PRIRC.
 - c. HDPR further represents that inadvertently it failed to submit Informative Form 480.30 - "Nonresidents Annual Return of Income Tax Withheld at Source", where the royalty payments made to Homer had to be informed.
 - d. At present, the matter covered on this section is not under review, audit or any other administrative procedure by the Treasury Department.
 - e. Pursuant to a Closing Agreement entered into between HDPR and the Treasury Department in 2008 (the 2008 Closing Agreement), the taxable years ended on February 2, 2003 and February 1 , 2004 were closed for matters covering among others, the filing and reporting requirements applicable to the royalty payments described above.



accounting under the basis of which the taxpayer regularly computes its income in keeping its books, unless the method used does not clearly reflect income pursuant to PRIRC Section 1042(b). Further, PRIRC Section 1023(a)(1)(A), allows companies to deduct in arriving at net taxable income, all their ordinary and necessary expenses paid or incurred during a taxable year. For purposes of calculating its inventory balance, HDPR maintains a perpetual inventory system. Additionally, and through the year, HDPR conducts physical inventories to confirm the accuracy of the inventory as stated in the books. Proper adjustments are made to the books to reconcile the book inventory with the physical inventory due to variations that generally have to do with shrinkage.

- b. Based on the nature of HDPR's industry (retail with high activity at year end) there is no inventory counting at year end. As such, to properly account for the shrinkage losses, HDPR (as well as many others in the industry) estimates those losses using a methodology based on a percentage of its sales.
- c. The above described estimate for shrinkage has been validated as a tax deduction by the US 8th Circuit Court of Appeals. This Court stated in the case *Wal-Mart Stores vs. CIR*, 153 F.3d 650 (8th Cir. 1998) (see copy enclosed), first, that estimates are generally permitted for book and tax purposes. In particular, the Court expressed that while ordinary reserves have the nature of setting aside funds for an estimated future loss (and therefore generally disallowed for tax purposes), the shrink reserve has a different nature as it constitutes an estimate of an actual loss. Thus, shrink reserve deduction is allowed for tax purposes as it clearly reflects income and conforms to the best accounting practices in the retail industry.
- d. For book purposes, HDPR has properly accounted for the shrink expenses as a direct reduction of HDPR's inventory since the commencement of its operations in PR. However, HDPR took the position, for income tax purposes, of disallowing the inventory shrinkage estimates and, as of January 30, 2005, the shrinkage reserve had a balance of \$2,046,382.
- e. Based on the above, HDPR's gross income as shown in the tax return for the year ended on January 30, 2005 was overstated.
- f. As of February 3, 2008, the inventory shrinkage reserves that were not claimed as deductions on HDPR's Puerto Rico income tax returns amounted to

Handwritten signature and initials, possibly "rlf" and "KAD", in the bottom right corner of the page.

income tax return, until they are actually paid.

- h. During the fiscal years ended on January 29, 2006 and January 28, 2007, HDPR inadvertently did not capture, on the corresponding tax returns, valid deductions amounting to \$1,912,000 and \$2,265,000, respectively, for self-insured claim payments which resulted from the audits conducted by the external auditors.
- i. As of February 3, 2008, the self-insured claim payments that were not claimed as deductions on HDPR's Puerto Rico income tax returns amounted to \$4,177,000. The non-claiming of said valid deductions represents for HDPR an overpayment of income taxes of \$1,733,455.
- j. HDPR represents that, at present, the matter covered on this section is not under review, audit or any other administrative procedure by the Treasury Department.

DETERMINATIONS AND AGREEMENTS

Based on the facts and representations made above, which are considered as material facts, HDPR and the Secretary agree as follow:

1. As of February 3, 2008, HDPR has accumulated Puerto Rico earnings and profits that have not been distributed to Parent.
2. To settle the above referenced matter, HDPR will pay a 10% dividend tax corresponding to the dividend expected to be distributed after the execution of this closing agreement - associated with the decrease in HDPR assets arising from the reduction of the intercompany receivable totaling \$73,300,000.
3. HDPR will remit to the Secretary, at the time of execution of this Closing Agreement, a check in the amount of \$7,330,000 as payment of the 10% dividend tax over dividend distributions attributed to the expected future reduction of the intercompany receivable.
4. Secretary agrees that the \$7,330,000 payment could be utilized as a credit against the 10% dividend tax imposed by Sections 1150 and 1231 of the PRIRC on future dividend distributions.



6. HDPR, Parent and the Secretary agree that after the close of the 2008 accounting year (*i.e.*, February 1, 2009), HDPR will determine the increase in the Intercompany Receivable and with respect to said increase, and only for said year, will pay a 10% dividend tax through a supplemental closing agreement in anticipation to HDPR's intention of reducing, in the future, said receivable by netting it against its Retained Earnings. A payment of dividend tax would be due only to the extent the future reduction of the Intercompany Receivable does not exceed HDPR's Earnings and Profits.
7. The Secretary and HDPR agree that the amount of shrinkage losses not deducted on HDPR's tax returns are valid deductions under Section 1023 of the PRIRC.
8. The Secretary and HDPR agree that the shrinkage losses not properly deducted on the HDPR's corporate income tax return for the fiscal year ended January 30, 2005 (and associated with the shrinkage reserve balance as of said date) which overstated HDPR's taxable income in PR, will generate an income tax credit of \$798,088 that could be utilized by HDPR in the corporate income tax return for fiscal year ended February 3, 2008, and thereafter until fully utilized.
9. The Secretary agrees that a private revenue ruling pursuant to section 1042 of the PRIRC and its regulations is not required to validate the change in HDPR's tax position of claiming the shrinkage losses in HDPR's income tax returns for the year ended on January 30, 2005 and thereafter, given that the method chosen by the taxpayer clearly reflects taxable income according to PR IRC Section 1020, and given that HDPR had been using for accounting purposes the shrink reserve method since its commencement of operations in PR. Furthermore the Secretary acknowledges that a change in a tax position of the kind discussed above does not constitute a change in accounting method.
10. The Secretary and HDPR agree that in connection with the valid self insurance deductions of \$4,177,000 not taken on the Puerto Rico income tax returns for fiscal year ended January 29, 2006 and January 28, 2007, HDPR will be able to claim an income tax credit of \$1,629,030 that could be claimed by HDPR in the corporate income tax return for fiscal year ended February 3, 2008, and thereafter until fully utilized.

Agreement regarding the issues covered herein.

13. The agreements hereunder shall not be understood to preclude the Secretary from performing an audit of the corresponding income tax returns of HDPR for taxable years prior to fiscal year ended February 1, 2009, in conformity with the applicable provisions of the Code, subject, however, to the determinations and agreements in the Closing Agreement, so that the matters agreed to herein shall be closed for purposes of assessment for all the taxable years covered by this Closing Agreement, and as such, it is agreed that no interest, surcharges penalties or other additions to the tax (as provided under the PRIRC), are due from or payable by HDPR and/ or Parent with respect to any issues covered by this Closing Agreement; and,
14. Pursuant to Section 6126 of the PRIRC, respectively, this Closing Agreement once executed, shall be final and conclusive, and except when fraud, deceit or misrepresentation of a material factor is shown, shall not be reopened for any matters, nor shall this Closing Agreement be reviewed or modified by any officer, employee or agent of the Commonwealth of Puerto Rico, and this Closing Agreement shall not be annulled, modified, set aside or disregarded in any suit, action or proceeding.

IN WITNESS WHEREOF, the parties hereto subscribe and execute this Closing Agreement in San Juan, Puerto Rico this _____ of June, 2009.

SECRETARY OF THE TREASURY

BY: _____
Authorized Representative's Signature

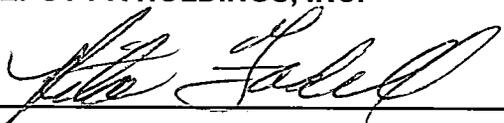
NAME: Pablo Hymovitz Cardona, Esq.

TITLE: Assistant Secretary for Internal Revenue

NAME: Karen Dewalt

TITLE: Assistant Treasurer

HOME DEPOT PR HOLDINGS, INC.

BY: 

Authorized Representative's Signature

NAME: Rita Fadell

TITLE: Assistant Secretary



2. HDPR represents to the Secretary that:

- a. Its taxpayer identification number is 66-0548924;
- b. It is authorized to do business in Puerto Rico and is engaged in Puerto Rico in the business of retail sales;
- c. HDPR determines its Puerto Rico taxable income under the PRIRC on the basis of 52-53 weeks fiscal year, ending on the Sunday nearest to January 31, and computes its taxable income under the accrual method of accounting;

**REPRESENTATIONS CONCERNING THE PAYMENT OF THE SPECIAL TAX OVER
DIVIDEND DISTRIBUTIONS AS OF JANUARY 31, 2009**

3. HDPR further represents to the Secretary that:

- a. As part of the intercompany transactions generally held between HDPR and Parent, there is an Intercompany Receivable on the Puerto Rico books of HDPR which as of February 3, 2008 had an outstanding balance of \$73,596,000.
- b. At present, HDPR has the intention of reducing, in the future, the receivable referred to in the preceding paragraph by \$73,300,000 by netting it against its Retained Earnings (as an actual dividend distribution).
- c. In anticipation of such event, HDPR voluntarily and without being required to, intends to pay the applicable 10% dividend tax upon the decrease in HDPR net assets arising from the reduction of the Intercompany Receivable and dividend to be distributed after the execution of this closing agreement., pursuant to PRIRC Sections 1231(a)(1)(A)(ii) and 1150(a).
- d. HDPR's accumulated Earnings and Profits (E&P) as of February 3, 2008 amounts to \$100,374,254.
- e. Afterwards, as a result of a dividend distribution that took place on June 30, 2008, E&P were reduced by \$30,000,000.

rlf
4/10

- g. HDPR represents that, at present, the matter covered on this section is not under review, audit or any other administrative procedure by the Treasury Department.

REPRESENTATIONS AND PROVISIONS CONCERNING
THE PENALTY FOR FAILURE TO FILE CERTAIN
INFORMATIVE STATEMENTS FOR THE YEARS 2001 TO 2005

4. HDPR further represents to the Secretary that:
- a. On June 25, 2001, HDPR and Homer TLC, Inc. ("Homer"), a non Puerto Rico resident affiliated entity, entered into an Intellectual Property Agreement whereby HDPR agreed to pay Homer a royalty equivalent to 4 % of HDPR's annual gross sales for a ten (10) years period for the right to use in Puerto Rico certain intellectual property rights belonging to Homer. Prior to June 21, 2001 (specifically from the period from taxable year 1999 through June 21, 2001), both parties had in place a similar royalty agreement.
 - b. Concerning this intercompany royalty agreement, HDPR represents that from taxable year 1999 through December 31, 2005 HDPR made royalty payments to Homer amounting to \$76,624,778, and as a responsible taxpayer it properly withheld and remitted to the Treasury Department \$22,221,186 representing 29% of such gross payments as required by section 1150 of the PRIRC.
 - c. HDPR further represents that inadvertently it failed to submit Informative Form 480.30 - "Nonresidents Annual Return of Income Tax Withheld at Source", where the royalty payments made to Homer had to be informed.
 - d. At present, the matter covered on this section is not under review, audit or any other administrative procedure by the Treasury Department.
 - e. Pursuant to a Closing Agreement entered into between HDPR and the Treasury Department in 2008 (the 2008 Closing Agreement), the taxable years ended on February 2, 2003 and February 1, 2004 were closed for matters covering among others, the filing and reporting requirements applicable to the royalty payments described above.

accounting under the basis of which the taxpayer regularly computes its income in keeping its books, unless the method used does not clearly reflect income pursuant to PRIRC Section 1042(b). Further, PRIRC Section 1023(a)(1)(A), allows companies to deduct in arriving at net taxable income, all their ordinary and necessary expenses paid or incurred during a taxable year. For purposes of calculating its inventory balance, HDPR maintains a perpetual inventory system. Additionally, and through the year, HDPR conducts physical inventories to confirm the accuracy of the inventory as stated in the books. Proper adjustments are made to the books to reconcile the book inventory with the physical inventory due to variations that generally have to do with shrinkage.

- b. Based on the nature of HDPR's industry (retail with high activity at year end) there is no inventory counting at year end. As such, to properly account for the shrinkage losses, HDPR (as well as many others in the industry) estimates those losses using a methodology based on a percentage of its sales.
- c. The above described estimate for shrinkage has been validated as a tax deduction by the US 8th Circuit Court of Appeals. This Court stated in the case *Wal-Mart Stores vs. CIR*, 153 F.3d 650 (8th Cir. 1998) (see copy enclosed), first, that estimates are generally permitted for book and tax purposes. In particular, the Court expressed that while ordinary reserves have the nature of setting aside funds for an estimated future loss (and therefore generally disallowed for tax purposes), the shrink reserve has a different nature as it constitutes an estimate of an actual loss. Thus, shrink reserve deduction is allowed for tax purposes as it clearly reflects income and conforms to the best accounting practices in the retail industry.
- d. For book purposes, HDPR has properly accounted for the shrink expenses as a direct reduction of HDPR's inventory since the commencement of its operations in PR. However, HDPR took the position, for income tax purposes, of disallowing the inventory shrinkage estimates and, as of January 30, 2005, the shrinkage reserve had a balance of \$2,046,382.
- e. Based on the above, HDPR's gross income as shown in the tax return for the year ended on January 30, 2005 was overstated.
- f. As of February 3, 2008, the inventory shrinkage reserves that were not claimed as deductions on HDPR's Puerto Rico income tax returns amounted to

income tax return, until they are actually paid.

- h. During the fiscal years ended on January 29, 2006 and January 28, 2007, HDPR inadvertently did not capture, on the corresponding tax returns, valid deductions amounting to \$1,912,000 and \$2,265,000, respectively, for self-insured claim payments which resulted from the audits conducted by the external auditors.
- i. As of February 3, 2008, the self-insured claim payments that were not claimed as deductions on HDPR's Puerto Rico income tax returns amounted to \$4,177,000. The non-claiming of said valid deductions represents for HDPR an overpayment of income taxes of \$1,733,455.
- j. HDPR represents that, at present, the matter covered on this section is not under review, audit or any other administrative procedure by the Treasury Department.

DETERMINATIONS AND AGREEMENTS

Based on the facts and representations made above, which are considered as material facts, HDPR and the Secretary agree as follow:

1. As of February 3, 2008, HDPR has accumulated Puerto Rico earnings and profits that have not been distributed to Parent.
2. To settle the above referenced matter, HDPR will pay a 10% dividend tax corresponding to the dividend expected to be distributed after the execution of this closing agreement - associated with the decrease in HDPR assets arising from the reduction of the intercompany receivable totaling \$73,300,000.
3. HDPR will remit to the Secretary, at the time of execution of this Closing Agreement, a check in the amount of \$7,330,000 as payment of the 10% dividend tax over dividend distributions attributed to the expected future reduction of the intercompany receivable.
4. Secretary agrees that the \$7,330,000 payment could be utilized as a credit against the 10% dividend tax imposed by Sections 1150 and 1231 of the PRIRC on future dividend distributions.

Handwritten signature and initials, possibly "JLF" and "YRD", in the bottom right corner.

6. HDPR, Parent and the Secretary agree that after the close of the 2008 accounting year (*i.e.*, February 1, 2009), HDPR will determine the increase in the Intercompany Receivable and with respect to said increase, and only for said year, will pay a 10% dividend tax through a supplemental closing agreement in anticipation to HDPR's intention of reducing, in the future, said receivable by netting it against its Retained Earnings. A payment of dividend tax would be due only to the extent the future reduction of the Intercompany Receivable does not exceed HDPR's Earnings and Profits.
7. The Secretary and HDPR agree that the amount of shrinkage losses not deducted on HDPR's tax returns are valid deductions under Section 1023 of the PRIRC.
8. The Secretary and HDPR agree that the shrinkage losses not properly deducted on the HDPR's corporate income tax return for the fiscal year ended January 30, 2005 (and associated with the shrinkage reserve balance as of said date) which overstated HDPR's taxable income in PR, will generate an income tax credit of \$798,088 that could be utilized by HDPR in the corporate income tax return for fiscal year ended February 3, 2008, and thereafter until fully utilized.
9. The Secretary agrees that a private revenue ruling pursuant to section 1042 of the PRIRC and its regulations is not required to validate the change in HDPR's tax position of claiming the shrinkage losses in HDPR's income tax returns for the year ended on January 30, 2005 and thereafter, given that the method chosen by the taxpayer clearly reflects taxable income according to PR IRC Section 1020, and given that HDPR had been using for accounting purposes the shrink reserve method since its commencement of operations in PR. Furthermore the Secretary acknowledges that a change in a tax position of the kind discussed above does not constitute a change in accounting method.
10. The Secretary and HDPR agree that in connection with the valid self insurance deductions of \$4,177,000 not taken on the Puerto Rico income tax returns for fiscal year ended January 29, 2006 and January 28, 2007, HDPR will be able to claim an income tax credit of \$1,629,030 that could be claimed by HDPR in the corporate income tax return for fiscal year ended February 3, 2008; and thereafter until fully utilized.

Agreement regarding the issues covered herein.

13. The agreements hereunder shall not be understood to preclude the Secretary from performing an audit of the corresponding income tax returns of HDPR for taxable years prior to fiscal year ended February 1, 2009, in conformity with the applicable provisions of the Code, subject, however, to the determinations and agreements in the Closing Agreement, so that the matters agreed to herein shall be closed for purposes of assessment for all the taxable years covered by this Closing Agreement, and as such, it is agreed that no interest, surcharges penalties or other additions to the tax (as provided under the PRIRC), are due from or payable by HDPR and/ or Parent with respect to any issues covered by this Closing Agreement; and,
14. Pursuant to Section 6126 of the PRIRC, respectively, this Closing Agreement once executed, shall be final and conclusive, and except when fraud, deceit or misrepresentation of a material factor is shown, shall not be reopened for any matters, nor shall this Closing Agreement be reviewed or modified by any officer, employee or agent of the Commonwealth of Puerto Rico, and this Closing Agreement shall not be annulled, modified, set aside or disregarded in any suit, action or proceeding.

IN WITNESS WHEREOF, the parties hereto subscribe and execute this Closing Agreement in San Juan, Puerto Rico this _____ of June, 2009.

SECRETARY OF THE TREASURY

BY: _____

Authorized Representative's Signature

NAME: Pablo Hymovitz Cardona, Esq.

TITLE: Assistant Secretary for Internal Revenue

the "PRIRC").

APPEAR

AS PARTY OF THE FIRST PART: **HONORABLE JUAN C. PUIG MORALES**, in his capacity as Secretary of the Treasury of the Commonwealth of Puerto Rico (hereinafter referred to as the "Secretary"), represented herein by Pablo Hymovitz Cardona, Esq., in his capacity of Assistant Secretary for Internal Revenue;

AS PARTY OF THE SECOND PART: **HOME DEPOT PR HOLDINGS, INC.** (hereinafter referred to as "Parent"). Parent is a Corporation organized under the laws of the State of Delaware represented herein by its authorized representative, Rita L. Fadell, Assistant Secretary, who has been duly designated by Parent to act on its behalf and to represent the same before the Puerto Rico Treasury Department (hereinafter referred to as the "Treasury Department"); and,

AS PARTY OF THE THIRD PART: **HOME DEPOT PUERTO RICO, INC.** (hereinafter referred to as "HDPR"). HDPR is a corporation organized under the laws of The Commonwealth of Puerto Rico, represented herein by its authorized representative Karen Dewalt, Assistant Treasurer who has been duly designated by HDPR to act on its behalf and to represent the same before the Treasury Department.

WITNESSETH

The parties state that in accordance with the provisions of the PRIRC, they have full capacity to enter into this Closing Agreement and they further state:

GENERAL REPRESENTATIONS

Parent's Representations

1. Parent represents to the Secretary that:
 - a. Its taxpayer identification number is 58-2276544
 - b. It is the holder of all the issued and outstanding voting stock of HDPR;

NAME: Karen Dewalt

TITLE: Assistant Treasurer

HOME DEPOT PR HOLDINGS, INC.

BY: _____



Authorized Representative's Signature

NAME: Rita Fadell

TITLE: Assistant Secretary



The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

June 15, 2009

Ms. Michele B. Gardner
Clerk, State Court of Henry County
1 Judicial Center • Suite 120
McDonough, Georgia 30253

ATTN: Ms. Carol McQueen

RE: Your Case Number: 2008SR02962
Michael Bruce v. The State

Dear Ms. McQueen:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised that we were unable to docket this appeal because there is not a stamped filed copy of the Notice of Appeal in the record. Without a stamped filed copy of the Notice of Appeal, the Court does not know if the Notice of Appeal has been timely filed. Also, it appears that there are additional transcripts which did not accompany this record.

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

Sincerely,



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

WLM, III/d
Enclosures

**MICHAEL BRUCE,
APPELLANT**

VS.

**STATE OF GEORGIA
APPELLEE**

**FROM: STATE COURT OF HENRY COUNTY
ONE JUDICIAL CENTER
MCDONOUGH, GA. 30253**

CRIMINAL CASE # 08SR02962

RECEIVED

INDEX

JUN 12 2009

COURT OF APPEALS
OF GA

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MICHAEL BRUCE, APPELLANT
126 BELAIR TRAIL
STOCKBRIDGE, GA 30281

MONTE KEVIN DAVIS, ATTORNEY FOR APPELLANT
1425 MARKET BOULEVARD
SUITE 330, BOX 219
ROSWELL, GA 30076

CHARLES A. SPAHOS, SOLICITOR GENERAL
STATE COURT OF HENRY COUNTY
ONE JUDICIAL CENTER
MCDONOUGH, GA. 30253

BEN W. STUDDARD III, CHIEF JUDGE
ONE JUDICIAL CENTER
MCDONOUGH, GA. 30253

ENCLOSURES: TRANSCRIPTS (1)
CERTIFICATION OF RECORD
CERTIFICATION OF TRANSCRIPT

COPY

IN THE STATE COURT OF HENRY COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,)	
)	
v.)	CASE NO. 2008SR02962
)	
MICHAEL BRUCE,)	
)	
Defendant.)	
.....)	

NOTICE OF APPEAL

Notice is hereby given that the Defendant in the above-styled action hereby appeals to the Court of Appeals for the State of Georgia from the **April 15, 2009** Order of the trial court denying his **PLEA IN BAR/PLEA OF FORMER JEOPARDY PURSUANT TO O.C.G.A. § 16-1 AND ART. I, SEC. I, PARA XVIII OF THE GEORGIA CONSTITUTION.**

The Defendant was originally charged with driving under the influence of alcohol pursuant to O.C.G.A. § 40-6-391(a)(1), et. al. The Defendant's trial was commenced on **April 14, 2009** but was wrongfully terminated during the State's case-in-chief over Defendant's objection when the trial court granted the State's Motion for Mistrial.

The Defendant's second trial is scheduled for today, **April 15, 2009**, whereupon Defendant timely and properly filed this **PLEA IN BAR/PLEA OF FORMER JEOPARDY PURSUANT TO O.C.G.A. § 16-1 AND ART. I, SEC. I, PARA XVIII OF THE GEORGIA CONSTITUTION.** A hearing was held and an order denying said Plea in Bar was entered on this date.

The Clerk will please omit nothing from the record.

All original transcripts will be filed for inclusion in the Record on appeal.

06A

Appellant herein intends to appeal from the ORDER of the trial court entered on April 15, 2009 denying his PLEA IN BAR/PLEA OF FORMER JEOPARDY PURSUANT TO O.C.G.A. § 16-1 AND ART. I, SEC. I, PARA XVIII OF THE GEORGIA CONSTITUTION on statutory and constitutional grounds.

Jurisdiction of this direct appeal from the State Court of Henry County is in the Court of Appeals and not in the Supreme Court pursuant to OCGA § 5-6-34(a). See Patterson v. State, 248 Ga. 875, 287 S.E.2d 7 (1982); Young v. State, 251 Ga. 153, 303 S.E.2d 431 (1983); Allender v. State, 222 Ga.App. 358, 474 S.E.2d 257 (1996). Jurisdiction is thereby conferred upon the Court of Appeals by the 1983 Constitution of the State of Georgia, Article VI, Section V, Paragraph III.

This the 15th day of April, 2009.

MONTE KEVIN DAVIS
ATTORNEY FOR DEFENDANT
GEORGIA BAR # 212065

LEGAL CONSULTATION SERVICES, INC.
MONTE KEVIN DAVIS, ESQUIRE
1425 MARKET BOULEVARD
SUITE 330, BOX #219
ROSWELL, GEORGIA 30076
OFFICE: (404) 630-2566 FAX: (678) 694-1596

IN THE STATE COURT OF HENRY COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,
Plaintiff,
vs.
MICHAEL JAMES BRUCE,
Defendant

) Case No.: 08SR2962
)
)
)
)
)
)
)
)
)
)
)

IN OPEN COURT BEFORE HONORABLE ROBERT GODWIN
JUDGE PRO TEM, STATE COURT OF HENRY COUNTY

Transcript of PROFFER DURING JURY TRIAL
held in the State Court of Henry County
before Judge Robert Godwin
on April 14, 2009

SEABOLT & ASSOCIATES, INC.
Certified Court Reporters
Nancy R. Seabolt, CCR, A970
P.O. Box 571, McDonough, GA 30253
770-957-1658/State Court 770-288-7361

COPY

FILED IN OFFICE
STATE COURT
HENRY COUNTY, GA

APR 14 2009

MICHELE B. GARDNER FOR
CLERK OF STATE COURT, HENRY COUNTY, GA

RECORDS RETURN NOTICE

DATE 6/15/09

Style Michael Bruce v. The State

Lower Court Henry State

Lower Court Case NO. 2008SR 02962

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts - *additional*
- 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 _____

From: "Carol McQueen" <cmcqueen@co.henry.ga.us>
To: "Patty Bender" <BenderP@appeals.courts.state.ga.us>
Date: 6/15/2009 11:59 AM
Subject: RE: Michael Bruce Appeal

Well mercy... why don't you just mail it back if you don't mind & I'll regroup. Sorry.

-----Original Message-----

From: Patty Bender [mailto:BenderP@appeals.courts.state.ga.us]
Sent: Monday, June 15, 2009 11:56 AM
To: Carol McQueen
Subject: Re: Michael Bruce Appeal

Hey Carol!

I received the record in this case, however, the NOA is not stamp filed in your office.

Patty

>>> "Carol McQueen" <cmcqueen@co.henry.ga.us> 6/12/2009 4:20 PM >>>
Hi Patty,

Earlier this week we submitted an appeal for Michael Bruce - Our Case #08SR2962.

I will have an additional transcript to submit for this appeal some time next week. Can you hold on to it and let me submit it as an additional transcript or if you need to send it back I can add it that way.

Thanks & have a good weekend.

Carol McQueen

Henry County Judicial Center

One Judicial Center, Suite 120

McDonough, GA 30253

770-288-7772 Fax: 770-288-7801

Rather be Ridin'

State Court of Henry County



Michele B. Gardner, Clerk

One Judicial Center - Suite 120 • McDonough, Georgia 30253
Office: 770.288.7800 • Facsimile: 770.288.7801

June 10, 2009

William L. Martin, III
Clerk and Court Administrator
Court of Appeals of Georgia
47 Trinity Avenue - Suite 501
Atlanta, GA. 30334

RECEIVED

JUN 12 2009

COURT OF APPEALS
OF GA

RE: Michael Bruce, Appellant
State Court Criminal Case # 08SR02962
VS.
State of Georgia, Appellee

Dear Mr. Martin:

Enclosed you will find an Index, copies of the Clerk's record and one transcript from the Court Reporter for the proceedings held before the Honorable Robert Godwin, Judge on April 14, 2009.

Sincerely,

A handwritten signature in cursive script that reads "Michele B. Gardner".

Michele B. Gardner
Clerk of State Court

cc: Michael Bruce, Appellant
Monte Kevin Davis, Attorney for Appellant
Robert Godwin, Judge
Ben W. Studdard III, Chief Judge
Charles (Chuck) Spahos, Solicitor General

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

June 18, 2009

Ms. Glenda Sue Johnson
Clerk, Gilmer County Superior Court
#1 Broad Street • Suite 102
Ellijay, Georgia 30540

RE: Your Case Number: 2006CV689
Jack Gentry v. Ruby Salyers

Dear Ms. Johnson:

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 unable to docket this appeal because there is a pending Motion to Dismiss the Appeal in the record. When the trial court enters an order denying the Motion to Dismiss the Appeal, please include that order in the record and index and return the record to this office for docketing. Obviously, should the trial court grant the Motion to Dismiss the Appeal, it may obviate the need for an appeal.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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



Glenda Sue Johnson

*Clerk of Superior Court
Gilmer County*

*#1 West Side Square
Ellijay, Georgia 30540
Email glendasue.johnson@gsccca.org*

*Court Terms:
Second Monday in April
Second Monday in October*

*Office (706) 635-4462
Residence (706) 635-4331
Fax (706) 635-1462*

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JUN - 4 2009

COURT OF APPEALS
OF GA

June 3, 2009

William L. Martin, III
Clerk and Court Admn.
Court of Appeals of Georgia
334 State Judicial Bldg.
Atlanta, Georgia 30334

Re: Transmittal of Appeal Case Number 2006CV-689

Dear Mr. Martin:

Enclosed you will find the Superior Court Appeal, case number 2006CV-689. The bill of cost was paid, receipted June 3, 2009. Included in the transmittal you will find the certified copy of the record and two transcripts, one obtaining the exhibits in the aforementioned case.

If any additional information is required do not hesitate to let me know.

Kindest regards,

Glenda Sue Johnson
Superior Court Clerk
Gilmer County



IN THE GEORGIA COURT OF APPEALS

FROM

GILMER COUNTY SUPERIOR COURT

RUBY SALYERS
PLAINTIFFS

VS.

JACK GENTRY
DEFENDANTS

RECEIVED
- JUN - 4 2009
COURT OF APPEALS
OF GA

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

June 19, 2009

Ms. Peggy Fauscett
Clerk, Pulaski County Superior Court
Post Office Box 60
Hawkinsville, Georgia 31036-0060

RE: Your Case Number: 2003V10333
UAP/GA AG CHEM, Inc. v. Wendell S. Dunaway, et al.

Dear Ms. Fauscett:

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 this appeal because several portions of the record are not paginated. There are eight (8) depositions including exhibits which are not paginated; there is a volume marked enclosed "Exhibits of Evidence Introduced at Arbitration Hearing" which is more than four inches thick and the pages have not been numbered. Without page numbers on the exhibits within the record, it makes it difficult for the lawyers to cite to the record and difficult for the Court to locate which portions of the record are being argued in the Brief.

The Notice of Appeal indicates the UAP/GA AG CHEM, Inc. is appealing the final order dated March 31, 2009, however, the cover sheet lists the plaintiffs as the appellee. I did not know if the cover sheet is incorrect if the parties should file an amended Notice of Appeal to correct the parties.

When the exhibits are given pages numbers, and if the designation of the parties are incorrect, when corrected, please return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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
Enclosure

Certified Mail Receipt: 7001 1150 0000 0878 9947

RECORDS RETURN NOTICE

DATE 6/18/09

Style UAP/GA AG Chem, Inc. v. Wendell S. Dunaway et al

Lower Court Pulaski Superior Court

Lower Court Case NO. 2003V10333

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
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- No Index/Improper Index
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- No Motion for New Trial (have order thereon)
- Order not signed by Judge
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- 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 See attached memo

also, please send attached "guide for trial court clerks"



Court of Appeals

Memorandum

To: Bill Martin
From: Patty Bender *pb*
Subject: Records with Depositions
Date: June 18, 2009

I have a record now from Pulaski County that has the following problems:

- A. There are eight depositions containing exhibits which are not paginated.
- B. The Notice of Appeal states "plaintiffs are appealing". It appears, however, that the defendants are actually appealing.
- C. The record volume is large containing 519 pages.
- D. There is a volume marked as "Exhibits of Evidence introduced at Arbitration Hearing" which is more than 4 inches. Again these are not numbered and I would guess this volume to be more than 750 pages.

I think we need an Amended Notice of Appeal to correct the issue with who is appealing which I can call the clerk to send as a supplemental record.

Do you want to return it for corrections or should I docket the record as is, once I have



the Amended Notice of Appeal? The trial court paid more than \$30.00 to mail this record.

I am getting quite a number of new appeal records with depositions that have page numbers, however, there are exhibits attached to the depositions that are not numbered. Some of these records are from Fulton and Dekalb, and I have had them come in and correct.

Do you want me to check with you on a one on one basis, or should I return the records as a general rule?

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

June 19, 2009

Mr. F. Barry Wilkes
Clerk, Liberty County Superior Court
Post Office Box 50
Hinesville, Georgia 31310

ATTN: Danette Williams, Deputy Clerk

RE: Your Case Number: 2007SUR11653
John Edmund Schneider v. The State

Dear Ms. Williams:

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 because the record does not contain a Notice of Appeal subsequent to the order granting the out-of-time appeal. Please include a stamped filed copy of the Notice of Appeal filed after the trial court entered the order granting the out-of-time appeal in the record and index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

Certified Mail Receipt: 7001 1140 0000 0878 9930

RECORDS RETURN NOTICE

DATE 6/17/09

Style John Edmund Schneider v.
The State

Lower Court Liberty Superior

Lower Court Case NO. 2007SUR11653

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

June 19, 2009

Mr. Allan J. Lee
Clerk, Carroll County Superior Court
Post Office Box 1620
Carrollton, Georgia 30112

RE: Your Case Number: 07CR159
Kamal Hussein Espinosa v. The State

Dear Mr. Lee:

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 this appeal. The record does not contain the Motion for New Trial. Without a stamped filed copy of the Motion for New Trial in the record, this Court does not know if the Motion for New Trial is timely filed in order for the Court of Appeals to have jurisdiction to review the appeal.

On page 514 of the record, the trial court ordered the clerk's office to incorporate all documents from case 07CR844 into the record on appeal including the plea transcripts. These items do not appear to be in the record.

It is not proper to copy the transcript and give the transcript a record page number. The transcript should accompany the record but have the seal of the court reporter and your seal. The parties will cite to the transcript using "T - page number."

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

Sincerely,



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

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 504
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

June 30, 2009

Mr. Carter Brown
Clerk, Walker County Superior Court
301 South Duke Street
LaFayette, Georgia 30728

RE: Your Case Number: 08CV73806
Tony Johnson, et al. v. Mark Whitmire, et al.

Dear Mr. Brown:

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 this appeal.

We can only docket an appeal which contains a single Notice of Appeal or Cross Appeal. Please remove the Notice of Cross Appeal or the companion Notice of Appeal and send it along with your certification as a separate record. It is not necessary to reduplicate the record for the second Notice of Appeal.

The complete orders are not in the record. The Court must have the complete orders that are being appealed.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 6/29/09

Style Tony Johnson et al v. Mark Whitmire et al

Lower Court Superior Court of Walker County

Lower Court Case NO. 08 CV 73 806

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 Complete Order not in File

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

July 2, 2009

Ms. Cinda S. Bright
Clerk, Wilkinson County Superior Court
Post Office Box 250
Irwinton, Georgia 31042-0250

RE: Your Case Number: 2009CR0030
Derrick B. Jackson v. The State

Dear Ms. Bright:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the record contains two Notices of Appeal. We are unable to docket a record that contains more than one Notice of Appeal.

Please remove the second Notice of Appeal and send that along separately along with your certification. It is not necessary to reduplicate the record for the second Notice of Appeal.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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



**CINDA S. BRIGHT
CLERK OF SUPERIOR COURT
WILKINSON COUNTY
P O BOX 250
IRWINTON, GEORGIA 31042**

478/946-4314

June 30, 2009

HON. WILLIAM MARTIN
COURT OF APPEALS
47 TRINITY AVE. SW, SUITE 501
ATLANTA, GEORGIA 30334

In Re: 2009CR0030 DERRICK
JACKSON VS THE STATE OF
GEORGIA

Dear Bill:

Enclosed please find the appeal in the above captioned case filed in Wilkinson Superior Court. Please note that there are two Notice of Appeals and two Addendums to Notice of Appeal. The defendant requested that our office send the certificate of service for him. The appeals were confusing in preparing, so in an abundance of caution we prepared the entire record with all transcripts that have been filed in the case.

Should you have any questions or need anything further, please let me know.

Sincerely,


Cinda S. Bright

Cc: Shelley Tice
Derrick Jackson
Renate Downs Moody

RECORDS RETURN NOTICE

DATE 7/1/09

Style DERRICK B. JACKSON v. The State

Lower Court Wilkinson Superior

Lower Court Case NO. 2009CR0030

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

(404) 656-3450
martinw@gaappeals.us

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

July 2, 2009

Ms. Crystal G. Buttimer
Legal Assistance Attorney
Department of the Air Force - WR-ALC/JA
215 Page Road • Suite 186
Robins Air Force Base, Georgia 31098-1662

Dear Ms. Buttimer:

I am in receipt of your letter of June 29, 2009 requesting the return of the record and original exhibits in A08A0776. Pamela McGinnis Smallwood v. Mary Nichole Davis. Please be advised that pursuant to the Court's Record Retention Schedule, I must maintain the record and exhibits for a period of one year after the remittitur date, unless the clerk of the trial court has requested the return of the record and/or exhibits. However, I noticed the remittitur date is July 11, 2008. Therefore, on or after July 11, 2009, I shall be able to release the exhibits to the clerk of the trial court.

Sincerely,



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

WLM, III/ld

cc: Ms. Rebecca G. Crowe
Clerk, Bryan County Superior Court
151 South College Street
Pembroke, Georgia 31321



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS WARNER ROBINS AIR LOGISTICS CENTER (AFMC)
ROBINS AIR FORCE BASE GEORGIA

E. J. ...
CLERK/REGISTRAR
COURT OF APPEALS OF GA.

RECEIVED IN OFFICE
2009 JUL - 1 AM 10:32

June 29, 2009

Court of Appeals of the State of Georgia
47 Trinity Avenue SW, Suite 501
Atlanta, GA 30334

Re: Pamela McGinnis Smallwood v. Mary Nichole Davis
Court of Appeals Case No. A08A0776

Dear Sir or Madam:

On June 24, 2008, the Court of Appeals made a decision in the above referenced case. The Remittitur went out on July 11, 2008.

Per your conversation with Ms. Stone last week, the documents submitted in this case be returned to the Clerk of Superior Court. This includes affidavits from the Petitioner's/Appellant's side, court records, pictures, a card, and two dolls sent to her daughter in Korea.

Please send the documents and evidence to Ms. Stone, Superior Court, Bryan County, P.O. Drawer 670, Pembroke, GA 31802.

If you have any questions or comments, please call me at 478.926.0868. Thank you for your time and assistance.

*Records on the table.
Place copy of the letter
w/records.*

cc: Rebecca G. Crowe

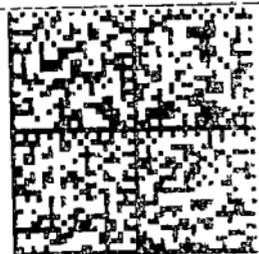
WR-ALC/JAC
215 PAGE RD STE 186
ROBINS AFB GA 31098-1662
(OFFICIAL BUSINESS)

RECEIVED IN OFFICE
2009 JUL -1 AM 10:32

Will. L. Matie
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA.

COURT OF APPEALS
STATE OF GEORGIA
47 TRINITY AVENUE SW
SUITE 501
ATLANTA, GA 30334

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300



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06/30/2009
Mailed From 31098
US POSTAGE

3033439006 0001



The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

July 6, 2009

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

RE: Your Case Numbers: 02SC11098
Demone R. Hamilton v. The State

Dear Ms. Robinson:

Enclosed please find the record in the above appeal forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the Notice of Appeal indicates it is appealing from an order of the trial court dated June 19, 2008 which is not contained in the record. If the appellant is intending to file an amended Notice of Appeal to an appeal filed with the Supreme Court of Georgia, he should direct that the Notice of Appeal states to the Supreme Court of Georgia, not the Court of Appeals of Georgia.

I apologize for any inconvenience the return of these documents may cause you.

Sincerely,



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

WLM, III/ld
Enclosures

cc: Mr. Demone Hamilton
EF1152071 H-2-247B
Macon State Prison
Post Office Box 426
Oglethorpe, Georgia 31068

RECORDS RETURN NOTICE

DATE 7/6/09

Style Demone Hamilton v. The State

Lower Court Fulton Superior

Lower Court Case NO. QASC11098

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 _____

per direction of court I sent this NOA to Supreme court thinking the 2nd NOA could be construed as an amended NOA

See attached memo

Mr. Hamilton filed 2 NOA. This is the 1st appeal, however, there is no order filed or entered around June 19, 2008 denying a motion to vacate a void sentence.

The 2nd appeal (designated to Supreme Court) which contains all of the record was also appealing an order denying a motion to vacate a void sentence filed in May 2008.

MEMORANDUM

TO: Patty Bender
FROM: Lynn M. Stinchcomb, Chief Deputy Clerk
DATE: June 30, 2009
RE: Hamilton v. The State

RECEIVED

JUL 1 2009

COURT OF APPEALS
OF GA

I looked at this case and don't see how we can get around your Court not docketing the notice of appeal filed on May 27. Even if I got Fulton County to write a letter saying they construed the subsequent notice of appeal as an amendment, I don't think that will take precedence over what Mr. Hamilton wrote. Sorry.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

July 7, 2009

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

RE: Your Court Case Numbers: 06CR4934
Robert Works v. The State

Dear Ms. Carter:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the record does not contain the transcript for the Motion for New Trial Hearing. When the court reporter files the Motion for New Trial transcripts with your office, please attach your certification and send it along with the balance of the record back to this Court for docketing.

I apologize for any inconvenience this may have caused. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 7/7/09

Style Robert WORKS v. The State

Lower Court Delaware Superior

Lower Court Case NO. 06024934

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

July 9, 2009

Ms. Melanie F. Wilson
Clerk, State Court of DeKalb County
2nd Floor • DeKalb County Courthouse
556 North McDonough Street
Decatur, Georgia 30030-3356

Dear Ms. Wilson:

Thank you for your letter of July 6, 2009. Let me offer you my congratulations on being appointed Clerk of the State Court of DeKalb County.

If this office or I can assist you in any way, please do not hesitate to contact me.

Sincerely,



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

WLM, III/ld

**STATE COURT OF DEKALB COUNTY
Clerk's Office**

2nd Floor DeKalb County Courthouse

556 N. McDonough Street

Decatur, Georgia 30030-3356

Tel: 404-371-2261

**Melanie F. Wilson
Clerk**

**Sharon C. Bryan
Chief Deputy**

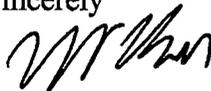
July 6, 2009

RECEIVED
JUL 7 2009
COURT OF APPEALS
OF GA

Mr. William L. Martin, III
Clerk and Court Administrator
Court of Appeals of Georgia
47 Trinity Avenue, S.W. Suite 501
Atlanta, Georgia 30334

On July 1, I have been appointed as Clerk of Court in the State
and I have retired on June 30, 2009. Please do not hesitate to contact me at
my direct line at (404) 687-3501 or by email at

Sincerely



Melanie F. Wilson
Clerk of Court

STATE COURT OF DEKALB COUNTY

104 DEKALB COUNTY COURTHOUSE
DECATUR, GEORGIA 30030



02 1M

\$ 00.44⁰

0004280263

JUL 06 2009

MAILED FROM ZIP CODE 30030

Mr. William L. Martin, III
Clerk and Court Administrator
Court of Appeals of Georgia
47 Trinity Avenue, S.W. Suite 501
Atlanta, Georgia 30334

3033489006 0001



The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

July 14, 2009

Mr. Stetson Bennett, Jr.
Clerk, Wayne County Superior Court
Post Office Box 920
Jesup, Georgia 31598

RE: Your Case Number: 08CV0120
Virginia Rasnick as Surviving Spouse of Sidney Rasnick, et al. v. Krishna
Hospitality, Inc. d/b/a Motel Jesup

Dear Mr. Bennett:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. The record as presented is over 800 pages. I would appreciate your splitting this into two or three volumes. Please see attached guide.

A volume containing as many pages as this one does makes it difficult for the Court to read the record when it is folded over the top. Also, it makes it easy for the record to become detached.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 7/13/09

Style Virginia Rasnick et al v. Krishna Hospitality, Inc. db/a Motel Jesup

Lower Court Wayne Superior

Lower Court Case NO. 08CV0120

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 record is over 800 pages

please split into separate volumes

(see attached guide)

STETSON BENNETT, JR.

CLERK OF SUPERIOR COURT
CLERK OF STATE COURT
CLERK OF JUVENILE COURT
WAYNE COUNTY
P.O. BOX 920
JESUP, GEORGIA 31598

June 24, 2009

RECEIVED

JUL 9 2009

COURT OF APPEALS
OF GA

Martins
Honorable William L. Martin, III
Clerk, Court of Appeals of Georgia
47 Trinity Avenue, Suite 501
Atlanta, Georgia 30334

Odum
RE: Virginia Rasnick as
Surviving Spouse of
Sidney Rasnick and
Virginia Rasnick as
Administratrix of the
Estate of Sidney Rasnick,
Deceased

Jesup
Vs

Garth
Krishna Hospitality, Inc.
d/b/a Motel Jesup

Ritch
WAYNE COUNTY

Dear Mr. Martin;

Ritch I am enclosing the Original Notice of Appeal, the record requested in the
Appeal and the Court Reporter's Transcripts in the above case to be filed in
Your office.

With kind regards, I am

Screven

Very truly yours,

Stetson Bennett, Jr.
Stetson Bennett, Jr.

GUIDE FOR TRIAL COURT CLERKS IN TRANSMITTING RECORDS TO THE COURT OF APPEALS OF GEORGIA

The Clerk's Office of the Court of Appeals of Georgia appreciates the assistance of the trial court clerks in preparing records for docketing in our Court. These guidelines will assist in the preparation of records and transcripts for transmission to this Court. We hope this information will be helpful to you and avoid our having to return records and transcripts to your offices. If you have any questions regarding these guidelines or in the preparation of any record or transcripts for this office, please feel free to call Patty Bender, (404) 657-8353 or Bill Martin (404) 657-8352. We will be happy to assist you.

PREPARING THE RECORD FOR TRANSMISSION

1. Create a complete Index of the record. Number the pages consecutively, and do not make a separate index for each volume of the record. The items of the records should be arranged as follows: the Index, Notice of Appeal and/or amended Notice of Appeal and record documents arranged in chronological order. It is very helpful if you place the date of the order or motion next to all orders and motion titles. The transcript(s) may be listed at the end of the record index.
2. The Notice of Appeal should be on 8 ½ x 11 inch, letter sized paper, and should show the name of the attorney or pro se party (typed or printed legibly) and his/her address. An attorney's bar number should be placed below his/her name or with the address. Make sure the Notice of Appeal has a legible stamped "filed" date and has a proper Certificate of Service showing the full name and complete mailing address of opposing counsel. We cannot accept a general rubber stamp as a proper Certificate of Service.

The Notice of Appeal when prepared by the attorney or pro se party should state to which court he/she is appealing, the Court of Appeals or the Supreme Court, the order(s) to be appealed and any documents he/she wishes omitted from the record. In the Notice of Appeal, the Court appealed to and the Court having jurisdiction must agree. A clear statement transcripts **ARE** or **ARE NOT** to be transmitted must be included.

3. The Notice of Appeal should show the name of the attorney representing the appellant or the name of the appellant, if he/she is pro se, and show his/her full address, telephone number, and bar number, if applicable. Again, a Certificate of Service must accompany the Notice of Appeal and must show the full name and complete mailing address of opposing attorney or pro se party. This is necessary because we get the addresses of the parties from the address on the Notice of Appeal and the Certificate of Service. Please try to impress upon any pro se parties filing a Notice of Appeal a telephone number should accompany the address, and the address of the opposing pro se party, if possible.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

July 14, 2009

Ms. Teresa P. Tucker
Clerk, Bulloch County Superior Court
20 Siebald Street
Statesboro, Georgia 30458

RE: Your Case Number: 1B06CV264T
Brenda Lewis, et al. v. Office Max, Inc., et al.

Dear Ms. Tucker:

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 this appeal because the exhibits contained in the plastic ring binder do not have the pages consecutively numbered. Please number these pages and have a corresponding Index thereto.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 7/13/09

Style Brenda Lewis et al v.
Office Max, Inc.

Lower Court Bulloch Superior

Lower Court Case NO. 1B06CV264 T

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 (*bound exhibits*)
- 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

July 14, 2009

Ms. Janice S. Bryant
Clerk, Terrell County Superior Court
Post Office Box 189
Dawson, Georgia 31742-0189

RE: Your Case Number: 2005CR295
Elijah Willis v. The State

Dear Ms. Bryant:

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 this appeal because the record does not contain an order denying the Motion for New Trial. When the trial court enters the order denying the Motion for New Trial, please include it in the record and the Index and return it to this office for docketing. If the trial court grants the Motion for New Trial, it may obviate the need for an appeal.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 7/13/09

Style Elijah Willis v. The State

Lower Court Terrell Superior

Lower Court Case NO. 200SCR295

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 _____

JANICE S. BRYANT
SUPERIOR COURT CLERK
TERRELL COUNTY
P. O. BOX 189
DAWSON, GEORGIA 29842

RECEIVED

July 7, 2009

JUL 9 2009

Court of Appeals of the State of Georgia
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

COURT OF APPEALS
OF GA

Re: Elijah Willis – 05-CR-295

Dear Sir:

Enclosed please find an Appeal to be filed in the above referenced matter.

If you have any questions, please feel free to contact by office.

Thank You,



Janice S. Bryant

Enclosures

Cc: File

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

July 15, 2009

Ms. Jackie W. Taylor
Clerk, Troup County Superior Court
100 Gridley Avenue
LaGrange, Georgia 30241

RE: Your Case Number: 06SC442
Madha V. Naik v. James W. Robinson, et al.

Dear Ms. Taylor:

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 this appeal because the pages through the exhibits to depositions are not numbered. Please give these pages a record page number or request the court reporter to do so. Without record page numbers for these exhibits, it is difficult for the attorneys to cite to the exhibits and difficult for the Court to locate the exhibits when reviewing the briefs.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 7/13/09

Style Madha V. Naik v. James W. Robinson et al

Lower Court Treep State

Lower Court Case NO. 06SC442

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 - Exhibits to depositions.
- 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
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The Court of Appeals
Office of the Clerk
47 Trinity Avenue, S.W.
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

July 16, 2009

Ms. Patricia A. Glover
Clerk, Johnson County Superior Court
Post Office Box 321
Wrightsville, Georgia 31096-0321

RE: Your Case Number: 2006CV379-S
Michael Patrick King v. Wayne Adrian King, et al.

Dear Ms. Glover:

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 this appeal because neither the Notice of Appeal nor the amended Notice of Appeal contain a Certificate of Service showing the complete name and mailing address of opposing counsel. When the appellant files an amended Notice of Appeal and attaches a Certificate of Service stating that the appellant has served a copy of the Notice of Appeal and a copy of the amended Notice of Appeal on counsel for appellees, and includes the counsel of appellee's complete name and mailing address, please return the record to this Court for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 7/14/09

Style Michael Patrick King v. Wayne Adrian King et al

Lower Court Johnson Superior

Lower Court Case NO. 2006 CV 379

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)
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- Notice of Appeal does not state to which Court
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- Other _____

We sent this back before.

Patricia Glover

Clerk of Superior Court • Clerk of Magistrate Court • Clerk of Juvenile Court
of Johnson County

P.O. Box 321 • Wrightsville, Georgia 31096-0321
(478) 864-3484 • Fax: (478) 864-1343

July 10, 2009

Mr. William L. Martin, III, Clerk
Court of Appeals of Georgia
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

RECEIVED

JUL 14 2009

COURT OF APPEALS
OF GA

IN RE: MICHAEL PATRICK KING, DEFENDANT/APPELLANT VS.
WAYNE A. KING AND CINDY ANITA WILLIAMS, PLAINTIFFS/APPELLEES

Dear Mr. Martin:

Enclosed, please find the amended notice of appeal and the notice of appeal and record previously sent to you on the above styled civil action as filed in the Johnson County Superior Court.

I have attached to the amended notice of appeal all documents that have been filed in the case since the transmittal and return of the notice of appeal by your Court previously.

Thank you for your assistance in this matter and if you have any questions, please feel free to call me at the above number.

Sincerely,



Patricia Glover, Clerk
Johnson County Superior Court

DIRECT APPEAL PREPARATION SHEET

DOCKET DATE: _____

CASE NUMBER: _____

JUDGE NO. _____

STYLE: _____

CLASSIFICATION CODE: _____

X REFERENCE: _____

APPLICATION CASE NO.: _____

SUPREME COURT CASE NO.: _____

PAUPER _____

LOWER COURT JUDGE NO.: _____

LOWER COURT COUNTY: _____ 08 _____

LOWER COURT NAME: _____ 07 _____

CLERK OF LOWER COURT NO.: _____

JUDGMENT DATE: _____

NOTICE OF APPEAL DATE: _____

LOWER COURT CASE NO.: _____

RECORDS _____

TRANSCRIPTS _____

OTHER DOCUMENTS _____

APPELLANT ATTORNEY BAR NO.

APPELLEE ATTORNEY BAR NO.

OTHER ATTORNEY BAR NO.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

December 10, 2008

Mr. Bill McDaniel
Clerk, Superior Court
Walker County Courthouse
Post Office Box 448
LaFayette, Georgia 30728-0448

RE: Your Case Number: 05CR21780
State of Georgia v. Jason D. Potter

Dear Mr. McDaniel:

Enclosed please find the record for the above appeal which was transmitted from your office to our office. Although Judge Connelly granted defendant Jason Potter's Motion for an Out of Time Appeal, we are unable to docket this appeal because the record does not contain a Notice of Appeal. The defendant must file a new Notice of Appeal in your court before the appeal may be docketed in our Court. When filed, please attach a stamped "filed" copy of the Notice of Appeal to the record, include it in the Index and return the record to this office for docketing.

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

Sincerely,



Holly Sparrow
Deputy Administrator

Enclosures

cc: Mr. David J. Dunn
Circuit Public Defender
Lookout Mountain Judicial Circuit
Post Office Box 1810
LaFayette, Georgia 30728

RECORDS RETURN NOTICE

DATE 12/9/08

Style Jason D. Potter v. The State

Lower Court Superior Court of Walker Co.

Lower Court Case NO. 05CR2178D
Our dismissed case A09A0204

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
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- No Notice of Appeal after Order granting Out of Time
- Notice of Appeal does not state to which Court
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- Pages copied front/back
- Only one side printed of duplex document
- Other _____

IN THE SUPERIOR COURT OF WALKER COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

Plaintiff

VS

JASON D. POTTER

Defendant

*
*
*
*
*
*
*
*
*

CASE NO. 05CR21780

SUPPLEMENTAL RECORD

INDEX

Correspondence from Court of Appeals of Georgia as filed in office on November 26, 2008	1
Motion for Out of Time Appeal as filed in office on November 26, 2008	2
Agreed Order Extending Supersedeas Bond as filed in office on December 1, 2008	4
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Amended Order Extending Supersedeas Bond as filed in office on December 4, 2008	6

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DEC - 8 2008

COURT OF APPEALS
OF GA

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

COPY

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

December 10, 2008

Mr. Bill McDaniel
Clerk, Superior Court
Walker County Courthouse
Post Office Box 448
LaFayette, Georgia 30728-0448

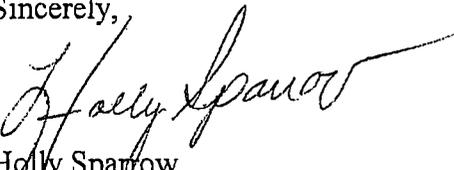
RE: Your Case Number: 05CR21780
State of Georgia v. Jason D. Potter

Dear Mr. McDaniel:

Enclosed please find the record for the above appeal which was transmitted from your office to our office. Although Judge Connelly granted defendant Jason Potter's Motion for an Out of Time Appeal, we are unable to docket this appeal because the record does not contain a Notice of Appeal. The defendant must file a new Notice of Appeal in your court before the appeal may be docketed in our Court. When filed, please attach a stamped "filed" copy of the Notice of Appeal to the record, include it in the Index and return the record to this office for docketing.

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

Sincerely,



Holly Sparrow
Deputy Administrator

Enclosures

cc: Mr. David J. Dunn
Circuit Public Defender
Lookout Mountain Judicial Circuit
Post Office Box 1810
LaFayette, Georgia 30728

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

DEC 31 2008



Ms. Cathelene Robinson
Clerk, Superior Court Fulton County
136 Pryor Street, S.W. • 5th Floor
Atlanta, Georgia 30303

RE: A06A1817. Darrell Stroud v. The State
Lower Court Case Number: 02SC07774

Dear Ms. Robinson:

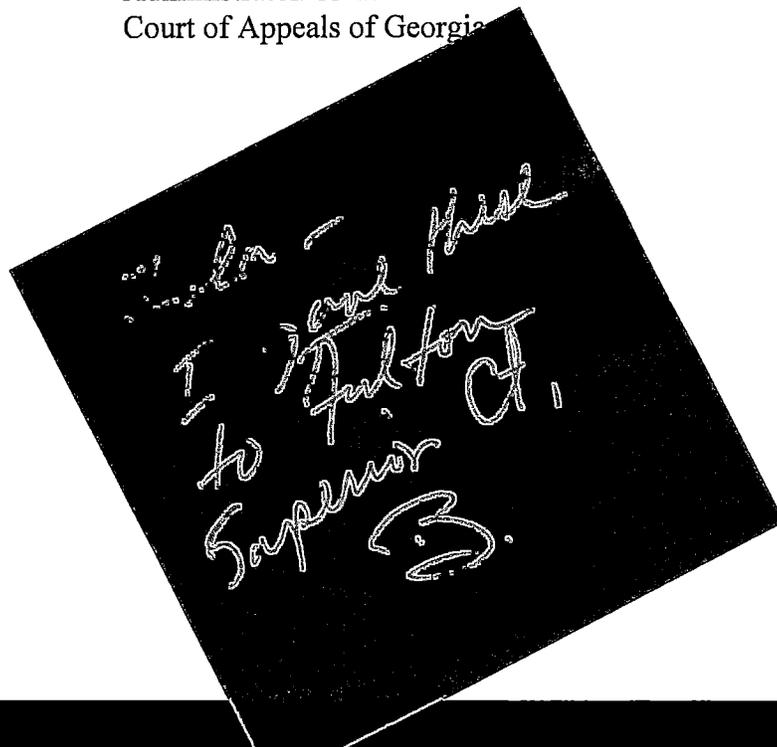
We are returning the enclosed videocassette in the above referenced matter for your files.
If you have any questions, please do not hesitate to contact this office.

Sincerely,

William L. Martin, III

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

WLM, III/ld
Enclosures



The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

DEC 31 2008



Ms. Cathelene Robinson
Clerk, Superior Court Fulton County
136 Pryor Street, S.W. • 5th Floor
Atlanta, Georgia 30303

RE: A07A0036. Mohmad Gavahi Kashani v. Automotive Finance
Corporation, et al.
Lower Court Case Number: 2002CV47866

Dear Ms. Robinson:

We are returning the enclosed depositions in the above referenced matter for your files. If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

DEC 31 2008



Ms. Cathelene Robinson
Clerk, Superior Court Fulton County
136 Pryor Street, S.W. • 5th Floor
Atlanta, Georgia 30303

RE: A07A0127. Carol Bills v. James L. Lowery, et al.
Lower Court Case Number: 2004CV86598

Dear Ms. Robinson:

We are returning the enclosed transcripts in the above referenced matter for your files. If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

DEC 31 2008



Ms. Cathelene Robinson
Clerk, Superior Court Fulton County
136 Pryor Street, S.W. • 5th Floor
Atlanta, Georgia 30303

RE: A07A0687. Kelly Kennedy v. Georgia Department of Human
Resources Child Support Enforcement
Lower Court Case Number: 2005CV104147

Dear Ms. Robinson:

We are returning the enclosed depositions in the above referenced matter for your files. If you have any questions, 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
47 Trinity Avenue
Suite 504
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 2, 2009

Ms. Betty Sanders
Clerk, DeKalb County State Court
104 DeKalb County Courthouse
556 North McDonough Street
Decatur, Georgia 30030-3356

ATTN: Ms. Kelly O'Quinn

RE: Your Case Number: 07D54749
Tony Tunstall v. Deutsche Bank Trust Company

Dear Ms. O'Quinn:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we were unable to docket this appeal because the record does not contain the order which is described as being appealed in the Notice of Appeal. When the trial court enters the order of September 23, 2008, please include that in the record and index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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. Tony Tunstall
846 Deer Field Court
Stone Mountain, Georgia 30087

RECORDS RETURN NOTICE

DATE 1/2/08

Style Tony Tunstall v. Deutsche Bank Trust company

Lower Court Dekalb State

Lower Court Case NO. 07D54749

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
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- 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 _____

* Amended NOA states he is appealing order of Sept. 23, 2008.

per clerk of trial court - there is no order of Sept. 23 2008



Edward E. Carriere, Jr., Chief Judge
Wayne M. Purdom, Judge
Alvin T. Wong, Judge
J. Antonio DelCampo, Judge
Johnny Panos, Judge
Janis C. Gordon, Judge
Barbara J. Mobley, Judge

State Court of DeKalb County

DeKalb County Courthouse
Decatur, Georgia 30030-3356
(404) 371-2261

Betty Sanders, Clerk
R. S. Mann, Marshal
Kevin Batye, Chief Probation Officer

December 29, 2008

Mr. William L. Martin, II, Clerk
Court of Appeals of Georgia
47 Trinity Avenue, Suite 501
Atlanta, Georgia 30334

Re: State Court Case No. 07D54749
Court of Appeals Case No. A08A2367
Tony Tunstall, Appellant v Deutsche Bank National Trust, Appellee

Dear Mr. Martin,

Enclosed for filing are two additional appeal records prepared in conjunction with the above referenced case. The first appeal was docketed in your court under case number A08A2367 on August 4, 2008, and dismissed August 20, 2008.

Please call if you have any questions regarding this matter.

Sincerely,

Kelly O'Quinn, Appeals Clerk
State Court of DeKalb County
404.687.2776



Tony Tunstall
Appellant

Case No. _____

vs.

_____ Term, 20_____

Deutsche Bank National Trust
Appellee

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 2, 2009

Ms. Betty Sanders
Clerk, DeKalb County State Court
104 DeKalb County Courthouse
556 North McDonough Street
Decatur, Georgia 30030-3356

ATTN: Ms. Kelly O'Quinn

RE: Your Case Number: 07D54749
Tony Tunstall v. Deutsche Bank National Trust

Dear Ms. O'Quinn:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we were unable to docket this appeal because the record does not contain the order which is described as being appealed in the Notice of Appeal. When the trial court enters the order of November 18, 2008, please include that in the record and index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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. Tony Tunstall
846 Deer Field Court
Stone Mountain, Georgia 30087



Tony Tunstall
Appellant

Case No. _____

vs.

Term, 20____

Deutsche Bank National Trust
Appellee

I N D E X

1.	Amended Notice of Appeal	1
2.	Notice of Appeal	3
3.	Judge's Directive of October 7, 2008	5
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RECORDS RETURN NOTICE

DATE 1/2/08

Style Tony Tunstall v. Deutsche Bank Trust
company

Lower Court DeKalb State

Lower Court Case NO. 07D54749

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
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- No Motion for New Trial (have order thereon)
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- No Notice of Appeal after Order granting Out of Time
- Notice of Appeal does not state to which Court
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- Pages copied front/back
- Only one side printed of duplex document
- Other _____

* amended NOA states he is appealing
order of NOV. 18, 2008

per clerk of trial court - there is
no order of NOV. 18, 2008

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 9, 2009

Ms. Carolyn V. Sullivan
Clerk, Superior Court
Houston County Courthouse
800 Carroll Street
Perry, Georgia 31069-3312

RE: Your Case Number: 2008-V-93283
Larry Thomas, Sr. v. L.A. McConnell, Judge

Dear Ms. Sullivan:

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 unable to docket this appeal because the Notice of Appeal does not indicate to which appellate court the case is to be appealed. In point of fact, an appeal of the trial court's order on an Application for Writ of Mandamus is to the Supreme Court of Georgia, not the Court of Appeals.

When the appellant files an amended Notice of Appeal to direct the case to be filed in a particular appellate court, please send the record to the Court indicated in the Notice of Appeal.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Larry Thomas, Sr.
GDC916592 5-U
Coffee Correctional Facility
Post Office Box 650
Nicholls, Georgia 31554

IN THE SUPERIOR COURT OF HOUSTON COUNTY

STATE OF GEORGIA

LARRY THOMAS, SR.

Appellant

VS

L. A. McCONNELL, JUDGE

Appellee

CIVIL ACTION NUMBER:

2008-V-93283

WRIT OF MANDAMUS

APPEARANCES

Appellant:

Larry Thomas, Sr., Pro se
#916592
Coffee Correctional Facility 5-U
P. O. Box 650
Nicholls GA 31554

Appellee:

None

RECEIVED
JAN 07 2009
COURT OF APPEALS
OF GA

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

DEC 23 2008

Mr. Kenneth Cheek
Clerk, State Court
104 DeKalb County Courthouse
556 North McDonough Street
Decatur, Georgia 30030-3356

RE: A06A0734. Jennifer Kinzalow, et al. v. Cotton States Mutual Insurance
Company
Lower Court Case Number 04-VS-062917H

Dear Mr. Cheek:

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,

Will. L. Martin, III

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

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

DEC 23 2008

Ms. Linda Carter
Clerk, Superior Court
DeKalb County Courthouse
556 North McDonough Street • Room G-146
Decatur, Georgia 30030

RE: A06A1328. Progressive Plumbing, Inc. v. ABCO Builders, Inc.
Lower Court Case Number: 05CV38881

and

A07A0957. Antonio Rafael Pineda v. The State
Lower Court Case Number: 02CR46076

Dear Ms. Carter:

We are returning the enclosed Exhibit (Report) in A06A1328. Progressive Plumbing, Inc. v. ABCO Builders, Inc. and the videocassette in A07A0957. Antonio Rafael Pineda v. The State 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

DEC 23 2008

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

RE: A07A0008. Pablo Artega v. The State
Lower Court Case Numbers: 05CR2469
and

A07A0954. Willie Van Der Westhuizen, et al. v. DeKalb County Board
of Commissioners, et al.
Lower Court Case Numbers: 05CV1302509

Dear Ms. Carter:

We are returning the enclosed audiotape in A07A0008 and videocassette in A07A0954 for your files. If you have any questions regarding these matters, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

DEC 23 2008

Ms. Betty Sanders
Clerk, State Court
104 DeKalb County Courthouse
556 North McDonough Street
Decatur, Georgia 30030-3356

RE: A07A0323. Gregory R. McHugh v. The State
Lower Court Case Number: 06C755434

Dear Ms. Sanders:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

DEC 29 2008

Mr. Thomas Lawler
Clerk, Superior Court of Gwinnett County
Post Office Box 880
Lawrenceville, Georgia 30045-0880

RE: A07A0524. David Arnan Smith, et al. v. Richard Saulsbury
Lower Court Case Number: 03A81258

Dear Mr. Lawler:

We are returning the enclosed transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

DEC 23 2008

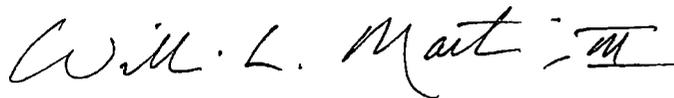
Ms. Betty Sanders
Clerk, State Court
104 DeKalb County Courthouse
556 North McDonough Street
Decatur, Georgia 30030-3356

RE: A07A0543. Lester William McDevitt v. The State
Lower Court Case Number: 05C698327

Dear Ms. Sanders:

We are returning the enclosed videocassettes and transcript 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/d
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 29, 2008

Mr. Douglas Sorrells
Clerk, Superior Court
Forsyth County Courthouse
100 West Courthouse Square
Cumming, Georgia 30040

RE: A07A0719. Woodland Partners Limited Partnership v. Department of
Transportation
Lower Court Case Numbers: 02 CV0470

Dear Mr. Sorrells:

We are returning the enclosed depositions 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

DEC 23 2008

Ms. Betty Sanders
Clerk, State Court
104 DeKalb County Courthouse
556 North McDonough Street
Decatur, Georgia 30030-3356

RE: A07A0793. Jerome Brooks v. The State
Lower Court Case Number: 06C725937

Dear Ms. Sanders:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

DEC 29 2008

Ms. Patricia Baker
Clerk, Superior Court
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A1410. Rodney Karrell Lester v. The State
Lower Court Case Number: 06CR0904

Dear Ms. Baker:

We are returning the enclosed DVD in the above referenced matter for your files. If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

DEC 29 2008

Ms. Patricia Baker
Clerk, Superior Court
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A1508. Randall Lamar Hampton v. The State
Lower Court Case Number: 03CR1043

Dear Ms. Baker:

We are returning the enclosed photographs in the above referenced matter for your files. If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

DEC 29 2008

Ms. Patricia Baker
Clerk, State Court
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A1563. Walter McDonald Horne v. The State
Lower Court Case Number: 06M1755

Dear Ms. Baker:

We are returning the enclosed videocassette in the above referenced matter for your files.
If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

DEC 30 2008

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

RE: A07A0224. Jefferson Nathaniel Newman v. The State
Lower Court Case Numbers: 2003R0310

Dear Ms. Studdard:

We are returning the enclosed two (2) 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 24, 2008

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

RE: Your Case Number: 00CR0141-M
Kenyata Exavias Smith v. The State

Dear Ms. Broome:

Enclosed please find the record for the above appeal which was forwarded from your office to ours. Please be advised that we are unable to docket this appeal.

The Notice of Appeal indicates that it is an appeal to the Superior Court of Mitchell County, not the Court of Appeals of Georgia. Additionally, if the appellant is attempting to appeal an order denying an Application for Writ of Habeas Corpus, that appeal would be to the Supreme Court of Georgia, not the Court of Appeals.

When the appellant files an amended Notice of Appeal to indicate to which appellate court he intends to appeal, please include the amended Notice of Appeal in the record and send the record to the appropriate appellate court.

I apologize for any inconvenience this may cause 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
Clerk/Administrator

WLM, III/ld
Enclosures

cc: Mr. Kenyata E. Smith
GDC1085986

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 17, 2008

Mr. Daniel Massey
Clerk, Chatham County Superior Court
133 Montgomery Street
Post Office Box 10227
Savannah, Georgia 31412-0427

RE: Your Case Number: CR061429
The State v. Ashaunte Miller

Dear Mr. Massey:

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 this appeal because a portion of the record which has been sealed is not paginated.

Please paginate the sealed portion of the record with a record page number and a corresponding index. Without this information, the parties are unable to cite to the record and the Court is unable to reference the record without page numbers.

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

Sincerely,

A handwritten signature in black ink that reads "Will. L. Martin, III" with a stylized flourish at the end.

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

WLM, III/ld
Enclosures

RECORDS RETURN NOTICE

DATE 12/17/08

Style The State v. Ashaunte Miller

Lower Court Chatham Superior

Lower Court Case NO. CR 061429

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 sealed envelope not paginated

SUPERIOR COURT-CHATHAM COUNTY, GEORGIA-EASTERN JUDICIAL CIRCUIT

DANIEL W. MASSEY - CLERK

TELEPHONE NUMBER (912) 652-7200

INDICTMENT NUMBER: CR06-1429-AB

STATE OF GEORGIA,
APPELLANT

CHRISTINE S. BARKER Bar #

Assistant District Attorney

133 MONTGOMERY ST., STE 600

Address

SAVANNAH, GEORGIA 31401

RECEIVED

(912) 652-7308

Telephone Number

DEC 16 2008

VS.

COURT OF APPEALS
OF GA

ASHAUNTE MILLER,
APPELLEE

MICHAEL EDWARDS Bar #240112

Public Defender

540 EAST OGLETHORPE AVENUE

Address

SAVANNAH, GEORGIA 31401

(912) 447-4901

Telephone

HON. LOUISA ABBOT

Judge

133 MONTGOMERY STREET, SUITE 203

Address

SAVANNAH, GEORGIA 31401

(912) 652-7162

Telephone

WILLIAM DELOACH

Court Reporter

133 MONTGOMERY STREET, SUITE 511

Address

SAVANNAH, GEORGIA 31401

(912) 652-7168

Telephone

**DEFENDANT
INCARCERATED**

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 22, 2008

Mr. Aubre Grafton
Clerk, Superior and State Courts
Stephens County Government Building
205 North Alexander Street • Room 202
Toccoa, Georgia 30577

RE: 2005-SU-CR-61. Jerry Michael McCroskey v. The State
2005-SU-CR-85. Jerry Michael McCroskey v. The State

Dear Mr. Grafton:

Enclosed please find the record in the above appeals which I returned to you under cover of my letter of August 21, 2008 and which were returned by your office to ours. Please be advised that we still cannot docket these appeals because the Notice of Appeal calls for a transcript to be filed for inclusion in the record on appeal and no transcript accompanied the record.

When the court reporter files the transcript with your office, please attach your certification and send the transcripts along with the return of the records to this office for docketing. If there is no transcript, when the appellant files an amended Notice of Appeal to reflect that fact, please include the amended Notice of Appeal in the record and index same and return the records to this office for docketing.

The Notice of Appeal indicates that the appellant is appealing the trial court's judgment in 05-SU-CR-141C, and no record to that appeal was included in the submission sent by your office. A notation from your office when you returned the records states that this is not your case number but may be that of Rabun County. Therefore, when Mr. McCroskey files an amended Notice of Appeal to delete a reference to a case that is not in your office, please return the records to this office for docketing.

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/lld

Enclosures

cc: Mr. Jerry Michael McCroskey

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30303

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

August 21, 2008

Mr. Aubre Grafton
Clerk, Superior Court of Stephens County
Stephens County Government Building
205 North Alexander Street, Room 202
Toccoa, Georgia 30577

REF: Your case numbers 2005-SU-CR-61, Jerry Michael McCroskey v. The State, and
number 2005-SU-CR-85, Jerry Michael McCroskey v. The State

Dear Mr. Grafton:

Enclosed please find the record for the above appeals which were forwarded from
your office to ours. Please be advised that we are unable to docket these appeals because the
notices of appeal indicate that a transcript will be filed for inclusion in the record on appeal
and no transcript has accompanied the records. When the court reporter files the transcript
with your office, please attach your certification and send the transcript along with the return
of the record to this office for docketing.

The notice of appeal indicates the appellant is appealing the trial court's judgment in
05-SU-CR-141C, however, the record to that appeal was not included with this submission
sent by you to our office.

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

Sincerely,

Will. L. Martin, III

William L. Martin, III

Enclosures
WM/jw

*This is not our case #
I think it is Rabun County*



IN THE GEORGIA COURT OF APPEALS

FROM

STEPHENS COUNTY SUPERIOR COURT

JERRY MICHAEL MCCROSKEY
APPELLANT

VS.

STATE OF GEORGIA
APPELLEE

INDEX TO CASE NO. 2005-SU-CR-61

	PAGES		
1. NOTICE OF APPEAL FILED ON JULY 21, 2008	1	~	2
2. ACCUSATION FILED ON APRIL 13, 2005	3	~	4
3. WARRANTS, BOND, BOND CONDITIONS FILED ON APRIL 13, 2005	5	~	11
4. DEFENDANT NOTICE AND BONDSMAN & ATT NOTICES PRINTED FILED ON APRIL 18, 2005	0	~	0
5. CALENDAR FILED ON MAY 3, 2005	0	~	0
6. PLEA OF GUILTY FILED ON JUNE 3, 2005	0	~	0
7. 5 YEARS TO SERVE FILED ON JUNE 3, 2005	12	~	16
8. MOTION TO WITHDRAW GUILTY PLEA FILED ON JUNE 30, 2005	17	~	20
9. RULE NISI FILED ON JUNE 30, 2005	21	~	21
10. ORDER ON DEFENDANTS MOTION TO WITHDRAW GUILTY PLEA WITH ORDER FILED ON OCTOBER 28, 2005	22	~	24
11. MOTION FOR LEAVE TO FILE OUT OF TIME APPEAL & SENTENCE REVIEW FILED ON DECEMBER 7, 2005	25	~	27
12. ORDER ALLOWING DEFENDANT TO FILE OUT OF TIME APPEAL & SENTENCE REVIEW FILED ON DECEMBER 19, 2005	28	~	28
13. NOTICE OF APPEAL FILED ON DECEMBER 21, 2005	29	~	34
14. APPLICATION FOR REVIEW OF SENTENCE FILED ON DECEMBER 21, 2005	35	~	38
15. APPEAL INDEX WAS PRINTED AND SENT FILED ON DECEMBER 22, 2005	0	~	0
16. NOTICE OF DOCKETING FROM COURT OF APPEALS FILED ON JANUARY 3, 2006	39	~	39
17. FILED ON MAY 15, 2006	40	~	48
18. ORDER DISMISSING MOTION FILED ON JUNE 16, 2006	49	~	49
19. REMITTITUR - CASE VACATED FILED ON AUGUST 14, 2006	50	~	61
20. ORDER SCHEDULING HEARING ON DEFENDANTS RIGHT TO APPOINTED COUNSEL - ORDER ON HEARING TO WITHDRAW GUILTY PLEA FILED ON AUGUST 25, 2006	62	~	64

IN THE GEORGIA COURT OF APPEALS
FROM
STEPHENS COUNTY SUPERIOR COURT

MCCROSKEY JERRY MICHAEL
APPELLANT

VS.

STATE OF GEORGIA
APPELLEE

RECEIVED
AUG 21 2008
COURT OF APPEALS
OF GA

INDEX TO CASE NO. 2005-SU-CR-85

	PAGES		
1. NOTICE OF APPEAL FILED ON JULY 21, 2008	1	~	2
2. INDICTMENT FILED ON APRIL 15, 2005	3	~	6
3. WARRANTS FILED ON APRIL 18, 2005	7	~	20
4. MODIFIED BOND ORDER FILED ON APRIL 25, 2005	21	~	22
5. CALENDAR FILED ON MAY 3, 2005	0	~	0
6. WITNESS LIST FILED ON MAY 13, 2005	23	~	23
7. PLEA OF GUILTY FILED ON JUNE 3, 2005	0	~	0
8. 30 YEARS - 25 TO SERVE 5 ON PROBATION FILED ON JUNE 3, 2005	24	~	28
9. PLEA OF GUILTY FILED ON JUNE 3, 2005	0	~	0
10. 30 YEARS - 25 TO SERVE - 5 ON PROBATION FILED ON JUNE 3, 2005	0	~	0
11. PLEA OF GUILTY FILED ON JUNE 3, 2005	0	~	0
12. 30 YEARS - 25 TO SERVE - 5 ON PROBATION FILED ON JUNE 3, 2005	0	~	0
13. PLEA OF GUILTY FILED ON JUNE 3, 2005	0	~	0
14. 5 YEARS TO SERVE FILED ON JUNE 3, 2005	0	~	0
15. PLEA OF GUILTY FILED ON JUNE 3, 2005	0	~	0
16. 5 YEARS TO SERVE FILED ON JUNE 3, 2005	0	~	0
17. PLEA OF GUILTY FILED ON JUNE 3, 2005	0	~	0
18. 5 YEARS TO SERVE FILED ON JUNE 3, 2005	0	~	0
19. PLEA OF GUILTY FILED ON JUNE 3, 2005	0	~	0
20. 5 YEARS TO SERVE CONSECUTIVE FILED ON JUNE 3, 2005	0	~	0
21. MOTION TO WITHDRAW GUILTY PLEA FILED ON JUNE 30, 2005	29	~	32
22. RULE NISI FILED ON JUNE 30, 2005	33	~	33
23. ORDER ALLOWING DEFENDANT TO FILE OUT OF TIME APPEAL & SENTENCE REVIEW FILED ON DECEMBER 16, 2005	34	~	34

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 22, 2008

Ms. Sherri A. Akins
Clerk, Bulloch County Superior Court
20 Siebald Street
Statesboro, Georgia 30458

RE: Your Case Number: 1B06CR369
Tavins Lee Adams v. The State

Dear Ms. Akins:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket the appeal because the record is still missing a stamped filed copy of the order on re-sentencing. When the trial court files that order, please include it in the record, index it and return it to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of service 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

2nd RECORDS RETURN NOTICE

DATE 12/22/08

Style Tavuis Lee Adams v. The State

Lower Court Bulloch Superior

Lower Court Case NO. 1B06CR369

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
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- 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 still missing order on re-sentencing

*The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

FILED
BULLOCH COUNTY
CLERK'S OFFICE
2008 SEP 10 PM 1:22
404-856-3450
sparrowh@gaappeals.us

SHERRI A. AKINS
CLERK B.C.S.C

September 5, 2008

Ms. Sherri A. Akins
Clerk, Superior Court
Bulloch County Judicial Annex
Number One North Main Street
Statesboro, Georgia 30458

RE: Your Case Number: 1B06CR369
Tavins Lee Adams v. The State

Dear Ms. Akins:

Enclosed please find the record for the above appeal which was transmitted from your office to our office. Please be advised that we are unable to docket this appeal because the record does not contain the transcript of the re-sentencing hearing held on June 5, 2008 and the order issued as a result of that hearing. Please provide the missing transcript and attach a stamped "filed" copy of the order to the record, include both in the Index and return the record to this office for docketing.

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

Sincerely,

Holly Sparrow
Holly Sparrow
Deputy Administrator

Enclosures

RECEIVED

DEC 18 2008

COURT OF APPEALS
OF GA

*Transcript Attached
12-15-08*

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 23, 2008

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

RE: Your Case Number: 06CV10670
Robin Morgan as Temporary Administratrix of the Estate of Cynthia Schmidt
v. Floyd E. Probst, et al.

Dear Ms. Carter:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the record submitted by your office is not the entire record described in the designation of record on appeal. Additionally, it is my understanding there is a pending Motion to Dismiss the Appeal.

When the trial court enters an order denying the Motion to Dismiss the Appeal please include that along with the balance of the record and return the entire record to this office for docketing.

Should the trial court grant the Motion to Dismiss the Appeal, it may obviate the need for an appeal.

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

Sincerely,



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

WLM, III/lld
Enclosures

cc: J. Tom Morgan, Esq.
Louis Levenson, Esq.
Bobby Lee Cook, Esq.
Preyesh K. Maniklal, Esq.
Terry D. Jackson, Esq.

RECORDS RETURN NOTICE

DATE 12/22/08

Style Robin Morgan as Temporary Administratrix
of the estate of Cynthia Schmidt v. Floyd E.
Probst as administrator of The estate of Marlea J.
Lower Court DeKalb Superior Schmidt

Lower Court Case NO. 06CV10670

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
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- 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 designation of record filed in
trial court filed 9/22/08
 - * dispute between parties as
to who should pay for
preparation
 - * there has now been a motion
to dismiss appeal for failure to
pay cost related to the designation



OJS SEARCH HOME

LOGOUT

OJS Online Judicial System

DeKalb County, GA

December 22, 2008 (Information last refreshed 22-DEC-2008 06:41:50 PM EST)

Civil Case Search

Case ID: 06CV10670
Last Name / First Name:

Case Type: All Types

Case Status: Open All

OR Company Name:

Court Code: All Courts

Exact Last Name Search Phonetic Search

Filing Date From: MM/DD/YYYY

Filing Date To: MM/DD/YYYY

Search

Reset

Case Information

Case:	06CV10670 (Closed)	PROPST VS MORGAN (MY)
Filing Date:	09/08/2006	Type: Superior General Civil
Judge:	GAIL C. FLAKE	Superior Court
Secondary:	Damages	
Tertiary:		
Related Cases:		
04CV3476	SCHMIDT, JR VS MORGAN (GD)	03/15/2004

Parties

Party	Type
PROPST, FLOYD E.	Plaintiff
THE ESTATE OF MURLEA J. SCHMIDT	Administrator
JACKSON, TERRY D	Attorney
JACKSON, TERRY D	Attorney
SCHMIDT, THOMAS L.	Plaintiff
THE ESTATE OF THOMAS L. SCHMIDT, SR.	Administrator
JACKSON, TERRY D	Attorney
JACKSON, TERRY D	Attorney
MORGAN, ROBIN	Defendant
THE ESTATE OF CYNTHIA M. SCHMIDT	Administrator
MORGAN, JOHN THOMAS	Attorney
LEVENSON, LOUIS	Attorney

Next >>

Scheduled Events

Scheduled Date/Time	Event Description	Building	Room
07-AUG-08 09:00:00	Motion Calendar		6D
17-MAR-08 09:00:00	Civil Jury Calendar		6D
29-MAR-07 09:00:00	Motion Calendar		6D

Docket Entries

Description	Filing Date	Text	Assoc. Party?
NOTICE OF HEARING	16-DEC-2008	TO ALL PARTIES SHALL APPEAR IN COURT ON JANUARY 22, 2009 AT 9:00AM IN ROOM 6D. (...more	No
REQUEST	16-DEC-2008	REQUEST FOR ORAL HEARING. (WS)	No
BRIEF IN SUPPORT	16-DEC-2008	BRIEF IN SUPPORT OF MOTION TO DISMISS APPEAL FOR FAILURE TO PAY APPELLATE RECORD...more	No
MOTION	16-DEC-2008	MOTION TO DISMISS APPEAL FOR FAILURE TO PAY APPELLATE RECORD COST PURSUANT TO O...more	No
CERTIFICATE OF SERVICE	25-NOV-2008	FOREGOING MOTION TO DISMISS APPEAL FOR FAILURE TO PAY APPELLATE RECORD COST PURS...more	No
ORDER FILED	27-OCT-2008	COURT OF APPEAL OF THE STATE OF GEORGIA. BASED ON THE FORGOIN THE APPELLANT'S EM...more	No
RESPONSE	27-OCT-2008	DEFENDANT'S RESPONSE AND SUPPORTING BRIEF TO PLAINTIFF'S MOTION FOR ATTORNEYS FE...more	No
CERTIFICATE OF SERVICE	07-OCT-2008	FOREGOING DEFENDANT'S RESPONSE AND SUPPORTING BRIEF TO PLAINTIFF'S MOTION FOR AT...more	No
ORDER FILED	07-OCT-2008	ORDER RESERVING PLAINTIFFS' O.C.G.A. 9-15-14 MOTION FOR SANCTIONS, SIGNED BY JUD...more	No
APP TO COURT OF APPEALS	06-OCT-2008	RECORD TRANSMITTED TO COURT OF APPEALS (TCL)	No
ORDER FILED	02-OCT-2008	ORDER GRANTING PLAINTIFFS' MOTION FOR SUPERSEDEAS BOND, SIGNED BY JUDGE GAIL C. ...more	No
RESPONSE	02-OCT-2008	DEFENDANT'S RESPONSE AND BRIEF AND CITATIONS OF AUTHORITY TO PLAINTIFF'S MOTION ...more	No
CERTIFICATE OF SERVICE	01-OCT-2008	FOREGOING DEFENDANT'S RESPONSE AND BRIEF AND CITATIONS OF AUTHORITY TO PLAINTIFF...more	No
RETURN POST OFFICE CT NOTICE	26-SEP-2008	NOTICE OF DESIGNATION OF RECORD. (WS)	No
MOTION	26-SEP-2008	MOTION FOR ATTORNEY'S FEES & COSTS PURSUANT TO O.C.G.A. 9-15-14. (WS)	No
CERTIFICATE OF SERVICE	26-SEP-2008	FOREGOING MOTION FOR ATTORNEY'S FEES & COSTS PURSUANT TO O.C.G.A. 9-15-14 AND BR...more	No
BRIEF IN SUPPORT	26-SEP-2008	BRIEF IN SUPPORT OF MOTION FOR ATTORNEY'S FEES UNDER 9-15-14. (WS)	No

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 504
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 23, 2008

Ms. Dianne Brannen
Clerk, Superior Court Bibb County
Post Office Box 1015
Macon, Georgia 31202-1015

ATTN: Vicki Awtrey, Civil Filing Clerk

RE: No Case Number
Frank C. Moore v. Superior Court of Bibb County

Dear Ms. Awtrey:

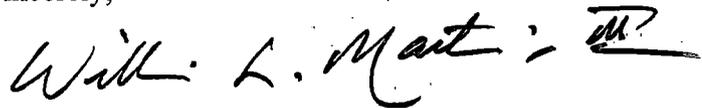
Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised we are unable to docket this appeal. The order being appealed indicates it was filed in your office on October 22, 2008, however, the order was not signed until October 23, 2008. Please reconcile these dates and return the record to this office for docketing after the other issues are addressed.

Several of the copies in the record are not legible. Please recopy the record so that those portions of the record which are faded become legible. This is particularly true of page 15 of the record. Finally, there appears to be a portion of an Application for Discretionary Appeal in the record. I am not sure why the application was made a part of the record in the direct appeal.

Applications are filed directly with the Court of Appeals of Georgia. The application must contain a stamped filed copy of the order being appealed and so much of the record as the applicant deems appropriate for the Court of Appeals to review in order to determine the trial court committed reversible error. The application must be accompanied by an \$80.00 filing fee or a sufficient pauper's affidavit.

I apologize for any inconvenience this may have caused you. If you have any questions or if I may be of 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: Mr. Frank C. Moore
GDC239615 D-204

From the desk of

VICKI AWTREY
CIVIL FILING CLERK



Da Hi

I talked to you
about this a few
weeks ago and you
told me to just
send it up. I hope
this is alright.

Thanks

Vicki

BIBB CO. SUPERIOR COURT

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DATE 12/23/08

Style Frank C. Moore v. State of Georgia

Lower Court Buss Superior

Lower Court Case NO. NO case # given

REASON:

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- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
- Notice of Appeal not stamped filed
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- No appealable order in record
- No order on Motion for New Trial
- No Motion for New Trial (have order thereon)
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- Pages copied front/back
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- Other order being appealed was filed

* in office October 22, 2008, however shows it was not signed until October 23, 2008

* copies are not legible
* not apparently was attempting to file an application.

IN THE COURT OF APPEALS OF THE STATE OF GEORGIA

FROM

BIBB SUPERIOR COURT

**FRANK C MOORE
APPELLANT**

VS

**SUPERIOR COURT OF BIBB COUNTY
APPELLEE**

RECEIVED

DEC 19 2008

**COURT OF APPEALS
OF GA**

**RECORD
PAGES 1 - 20**

PREP BILL PAID DATE	26-SEP-2008	PAYMENT RECEIVED FROM ATTORNEY J TOM MORGAN FOR RECORD SENT TO COURT OF APPEALS ...more	No
TRANSCRIPT	25-SEP-2008	EXCERPT OF PROCEEDING IN THE ABOVE CAPTIONED MATTER BEFORE THE HONORABLE GAIL C....more	No
RETURN CERTIFIED RECEIPT	25-SEP-2008	(WS)	No
PREP BILL SENT DATE	23-SEP-2008	PREPARATION BILL FOR NOTICE OF APPEAL TO COURT OF APPEALS AS TO ROBIN MORGAN Bl...more	No
TRANSCRIPT	23-SEP-2008	TRANSCRIPT OF MOTION FOR JUDGMENT NOTWITHSTANDING THE VERDICT OR IN THE ALTERNATI...more	No
MOTION	23-SEP-2008	PLAINTIFF'S MOTION FOR SUPERSEDEAS BOND AND INCORPORATED BRIEF. (WS)	No
CERTIFICATE OF SERVICE	23-SEP-2008	FOREGOING PLAINTIFF'S MOTION FOR SUPERSEDEAS BOND AND INCORPORATED BRIEF. (WS)	No
LETTER	22-SEP-2008	TO JUDGE FLAKE FROM PREYESH K. MANIKLAL. (WS)	No
NOTICE	22-SEP-2008	NOTICE OF DESIGNATION OF RECORD. (WS)	No
CERTIFICATE OF SERVICE	22-SEP-2008	FOREGOING NOTICE OF DESIGNATION OF RECORD. (WS)	No
ORDER FILED	19-SEP-2008	ORDER DIRECTING TIME RESPONSE TO PLAINTIFFS' MOTION FOR SUPERSEDEAS BOND, SIGNED...more	No
LETTER	17-SEP-2008	TO JUDGE FLAKE FROM PREYESH K. MANIKLAL. (WS)	No
AMENDED	09-SEP-2008	NOTICE OF APPEAL AS TO ROBIN MORGAN (FHD)	No
ORDER FILED	27-AUG-2008	ORDERED THIS CASE IS PRESENTLY BEFORE THE COURT ON DEFENDANT ROBIN MORGAN'S MOTI...more	No
MOTION	21-AUG-2008	DEFENDANT ROBIN MORGAN'S MOTION OR EXTENSION OF TIME TO FILE TRANSCRIPTS OF THE ...more	No
CERTIFICATE OF SERVICE	21-AUG-2008	FOREGOING DEFENDANT ROBIN MORGAN'S MOTION OR EXTENSION OF TIME TO FILE TRANSCRIP...more	No
NOTICE OF APPEAL	21-AUG-2008	NOTICE OF APPEAL TO COURT OF APPEALS FILED BY ATTORNEYS J TOM MORGAN & LOUIS LEV...more	No
ORDER FILED	12-AUG-2008	ORDER DENYING DEFENDANT MORGAN'S MOTION FOR JUDGMENT NOTWITHSTANDING THE VERDICT...more	No
TRANSCRIPT	01-AUG-2008	EXCERPT OF PROCEEDINGS IN THE ABOVE CAPTIONED MATTER BEFORE THE HONORABLE GAIL C...more	No
TRANSCRIPT	28-JUL-2008	EXCERPT OF PROCEEDINGS IN THE ABOVE CAPTIONED MATTER BEFORE THE HONORABLE GAIL C...more	No
CERTIFICATE OF SERVICE	02-JUN-2008	FOREGOING PLAINTIFFS' RESPONSE BRIEF TO DEFENDANT MORGAN'S MOTION FOR NEW TRIAL...more	No
RESPONSE	02-JUN-2008	PLAINTIFFS' RESPONSE BRIEF TO DEFENDANT MORGAN'S MOTION FOR NEW TRIAL. (WS)	No
ORDER TO SHOW CAUSE	06-MAY-2008	PARTIES SHALL APPEAR IN COURT ON AUGUST 7, 2008 AT 9:00AM IN ROOM 6D, SIGNED BY ...more	No
MOTION	28-APR-2008	MOTION FOR JUDGMENT NOTWITHSTANDING THE VERDICT (JNOV), OR IN THE ALTERNATIVE FO...more	No
CERTIFICATE OF SERVICE	28-APR-2008	FOREGOING MOTION FOR JUDGMENT NOTWITHSTANDING THE VERDICT (JNOV), OR IN THE ALTE...more	No
FINAL ORDER	18-APR-2008	JUDGMENT, SIGNED BY JUDGE GAIL C. FLAKE. (WS)	No
JUDGEMENT ON PLEADINGS FR PLTF	18-APR-2008	(WS)Plaintiff Compensatory Award = \$ Plaintiff Punitive Award = \$ Coun...more	No
LETTER	18-APR-2008	TO JUDGE FLAKE FROM PREYESH K. MANIKLAL. (WS)	No
JURY VERDICT	18-APR-2008	JURY VERDICT FORM. (WS)	No
NOTICE OF LEAVE OF ABSENCE	11-APR-2008	LOUIS LEVENSON NOTIFYING ALL JUDGES FOR LEAVE FOR JULY 3-11, 2008. (WS)	No
CERTIFICATE OF SERVICE	11-APR-2008	FOREGOING NOTICE OF LEAVE OF ABSENCE. (WS)	No
LETTER	10-APR-2008	TO JUDGE FLAKE FROM J. TOM MORGAN. (WS)	No
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MISCELLANEOUS	31-MAR-2008	(ENVELOPE WITH VIDEO AND CD) (WS)	No
NOTICE	31-MAR-2008	NOTICE OF FILING ORIGINAL DEPOSITION OF THOMAS L. SCHMIDT, JR. (WS)	No
CERTIFICATE OF SERVICE	31-MAR-2008	FOREGOING NOTICE OF FILING. (WS)	No
MISCELLANEOUS	28-MAR-2008	VIDEO TAPE OF WITNESS VONCILE MONJURE, FILED IN OPEN COURT ON MARCH 28, 2008, SI...more	No
NOTICE	28-MAR-2008	NOTICE OF DEPOSITION FILED IN OPEN COURT ON MARCH 28, 2008, SIGNED BY JUDGE GAIL...more	No
DEPOSITION	28-MAR-2008	VIDEOTAPED DEPOSITION OF DAVID HENRY MULLER FILED IN OPEN COURT ON MARCH 28, 200...more	No
DEPOSITION	28-MAR-2008	CONTINUED VIDEOTAPED DEPOSITION OF DAVID HENRY MULLER FILED IN OPEN COURT ON MAR...more	No
DEPOSITION	28-MAR-2008	ORAL AND VIDEOTAPED DEPOSITION OF THOMAS LEWIS SCHMIDT, JR FILED IN OPEN COURT O...more	No
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CERTIFICATE OF SERVICE	26-MAR-2008	OF MOTION IN LIMINE IN RE DR. TABATABAI & MOTION TO QUASH SUBPOENA TOM SCHMIDT (...more	No
DEPOSITION	26-MAR-2008	DEPOSITION OF FAITH H. COMSTOCK. (WS)	No
DEPOSITION	25-MAR-2008	DEPOSITION OF WILLIAM R. HARDCASTLE, M.D. FILED IN OPEN COURT ON MARCH 25, 2008 ...more	No
REQUEST	25-MAR-2008	DEFENDANT'S REQUEST TO CHARGE NO:50-53, FILED IN OPEN COURT ON MARCH 25, 2008, S...more	No
CERTIFICATE	24-MAR-2008	CERTIFICATE OF ENCLOSED DUPLICATE ORIGINAL LF THE VIDEO OF THE DEPOSITION OF WIL...more	No
DEPOSITION	24-MAR-2008	VIDEOTAPED DEPOSITION OF JAFAR TABATABAI, M.D. FILED IN OPEN COURT ON MARCH 21, ...more	No
DEPOSITION	24-MAR-2008	DEPOSITION OF ROBIN MORGAN FILED IN OPEN COURT ON MARCH 24, 2008, SIGNED BY JUDG...more	No
DEPOSITION	21-MAR-2008	DEPOSITION OF ROBIN MORGAN (VOLUME II) FILED IN OPEN COURT ON MARCH 24, 2008, SI...more	No
DEPOSITION	20-MAR-2008	FOREGOING VIDEOTAPED DEPOSITION OF JAFAR TABATABAI, M.D. FILED IN OPEN COURT ON ...more	No
DEPOSITION	20-MAR-2008	DEPOSITION OF MARCIA P. RUBERNSOHN. (WS)	No
DEPOSITION	20-MAR-2008	DEPOSITION OF MARTHA KATHLEEN GREGG FILED IN OPEN COURT ON MARCH 20, 2008, SIGNE...more	No
DEPOSITION	20-MAR-2008	DEPOSITION OF JUDY KEENAN FILED IN OPEN COURT ON MARCH 20, 2008, SIGNED BY JUDGE...more	No
DEPOSITION	20-MAR-2008	DEPOSITION OF SALLY CLARKE FILED IN OPEN COURT ON MARCH 20, 2008, SIGNED BY JUDG...more	No
MISCELLANEOUS	20-MAR-2008	FOREGOING VIDEOTAPED DEPOSITION OF MARCIA RUBERNSOHN REPRESENTS A CORRECT, COMPLE...more	No
NOTICE	19-MAR-2008	NOTICE OF FILING COPIES OF TRIAL SUBPOENAS. (WS)	No

CERTIFICATE OF SERVICE REQUEST	19-MAR-2008	FOREGOING NOTICE OF FILING COPIES OF TRIAL SUBPOENAS. (WS)	No
CERTIFICATE OF SERVICE REQUEST	19-MAR-2008	DEFENDANT ROBIN MORGAN'S REQUESTS TO CHARGE, NUMBERED 2-48 EXCLUDING 13, 16, 15,...more	No
CERTIFICATE OF SERVICE AMENDMENT	19-MAR-2008	FOREGOING DEFENDANT ROBIN MORGAN'S REQUESTS TO CHARGE. (WS)	No
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CERTIFICATE OF SERVICE RESPONSE	18-MAR-2008	FOREGOING PLAINTIFF'S REQUESTS TO CHARGE. (WS)	No
CERTIFICATE OF SERVICE MOTION	18-MAR-2008	DEFENDANT ROBIN MORGAN'S AMENDMENT TO EXHIBITS "D" OF THE PRETRIAL ORDER AND ADD...more	No
CERTIFICATE OF SERVICE DEPOSITION	18-MAR-2008	FOREGOING DEFENDANT ROBIN MORGAN'S AMENDMENT TO EXHIBITS "D" OF THE PRETRIAL ORD...more	No
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CERTIFICATE OF SERVICE PRE-TRIAL ORDER	18-MAR-2008	FOREGOING DEFENDANTS' AFFIDAVIT OF SERVICE OF TRIAL SUBPOENAS. (WS)	No
ORDER FILED	18-MAR-2008	DEFENDANT ROBIN MORGAN'S RESPONSE TO PLAINTIFF'S MOTION TO QUASH SUBPOENA TO THO...more	No
NOTICE OF HEARING	22-FEB-2008	FOREGOING DEFENDANT ROBIN MORGAN'S RESPONSE TO PLAINTIFF'S MOTION TO QUASH SUBPO...more	No
NOTICE OF HEARING	22-FEB-2008	PLAINTIFF'S MOTIONS IN LIMINE CONCERNING IRRELEVANT MATTERS. (WS)	No
NOTICE	25-OCT-2007	FOREGOING PLAINTIFF'S MOTIONS IN LIMINE CONCERNING IRRELEVANT MATTERS. (WS)	No
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NOTICE	28-SEP-2007	FOREGOING DEFENDANT'S SUPPLEMENTAL LIST OF EXHIBITS. (WS)	No
CERTIFICATE OF SERVICE	28-SEP-2007	CONSOLIDATED PRE-TRIAL, SIGNED BY JUDGE GAIL C. FLAKE. (WS)	No
ORDER FILED	24-MAY-2007	ORDER SPECIALLY SETTING CASE FOR TRIAL, SIGNED BY JUDGE GAIL C. FLAKE. (WS)	No
LETTER	30-MAR-2007	BOBBY LEE COOK SHALL APPEAR IN COURT ON MARCH 17, 2008 AT 9:00AM IN ROOM 6D. (wS...more	No
CONFLICT LETTER FILED	20-MAR-2007	PREYESH MANIKAL SHALL APPEAR IN COURT ON MARCH 17, 2008 AT 9:00AM IN ROOM 6D. (w...more	No
RESPONSE	28-FEB-2007	NOTICE OF CHANGE OF ADDRESS OF DEFENDANT ROBIN MORGAN COUNSEL J. TOM MORGAN; P.O...more	No
CERTIFICATE OF SERVICE	28-FEB-2007	FOREGOING NOTICE CHANGE OF ADDRESS. (WS)	No
BRIEF IN OPPOSITION	28-FEB-2007	NOTICE OF CHANGE OF ADDRESS AND FIRM NAME, MANIKLAL & DENNIS, LLP, 3250 PEACHTRE...more	No
STATEMENT	28-FEB-2007	FOREGOING NOTICE OF CHNGAE OF ADDRESS AND FIRM NAME. (WS)	No
NOTICE OF LEAVE OF ABSENCE	15-FEB-2007	ORDER DENYING DEFENDANT MORGAN'S MOTION FOR SUMMARY JUDGMENT, SIGNED BY JUDGE GA...more	No
CERTIFICATE OF SERVICE	15-FEB-2007	TO JUDGE FLAKE FROM J. TOM MORGAN REGARDING DEFENDANT'S MOTION FOR SUMMARY JUDGM...more	No
NOTICE OF HEARING	14-FEB-2007	WEEK OF MARCH 29, 2007 AT 10:00AM. (WS)	No
NOTICE OF HEARING	14-FEB-2007	PLAINTIFFS' RESPONSE TO DEFENDANTS' THERORIES OF RECOVERY AND STATEMENT OF FACTS...more	No
NOTICE OF HEARING	14-FEB-2007	FOREGOING BRIEF IN RESPONSE TO DEFENDANT'S MOTION FOR SUMMARY JUDGEMENT, RESPON...more	No
NOTICE OF HEARING	14-FEB-2007	BRIEF IN RESPONSE TO DEFENDANT'S MOTION FOR SUMMARY JUDGEMENT, RESPONSE TO DEFEN...more	No
THEORIES OF RECOVERY	26-JAN-2007	PLAINTIFF'S STATEMENT OF MATERIAL FACTS FOR WHICH THERE REMAIN GENUINE ISSUES TO...more	No
CERTIFICATE OF SERVICE	26-JAN-2007	PREYESH K. MANIKLAL NOTIFYING ALL JUDGES FOR LEAVE FOR APRIL 2-9, 2007. (WS)	No
REQUEST	26-JAN-2007	FOREGOING NOTICE OF LEAVE OF ABSENCE. (WS)	No
CERTIFICATE OF SERVICE	26-JAN-2007	TO LOUIS LEVENSON TO APPEAR IN COURT ON MARCH 29, 2007 AT 9:00AM IN ROOM 6D. (WS...more	No
MOTION	26-JAN-2007	TO J. TOM MORGAN TO APPEAR IN COURT ON MARCH 29, 2007 AT 9:00AM IN ROOM 6D. (WS)	No
CERTIFICATE OF SERVICE	26-JAN-2007	TO BOBBY LEE COOK TO APPEAR IN COURT ON MARCH 29, 2007 AT 9:00AM IN ROOM 6D. (WS...more	No
BRIEF IN SUPPORT	26-JAN-2007	TO TERRY D. JACKSON TO APPEAR IN COURT ON MARCH 29, 2007 AT 9:00AM IN ROOM 6D. (...more	No
CERTIFICATE OF SERVICE	26-JAN-2007	TO PRETESH K. MANIKLAL TO APPEAR IN COURT ON MARCH 29, 2007 AT 9:00AM IN ROOM 6D...more	No
ANSWER FILED	12-OCT-2006	DEFENDANT'S THEORIES OF RECOVERY AND STATEMENT OF MATERIAL FACTS AS TO WHICH THE...more	No
CERTIFICATE OF SERVICE	12-OCT-2006	FOREGOING DEFENDANT'S THEORIES OF RECOVERY AND STATEMENT OF MATERIAL FACTS AS TO...more	No
NOTICE	18-SEP-2006	DEFENDANT'S REQUEST FOR ORAL ARGUMENT. (WS)	No
WAIVER	18-SEP-2006	FOREGOING DEFENDANT'S REQUEST FOR ORAL ARGUMENT. (WS)	No
CERTIFICATE OF SERVICE	18-SEP-2006	FOR SUMMARY JUDGMENT. (WS)	No
ORDER FILED	15-SEP-2006	FOREGOING MOTION FOR SUMMARY JUDGMENT. (WS)	No
LETTER	12-SEP-2006	OF MOTION FOR PARTIAL SUMMARY JUDGMENT. (WS)	No
BRIEF IN SUPPORT	12-SEP-2006	FOREGOING BRIEF IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT. (WS)	No
CERTIFICATE OF SERVICE	12-SEP-2006	AND AFFIRMATICE DEFENSES OF DEFENDANT ROBIN MORGAN. (WS)	No
AFFIDAVIT	12-SEP-2006	FOREGOING ANSWER AND AFFIRMATIVE DEFENSES OF DEFENDANT ROBIN MORGAN. (WS)	No
MOTION	12-SEP-2006	OF FILING WAIVER OF SERVICE OF SUMMONS AND COMPLAINT. (WS)	No
CERTIFICATE OF SERVICE	12-SEP-2006	OF SERVICE OF SUMMONS AND COMPLAINT. (WS)	No
COMPLAINT FOR DAMAGES	08-SEP-2006	FOREGOING NOTICE OF FILING. (WS)	No
		DENYING DEFENDANT MORGAN'S MOTION TO RECUSE THE COURT, SIGNED BY JUDGE FLAKE. (W...more	No
		TO JUDGE FLAKE FROM SUSAN M. SEEBA. (WS)	No
		DEFENDANT ROBIN MORGAN'S BRIEF IN SUPPORT OF HER MOTION TO RECUSE JUDGE GAIL FLA...more	No
		FOREGOING DEFENDANT ROBIN MORGAN'S BRIEF IN SUPPORT OF HER MOTION TO RECUSE JUDG...more	No
		OF J. TOM MORGAN, ESQ. (WS)	No
		DEFENDANT ROBIN MORGAN'S MOTION TO RECUSE JUDGE GAIL FLAKE. (WS)	No
		FOREGOING MOTION TO RECUSE JUDGE GAIL FLAKE. (WS)	No
		AND DECLARATORY RELIEF, CHECK #4131, AMT \$532.50 (TSD)	No

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 23, 2008

Mr. Edward E. Tucker
Clerk, Superior Court
Lumpkin County Courthouse
99 Courthouse Hill, Suite D
Dahlonega, Georgia 30533-0541

RE: Your Case Number: 07-CV-873-DB
Reliford Jr. Clark, et al. v. Clyde Hayward Chapman

Dear Mr. Tucker:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. As we discussed in our telephone conversation of this date, we are returning the above record so that it can be supplemented with the portions of the record which have been omitted.

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

I have taken the liberty of enclosing a copy of The Centennial History of the Court of Appeals of Georgia, 1906-2006. As you know, last year the Court celebrated its Centennial year. I thought you might enjoy a copy of the History of the Court of Appeals of Georgia.

Thank you for all of your help and assistance throughout the years. Best wishes to you in your retirement. I hope that you and your family have a safe and happy Holiday Season.

Sincerely,



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

WLM, III/ld
Enclosures

RECORDS RETURN NOTICE

DATE 12/23/08

Style Clyde Hayward Chapman v. Reijord Clark, Jr.

Lower Court Lumpkin Superior

Lower Court Case NO. 2007 SU CV 873

REASON:

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we only received NOA, order being appealed + a transcript.



Edward E. Tucker

CLERK OF COURTS
SUPERIOR, JUVENILE & MAGISTRATE
LUMPKIN COUNTY
99 COURTHOUSE HILL, SUITE D
DAHLONEGA, GA 30533-0541
706-864-3736
FAX 706-864-5298



December 8, 2008

Hon. William L. Martin, III
Court of Appeals of Georgia
Office of the Clerk
47 Trinity Avenue, Suite 501
Atlanta, GA 30334

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DEC 19 2008

COURT OF APPEALS
OF GA

RE: Superior Court Case No. 07-CV-873-DB

CLYDE HAYWARD CHAPMAN / APPELLEE

vs.

RELIFORD JR. CLARK and CLARK LAND DEVELOPMENT INC / APPELLANTS

Dear Hon. William L. Martin, III,

Enclosed herewith is a Record of Appeal on the above referenced case and (1) Transcript.

Should there be any problems or questions, do not hesitate to let me know.

With best regards, I am

Sincerely,

Edward E. Tucker
Clerk of Superior Court
Lumpkin County, Georgia

EET/bc

Enclosures

cc: William R. Oliver, Attorney for Defendant / Appellant
Alan M. Briskin, Attorney for Plaintiff / Appellee
David M. Messer, Attorney for Plaintiff / Appellee

IN THE GEORGIA COURT OF APPEALS
FROM
LUMPKIN COUNTY SUPERIOR COURT

CLYDE HAYWARD CHAPMAN
PLAINTIFFS

VS.

RELIFORD JR CLARK
RELIFORD AKA CLARK
BUSTER J AKA CLARK
BUSTER JR CLARK
CLARK LAND DEVELOPMENT INC.
DEFENDANTS

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OF GA

INDEX TO CASE NO. 2007-SU-CV-873

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3. CERTIFICATE OF FILING OF ORIGINAL DISCOVERY MATERIAL (TRANSCRIPT) / CERTIFICATE OF SERVICE FILED ON DECEMBER 2, 2008	7	~	8

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 23, 2008

Mr. Daniel Massey
Clerk, Chatham County Superior Court
133 Montgomery Street
Post Office Box 10227
Savannah, Georgia 31412-0427

RE: Your Case Number: CR04-2038-AB
Anthony Butler v. The State

Dear Mr. Massey:

Enclosed please find the supplemental record sent by your office to ours in the above appeal. It is my understanding the original record has been returned for corrections and pursuant to your instructions we are returning the supplemental to you so the entire record can come up as a single record.

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

Sincerely,



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

WLM, III/lid
Enclosures

RECORDS RETURN NOTICE

DATE 12/23/08

Style Anthony Butler v. The State

Lower Court Chatham Superior

Lower Court Case NO. CR04-2038-AB

REASON:

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per clerk - please return this supplemental record and she will send back ~~all~~ record all together.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 29, 2008

Mr. Tom Lawler
Clerk, State Court
Gwinnett County Justice Center
Post Office Box 880
Lawrenceville, Georgia 30046-0880

ATTN: Ms. Rita Eason, Deputy Clerk

RE: Your Case Number: 05D05838
Viren R. Patel v. The State

Dear Ms. Eason:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. As you indicate in your certificate, other portions of this record were submitted to this Court under our case number A07A0329. The initial appeal, A07A0329. Viren Patel v. The State was decided when this Court affirmed the judgment of the trial court by this Court's opinion dated December 15, 2006. After an Application for Certiorari was denied by the Supreme Court of Georgia, this Court issued its remittitur on May 18, 2007.

No one indicated to this office that the record should be retained pursuant to Court of Appeals Rule 42(b). As such, one year after the remittitur date, the record in A07A0329 was recycled pursuant to our Record Retention Schedule.

If portions of the record in the original appeal are necessary for this Court's consideration of the above appeal, that record will have to be reduplicated and forwarded to this office. Otherwise, if the appeal may be decided upon the record as submitted, please return the record to this office for docketing.

Additionally, the appellant will need to file an amended Notice of Appeal to indicate the specific solicitor or assistant solicitor in the State Court of Gwinnett County. We cannot docket the case without an individual's name on the Certificate of Service of the Notice of Appeal.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Viren R. Patel

RECORDS RETURN NOTICE

DATE 12/24/08

Style Viren R. Patel

Lower Court Gwinnett state

Lower Court Case NO. 05D05838

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 A07A0329 has been recycled

we need balance of record.

STATE OF GEORGIA

§ ACCUSATION NO. 05-D-05838-3

§

VS

§ FROM THE STATE COURT OF GEORGIA

§

VIREN R PATEL

§ TO THE COURT OF APPEALS OF GEORGIA

RECEIVED

DEC 23 2008

COURT OF APPEALS
OF GA

INDEX

**OTHER PORTIONS OF THIS RECORD WERE SUBMITTED
TO THE COURT OF APPEALS
DOCKET NO. - A07A0329**

- 1. Notice of appeal filed October 23, 2008 1 -2
- 2. Remittitur (A07A0329) filed May 21, 2007 3
- 3. Order on remittitur filed May 31, 2007 4

I hereby certify that the foregoing pages hereto attached contain a copy of the Notice of Appeal and Designation of Record by Appellee together with a true and complete copy of those portions of the record in the case of

VIREN R PATEL

Appellant

Vs.

STATE OF GEORGIA

Appellee

required by the said Notice of Appeal and Designation of Record by Appellee to be transmitted to the Court of Appeals of Georgia.

OTHER PORTIONS OF THIS RECORD
WERE SUBMITTED TO THE
COURT OF APPEALS.
DOCKET NO. A07A0329

Witness my signature and the seal of Court affixed

this the 18TH day of DECEMBER, 2008

Bita Eason

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 29, 2008

Ms. Elaine C. Johnson
Clerk, Richmond County Superior Court
530 Greene Street
Post Office Box 2046
Augusta, Georgia 30903-2046\

ATTN: Ms. Elois M. Porter
Deputy Clerk

RE: Your Case Number: 2007-RCCV-686
Steadman C. Crawford v. Phyllis J. Larissey, et al.

Dear Ms. Porter:

Enclosed please find the record for the above appeal which was forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the Notice of Appeal did not contain a Certificate of Service. Without a Certificate of Service showing the complete name and mailing address of opposing counsel, we do not know to whom to send the Docketing Notices. If we cannot advise the parties that the appeal has been docketed, we cannot docket the appeal.

Additionally, please make sure that you sign and date the clerk's certification on each part of the record. Without certification of the clerk or someone in the clerk's office, this Court cannot consider the record.

When the appellant files an amended Notice of Appeal to show the complete name and mailing address of opposing party or counsel, please include that in the record and index same. Also, please affix your certification and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can otherwise be of 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

RECORDS RETURN NOTICE

DATE 12/24/08

Style Phyllis J. Lariscey v. Pamela S. Snodgrass

Lower Court Richmond Superior

Lower Court Case NO. 2007 RCCV686

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
OF GEORGIA
INDEX TO RECORD

RECEIVED

DEC 24 2008

COURT OF APPEALS
OF GA

IN THE CASE OF:
STEADMAN C. CRAWFORD, Plaintiff
VS.
PHYLLIS J. LARISCEY & PAMELA S. SNODGRASS, Defendants
PHYLLIS J. LARISCEY, Appellant
CASE NO. 2007-RCCV-686

Processed By: Elois M. Porter, Deputy Clerk
Augusta / Richmond County, Georgia Superior Court
Telephone No. (706) 821-2568

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 2, 2008



Ms. Linda Pierce
Clerk, Superior Court
Muscogee County
Post Office Box 2145
Columbus, Georgia 31902

ATTN: Rebecca Aaron

RE: Your Case Number: SU06CV1794-7
Expedia, Inc. v. Columbus, Georgia

Dear Ms. Aaron:

Accompanying this letter please find the 15 boxes which comprise the record in the above appeal. Please be advised that we are unable to docket this appeal as submitted.

Boxes 2, 3, 4a, 4b and 9 have documents and transcripts filed under seal. These documents must be given page numbers.

Boxes 3-14 should be paginated and all of the record must be placed in chronological order as to the date filed in your office.

Specifically, the record must be arranged as with the Index, followed by the Notice of Appeal, followed by the pleadings in the record arranged in chronological order and all with consecutive record page numbers.

Any transcripts filed in the matter need not be given record page numbers, but should be a separate part or parts of the record identified as transcript.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 11/24/08

Style Expedia, Inc. v. Columbus, Georgia

Lower Court Muscookee Columbus Superior

Lower Court Case NO. SU 06 CV 1794-7

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 pages 2, 3, 4A, 4B, + 9, have documents + transcripts filed under seal - not sure if they have page #

pages 3 thru 14 should be paginated consecutively and also be in chronological date order as to date filed.

APPEAL PREPARATION SHEET

DATE: _____

JUDGE NO. _____

v. Columbus, Georgia

01059

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08 106

07 001

14106

2/08

10/22/08

2406CV1794

LOWER COURT CASE NO.:

RECORDS 6

TRANSCRIPTS 3

OTHER DOCUMENTS

APPELLANT ATTORNEY BAR NO.

092200				

APPELLEE ATTORNEY BAR NO.

774588	525130			
583769				

OTHER ATTORNEY BAR NO.

Volume 6 -
last page 2489

pages 3-14
pages are not
consecutively
numbered

Expedia v.
Columbus Georgia

talk to Bice
04 calling clerk



IN THE SUPERIOR COURT OF COLUMBUS
STATE OF GEORGIA

COLUMBUS, GEORGIA,

Plaintiff,

vs.

EXPEDIA, INC.

Defendant.

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CIVIL ACTION FILE NO.
SU-06-CV-1794-7

INDEX OF APPEAL

VOLUME ONE

FILE DATE	TOTAL PAGES	START PAGE #	END PAGE #	DOCUMENT NAME
-----	-----	-----	-----	Index
10/22/08	3	1	3	Notice of Appeal
05/30/06	38	4	41	Complaint, summons
06/14/06	5	42	46	Notice of Related Cases
06/16/06	2	47	48	Affidavit of Service
07/12/06	73	49	121	Removal to District Court
05/29/07	13	122	133	Order from District Court remanding back to Superior Court
07/03/07	3	134	136	Certificate of Service of Discovery
07/03/07	92	137	231	Motion to Adopt Discovery and Brief in Support
08/01/07	13	232	244	Defendant's Statement of Theory of Recovery & Undisputed Material Facts in Support of its Motion for Summary Judgment Based on Plaintiff's Failure to Exhaust Mandatory Administrative Procedures
08/01/07	109	245	353	Defendant's Motion for Adoption of Protective Order and Incorporated Memorandum of Law

IN THE SUPERIOR COURT OF COLUMBUS
STATE OF GEORGIA

COLUMBUS, GEORGIA,

Plaintiff,

vs.

EXPEDIA, INC.

Defendant.

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CIVIL ACTION FILE NO.
SU-06-CV-1794-7

INDEX OF APPEAL

VOLUME TWO

FILE DATE	TOTAL PAGES	START PAGE #	END PAGE #	DOCUMENT NAME
-----	-----	-----	-----	Index
08/01/07	183	354	536	Defendant's Motion for Summary Judgment Based On Plaintiff's Failure to Exhaust Administrative Procedures and Incorporated Memorandum of Law
08/01/07	148	537	685	Defendant's Motion for Protective Order and Incorporated Memorandum of Law
08/01/07	149	686	834	Defendant's Response to Plaintiff's Motion to Adopt Discovery

IN THE SUPERIOR COURT OF COLUMBUS
STATE OF GEORGIA

COLUMBUS, GEORGIA,

Plaintiff,

vs.

EXPEDIA, INC.

Defendant.

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CIVIL ACTION FILE NO.
SU-06-CV-1794-7

INDEX OF APPEAL

VOLUME THREE

FILE DATE	TOTAL PAGES	START PAGE #	END PAGE #	DOCUMENT NAME
-----	-----	-----	-----	Index
08/06/07	3	835	837	Defendant's Certificate of Discovery Service
08/09/07	1	838	838	Order setting hearing (2:00)
08/09/07	1	839	839	Order setting hearing (4:00)
08/16/07	35	840	874	City of Columbus' Response to Defendant's Motion for Adoption of Protective Order
08/16/07	284	845	1158	Response of Columbus, Georgia to Defendant's Motion for Protective Order
08/29/07	3	1159	1161	Certificate of Service of Discovery: Plaintiff's Restatement of Interrogatories
09/04/07	3	1162	1164	Certificate of Service of Discovery: Notice of Deposition of Defendant Expedia, Inc.
09/07/07	4	1165	1168	Notice of Withdrawal of William T. Maxson, Esq. As Attorney for Expedia, Inc: Jones Day to remain as counsel of record
09/11/07	2	1169	1170	Certificate of Serving Discovery Requests
09/13/07	17	1171	1187	Joint Motion for Protective Order
09/19/07	15	1188	1202	Protective Order
09/20/07	3	1203	1205	Certificate of Service of Discovery: Plaintiff's First Amended Notice of Deposition of Defendant Expedia, Inc.
09/25/07	2	1206	1207	Certificate of Serving Discovery Responses
09/26/07	1	1208	1208	Order scheduling hearing date
10/01/07	3	1209	1211	Certificate of Service of Discovery: Plaintiff's Second Interrogatories and Request for Production of Documents to Defendant
10/03/07	18	1212	1229	Motion for Issuance of Commission
10/04/07	4	1230	1233	Certificate of Serving Discovery Responses
10/05/07		1234	1234	Documents produced by Defendant – FILED UNDER

				SEAL (Cover page only)
10/05/07	1	1235	1235	Documents produced by Defendant in <i>City of Atlanta v. Hotels.com et al</i> (Fulton County Superior Court) – FILED UNDER SEAL (Cover page only)
10/05/07	1	1236	1236	Depositions with Exhibits taken in <i>City of Atlanta v. Hotels .com, et al.</i> , (Fulton County Superior Court) – FILED UNDER SEAL (Cover page only)
10/05/07	1	1237	1237	Deposition of Douglas Andersen with Exhibits – FILED UNDER SEAL (Cover page only)
10/05/07	1	1238	1238	Appendix in Support of Plaintiff's Motion for Declaratory and Injunctive Relief and Brief in Support - FILED UNDER SEAL (Cover page only)
10/05/07	1	1239	1239	Plaintiff's Motion for Declaratory and Injunctive Relief and Brief in Support – FILED UNDER SEAL (Cover page only)
10/05/07	3	1240	1242	Notice of Filing Production
10/05/07	3	1243	1245	Notice of Filing Original Deposition
10/05/07	4	1246	1249	Notice of Filing Original Depositions
10/05/07	3	1250	1252	Notice of Filing Production
10/12/07	12	1253	1264	Commission to take Deposition
10/15/07	3	1265	1267	Certificate of Service of Discovery
10/22/07	1	1268	1268	Certificate of Service: Notice of Depositions (3)
10/29/07	3	1269	1271	Certificate of Service of Discovery
11/06/07	16	1272	1288	Notice of Filing Notice of Removal
07/31/08	1	1288	1288	Production Documents on CD –FILED UNDER SEAL – (Cover page only)
07/31/08	4	1289	1292	Notice of Filing Production
07/31/08	3	1293	1295	Notice of Filing Depositions
07/31/08	**	**	**	Depositions with Exhibits – FILED UNDER SEAL (No Cover Page)
08/01/08	8	1296	1303	Order granting Motion to Remand case back to Superior Court
08/01/08	3	1304	1306	Proposed Order
08/07/08	2	1307	1308	Commission to take Deposition
08/07/08	3	1309	1311	Order
08/07/08	9	1312	1320	Motion for Issuance of Commission
08/07/08	1	1321	1321	Order rescheduling hearing

IN THE SUPERIOR COURT OF COLUMBUS
STATE OF GEORGIA

COLUMBUS, GEORGIA,

Plaintiff,

vs.

EXPEDIA, INC.

Defendant.

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CIVIL ACTION FILE NO.
SU-06-CV-1794-7

INDEX OF APPEAL

VOLUME FOUR

FILE DATE	TOTAL PAGES	START PAGE #	END PAGE #	DOCUMENT NAME
-----	-----	-----	-----	Index
08/21/08	46	1322	1367	Affidavit of Kenneth W. Helms
08/21/08	3	1368	1370	Notice of Filing Affidavit
08/21/08	1	1371	1371	Brief in Opposition to Defendant's Motion for Summary Judgment – FILED UNDER SEAL (Cover page only)
08/21/08	1	1372	1372	Plaintiff's Response to Defendant's Statement of Theory of recovery & Undisputed Material Facts in Support of Its Motion for Summary Judgment – FILED UNDER SEAL (Cover page only)
08/21/08	1	1373	1373	Appendix in Support of Plaintiff's Response Defendant Expedia, Inc.'s Motion for Summary Judgment - FILED UNDER SEAL (Cover page only)
08/21/08	85	1374	1458	Defendant's Notice of Filing a Redacted Copy of "Defendant's Brief in Opposition to Plaintiff's Motion for Declaratory and Injunctive Relief"
08/21/08	300	1459	1758	Appendix of Evidentiary Material in Support of Defendant's Brief in Opposition to Plaintiff's Motion for Declaratory and Injunctive Relief
08/21/08	3	1759	1761	Defendant's Notice of Filing UNDER SEAL "Defendant's Brief in Opposition to Plaintiff's Motion for Declaratory and Injunctive Relief and Certain Exhibits Thereto
08/21/08	1	1762	1762	Envelope UNDER SEAL, Holding Brief and Exhibits (Cover Page only)
08/27/08	2	1763	1764	Certificate of Service: Defendant Expedia, Inc's Supplemental Responses to Plaintiff's Interrogatories
08/27/08	3	1765	1767	Defendant's Notice of Filing UNDER SEAL Evidentiary Material in Advance of the hearing beginning August 28, 2008

IN THE SUPERIOR COURT OF COLUMBUS
STATE OF GEORGIA

COLUMBUS, GEORGIA,

Plaintiff,

vs.

EXPEDIA, INC.

Defendant.

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CIVIL ACTION FILE NO.
SU-06-CV-1794-7

INDEX OF APPEAL

VOLUME FIVE

FILE DATE	TOTAL PAGES	START PAGE #	END PAGE #	DOCUMENT NAME
-----	-----	-----	-----	Index
08/27/08	542	1768	2308	Defendant's Notice of Filing Evidentiary Materials in Advance of the hearing beginning August 28, 2008

IN THE SUPERIOR COURT OF COLUMBUS
STATE OF GEORGIA

COLUMBUS, GEORGIA,

Plaintiff,

vs.

EXPEDIA, INC.

Defendant.

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CIVIL ACTION FILE NO.
SU-06-CV-1794-7

INDEX OF APPEAL

VOLUME SIX

FILE DATE	TOTAL PAGES	START PAGE #	END PAGE #	DOCUMENT NAME
-----	-----	-----	-----	Index
08/27/08	3	2309	2311	Defendant's Notice of Filing Transcripts UNDER SEAL in advance of the hearing beginning August 28, 2008
08/27/08	3	2312	2314	Notice of filing Deposition of Kenneth W. Helms
08/27/08	**	**	**	Deposition of Kenneth Helms – FILED UNDER SEAL – (No Cover page)
08/27/08	1	2315	2315	Plaintiff's Reply Brief in Support of Motion for Declaratory and Injunctive Relief – FILED UNDER SEAL (Cover page only)
08/27/08	1	2316	2316	Supplemental Appendix in Support of Plaintiff's Reply Brief in Support of Motion for Declaratory and Injunctive Relief – FILED UNDER SEAL (Cover page only)
08/27/08	11	2317	2327	Defendant's Reply to Plaintiff's Brief in Opposition to Motion for Summary Judgment
08/27/08	7	2328	2334	Expedia's Objection to Plaintiff's Request that the Court Grant a Final Declaratory judgment or a Permanent Injunction During the August 28, 2008 Motions Hearing
09/04/08	1	2335	2335	Order extending time to submit
09/05/08	1	2336	2336	Defendant's Motion for Summary Judgment – FILED UNDER SEAL (Cover page only)
09/12/08	108	2337	2444	Defendant's Proposed Findings of Fact and Conclusions of Law
09/22/08	27	2445	2471	Summary Judgment Order denying Motion for Summary Judgment
09/22/08	54	2472	2525	Order and Decree on Permanent Injunction Granting Plaintiff's Motion
09/25/08	3	2526	2528	Order Appointing Auditor
10/27/08	2	2529	2530	Affidavit of Auditor
11/04/08	2	2531	2533	Consent Order re: documents under seal

IN THE SUPERIOR COURT OF COLUMBUS
STATE OF GEORGIA

COLUMBUS, GEORGIA,	*	
	*	
Plaintiff,	*	
vs.	*	CIVIL ACTION FILE NO.
	*	SU-06-CV-1794-7
EXPEDIA, INC.	*	
Defendant.	*	

ADDITIONAL DOCUMENTS INCLUDED WITH RECORD

TRANSCRIPTS:

1. Transcript from Hearing held on September 28, 2007.
2. Transcript from Hearing held on August 20, 2007
3. Transcript of Permanent Injunction and Relief ~~Filed Under Seal~~ Five Volumes, Held on August 28-29, 2008.

DOCUMENTS FILED UNDER SEAL:

1. Documents Produced by Defendant, Filed October 5, 2007
2. Documents Produced by Defendant in *City of Atlanta v. Hotels.com et al* (Fulton County Superior Court), Filed October 5, 2007
3. Depositions with Exhibits filed by Defendant in *City of Atlanta v. Hotels.com et al* (Fulton County Superior Court), Filed October 5, 2007
4. Deposition of Douglas Andersen with Exhibits, Filed October 5, 2007
5. Plaintiff's Motion for Declaratory and Injunctive Relief and Brief in Support , Filed October 5, 2007.
6. Appendix in Support of Plaintiff's Motion for Declaratory and Injunctive Relief and Brief in Support, Filed October 5, 2008

IN THE SUPERIOR COURT OF COLUMBUS
STATE OF GEORGIA

COLUMBUS, GEORGIA, *
*
Plaintiff, *
vs. * CIVIL ACTION FILE NO.
* SU-06-CV-1794-7
EXPEDIA, INC. *
Defendant. *

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Box One of Fourteen

1. Appeal Record

Box Two of Fourteen

1. Transcript from Hearing held on September 28, 2007.
2. Transcript from Hearing held on August 20, 2007
3. Transcript of Permanent Injunction and Relief Filed ~~Under Seal~~, Five Volumes, Held on August 28-29, 2008

Box Three of Fourteen

1. Deposition of Kenneth Helms, Filed August 27, 2008.
2. Plaintiff's Reply Brief Plaintiff's Reply Brief in Support of Motion for Declaratory and Injunctive Relief, Filed August 27, 2008.
3. Brief in Opposition to Defendant's Motion for Summary Judgment, Filed August 21st, 2008.
4. Plaintiff's Response to Defendant's Statement of Theory of Recovery & Undisputed Material Facts in Support of Its Motion for Summary Judgment, Filed August 21st, 2008
5. Envelope UNDER SEAL, Holding Brief and Exhibits, Filed August 21, 2008.
6. Documents Produced by Defendant, Filed October 5, 2007
7. Plaintiff's Motion for Declaratory and Injunctive Relief and Brief in Support, Filed October 5, 2007.
8. Appendix in Support of Plaintiff's Motion for Declaratory and Injunctive Relief and Brief in Support, Filed October 5, 2008
9. Deposition of Douglas Andersen with Exhibits, Filed October 5, 2007
10. Defendant's Motion for Summary Judgment, Filed September 05, 2008. FILED UNDER SEAL

pages need to be numbered ~~etc~~ consecutive & should be listed in chronological order

Box Four-A of Fourteen

1. Defendant's Notice of Filing ~~Under Seal~~ Evidentiary Material in Advance of the Hearing Beginning August 28, 2008 – Produced on CD, Filed August 27, 2008.¹

Box One of Two - do have ref #

ATL-ECOM 00000177 - 1236

need to be paginated

Box Four-B of Fourteen

1. Defendant's Notice of Filing ~~Under Seal~~ Evidentiary Material in Advance of the Hearing Beginning August 28, 2008 – Produced on CD, Filed August 27, 2008.¹

Box Two of Two

has same type of reference #s

- need to be paginated

Box Five of Fourteen

1. Depositions with Exhibits filed by Defendant in *City of Atlanta v. Hotels.com et al* (Fulton County Superior Court), Filed October 5, 2007

need to be paginated

Box Six of Fourteen

1. Depositions with Exhibits filed by Defendant in *City of Atlanta v. Hotels.com et al* (Fulton County Superior Court), Filed October 5, 2007



Box Seven of Fourteen

1. Supplemental Appendix in Support of Plaintiff's Motion for Declaratory and Injunctive Relief, Filed August 27, 2008.



Box Eight of Fourteen

1. Appendix in Support of Plaintiff's Response to Defendant Expedia Inc's Motion for Summary Judgment, Filed August 21, 2008.



Box Nine of Fourteen

1. Documents Produced by Defendant in *City of Atlanta v. Hotels.com et al* (Fulton County Superior Court), Filed October 5, 2007
2. Defendant's Notice of Filing Transcripts UNDER SEAL in



Advance of the hearing beginning August 28, 2008, Filed August 27, 2008.

Box Ten of Fourteen

1. Documents Produced on CD, Filed July 31, 2008¹.
Box One of Five

Box Eleven of Fourteen

1. Documents Produced on CD, Filed July 31, 2008².
Box Two of Five

Box Twelve of Fourteen

1. Documents Produced on CD, Filed July 31, 2008³.
Box Three of Five

Box Thirteen of Fourteen

1. Documents Produced on CD, Filed July 31, 2008⁴.
Box Four of Five

Box Fourteen of Fourteen

2. Documents Produced on CD, Filed July 31, 2008⁵.
Box Five of Five



¹ Hard copies of these documents were reproduced with the permission of Mr. Kendrick Smith of Jones Day, per telephone conversation with Deputy Clerk of Superior Court, Rebekah Aaron, on November 10th, 2008.

² Hard copies of these documents were reproduced with the permission of Mr. Kendrick Smith of Jones Day, per telephone conversation with Deputy Clerk of Superior Court, Rebekah Aaron, on November 10th, 2008.

³ Hard copies of these documents were reproduced with the permission of Mr. Kendrick Smith of Jones Day, per telephone conversation with Deputy Clerk of Superior Court, Rebekah Aaron, on November 10th, 2008.

⁴ Hard copies of these documents were reproduced with the permission of Mr. Kendrick Smith of Jones Day, per telephone conversation with Deputy Clerk of Superior Court, Rebekah Aaron, on November 10th, 2008.

⁵ Hard copies of these documents were reproduced with the permission of Mr. Kendrick Smith of Jones Day, per telephone conversation with Deputy Clerk of Superior Court, Rebekah Aaron, on November 10th, 2008.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 12, 2008

Ms. Elaine C. Johnson
Clerk, Richmond County Superior Court
530 Greene Street
Post Office Box 2046
Augusta, Georgia 30903-2046

ATTN: Elois M. Porter, Deputy Clerk

RE: Your Case Number: 2007RCD1686
Richard K. Heslen v. Pamela Heslen

Dear Ms. Porter:

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 unable to docket this appeal because the Notice of Appeal does not contain a Certificate of Service. Without a Certificate of Service showing the complete name and mailing address of opposing counsel, we are unable to docket the appeal because we do not to whom to send the Docketing Notices. Additionally, the record does not contain an appealable order. When the trial court enters a file order, please include that in the record and index and return it to this office when the appellant files an amended Notice of Appeal to include the complete name and mailing address of opposing counsel.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 12/11/08

Style Richard K. Heslen v. Pamela Heslen

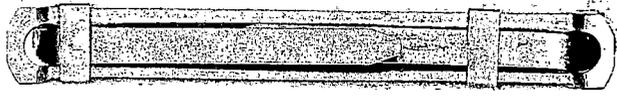
Lower Court Richmond County Superior

Lower Court Case NO. 2007RCD1686

REASON:

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- Improper certificate of Service
- Improper Notice of Appeal
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- No appealable order in record *on or about October 9, 2008*
- 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
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THE COURT OF APPEALS
OF GEORGIA
INDEX TO RECORD

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DEC 10 2008

COURT OF APPEALS
OF GA

IN THE CASE OF:
PAMELA HESLEN, Plaintiff
VS.
RICHARD K HESLEN, Appellant
CASE NO. 2007-RCD-1686

Processed By: Elois M. Porter, Deputy Clerk
Augusta / Richmond County Superior Court
Telephone No. (706) 821-2568

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 12, 2008

Ms. Patricia Glover
Clerk, Superior Court
Johnson County
Post Office Box 321
Wrightsville, Georgia 31096-0321

RE: Your Case Number: 2006CV0379
Michael Patrick King v. Wayne A. King, et al.

Dear Ms. Glover:

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 this appeal because the Notice of Appeal indicates a transcript will be filed for inclusion in the record on appeal and no transcript accompanied the record.

When the court reporter files the transcript with your office, please attach your certificate and send the transcript and the record to this office for docketing.

If there is, in fact, no transcript, when the appellant files an amended Notice of Appeal to reflect that fact, please include the amended Notice of Appeal in the record and Index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Michael P. King
830 West Gordon Avenue
Albany, Georgia 31701

RECORDS RETURN NOTICE

DATE 12/11/08

Style Michael Patrick King v.
Wayne A. King et al

Lower Court Johnson County Superior

Lower Court Case NO. 2006 CV0379

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
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Patricia Glover
Clerk of Superior Court • Clerk of Magistrate Court • Clerk of Juvenile Court
of Johnson County

P.O. Box 321 • Wrightsville, Georgia 31096-0321
(478) 864-3484 • Fax: (478) 864-1343

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DEC 10 2008

COURT OF APPEALS
OF GA

December 5, 2008

Mr. William L. Martin, III, Clerk
Court of Appeals of Georgia
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

IN RE: MICHAEL PATRICK KING, DEFENDANT/APPELLANT VS.
WAYNE A. KING AND CINDY ANITA WILLIAMS, PLAINTIFFS/APPELLEES

Dear Mr. Martin,

Enclosed, please find an appeal on the above styled action, Civil Action File No. 2006-CV-379, as filed in the Johnson County Superior Court.

This appeal is being transmitted at this time due to the costs for said appeal having now been paid by the defendant/appellant in this case. I have attached a copy of the check for payment of said costs for your information.

Thank you for your assistance in this matter and if you have any questions, please feel free to call me at the above number.

Sincerely,


Patricia Glover, Clerk
Johnson County Superior Court

Patricia Glover

Clerk of Superior Court • Clerk of Magistrate Court • Clerk of Juvenile Court
of Johnson County

P.O. Box 321 • Wrightsville, Georgia 31096-0321
(478) 864-3484 • Fax: (478) 864-1343

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DEC 10 2008

**COURT OF APPEALS
OF GA**

December 5, 2008

Mr. William L. Martin, III, Clerk
Court of Appeals of Georgia
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

IN RE: MICHAEL PATRICK KING, DEFENDANT/APPELLANT VS.
WAYNE A. KING AND CINDY ANITA WILLIAMS, PLAINTIFFS/APPELLEES

Dear Mr. Martin,

Enclosed, please find an appeal on the above styled action, Civil Action File No. 2006-CV-379, as filed in the Johnson County Superior Court.

This appeal is being transmitted at this time due to the costs for said appeal having now been paid by the defendant/appellant in this case. I have attached a copy of the check for payment of said costs for your information.

Thank you for your assistance in this matter and if you have any questions, please feel free to call me at the above number.

Sincerely,



Patricia Glover, Clerk
Johnson County Superior Court

MICHAEL P. KING 12-05
229-436-8644
830 W. GORDON AVE
ALBANY, GA 31701-3007

1056

Date 11/21/2008

64-5/610 GA
345

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For *Court fees (out of Appeals) Michael P. King* MP

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King, Wayne A.)
 Williams, Cindy Anita)
 Plaintiff/Appellees)
)
 VS)
)
 King, Michael Patrick)
 Defendant/Appellant)

GEORGIA COURT OF APPEALS
 Case No.: _____
 Civil Action File No.:
) _____ 2006-CV-0379

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 16, 2008

Ms. Cathelene Robinson
Clerk, Fulton County Superior Court
136 Pryor Street, S.W. • 5th Floor
Atlanta, Georgia 30303

RE: Your Case Numbers: 2007CV135940
On Brand Media, Inc., et al v. Codex Consulting, Inc., et al.

Dear Ms. Robinson:

Attached 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 this appeal because the portion of the record in the sealed envelopes are not paginated. Also, Part II of the record is so bulky and cumbersome, that the Court will not be able to read that portion of the record without disassembling the record.

Please have the portions of the record in the sealed envelope marked with record page numbers. Also, please remove the sealed portions of the record from Part II so the Court will be able to read the entire portion of the record.

When the record is too thick, the Court is unable to see the first few lines on the page of the record as it flips the pages over at the top.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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
Attachments

RECORDS RETURN NOTICE

DATE 12/12/08

Style On Brand Media, Inc et al v.
Codex consulting, Inc. et al

Lower Court Fulton Superior

Lower Court Case NO. 2007CV135940

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
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- Other sealed envelopes are not paginated

* they have made part two so bulky
+ cumbersome - it is hard to manage.



Court of Appeals

December 16, 2008

TO BE HAND DELIVERED TO:

Ms. Cathelene Robinson
Clerk, Superior Court of Fulton County
136 Pryor Street, S.W.
5th Floor
Atlanta, Georgia 30303

File Number: 2007CV135940

FROM:

Court of Appeals of Georgia
Clerk's Office
47 Trinity Avenue • Suite 501
Atlanta, Georgia 30334

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 16, 2008

Ms. Cathelene Robinson
Clerk, Fulton County Superior Court
136 Pryor Street, S.W. • 5th Floor
Atlanta, Georgia 30303

RE: Your Case Numbers: 25Z5420
Steven Neal Williams v. The State

Dear Ms. Robinson:

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 unable to docket this appeal because the order of the trial court states a public defender will be appointed to represent the appellant, but there is no Entry of Appearance of a public defender in the record. Without the complete name and mailing address, we cannot docket the appeal because we do not know to whom to send the Docketing Notices.

Our office has been holding this record since November 20, 2008 in hopes that we could receive a supplemental record with this information. However, we must now return the record.

When the record is supplemented with the complete name and mailing address of the public defender who will be representing Mr. Williams, please return the record to this office for docketing.

I apologize for any inconvenience this may have caused you.

Sincerely,

Will. L. Martin, III

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

WLM, III/ld
Attachments



Court of Appeals

December 16, 2008

TO BE HAND DELIVERED TO:

Ms. Cathelene Robinson
Clerk, Superior Court of Fulton County
136 Pryor Street, S.W.
5th Floor
Atlanta, Georgia 30303

File Number: 25Z5420

FROM:

Court of Appeals of Georgia
Clerk's Office
47 Trinity Avenue • Suite 501
Atlanta, Georgia 30334

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 16, 2008

Ms. Melica Kendrick
Clerk, Superior Court of Whitfield County
300 West Crawford Street
Post Office Box 868
Dalton, Georgia 30720

RE: Your Case Number: 1361-B
Petition of Margaret Oliver and James E. Oliver

Dear Ms. Kendrick:

Enclosed please find the record in the above appeal which is forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the order described in the Notice of Appeal is not contained in the record.

When the trial court enters the order of May 5, 2008 denying the adoption, please include in the record and index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 12/16/08

Style Petition of Margaret Oliver and James E. Oliver

Lower Court Whitfield Superior Court

Lower Court Case NO. 1361-B

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
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- No appealable order in record of 5/5/08
- 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
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PETITION OF
MARGARET OLIVER AND
JAMES E. OLIVER
TO ADOPT
ETHAN CHASE SMITH
D.O.B 07/16/01
MOTHER
BRANDY G. ELLISON

* WHITFIELD COUNTY SUPERIOR COURT
* CASE NO: ADOPTION DOCKET: 1361-B
* JULY TERM, 2007

RECEIVED
DEC 12 2008
COURT OF APPEALS
OF GA

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gappeals.us

December 16, 2008

Ms. Cindy G. Brown
Clerk, Coweta County Juvenile Court
200 Court Square
Post Office Box 943
Newnan, Georgia 30264-0943

RE: A07A1068. In the Interest of: M.J.L., a Child
Lower Court Case Number: 0600852

Dear Ms. Brown:

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/lid
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

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

RE: A06A0367. David Milum v. Rafe Banks, III
Lower Court Case Numbers: 04CV1458

Dear Mr. Sorrells:

We are returning the enclosed transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Cathelene Robinson
Clerk, Superior Court Fulton County
136 Pryor Street, S.W. • 5th Floor
Atlanta, Georgia 30303

RE: A06A1817. Darrell Stroud v. The State
Lower Court Case Number: 02SC07774

Dear Ms. Robinson:

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

Sincerely,

William L. Martin, III

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

WLM, III/ld
Enclosures

*The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

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

RE: A06A2157. Timothy James Hooper v. The State
Lower Court Case Numbers: 03CR0178

Dear Mr. Sorrells:

We are returning the enclosed two (2) 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

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

RE: A06A2357. Ricky Dean Lingerfelt v. The State
Lower Court Case Numbers: 01CR0016

Dear Mr. Sorrells:

We are returning the enclosed transcripts 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,

A handwritten signature in cursive script that reads "Will. L. Martin, III". The signature is written in black ink and is positioned above the typed name.

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

WLM, III/ld
Enclosures

*The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Cathelene Robinson
Clerk, Superior Court Fulton County
136 Pryor Street, S.W. • 5th Floor
Atlanta, Georgia 30303

RE: A07A0036. Mohmad Gavahi Kashani v. Automotive Finance
Corporation, et al.
Lower Court Case Number: 2002CV47866

Dear Ms. Robinson:

We are returning the enclosed depositions in the above referenced matter for your files. If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Cathelene Robinson
Clerk, Superior Court Fulton County
136 Pryor Street, S.W. • 5th Floor
Atlanta, Georgia 30303

RE: A07A0127. Carol Bills v. James L. Lowery, et al.
Lower Court Case Number: 2004CV86598

Dear Ms. Robinson:

We are returning the enclosed transcripts in the above referenced matter for your files. If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Angela Spell
Clerk, Superior Court
Coffee County Courthouse
101 South Peterson Street
Douglas, Georgia 31533

RE: A07A0201. Certain Underwriters at Lloyd's of London v. Rucker
Construction
Lower Court Case Numbers: 2004S080785

Dear Ms. Spell:

We are returning the enclosed depositions 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

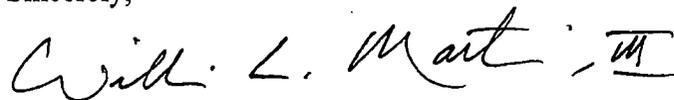
Ms. Sheila Studdard
Clerk, Superior Court
Fayette County Justice Center
One Center Drive
Fayetteville, Georgia 30214

RE: A07A0224. Jefferson Nathaniel Newman v. The State
Lower Court Case Numbers: 2003R0310

Dear Ms. Studdard:

We are returning the enclosed two (2) 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Patricia Baker
Clerk, State Court
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A0343. William Patterson v. Bristol Timber Corporation
Lower Court Case Number: 04SC21896

Dear Ms. Baker:

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

Sincerely,

A handwritten signature in black ink that reads "Will. L. Martin, III". The signature is written in a cursive style with a small "m" at the end.

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

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

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

RE: A07A0353. Jeffrey Duane Creek v. The State
Lower Court Case Number: 019209040

Dear Mr. Stephenson:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

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

RE: A07A0367. John Benjamin Perry v. John Paul Perry
Lower Court Case Numbers: 05CV0744

Dear Mr. Sorrells:

We are returning the enclosed exhibits (in a brown envelope) and transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Sara L. Crow
Clerk, Superior Court
Lowndes County Courthouse
Post Office Box 1349
Valdosta, Georgia 31603-1349

RE: A07A0374. Shawn Medvar v. The State
Lower Court Case Numbers: 2004CR500C

Dear Ms. Crow:

We are returning the enclosed two (2) DVD's 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

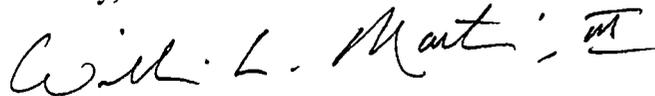
Ms. Becky V. McCord
Clerk, Superior Court
Dawson County Courthouse
25 Tucker Avenue • Suite 106
Dawsonville, Georgia 30534

RE: A07A0405. Michael Waller v. Homeq Services Corporation
Lower Court Case Number: 03CV521C

Dear Ms. McCord:

We are returning the enclosed transcript 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Joanne P. Caldwell
Clerk, Rockdale County Superior Court
Post Office Box 937
922 Court Street
Conyers, Georgia 30012

RE: A07A0446. David Eugene Purcell v. Shirley D. Kelly, et al.
Lower Court Case Numbers: 204SV1532

Dear Ms. Caldwell:

We are returning the enclosed transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Barbara A. Harrison
Clerk, Superior Court
Henry County Courthouse
One Courthouse Square
McDonough, Georgia 30253-3293

RE: A07A0474. John Oliver Johnson, et al. v. Unified Residential
Lower Court Case Number: 05CV0091C

Dear Ms. Hays:

We are returning the enclosed transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Thomas Lawler
Clerk, Superior Court of Gwinnett County
Post Office Box 880
Lawrenceville, Georgia 30045-0880

RE: A07A0524. David Arnan Smith, et al. v. Richard Saulsbury
Lower Court Case Number: 03A81258

Dear Mr. Lawler:

We are returning the enclosed transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Betty Sanders
Clerk, State Court
104 DeKalb County Courthouse
556 North McDonough Street
Decatur, Georgia 30030-3356

RE: A07A0543. Lester William McDevitt v. The State
Lower Court Case Number: 05C698327

Dear Ms. Sanders:

We are returning the enclosed videocassettes and transcript 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/d
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Mark Harper
Clerk, State Court Fulton County
TG800 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

RE: A07A0596. Glenda Compton v. Huddle House, Inc.
Lower Court Case Number: 00VS003544C

Dear Mr. Harper:

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

Sincerely,

A handwritten signature in cursive script that reads "William L. Martin, III". The signature is written in dark ink and includes a stylized flourish at the end.

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

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

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

RE: A07A0609. MorteZ Millender v. The State
Lower Court Case Number: 029396633

Dear Mr. Stephenson:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

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

RE: A07A0679. Billy Joe McIntyre v. The State
Lower Court Case Number: S2004TR1899

Dear Mr. Skinner:

We are returning the enclosed transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Cathelene Robinson
Clerk, Superior Court Fulton County
136 Pryor Street, S.W. • 5th Floor
Atlanta, Georgia 30303

RE: A07A0687. Kelly Kennedy v. Georgia Department of Human
Resources Child Support Enforcement
Lower Court Case Number: 2005CV104147

Dear Ms. Robinson:

We are returning the enclosed depositions in the above referenced matter for your files. If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

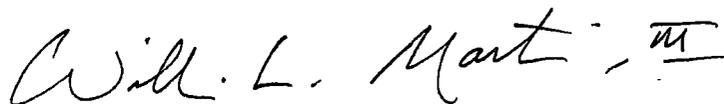
Mr. Dwight S. Wood
Clerk, Superior Court
Hall County Courthouse
235 Green Street, S.E.
Post Office Box 1336
Gainesville, Georgia 30503-1336

RE: A07A0722. Alea London Limited v. Dwayne Lee
Lower Court Case Number: 04CV2091A

Dear Mr. Wood:

We are returning the enclosed DVD 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Linda D. Hays
Clerk, Superior Court
Newton County Judicial Center
1132 Usher Street, Room 338
Covington, Georgia 30014

RE: A07A0814. Anthony Carlos Baisden v. The State
Lower Court Case Number: 2003CR10753

Dear Ms. Hays:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

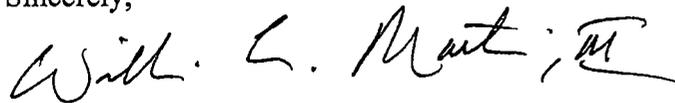
Ms. Chlois Lollis
Clerk, Superior Court
Cook County Courthouse
212 North Hutchinson Avenue
Adel, Georgia 31620

RE: A07A0817. Sunlink Health Systems, Inc. v. Vera Pettigrew
Lower Court Case Number: 200543

Dear Ms. Lollis:

We are returning the enclosed five (5) depositions 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Patricia Baker
Clerk, Superior Court
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A1568. John T. Longino v. Bettina R. Petereit
Lower Court Case Number: 04CV1110

Dear Ms. Baker:

We are returning the enclosed deposition, brown envelope containing what appears to be a trial notebook and CD 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Angela Spell
Clerk, Superior Court
Coffee County Courthouse
101 South Peterson Street
Douglas, Georgia 31533

RE: A07A1635. Dan Paulk v. Evelyn Harper
Lower Court Case Numbers: 2004S070645

Dear Ms. Spell:

We are returning the enclosed depositions 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

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

RE: A07A1713. Cleveland Harris v. Hamptons of Olde Towne Association,
Inc.
Lower Court Case Number: 051959534

Dear Mr. Stephenson:

We are returning the enclosed photograph 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Patricia Baker
Clerk, Superior Court
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A1923. Tabatha Mauriello, et al. v. Donald Lee McCroskey, Jr.
Lower Court Case Number: 04CV2739

Dear Ms. Baker:

We are returning the enclosed deposition 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

December 10, 2008

Mr. David C. Wall
Clerk, Superior Court Habersham County
555 Monroe Street
Post Office Box 2320
Clarksville, Georgia 30523

RE: Your Case Number: 07-SU-CV-493 W
Hollie L. Ingram v. Kevin DeWayne Loudermilk

Dear Mr. Wall:

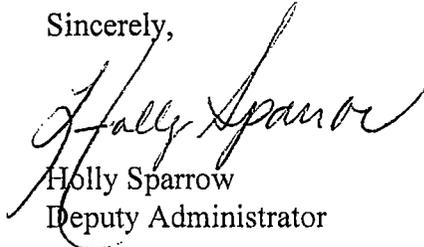
Enclosed please find the record for the above appeal which was transmitted from your office to our office. Please be advised that we are unable to docket this appeal because the record does not contain an order addressing the Motion to Dismiss the appeal.

Please attach a stamped "filed" copy of the order to the record, include it in the Index and return the record to this office for docketing.

Also, please note that the record should be bound with round head brads in the front. The record back should extend over the back of the volume and under the brads in both the front and back of the record. This protects the record, keeps it firmly bound and protects the hands of the persons using the record.

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

Sincerely,


Holly Sparrow
Deputy Administrator

Enclosures

RECORDS RETURN NOTICE

DATE 12/19/08

Style Hollie L. Ingram v. Kevin D. Loder milk

Lower Court Hahersham Superior Court

Lower Court Case NO. 0754 CV 493

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 Pending Motion To Dismiss



David C. Wall
Clerk of Superior Court

Email: david.wall@gsccca.org

555 Monroe Street • P.O. Box 2320
Clarkesville, Georgia 30523
Phone: 706.754.2923
Fax: 706.839.6351

RECEIVED

December 3, 2008

DEC - 8 2008

COURT OF APPEALS
OF GA

Hollie L. Ingram

Case # 07-SU-CV-493-W

Appellant

VS.

Kevin Dewayne Loudermilk

Appellee

CLERK, COURT OF APPEALS OF GEORGIA
47 TRINITY AVE. SW
STE 501
ATLANTA, GEORGIA 30334

Dear Clerk:

Please find enclosed the record for appeal and transcripts for the case above. Please note that the transcript for Kevin Dewayne Loudermilk deposition was provided by the appellant.

Please let me know if you need anything else to proceed with this appeal.

Sincerely,

David C. Wall rb

David C. Wall
Clerk of Superior Court
Rita Bryson
Appeals Recording Clerk

Enclosures:

pending motion to
dismiss

DIRECT APPEAL PREPARATION SHEET

Jan. 5 hearing

DOCKET DATE: _____

CASE NUMBER: _____

JUDGE NO. _____

STYLE: Hollie L. Ingram v. Kevin D. Loudermilk

CLASSIFICATION CODE: _____

X REFERENCE: _____ -

APPLICATION CASE NO.: _____ -

SUPREME COURT CASE NO.: _____ -

PAUPER _____ -

LOWER COURT JUDGE NO.: _____

LOWER COURT COUNTY: _____ 08 068

LOWER COURT NAME: _____ 07 001

CLERK OF LOWER COURT NO.: _____ 14068

JUDGMENT DATE: _____

NOTICE OF APPEAL DATE: 8/15/08

LOWER COURT CASE NO.: 07SUCV493

RECORDS 2

TRANSCRIPTS 1

OTHER DOCUMENTS 1 deposition

Return

APPELLANT ATTORNEY BAR NO.

<u>4</u>	<u>1</u>			

APPELLEE ATTORNEY BAR NO.

<u>663373</u>				

OTHER ATTORNEY BAR NO.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

December 9, 2008

Ms. Carol Ross
Clerk, Superior Court
Berrien County Courthouse
Post Office Box 504
Nashville, Georgia 31639-0504

RE: Your Case Number: 08-CR-0048
Frank Wilson Disharoom v. The State

Dear Ms. Ross:

Enclosed please find the record for the above appeal which was forwarded from your office to ours. Please be advised that we cannot accept the record as sent, because it does not contain a Notice of Appeal.

A Certificate of Immediate Review granted by the trial court when the trial court has granted a Motion to Suppress, gives the State an opportunity to file a Notice of Appeal, but the party must still do so before the appeal can be sent to the proper appellate court.

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

Sincerely,


Holly K. O. Sparrow
Deputy Administrator

HKOS/ld
Enclosures

STATE OF GEORGIA
Appellant

FROM BERRIEN SUPERIOR COURT

VS

CASE NO. 08-CR-00048

FRANK WILSON DISHAROOM
Appellees

RECEIVED
DEC - 9 2008
COURT OF APPEALS
OF GA
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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2009

Ms. Brenda Boone-Cove
Clerk, State Court of Glynn County
First Floor Courthouse • Suite 104
701 "H" Street
Brunswick, Georgia 31520

RE: Your Case Number: CR20801535
Thomas E. Brissey v. The State

Dear Ms. Boone-Cove:

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 this appeal because the order appealed does not have a stamped filed date for the clerk's office. When the trial court actually enters the order with your office, please include that in the record and return it to this office for docketing. Without a stamped filed clock date from the clerk's office, this Court does not know if the Notice of Appeal was timely filed.

Please do not include the transcript as a part of the record. The transcript should be removed from the record and sent as a separate document with the court reporter's certificate and yours.

I apologize for any inconvenience this may have caused you. If you have any questions or if I may be of 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

RECORDS RETURN NOTICE

DATE 1/27/09

Style Thomas E. Brissey v. The State

Lower Court Glynn County State

Lower Court Case NO. CR 20801535

REASON:

- No/improper certificate of Service
- Improper Notice of
- Order not stamped
- Transcripts
- Notice of
- No I
- M
- No
- No o
- No Mo
- Order not
- No Notice of
- Notice of App
- Appealed or
- Pages copied from oack
- Only one side printed of duplex document
- Other do not attach transcript to record

Bill - I see where this order is dated & signed by Judge - but not filed in clerks office 2/12

send seperately.

send attached guide

GUIDE TO TRANSMITTING RECORDS TO THE COURT OF APPEALS FOR TRIAL COURT CLERKS

The Clerk's Office of the Court of Appeals of Georgia would appreciate the assistance of the trial court clerks in preparing records for docketing in our Court. Following these guidelines will ensure that the records and transcripts you transmit to the Court of Appeals will be properly docketed on a timely basis. We hope this information will help us avoid returning records and transcripts to your offices and prevent you from having to do unnecessary tasks. If you have any questions, at any time, feel free to call Patty Bender at (404) 657-8353. She will be happy to assist you.

PREPARING THE RECORD FOR TRANSMISSION

1. Create an Index with page numbers. As well as listing all documents, it is very helpful if you place the date of the order or motion next to all order and motion titles and double space index.
2. The Notice of Appeal should be on 8 ½ x 11 inch paper, signed by the attorney or pro se party and include their name (typed or printed legibly) and address. Attorneys bar numbers should be placed below their names or within the address. Make sure that the Notice of Appeal has a legible stamped filed date and has a proper Certificate of Service showing the full name and mailing address of the opposing counsel. We cannot accept a general rubber stamp as a proper Certificate of Service.

The Notice of Appeal when prepared by the attorney or pro se party should state to which court they are appealing, the Court of Appeals or the Supreme Court; the order(s) they are appealing from and any documents which they wish to be included in the record. A clear statement that transcripts **ARE** or **ARE NOT** to be transmitted must be included.

3. If there are any pro se parties, either appellant or appellees, the full name and address of the pro se parties should be on the Notice of Appeal and/or the Certificate of Service.
4. In addition to the Notice of Appeal, all orders, motions and sentences **MUST** have a legible stamped filed date.
5. The record **MUST** include the order or orders being appealed. Civil cases must include the complaint and answer. Criminal cases **MUST** include the charge and sentence. If a Motion for New Trial was filed, that motion and the order disposing of the Motion for New Trial must be included in the record.
6. The judge's signature on all documents must be legible. If the signature is difficult to read, please print or type the name below the signature or put a sticky note with the judge's name.
7. Again, make sure the stamped filed date is legible on all documents.



**CLERK OF STATE COURT
GLYNN COUNTY**

First Floor Courthouse
Suite 104
701 "H" Street
Brunswick, Georgia 31520
(912) 554-7325
(912) 261-3849 fax

RECEIVED

JAN 26 2009

COURT OF APPEALS
OF GA

January 22, 2009

William L. Martin, III
Clerk and Court Administrator
Court of Appeals Clerk
Suite 501, 47 Trinity Avenue
Atlanta, Georgia 30334

Dear Mr. Martin:

I enclose herewith Original Notice of Appeal in the case of Thomas E. Brissey, APPELLANT versus The State of Georgia, APPELLEE together with the Proceedings, therein.

I would appreciate you filing this on the next term of your court. I thank you for giving this matter your prompt attention.

Sincerely,


Brenda Boone-Cove, Clerk
State Court of Glynn County, Georgia

**In the State Court of Glynn County
State of Georgia**

THOMAS E. BRISSEY
Plaintiff

Vs

Case No: CR20801535

THE STATE OF GEORGIA
Defendant

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Transcript of Hearing on November 12th, 2008

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 22, 2009

Ms. Toni Williamson
Deputy Clerk
Superior Court Cobb County
Post Office Box 3370
Marietta, Georgia 30061

RE: Your Case Number: 02-9-1481-40
Montrell Wayne Sweet v. The State

Dear Ms. Williamson:

Enclosed please find the record in the above appeal which forwarded from your office to ours. We are returning this record at your request for the reason you stated that the record is premature.

If you have any questions regarding the matter, please feel free to contact me.

Sincerely,



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

WLM, III/ld
Enclosures

RECORDS RETURN NOTICE

DATE 1/21/09

Style Montrell Wayne Sweet

Lower Court Cobb Superior

Lower Court Case NO. 02-9-1481-40

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
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- 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 per clerk (Toni Williamson)

*record is premature -
please return*

RECEIVED

JAN 21 2009

COURT OF APPEALS
OF GA

MONTRELL WAYNE SWEET,

*

COBB SUPERIOR COURT

APPELLANT

*

*

INDICTMENT NO. 02-9-1481-40

VS

*

STATE OF GEORGIA,

*

APPELLEE

*

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2009

Mr. Bryan Owensby
Clerk, Superior Court
Heard County Courthouse
Post Office Box 249
Franklin, Georgia 30217-0249

RE: Your Case Number: 05-R-143
Elva Palmer v. The State

Dear Bryan:

Thank you for your letter of January 15, 2008 and the record in the above appeal. We are unable to docket this appeal because it does not contain a Notice of Appeal of Ms. Palmer. The Notice of Appeal filed by Katrina Shelnett and Judge William J. Smith's order that the consent order be filed out-of-time is not sufficient to convey jurisdiction to this Court to review the matter on appeal.

I have spoken with Ms. Ann Shafer, attorney for Ms. Palmer. Ms. Shafer is going to file a Motion for an Out-of-Time Appeal in your court. Should the trial court grant that motion, then Ms. Shafer is going to file a Notice of Appeal on behalf of Ms. Palmer. When that is done, you should include the Motion for Out-of-Time Appeal, the order granting same and the new Notice of Appeal in the record and return it to this office for docketing.

I appreciate all of your help and cooperation and I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Ann T. Shafer, Esq.
1800 Peachtree Street, N.W. • Suite 300
Atlanta, Georgia 30309



IN THE SUPERIOR COURT OF HEARD COUNTY
STATE OF GEORGIA

RECEIVED

JAN 16 2009

COURT OF APPEALS
OF GA

STATE OF GEORGIA

VS

INDICTMENT NO:
05-R-143

KATRINA SHELNUTT AND
ELVA PALMER

CERTIFICATION

I, Bryan Owensby, Clerk of Heard Superior Court, hereby certify that the foregoing pages Hereto attached contain the original, or a copy of the Appeal and designation of record by Appellee together with a true and completer copy of those portions of the record of the case as styled above required by the said notice of appeal and designation of record by appellee to be transmitted to the Court of Appeals of Georgia.

Witness my Signature and the Seal of this Court affixed this 15th day of January 2009.

A handwritten signature in cursive script that reads "Bryan Owensby".

Bryan Owensby
Clerk of Heard Superior Court

RECORDS RETURN NOTICE

DATE 1/21/09

Style Elwa Palmer v. The State

Lower Court Heard superior

Lower Court Case NO. 05-R-143

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
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- No Motion for New Trial (have order thereon)
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- Appealed or Appealed to one/jurisdiction to other
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- Other _____

Heard Superior Court

BRYAN OWENSBY, CLERK
POST OFFICE BOX 249
FRANKLIN, GEORGIA 30217

COURT CONVENES
3RD MONDAY IN
MARCH & SEPTEMBER

TELEPHONE
(706) 675-3301

January 15, 2009

In Re: Appeal for Elva Palmer
Case No: 05-R-143

RECEIVED

JAN 16 2009

COURT OF APPEALS
OF GA

Dear Mr. Martin:

Please find enclosed the Certification and Appeal for the above mentioned defendant. I thank you for your help and direction in the filing of this appeal from the Clerk of Superior Courts Office. The Appeal for defendant Katrina Shelnett has been filed in the past and the co-defendant Elva Palmer has been allowed by court order to adopt the Appeal of co-defendant Shelnett. The Court of Appeals Case Number is A07A2304 according to our records.

If you have any questions about this filing please contact my office at (706) 675-3301.

Thank you once again for your help in this filing.

Sincerely,



Bryan Owensby
Clerk of Heard Superior Court

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2009

Ms. Tee Barnes
Clerk, Supreme Court of Georgia
244 Washington Street, S.W. • Room 572
Atlanta, Georgia 30334

ATTN: Ms. Lynn M. Stinchcomb, Chief Deputy Clerk

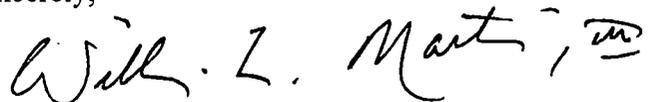
RE: A09A0663. Springside Condominium Assoc., Inc. v. Harpagon Co.,
LLC
S07A1752. Harpagon Co., LLC v. Davis, et al.

Dear Ms. Stinchcomb:

This is a request pursuant to this Court's order of January 26, 2009, that the Supreme Court of Georgia transmit the record in S07A1752. Harpagon Co., LLC v. Davis, et al. to the Court of Appeals of Georgia to be utilized in this Court's consideration of A09A0663. Springside Condominium Assoc., Inc. v. Harpagon Co., LLC. As soon as this Court has completed its work on this appeal, the record will be returned to your office.

I want to thank you in advance for your anticipated cooperation. If you have any questions or if I can be of 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

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2009

Ms. Tee Barnes
Clerk, Supreme Court of Georgia
244 Washington Street, S.W. • Room 572
Atlanta, Georgia 30334

ATTN: Ms. Lynn M. Stinchcomb, Chief Deputy Clerk

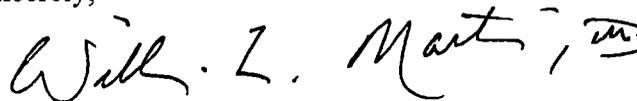
RE: A09A0663. Springside Condominium Assoc., Inc. v. Harpagon Co.,
LLC
S07A1752. Harpagon Co., LLC v. Davis, et al.

Dear Ms. Stinchcomb:

This is a request pursuant to this Court's order of January 26, 2009, that the Supreme Court of Georgia transmit the record in S07A1752. Harpagon Co., LLC v. Davis, et al. to the Court of Appeals of Georgia to be utilized in this Court's consideration of A09A0663. Springside Condominium Assoc., Inc. v. Harpagon Co., LLC. As soon as this Court has completed its work on this appeal, the record will be returned to your office.

I want to thank you in advance for your anticipated cooperation. If you have any questions or if I can be of 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

bcc: Presiding Judge J.D. Smith

From: Lynn Stinchcomb
To: Patty Bender
CC: Tee Barnes
Date: 1/27/2009 1:39 PM
Subject: A09A0663. Springside Condominium v. Harpagon Co.

Got the order granted the motion, but we need a written request from your court for our files. In the request, please state that the record will be returned to our court as soon as your case has been decided.

Lynn M. Stinchcomb, Chief Deputy Clerk
Supreme Court of Georgia
244 Washington Street
Room 572
Atlanta, Georgia 30334

Phone 404 651 9387
Fax 770 342 4710

*Bill -
call me please
on this. patty*

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 20, 2009

Mr. F. Barry Wilkes
Clerk, Superior Court
Liberty County Courthouse
Post Office Box 50
Hinesville, Georgia 31310-0050

ATTN: Ms. Dinnette Williams, Superior Court Deputy Clerk

RE: Your Case Number: 07R11762
Eric Lamar Jones v. The State

Dear Ms. Williams:

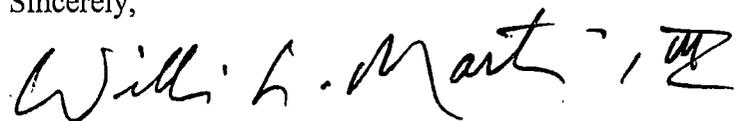
Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the record does not contain an order denying the Motion for New Trial.

When the trial court enters an order denying the Motion for New Trial, please include that order in the record and the Index and return the record to this office for docketing.

Should the trial court grant the Motion for New Trial, it may obviate the need for an appeal.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 1/20/09

Style Eric Lamar Jones v. The State

Lower Court Liberty Superior

Lower Court Case NO. 07R11762

REASON:

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- No Motion for New Trial (have order thereon)
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- 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
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- Other _____

I spoke to Dnette Williams on 1/16/08 and 1/20/09. each time she stated she would check and call back.

I have not heard or recvd any supplemental records to date



F. BARRY WILKES
CLERK

Liberty Superior Court, State Court, Juvenile Court and Magistrate Court
Post Office Box 50 • Hinesville, Georgia 31310-0050
Telephone: (912) 876-3625 • Facsimile: (912) 369-5463 • Email: clerkofcourts@libertycountyga.com • Internet: www.libertyco.com

December 11, 2008

RECEIVED
DEC 15 2008
COURT OF APPEALS
OF GA

Court of Appeals of Georgia
47 Trinity Avenue S.W. Suite 501
Atlanta, GA 30334

Re: APPEAL IN THE INTEREST OF
Eric Lamar Jones
CASE # 2007- R -11762

Dear Ms. Sheila:

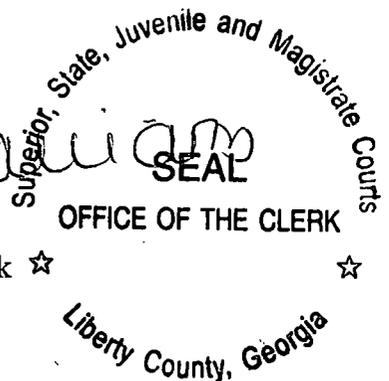
Enclosed herewith you will find the original copy of the Transcript of the Criminal Jury Trial and a copy of the Record regarding the above referenced Appeal.

If you need any additional information or if this Court can be of assistance, please do not hesitate to call

Very truly yours,

Dinnette Williams

Dinnette Williams,
Superior Court Deputy Clerk ☆



Enclosures
cc: Mr. Richard M. Darden, Appellant Attorney

IN THE GEORGIA COURT OF APPEALS
FROM
SUPERIOR COURT OF LIBERTY COUNTY

JONES ERIC LAMAR
APPELLANT

VS.

STATE OF GEORGIA
APPELLEE

RECEIVED
DEC 15 2008
COURT OF APPEALS
OF GA

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 20, 2009

Ms. Tina Robinson
Clerk, Superior Court Fulton County
136 Pryor Street, S.W. • 5th Floor
Atlanta, Georgia 30303

RE: Lower Court Case Number: 07CV140659
Anqous Cosby v. First Tennessee Bank, et al.

Dear Mr. Robinson:

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 this appeal because the Certificate of Service does not contain the complete name and mailing address of opposing counsel. When the appellant files an amended Notice of Appeal to include the complete name and mailing address of opposing counsel, please include that in the record and index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Anqous Cosby, Pro Se
Post Office Box 951
Lithia Springs, Georgia 30122

ANQOUS COSBY, APPELLANT
VS

FIRST TENNESSEE BANK OR FIRST TENNESSEE BANK NATIONAL ET AL, APPELLEE

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 14, 2009

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

RE: Your Case Numbers: 2004CV87853
Sharman M. Meade v. Citibank

Dear Ms. Robinson:

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 this appeal because the Notice of Appeal does not contain a proper Certificate of Service. The Certificate of Service must show the complete name and mailing address of the opposing party. Without this information, we are unable to send out the appropriate Docketing Notices.

When the appellant files an amended Notice of Appeal to show the complete name and mailing address of opposing counsel, please include that in the record and index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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. Sharman M. Meade
Post Office Box 10624
Atlanta, Georgia 30310

RECORDS RETURN NOTICE

DATE 1/13/09

Style Sharma M. Meade v. Citibank

Lower Court Fulton Superior

Lower Court Case NO. 2004CV87853

REASON:

- No/improper certificate of Service
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- Order not stamped filed
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- Pages copied front/back
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- Other

please copy: Sharma M. Meade
P. O. Box 10624
Atlanta ga 30370



CIVIL ACTION FILE NUMBER: 2003CV71541
 FROM FULTON SUPERIOR COURT

SHARMAN M MEADE, APPELLANT
 VS
 CITICORP ET AL, APPELLEE

RECEIVED

JAN 09 2009

COURT OF APPEALS
 OF GA

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gsappeals.us

January 14, 2009

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

RE: Your Case Numbers: 2003CV71541
Sharman M. Meade v. Citicorp, et al.

Dear Ms. Robinson:

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 this appeal because the Notice of Appeal does not contain a proper Certificate of Service. The Certificate of Service must show the complete name and mailing address of the opposing party. Without this information, we are unable to send out the appropriate Docketing Notices.

When the appellant files an amended Notice of Appeal to show the complete name and mailing address of opposing counsel, please include that in the record and index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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. Sharman M. Meade
Post Office Box 10624
Atlanta, Georgia 30310

RECORDS RETURN NOTICE

DATE 4/13/09

Style Sharma M. Meade v. Citicorp et al

Lower Court Fulton Superior

Lower Court Case NO. 2003CV71541

REASON:

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please copy: Sharma M. Meade
P.O. Box 10624
Atlanta ga 30310

3
FROM FULTON SUPERIOR COURT

SHARMAN M MEADE LLB LLM, APPELLANT
VS
CITIBANK FOR EAB, APPELLEE

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RECEIVED

JAN 09 2009

COURT OF APPEALS
OF GA

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 21, 2009

Ms. Melica Kendrick
Clerk, Superior Court of Whitfield County
300 West Crawford Street
Post Office Box 868
Dalton, Georgia 30720

RE: Your Case Number: 48168-M
Ernest Perez v. The State

Dear Ms. Kendrick:

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 unable to docket this appeal because the record does not contain a Notice of Appeal. Without a Notice of Appeal identifying the order that is being appealed, this Court does not know if the notice was timely filed.

A Certificate of Immediate Review is a requirement when filing an Application for Interlocutory Appeal. The Application for Interlocutory Appeal is filed directly with the Court of Appeals, not the clerk of the trial court. At any rate, I am returning your documents to you. When the appellant files a Notice of Appeal, please include that in the record and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Michael A. Corbin, Esq.



STATE OF GEORGIA

* WHITFIELD COUNTY SUPERIOR COURT

VS

* CASE NO: 48168-M

RECEIVED

ERNEST PEREZ

* JULY TERM, 2003

JAN 15 2009

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COURT OF APPEALS
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RECORDS RETURN NOTICE

DATE 1/20/09

Style Ernest Perez v. The State

Lower Court Whitfield Superior

Lower Court Case NO. 48168-M

REASON:

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in trial court -

per clerk - NO NOA was filed

IN THE SUPERIOR COURT OF WHITFIELD COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

vs.

ERNEST PEREZ

Defendant

:
: CASE No. 48,168
:
:
:

CERTIFICATE OF IMMEDIATE REVIEW

The Defendant in the above and foregoing case having filed his motion to suppress evidence and the Court having heard evidence and argument of counsel on said motion on May 23rd and June 17th, 2008, and having denied said motion by order of this Court dated August 12th, 2008 and it appearing that said order denying same is not otherwise subject to direct appeal, I do certify hereby that said order is of such importance to the case that immediate review should be had.

This 21st day of August, 2008.



Honorable Cindy Morris
Judge of Superior Court

Prepared by:
Michael A. Corbin
Attorney for the Defendant
State Bar No. 004840
505 South Thornton Avenue
Dalton, Georgia 30720
Phone (706) 278-6670

Thelicia F. Daniels
CLERK OF SUPERIOR COURT

FILED & RECORDED
WHITFIELD COUNTY, GA.
2008 AUG 21 PM 4:12

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 12, 2009

Ms. Robin Austin
Clerk, Juvenile Court
Clayton County Courthouse, Annex 3
121 South McDonough Street
Jonesboro, Georgia 30236

RE: Your Case Number: 10B; 11A; 12A
File Number: 016745-00
In the Interest of: M.D.P., a Child

Dear Ms. Austin:

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 these appeals because the record is not properly assembled; there is more than one Notice of Appeal in the record and the records are not arranged in any kind of chronological order.

We can only docket one case per Notice of Appeal. Please remove the Notices of Appeal from the companion cases and send them along with your certification. It is not necessary to reduplicate the record for those appeals.

Please make sure that the record is arranged in chronological order. Also, the record must be securely bound at the top with roundhead fasteners or ACCO clamps.

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

GUIDE TO TRANSMITTING RECORDS TO THE COURT OF APPEALS FOR TRIAL COURT CLERKS

The Clerk's Office of the Court of Appeals of Georgia would appreciate the assistance of the trial court clerks in preparing records for docketing in our Court. Following these guidelines will ensure that the records and transcripts you transmit to the Court of Appeals will be properly docketed on a timely basis. We hope this information will help us avoid returning records and transcripts to your offices and prevent you from having to do unnecessary tasks. If you have any questions, at any time, feel free to call Patty Bender at (404) 657-8353. She will be happy to assist you.

PREPARING THE RECORD FOR TRANSMISSION

1. Create an Index with page numbers. As well as listing all documents, it is very helpful if you place the date of the order or motion next to all order and motion titles.
2. The Notice of Appeal should be on 8 ½ x 11 inch paper, signed by the attorney or pro se party and include their name (typed or printed legibly) and address. Attorneys bar numbers should be placed below their names or within the address. Make sure that the Notice of Appeal has a legible stamped filed date and has a proper Certificate of Service showing the full name and mailing address of the opposing counsel. We cannot accept a general rubber stamp as a proper Certificate of Service.

The Notice of Appeal when prepared by the attorney or pro se party should state to which court they are appealing, the Court of Appeals or the Supreme Court; the order(s) they are appealing from and any documents which they wish to be included in the record. A clear statement that transcripts **ARE** or **ARE NOT** to be transmitted must be included.

3. If there are any pro se parties, either appellant or appellees, the full name and address of the pro se parties should be on the Notice of Appeal and/or the Certificate of Service.
4. In addition to the Notice of Appeal, all orders, motions and sentences **MUST** have a legible stamped filed date.
5. The record **MUST** include the order or orders being appealed. Civil cases must include the complaint and answer. Criminal cases **MUST** include the charge and sentence. If a Motion for New Trial was filed, that motion and the order disposing of the Motion for New Trial must be included in the record.
6. The judge's signature on all documents must be legible. If the signature is difficult to read, please print or type the name below the signature or put a sticky note with the judge's name.
7. Again, make sure the stamped filed date is legible on all documents.

RECORDS RETURN NOTICE

DATE 1/9/08

Style In the Interest of: M. D. P., a child

Lower Court Clayton Juvenile

Lower Court Case NO. 10B; 11A; 12A

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
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- Pages copied front/back
- Only one side printed of duplex document
- Other _____

documents are not in any kind of chronological order

*The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 13, 2009

Ms. Joy H. Conner
Clerk, Superior Court
Washington County Courthouse
Post Office Box 231
Sandersville, Georgia 31082-0231

RE: Your Case Number: 08CV315
Cecil Howard a/k/a Alonzo Whitehead v. Washington State Prison, et al.

Dear Ms. Conner:

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 this appeal because the Notice of Appeal indicates that it is an appeal to the Superior Court of Washington County, not the Court of Appeals of Georgia.

If the appellant intends this appeal to go to the to the Court of Appeals of Georgia, when he files an amended Notice of Appeal to reflect that fact, please include the amended Notice of Appeal in the record, index same, and return to the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Cecil Howard

RECORDS RETURN NOTICE

DATE 1/9/09

Style Cecile Howard a/k/a alongo Whitehead
v. Washington state prison et al

Lower Court washington Superior

Lower Court Case NO. 08CV 315

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal - *appeals to superior court of washington county*
- 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)
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IN THE SUPERIOR COURT FOR THE COUNTY OF
WASHINGTON, STATE OF GEORGIA

CECIL HOWARD A/K/A/
ALONZO WHITEHEAD
GDC 567796

CASE FILE NO.: 08CV315

APPELLANT

WASHINGTON STATE PRISON
GEORGIA DEPARTMENT OF CORRECTIONS
STATE OF GEORGIA

APPELLEE

RECEIVED

JAN 08 2009

COURT OF APPEALS
OF GA

APPEARANCES

FOR THE APPELLANT

CECIL HOWARD A/K/A
ALONZO WHITEHEAD
VALDOSTA STATE PRISON
P. O. BOX 310
VALDOSTA, GA 31603

FOR THE APPELLEE

ANDREW I. BROWN
ASSISTANT ATTORNEY GENERAL
40 CAPITOL SQUARE, SW
ATLANTA, GA 30334-1300
404-656-3370

**IN THE SUPERIOR COURT FOR THE COUNTY OF
WASHINGTON, STATE OF GEORGIA**

**CECIL HOWARD A/K/A
ALONZO WHITEHEAD
GDC 567796**

CASE FILE NO.: 08CV315

APPELLANT

**WASHINGTON STATE PRISON
GEORGIA DEPARTMENT OF CORRECTIONS
STATE OF GEORGIA**

APPELLEE

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CECIL HOWARD A/K/A ALONZO WHITEHEAD VS WASHINGTON STATE PRISON, ET. AL.
08CV315 CON'T

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 12, 2009

Ms. Cecilia Willis
Clerk, Superior Court
Decatur County Courthouse
Post Office Box 336
Bainbridge, Georgia 39818-0336

RE: Your Case Number: 90R075
Terry Moore v. The State

Dear Ms. Willis:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal.

The Certificate of Service shows service to the prior clerk of the Superior Court of Decatur County to the clerk of the Court of Appeals of Georgia. The Certificate of Service must show service to opposing counsel providing the complete name and mailing address of opposing counsel.

The Notice of Appeals indicates that transcripts will be filed for inclusion in the record on appeal and no transcript accompanied the record on appeal.

When the court reporter files a transcript with your office, please attach your certificate and include it with the record. When the appellant files an amended Notice of Appeal to include a Certificate of Service showing the complete name and mailing address of opposing counsel, please include that in the record.

If there are no transcripts, when the appellant files an amended Notice of Appeal to reflect the fact that there are no transcripts, please include the amended Notice of Appeal in the record, index and return to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Terrance Moore, GDC595502

CECILIA WILLIS

*Clerk of Superior Court,
State and Juvenile Courts*

Post Office Box 336

Decatur County
Bainbridge, Georgia 31718

Bainbridge, Georgia 31718

HONORABLE WILLIAM L. MARTIN, III
CLERK, COURT OF APPEALS OF GEORGIA
334 STATE JUDICIAL BUILDING
ATLANTA, GEORGIA 30334

RECEIVED
JAN 08 2009
COURT OF APPEALS
OF GA

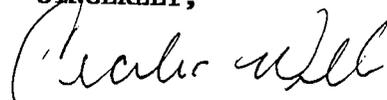
RE: STATE OF GEORGIA
VS:
TERRANCE MOORE
90-R-075

DEAR MR. MARTIN,

I ENCLOSE FOR FILING THE RECORD AND (0) VOLUME OF TRANSCRIPT WHICH IS THE ORIGINAL OF HEARINGS AND TRIAL AS FILED BY THE OFFICIAL COURT REPORTER IN THE ABOVE REFERENCED CASE.

IF FURTHER ASSISTANCE IS NEEDED, PLEASE ADVISE.

SINCERELY,


CECILIA WILLIS, CLERK
SUPERIOR COURT, DECATUR COUNTY
GEORGIA

COPIES TO: Terrance Moore
J-2-227-T #595502
Johnson State Prison
P. O. Box 344
Wrightsville, Georgia 31096-344
Joeseph Mulholland, District attorney

IN THE SUPERIOR COURT OF
DECATUR COUNTY, GEORGIA

THE STATE OF GEORGIA
VS
TERRANCE MOORE

90-R-075
CT. I-II CHILD MOLESTATION.

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RECORDS RETURN NOTICE

DATE 1/9/08

Style TERRY MOORE v. The State

Lower Court Decatur County Superior

Lower Court Case NO. 90R075

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
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- Other NOA states "clerk to forward all records, transcripts, motions, orders, statement de.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 7, 2009

Ms. Cathelene Robinson
Clerk, Superior Court Fulton County
136 Pryor Street, S.W. • 5th Floor
Atlanta, Georgia 30303

RE: Your Case Numbers: 04SC18379
Benjamin Murray Riley v. The State

Dear Ms. Robinson:

Enclosed please find the record in the above appeal which was forwarded from your office to the Supreme Court of Georgia and from the Supreme Court of Georgia to the Georgia Court of Appeals by the Supreme Court's order of December 15, 2008, in S09A0293. Benjamin Murray Riley v. The State, a copy of which order I have enclosed for your review. Please be advised that we are unable to docket this appeal because even though the Notice of Appeal has an order denying the Motion for New Trial, there is no Motion for New Trial contained in the record. Without a stamped filed copy of the Motion for New Trial, this Court does not know if the Motion for New Trial was timely filed. A timely filed Motion for New Trial is necessary to confer jurisdiction on the Court of Appeals of Georgia.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: S. Fenn Little, Jr., Esq.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 7, 2009

Ms. Cathelene Robinson
Clerk, Superior Court Fulton County
136 Pryor Street, S.W. • 5th Floor
Atlanta, Georgia 30303

RE: Your Case Numbers: 04SC18379
Benjamin Murray Riley v. The State

Dear Ms. Robinson:

Enclosed please find the record in the above appeal which was forwarded from your office to the Supreme Court of Georgia and from the Supreme Court of Georgia to the Georgia Court of Appeals by the Supreme Court's order of December 15, 2008, in S09A0293. Benjamin Murray Riley v. The State, a copy of which order I have enclosed for your review. Please be advised that we are unable to docket this appeal because even though the Notice of Appeal has an order denying the Motion for New Trial, there is no Motion for New Trial contained in the record. Without a stamped filed copy of the Motion for New Trial, this Court does not know if the Motion for New Trial was timely filed. A timely filed Motion for New Trial is necessary to confer jurisdiction on the Court of Appeals of Georgia.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: S. Fenn Little, Jr., Esq.
bcc: Tee Barnes, Clerk, Supreme Court



SUPREME COURT OF GEORGIA

Case No. S09A0293

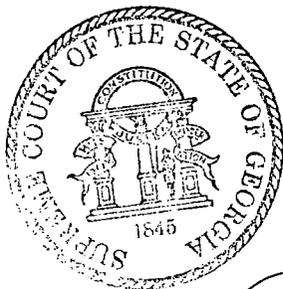
Atlanta December 15, 2008

The Honorable Supreme Court met pursuant to adjournment.
The following order was passed.

BENJAMIN MURRAY RILEY v. THE STATE

Upon consideration of the Motion to Transfer to the Court of Appeals filed in this case, it is ordered that it be hereby granted.

SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta



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

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

 Chief Deputy Clerk

RECORDS RETURN NOTICE

DATE: 1/7/09

Style: **Benjamin Riley v. The State**

Lower Court: **Fulton Superior**

Lower Court Case No.: **04SC18379**

REASON:

No/Improper certificate of service

Improper Notice of Appeal

Order not stamp filed

Transcripts

Notice of Appeal not stamp filed

No Index/Improper Index

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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 Appeals does not state to which Court

Appealed to one Court/states jurisdiction to other

Pages copied on front and back

Only one side printed of duplex documnet

Other: **This case was transferred to COA from Supreme Court. I have checked with Fulton County regarding the motion for new trial. They stated (per email) they have searched the criminal docket and do not see a motion for new trial.**

From: "Robinson, Ladisa" <Ladisa.Robinson@fultoncountyga.gov>
To: BenderP@appeals.courts.state.ga.us
Date: 1/7/2009 10:27:52 AM
Subject: RE: Benjamin Murray Riley v. The State 04SC18379

Patty,

I've searched the criminal docket. I do not see a motion for new trial.

Ladisa

-----Original Message-----

From: Patty Bender [mailto:BenderP@appeals.courts.state.ga.us]
Sent: Monday, January 05, 2009 10:42 AM
To: Robinson, Ladisa
Subject: Benjamin Murray Riley v. The State 04SC18379

Ladisa, this case was transferred to us from the Supreme Court. I do not see the "motion for new trial". Could you check on this for me please?

Patty Bender
Court of Appeals of Georgia
Deputy Clerk
404-657-8353



11/2/09

TO: Bill Martin, Clerk

FROM: Tee Barnes, Clerk

RE: Case No. 509A0293

Date of Transfer 12-15-08

Briefs and Motions filed before transfer

Filing Date	Description
_____	_____
_____	_____
_____	_____

Briefs and Motions received after transfer

Date of Delivery	Description	Postal/Carrier Info included
_____	_____	_____
_____	_____	_____
_____	_____	_____

Costs

_____ Check # _____ attached for filing fees paid to Supreme Court.

_____ Costs have not been paid.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

September 9, 2008

Ms. Sherri A. Akins
Clerk, Superior Court
Bulloch County Judicial Annex
Number One North Main Street
Statesboro, Georgia 30458

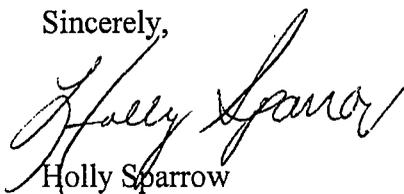
RE: Your Case Number: 1B03CR301
Ricardo Rodrequiz Wright v. The State

Dear Ms. Akins:

Enclosed please find the record for the above appeal which was transmitted from your office to our office. Please be advised that we are unable to locate the other appeal from this case which you indicated had been sent to this Court in 2006. Therefore, it will be necessary for you to either provide us our case number for that appeal or provide this Court a copy of the record from that case.

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

Sincerely,


Holly Sparrow
Deputy Administrator

HKOS/ld
Enclosures

RECORDS RETURN NOTICE

DATE 9/8/08

Style Rosendo Rodriguez Wright v. State

Lower Court Bullock Superior

Lower Court Case NO. 1 B 0 3 ER 301

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
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Pages copied front/back

Only one side printed of duplex document

Other Cannot find previous case in this Court. What is case # or supply balance of Record

Sherri A. Atkins

CLERK OF THE SUPERIOR COURT AND
STATE COURT OF BULLOCH COUNTY
STATESBORO, GEORGIA 30458

(912) 764-9009

8-27-08

The Entire Record in
this Case is already
in your Court from an
Appeal dated June 27, 2006.
Sherri A. Atkins
Clerk

There is no transcript -
The Judge entered an Order
from the Inmates letter to
the Court as shown in
the Record.

Sherri A. Atkins
Clerk

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

September 9, 2008

Mr. Norman L. Stone
Clerk, Superior Court of Catoosa County
875 LaFayette Street
Ringgold, Georgia 30736

RE: Your Case Number: 2008-SU-CR-416
Brandon Steven Johnson v. The State

Dear Mr. Stone:

I am in receipt of the record for the above appeal which was forwarded from your office to our office. Please be advised that we are unable to docket the appeal since it does not contain a stamped filed copy of the order which is being appealed.

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

Sincerely,


Holly K.O. Sparrow
Deputy Administrator

HKOS/lid
Enclosures

cc: Brian M. House, Esq.
7693 Nashville Street
Ringgold, Georgia 30736

RECORDS RETURN NOTICE

DATE 9/9/08

Style Brandon Johnson v. The State

Lower Court Catoosa Superior

Lower Court Case NO. 2008 SU CR 416

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

September 9, 2008

Mr. Sean V. Kean
Clerk, Juvenile Court Whitfield County
205 North Selvidge Street
Dalton, Georgia 30720

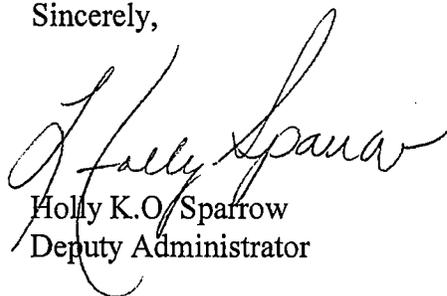
RE: Your Case Number: 0701213 and 0701227
In the Interest of: B.M. and D.M., Children

Dear Mr. Kean:

Enclosed please find the record for the above appeal which was forwarded from your office to ours. Please be advised that we are unable to docket this appeal since it does not contain an Index. After you have indexed the record, please return it to our office for docketing. I have attached a copy of our Guide to Transmitting Records to the Court of Appeals for Trial Court Clerks for your review.

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

Sincerely,



Holly K.O. Sparrow
Deputy Administrator

HKOS/ld
Enclosures

cc: Joshua J. Smith, Esq.
220 West Morris Street
Dalton, Georgia 30720

GUIDE TO TRANSMITTING RECORDS TO THE COURT OF APPEALS FOR TRIAL COURT CLERKS

The Clerk's Office of the Court of Appeals of Georgia would appreciate the assistance of the trial court clerks in preparing records for docketing in our Court. Following these guidelines will ensure that the records and transcripts you transmit to the Court of Appeals will be properly docketed on a timely basis. We hope this information will help us avoid returning records and transcripts to your offices and prevent you from having to do unnecessary tasks. If you have any questions, at any time, feel free to call Sheila Collins at (404) 657-8353. She will be happy to assist you.

PREPARING THE RECORD FOR TRANSMISSION

1. Create an Index with page numbers. As well as listing all documents, it is very helpful if you place the date of the order or motion next to all order and motion titles.
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The Notice of Appeal when prepared by the attorney or pro se party should state to which court they are appealing, the Court of Appeals or the Supreme Court; the order(s) they are appealing from and any documents which they wish to be included in the record. A clear statement that transcripts **ARE** or **ARE NOT** to be transmitted must be included.

3. If there are any pro se parties, either appellant or appellees, the full name and address of the pro se parties should be on the Notice of Appeal and/or the Certificate of Service.
4. In addition to the Notice of Appeal, all orders, motions and sentences **MUST** have a legible stamped filed date.
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6. The judge's signature on all documents must be legible. If the signature is difficult to read, please print or type the name below the signature or put a sticky note with the judge's name.
7. Again, make sure the stamped filed date is legible on all documents.



WHITFIELD COUNTY JUVENILE COURT
205 N. Selvidge Street Suite H
Dalton, Georgia 30720
706-278-6558 Fax 706-272-7018

Connie Blaylock, Judge David Moeller, Court Administrator Sean V. Kean, Clerk

January 24th, 2007

Georgia Court of Appeals
Attn: Sheila Collins
Suite 501
47 Trinity Avenue
Atlanta, GA 30334
RE: Mc.Kinney Appeal

RECEIVED

SEP 08 2008

COURT OF APPEALS
OF GA

Sheila,

Please accept my apology on behalf of the Whitfield County Juvenile Court for the transcript and appeal involving the Brody & Destiny Martin appeal being past the required thirty (30) day time limits for appeals. Due to complications with the audibility in our courtrooms in our new Judicial Building, we were unable to capture clear audio of the proceeding to have a transcript in this case. This was at no fault to the appellant.

After several attempts to see if this could be transcribed, we were unsuccessful. Attached you will find waivers from counsel and an order from the Judge regarding stipulating the hearing notes as the transcript in this case.

If you have any questions, please feel free to contact me back at (706) 281-4602.

Thanking for your consideration, I am

Sean V. Kean

Sean V. Kean
Clerk of Court
Whitfield County Juvenile Court

CC: Court file

RECORDS RETURN NOTICE

DATE 9/8/08

Style In the interest of: B. M & W. M. children

Lower Court Whitfield Juvenile

Lower Court Case NO. 0701213 0701227

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 1, 2008

Mr. Daniel Massey
Clerk, Chatham County Superior Court
133 Montgomery Street
Post Office Box 10227
Savannah, Georgia 31412-0427

RE: Your Case Number: CR05-2459-FR
Robert Field v. The State (Two Cases)

Dear Mr. Massey:

Enclosed please find the records for the two Notices of Appeal docketed under the same lower court case number. Please be advised that we are unable to docket these appeals because there the record does not contain an order denying the Motion for New Trial. When the trial court enters the order denying the Motion for New Trial, please include it in the record and index it and return the records to this office for docketing.

If the trial court grants the Motion for New Trial, it may obviate the need for an appeal. I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 2/1/08

Style Robert Field v. The State

Lower Court Chatham Superior

Lower Court Case NO. CR 05 2459

REASON:

2 Cases

- 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 1, 2008

Ms. Linda T. Miller
Clerk, Clayton County Superior Court
Harold W. Banke Justice Center
9151 Tara Boulevard
Jonesboro, Georgia 30236

RE: Your Case Number: 04CR01031
David Eric Hendrix v. The State

Dear Ms. Miller:

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 this appeal. The Notice of Appeal indicates that the appellant is appealing to the Court of Appeals of Georgia. However, the appellant's Notice of Appeal states that the Supreme Court of Georgia has jurisdiction over this appeal.

If the appellant is appealing a murder conviction, then the appellant should file an amended Notice of Appeal to reflect that he is appealing to the Supreme Court of Georgia, not the Court of Appeals.

At any rate, the appellant needs to amend the Notice of Appeal to reflect the Court to which he wishes to appeal and to reflect which Court has appellate jurisdiction.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Stanley W. Schoolcraft, III, Esq.

RECORDS RETURN NOTICE

DATE 2/1/05

Style David Eric Hendrix v. The State

Lower Court Clayton Superior

Lower Court Case NO. 04 CR 01021

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 _____

Murder?

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 1, 2008

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

RE: Your Case Numbers: 287472
Lorenzo Middlebrooks v. The State

Dear Ms. Robinson:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Pursuant to an order of Judge T. Jackson Bedford, Jr. entered December 6, 2007, new appellate counsel has been appointed in the above appeal. However, the record does not indicate the name and the complete mailing address of the appellant's new counsel.

Sheila Collins of my office has made two calls to your office to determine who that counsel is, however, as of this date, your office has not communicated to her who is the proper appellate counsel.

Without the name and complete mailing address of appellate counsel, we do not know to whom to send the appropriate Docketing Notice. When you have the name and complete mailing address of that counsel, please include it in the record and return it to our office for docketing.

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

Sincerely,



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

WLM, III/lld
Enclosures

RECORDS RETURN NOTICE

DATE 2/1/2002

Style Lorenzo Middlebrooks v. The State

Lower Court Fulton Superior

Lower Court Case NO. 287472

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 Who is new attorney

I have called 2 times since 1/15/02 and they have not let me know.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 1, 2008

Ms. Linda T. Miller
Clerk, Clayton County Superior Court
Harold W. Banke Justice Center
9151 Tara Boulevard
Jonesboro, Georgia 30236

RE: Your Case Number: 2006CR01936
Anthony Davis v. The State

Dear Ms. Miller:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Again, we are compelled to return the record to you. While counsel for the appellant has filed an amended Notice of Appeal to correct the name in the Notice of Appeal, the Notice of Appeal indicates that it is an appeal from a judgment of a conviction of possession with intent to distribute cocaine. However, the Sentencing Sheet indicates that the defendant was sentenced to five years on a negotiated plea for entering an automobile.

When the amended Notice of Appeal corresponds to the record, please return the record to this office for docketing. Again, I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 2/1/2009

Style Anthony Davis v. The State

Lower Court Clayton Superior

Lower Court Case NO. 2006 CR 01926

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 Sentence Does not match

Notice of Appeal

Name for case does not match

First line of Notice of Appeal

called to get new corrected Notice of Appeal

Bill this is the one I spoke of on 1/21/09 in the meeting. Some attorney & cover used

same people

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 6, 2008

Ms. Michelle B. Gardner
Clerk, State Court of Henry County
1 Judicial Center • Suite 120
McDonough, Georgia 30253

RE: Your Case Number: 07SV01569
Katherine Martin v. Imogene Croft, et al.

Dear Ms. Gardner:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised that we were unable to docket this appeal because the Notice of Appeal, does not contain a Certificate of Service. Without a Certificate of Service showing the complete name and mailing address of opposing counsel, we are unable to docket the appeal because we do not know to whom to send the Docketing Notice.

The document which you have indexed as a Notice of Appeal may fall short of the statutory requirements set out in OCGA §5-6-37. At any rate, when the appellant files an amended Notice of Appeal to include a Certificate of Service with the complete name and mailing address of opposing counsel, and any other statutorily required information in the Notice of Appeal, please return the record to this office for docketing.

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

Sincerely,



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

WLM, III/lld
Enclosures

RECORDS RETURN NOTICE

DATE 2/5/07

Style Katherine Martini v Imogene Croft et al

Lower Court Henry State

Lower Court Case NO. 0214 01569

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 _____

State Court of Henry County



Michele B. Gardner, Clerk

One Judicial Center - Suite 120 • McDonough, Georgia 30253
Office: 770.288.7800 • Facsimile: 770.288.7801

February 4, 2008

William L. Martin, III
Clerk and Court Administrator
Court of Appeals of Georgia
47 Trinity Avenue – Suite 501
Atlanta, GA. 30334

RE: State Court of Henry County
Civil Action Case # 07SV01569

Katherine Martin, Appellant

VS.

Imogene Croft, Ricky A. Mainor, and Shirley J. Mainor, Appellee

Dear Mr. Martin:

Enclosed you will find an Index, as well as copies of the Clerk's record for the proceedings held before the Honorable Ben W. Studdard III, Chief Judge.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michele B. Gardner".

Michele B. Gardner
Clerk of State Court

cc: Katherine Martin, Appellant, Pro Se
Imogene Croft, Appellee Pro Se
Ricky A. Mainor, Appellee Pro Se
Shirley J. Mainor, Appellee Pro Se
Ben W. Studdard III, Chief Judge

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 6, 2008

Mr. Tom Lawler
Clerk, Superior and State Courts
Gwinnett County Justice Center
Post Office Box 880
Lawrenceville, Georgia 30046-0880

ATTN: Ms. Lori L. King, Deputy Clerk

RE: Your Case Number: 05-B-02257-7
Steven Jones v. The State

Dear Ms. King:

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 this appeal because the Notice of Appeal does not match the sentence of the court. The Notice of Appeal indicates an attempt to appeal a judgment convicting the defendant of possession of cocaine with intent to distribute. However, the trial court sentenced the defendant on charges on aggravated assault and possession of a fire arm or knife during the conviction of a felony.

When the appellant files an amended Notice of Appeal to correctly reflect what is being appealed, please return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Brandon Lewis, Esq.

RECORDS RETURN NOTICE

DATE 2/5/08

Style Steven Jones v. The State

Lower Court Gwinnett Superior

Lower Court Case NO. 05B2257

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 does not match sentence

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martlwn@gappeals.us

February 6, 2008

Ms. Evelyn Hines
Deputy Clerk, Coweta County Juvenile Court
Post Office Box 976
Newnan, Georgia 30264

RE: Your Case Number: 0700299. In the Interest of: AGG, a Child
0700300. In the Interest of: RBG, a Child
0700301. In the Interest of: MTG, a Child
0700302. In the Interest of: MBG, a Child

Dear Ms. Hines:

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 unable to docket these appeals for the following reasons:

The record does not contain an Index. You must prepare an Index and have the numbered pages correspond to the Index. Additionally, the record is not properly assembled. It must be assembled by your office with ACCO clamps or roundhead fasteners at the top of the record.

The record does not contain the clerk's certification. Without your certificate, the Court is unable to consider this record.

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

Sincerely,



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

WLM, III/l
Enclosures

RECORDS RETURN NOTICE

DATE 2/5/08

Style In the interest of: A.S., R.S. M.S., M.S., children (father)

Lower Court Cowata Juvenile

Lower Court Case NO. 0700299 0700300 0700301 0700302

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 correctly
- 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 Clerk Certificate

Second time sent back first time for a notation record
 She called me and I told her exactly how to send this up. She did not do what I told her to do
 Sheefa

**Chief Deputy Clerk
Evelyn Hines**

**JUVENILE COURT OF COWETA COUNTY
STATE OF GEORGIA**

**Chief Intake Officer
Terry L Calhoun**



**Deputy Clerk
Peggy Carter**

P.O. Box 976 Newnan, Ga. 30264

Ph# 770-254-3730

Fax# 770-252-6413

**Intake Officer
Lisa Barton**

**Deputy Clerk
Jennie Jackson**

**78 Greenville Street, Newnan, Ga
tcalhoun@coweta.ga.us**

**Art Houlditch
Intake Officer**

**Support Clerk
Kendall Ward**

**Judge Joseph P. MacNabb
Special Prosecutor Nathaniel Smith**

**Support Clerk
Kay Cole**

February 4, 2008

TO: SHEILA COLLINS
FROM: EVELYN HINES, DEPUTY CLERK
REF: A08A0942

**I AM SO SORRY THAT I LEFT OUT THE FATHER'S NOTICE OF APPEAL AND OTHER DOCUMENTS.
THIS WAS MY FIRST APPEAL WITH BOTH PARENTS FILING SEPARATE. I'M SORRY FOR THE
INCONVIENCE.**

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2008

Ms. Diane Webb
Clerk, State Court of Cobb County
12 East Park Square
Marietta, Georgia 30090

RE: Your Case Number: 06-A-8034-2
Lawyer's Title Insurance Corporation v. James W. Stribling

Dear Ms. Webb:

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 because the Notice of Appeal contains no Certificate of Service. Without a Certificate of Service showing the complete name and mailing address of opposing counsel, we do not know to whom to send the Docketing Notices.

When counsel for the appellant files an amended Notice of Appeal to include the complete name and mailing address of opposing counsel, please return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Martha D. Turner, Esq.

RECORDS RETURN NOTICE

DATE 1/35/08

Style Lawyer's Title Insurance Corporation
v. James W. Strubling

Lower Court Cobb State

Lower Court Case NO. 06A8034-2

REASON:

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- 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2008

Ms. Holly E. Henry-Perry
Clerk, Rabun County Superior Court
25 Courthouse Square • Suite 105
Clayton, Georgia 30525

RE: Your Case Number: 2006CV335
George Reece v. Gerry Smith

Dear Ms. Henry-Perry:

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 as received.

The Notice of Appeal indicates that a transcript will be filed for inclusion in the record on appeal. However, no transcript accompanied the record.

When the court reporter files a transcript with your office, please attach your certification and send it along with the record to this office for docketing. If there is, in fact, no transcript, when the appellant's counsel files an amended Notice of Appeal to reflect that fact, please return the record to this office for docketing.

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

RECORDS RETURN NOTICE

DATE 1/28/08

Style George Reece v. Jerry Smith

Lower Court Robert Superior

Lower Court Case NO. 2006 CV 225

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 _____

RECEIVED IN OFFICE



2008 JAN 28 AM 11:44

Phone: (706) 782-3615

Fax: (706) 782-1391

W. L. Martin
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA.

HOLLY E. HENRY-PERRY

CLERK SUPERIOR COURT
RABUN COUNTY
CLAYTON, GEORGIA 30525

25 Courthouse Square
Suite 105

January 25, 2008

Georgia Court of Appeals
Mr. William Martin
344 State Judicial Bldg.
47 Trinity Avenue, Suite 501
Atlanta Ga 30334

FILED IN OFFICE

JAN 28 2008

COURT CLERK
CLERK COURT OF APPEALS OF GA

Enclosed is the appeal of CV #06-CV-335-W.Gerry Smith vs George Reece, This case is being appealed from Rabun County Superior Court to Georgia Court of Appeals. If you have any questions please feel free to contact me.

Thanking you, I am

Yours very truly,

Holly E. Henry-Perry

Holly E. Henry-Perry
Clerk Superior Court
Rabun County, Ga.

HEHP/mh

Encl:

cc:

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Ernest W. Nations, Jr.
Clerk, Superior Court
Habersham County Courthouse
555 Monroe Street, Unit 35
Clarke'sville, Georgia 30523-0108

RE: A06A1298. Juan Tanner v. The State
Lower Court Case Number: 04SUCR212

Dear Mr. Nations:

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,

A handwritten signature in black ink that reads "Will. L. Martin, III" followed by a stylized flourish.

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

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Laverne D. Wheeler
Clerk, Superior Court
Ben Hill County Courthouse
Post Office Box 1104
Fitzgerald, Georgia 31750-1104

RE: A06A1311. Jerry Robert Clark v. The State
Lower Court Case Number: 00CR081

Dear Ms. Wheeler:

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
Clerk and Court Administrator
Court of Appeals of Georgia

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

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

RE: A06A1325. David Gresham v. The State
Lower Court Case Number: 03R87

Dear Ms. Norris:

We are returning the enclosed transcript 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,

A handwritten signature in black ink that reads "Will. L. Martin, III" followed by a stylized flourish.

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

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 25, 2008

Ms. Angela Watson
Clerk, Oconee County Superior Court
Post Office Box 1099
Watkinsville, Georgia 30677-1099

RE: Your Case Number: 2004CV0651-J
Brian Partain, et al. v. Oconee County, Georgia, et al.

Dear Ms. Watson:

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 unable to docket this appeal because the Notice of Appeal calls for a transcript, and no transcript accompanied the record. When the court reporter files with your office a transcript, please attach your certificate and send it along with the record to this office for docketing.

If there is, in fact, no transcript, when counsel for appellants files an amended Notice of Appeal to reflect that fact, please return the record with the amended Notice of Appeal to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: C. David Joyner, Esq.

RECORDS RETURN NOTICE

DATE 1/24/08

Style Brian Partain et al v. Ocone
county, Georgia et al

Lower Court Ocone Superior

Lower Court Case NO. 2004CV0651J

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 _____

*Angela Watson, Clerk
Superior, Magistrate and Juvenile Court
Oconee County
P.O. Box 1099
Watkinsville, Georgia 30677
(706) 769-3940*

December 27, 2007

RECEIVED

JAN 24 2008

**COURT OF APPEALS
OF GA**

William Martin, Clerk
Court of Appeals of Georgia
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

Re: Civil Action No.: 2004-CV-0651-J

Brian Partain, individually as surviving spouse and father and as administrator of the Estate of Kimberly and Madison Partain vs. Oconee County, Georgia, Oconee County Sheriff's Department, Scott R. Berry, Sheriff, Oconee County, Georgia, in his official and individual capacity and Deputy Jason Higgins, Deputy of Oconee County Sheriff's Department, Georgia, in his official and individual capacity

Dear Mr. Martin:

Enclosed please find a certified copy of the Record in the above reference case.

If anything further is needed please let me know.

Sincerely,



Angela Watson, Clerk
Oconee County Superior Court

Encl.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 25, 2008

Ms. Jody M. Moss
Clerk, Superior Court
Morgan County
Post Office Drawer 551
Madison, Georgia 30650-0130

ATTN: Wanda L. Harvard, Deputy Clerk

RE: Your Case Number: 2007SUCC 081
Craig Armstrong v. The State

Dear Ms. Harvard:

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 this record because it does not contain a Notice of Appeal. Although the trial court granted an order for out-of-time appeal, no Notice of Appeal was included in the record.

When counsel for the appellant files a Notice of Appeal with you, designating what order or judgment is being appeal, please include that in the record and return it to this office for docketing.

If you have any questions or if I can be of assistance to you, please do not hesitate to contact me. 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: Carl S. Cansino, Esq.
Mr. Fredric D. Bright, District Attorney

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 22, 2008

Ms. Sheila Wells
Clerk, Superior Court
Polk County Courthouse #1
100 Prior Street • Suite 106
Post Office Box 948
Cedartown, Georgia 30125-0948

RE: Your Case Number: 2007CR-25S
The State v. Dennis Wayne Styles

Dear Ms. Wells:

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 this appeal because it does not contain a stamped filed copy of the order that is being appealed. The Notice of Appeal indicates that this is an appeal from the trial court's order refusing to allow a witness for the State to testify.

When the trial court files with your office a copy of the appealable order, please include it in the record and return the record to this office for docketing.

Please make sure that the record is arranged in a chronological order and numbered accordingly with an Index to correspond with the page numbers. Also, please make sure that the Notice of Appeal is the first document behind the Index.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 1-18-08

Style The State v. Dennis W. Styles

Lower Court ~~2^d~~ Sup. Polk

Lower Court Case NO. 2007CR2155

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 *order refusing to allow witness to testify*
- 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 23, 2008

Ms. Louise T. Garrett
Clerk, Superior Court
Meriwether County Courthouse
Post Office Box 160
Greenville, Georgia 30222-0160

RE: Your Case Number: 2006R0027
Barry Hixon v. The State

Dear Ms. Garrett:

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 this appeal because the Notice of Appeal contains an improper Certificate of Service. Additionally, the Certificate of Service must contain the complete name and mailing address of the attorney representing the State. Without the complete name and mailing address, we do not know to whom to send the Docketing Notices.

When the appellant files an amended Notice of Appeal to correct these problems, please return the record to this office for docketing. If you have any questions or if I can be of assistance to you, please do not hesitate to contact me. 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 1/23/08

Style Barry Higon v. The State

Lower Court Meriwether State

Lower Court Case NO. 2006 R0027

REASON:

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- No/improper certificate of Service *for wrong Document*
- 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: Bary Nifon v. The State

CLASSIFICATION CODE: 01 Fed

X REFERENCE: -

APPLICATION CASE NO.: -

SUPREME COURT CASE NO.: -

PAUPER YES

LOWER COURT JUDGE NO.: 18246 J. Simpson

LOWER COURT COUNTY: 08 099

LOWER COURT NAME: 07 002

CLERK OF LOWER COURT NO.: 15099

JUDGMENT DATE: 10/31/2007

NOTICE OF APPEAL DATE: 11/29/2007

LOWER COURT CASE NO.: 2006 R 0027

RECORDS 1

TRANSCRIPTS 2

OTHER DOCUMENTS -

APPELLANT ATTORNEY BAR NO.

<u>622577</u>				

APPELLEE ATTORNEY BAR NO.

OTHER ATTORNEY BAR NO.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 17, 2008

Mr. Edward E. Tucker
Clerk, Superior Court
Lumpkin County Courthouse
99 Courthouse Hill, Suite D
Dahlonega, Georgia 30533-0541

RE: Your Case Number: 2006-SU-CR-94
Kevin Lamar Cantrell v. The State

Dear Mr. Tucker:

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 unable to docket this appeal because the Notice of Appeal indicates a Transcript of Evidence and Proceedings will be filed for inclusion in the record on appeal, and no transcript accompanied the record.

When the court reporter files with your office the transcript in this appeal, please attach your certificate and send it along with the record to this office for docketing. If, in fact, there is no transcript in this matter, when counsel for the appellant files and amended Notice of Appeal to reflect that fact, please return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Neil A. Smith, Esq.

RECORDS RETURN NOTICE

DATE 1/17/2009

Style Kevin Contrell v. The State

Lower Court Lumpkin Superior

Lower Court Case NO. 2006 SU CR 94

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 _____



Edward E. Tucker
CLERK OF COURTS
SUPERIOR, JUVENILE & MAGISTRATE
LUMPKIN COUNTY
99 COURTHOUSE HILL, SUITE D
DAHLONEGA, GA 30533-0541
706-864-3736
FAX 706-864-5298



January 14, 2008

Court of Appeals of Georgia
47 Trinity Avenue, Suite 501
Atlanta, GA 30334

RE: Case No. 06-CR-094-DB

Dear Sir or Madam:

Enclosed herewith is a Record of Appeal on the above referenced case. Should there be any problems or questions, do not hesitate to let me know.

With best regards, I am

Sincerely,

Edward E. Tucker
Clerk of Superior Court
Lumpkin County, Georgia

EET/bc

Enclosures

cc: Office of the District Attorney
Neil Smith, Attorney for Defendant

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 18, 2008

Mrs. Melba H. Fiveash
Clerk, State Court
Ware County Courthouse
Post Office Box 776
Waycross, Georgia 31501

RE: Your Case Number: 06SR-00979 and 06SR-01045
Joseph Kinsey v. The State

Dear Mrs. Fiveash:

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 this appeal because the record does not contain a copy of the trial court's order denying the Motion for New Trial.

When the trial court enters an order denying the Motion for New Trial, please include that in the record and return the record to this office for docketing.

Should the trial court grant the Motion for New Trial, it may obviate the need for an appeal in this case.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 1/17/2007

Style Joseph Kinney v. The State

Lower Court Ware State

Lower Court Case NO. 06SR-00979 06SR01045

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 _____



WARE COUNTY COURT HOUSE
WAYCROSS, GEORGIA 31501

MELBA H. FIVEASH
Clerk of Superior Court
State Court of Ware County

P.O. Box 776, Waycross, Georgia
(912) 287-4340

January 11, 2008

Mr. William L. Martin, III
Court of Appeals of Georgia
State Judicial Building
40 Capitol Square, 3rd Floor
334 State Judicial Building
Atlanta, GA 30334

Dear Mr. Martin,

Enclosed please find the record in the case of The State of Georgia versus Joseph Kincey, Accusation number 06SR-00979 and 06SR-01045, together with the original Notice of Appeal and two volumes of the transcript of proceedings.

Sincerely,

Melba H. Fiveash,
Clerk of State Court

RECEIVED

JAN 17 2008

COURT OF APPEALS
OF GA

SUPERIOR COURT
CLARENCE D. BLOUNT, Chief Judge
STEPHEN L. JACKSON, Judge
DWAYNE H. GILLIS, Judge

COURT TERMS: 1st Monday in April,
2nd Monday in November

STATE COURT
DOUGLAS GIBSON, Judge

COURT TERMS: 3rd Mondays in March,
June, September & December

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 15, 2008

Ms. Rebecca G. Crowe
Clerk, Bryan County Superior Court
Post Office Box 670
Pembroke, Georgia 31321

RE: Your Case Number: 015-07J-128
In the Interest of: A.S., a Child

Dear Ms. Crowe:

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 this appeal as presented.

The Index to the record shows items in the record but no corresponding page number. If these are non-record events, please reconstitute the Index and omit them from the Index. Additionally, the name on the Index should be the same as the name on the Notice of Appeal. It appears the program which has printed out the Index puts the last name first. It is very confusing to the Court if there is a different name from that on the style of the Notice of Appeal and the body of the Notice of Appeal.

Please make sure that the Notice of Appeal is listed in the Index as the first document in the record and that it is the first document that follows the Index.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can assist you in any way, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 15, 2008

Ms. Rebecca G. Crowe
Clerk, Bryan County Superior Court
Post Office Box 670
Pembroke, Georgia 31321

RE: Your Case Number: 2004-SU-R-32
Sellers Antonio Jake v. The State

Dear Ms. Crowe:

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 this appeal as presented.

The Index to the record shows items in the record but no corresponding page number. If these are non-record events, please reconstitute the Index and omit them from the Index. Additionally, the name on the Index should be the same as the name on the Notice of Appeal. It appears the program which has printed out the Index puts the last name first. It is very confusing to the Court if there is a different name from that on the style of the Notice of Appeal and the body of the Notice of Appeal.

Please make sure that the Notice of Appeal is listed in the Index as the first document in the record and that it is the first document that follows the Index.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can assist you in any way, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 15, 2008

Ms. Michele B. Gardner
Clerk, State Court of Henry County
One Judicial Center • Suite 120
McDonough, Georgia 30253

RE: Your Case Number: 06SV00872
Karen Mitchell-Smith v. Discover Bank

Dear Ms. Gardner:

I am in receipt of the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the Notice of Appeal is ambivalent as to whether a Transcript of Proceedings will be filed for inclusion in the record on appeal. When the appellant files an amended Notice of Appeal to state with specificity that a transcript will be filed for inclusion in the record on appeal, please return this record along with the transcript when filed by the court reporter, to this office for docketing.

If there is, in fact, no transcript, when the amended Notice of Appeal reflects that fact, please return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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. Karen Mitchell-Smith

RECORDS RETURN NOTICE

DATE 1/15/08

Style Karen Mitchell-Smith v. Discover Bank

Lower Court Henry Stab

Lower Court Case NO. 06 SV00872

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts yes or No
- 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 _____

State Court of Henry County



Michele B. Gardner, Clerk

One Judicial Center - Suite 120 • McDonough, Georgia 30253
Office: 770.288.7800 • Facsimile: 770.288.7801

January 14, 2008

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

RE: State Court of Henry County
Civil Action Case # 06SV00872

Karen A. Mitchell-Smith, Appellant
VS.
Discover Bank, Appellee

Dear Mr. Martin:

Enclosed you will find an Index, as well as copies of the Clerk's record for the proceedings held before the Honorable Ernest D. Blount, Judge, on August 21, 2007.

Sincerely,

A handwritten signature in cursive script that reads "Michele B. Gardner".

Michele B. Gardner
Clerk of State Court

cc: Karen A. Mitchell-Smith, Appellant, Pro Se
Craig R. Goodman, Attorney for Appellee
Ernest D. Blount, Judge

**KAREN MITCHELL-SMITH
APPELLANT**

VS.

**DISCOVER BANK
APPELLEE**

**FROM: STATE COURT OF HENRY COUNTY
ONE JUDICIAL CENTER
MCDONOUGH, GA 30253**

CIVIL ACTION CASE #06SV00872

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 16, 2008

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

ATTN: Ms. Wendy Brewster

RE: Your Case Numbers: 2007CV140608
Michael Roper d/b/a Remodeling Group v. Sean O'Brien, et al.

Dear Ms. Robinson:

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 this appeal because the record does not contain an appealable order. When the trial court enters the order to be appealed, please include it in the record and return it to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 1/15/2007

Style Michael Roper v. Sean O'Brien

Lower Court Fulton Superior

Lower Court Case NO. 2007CV140608

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 of 9/28/07
- 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 _____

Does not appear that enough of the record is here for the Court to consider

MICHAEL ROPER DBA REMODELING GROUP, APPELLANT
VS
SEAN O'BRIEN AND SARAH O'BRIEN, APPELLEE

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 11, 2008

Ms. Joanne P. Caldwell
Clerk, Rockdale County Superior Court
Post Office Box 937
922 Court Street
Conyers, Georgia 30012

RE: Your Case Numbers: 2004-CV-1830
Prime Home Properties v. Rockdale County, et al.
Court of Appeals Case Number: A07A2185

Dear Ms. Caldwell:

Thank you for your letter of January 28, 2008 to Sheila Collins of my office regarding the record in the above appeal. Enclosed please find a copy of the Court's order dated January 7, 2008, directing the parties to cite to the record as it currently exist. If the parties fail to cite to the record as it exists in this Court, then the Court will be forced to remand the record to the trial court for recompilation by your office.

As always, I want to thank you for all of the help and assistance your office gives to ours. If you have any questions about this matter or if I can be of 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

cc: David A. Rutherford, Esq.
T. Tucker Habgood, Esq.
Kevin D. Fitzpatrick, Esq.
Earnest H. DeLong, Esq.

Court of Appeals of the State of Georgia

ATLANTA, JAN 7 2008

The Court of Appeals hereby passes the following order:

A07A2185. Prime Home Properties, LLC., v. Rockdale County Board of Health.

Appellant Prime Home Properties, LLC, is hereby ordered to recast its briefs to comply with Court of Appeals Rule 25 (c) (iii). Record cites should be to the volume and page number of the *appellate* record. For example: "Vol. 4 at p. 347" or "Trial Tr. 2 at. 11." Do not cite to individual exhibits or documents within the record, e.g. "Smith depo. at 12." Further, every fact upon which the parties rely should be supported by a record citation. We remind the parties that "is not the function of this court to cull the record on behalf of a party." (Punctuation omitted.) *Rolleston v. Cherry*, 226 Ga. App. 750, 753 (1) (b) (487 S.E.2d 354) (1997).

The Appellant's recast brief is due *received and filed* in this Court no later than the close of business on January 18, 2008. The failure to comply with this order will result in the dismissal of this appeal.

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JAN 7 2008

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

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

Willie L. Mart _____, Clerk.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 11, 2008

Ms. Joanne P. Caldwell
Clerk, Rockdale County Superior Court
Post Office Box 937
922 Court Street
Conyers, Georgia 30012

RE: Your Case Numbers: 2004-CV-1830
Prime Home Properties v. Rockdale County, et al.
Court of Appeals Case Number: A07A2185

Dear Ms. Caldwell:

Thank you for your letter of January 28, 2008 to Sheila Collins of my office regarding the record in the above appeal. Enclosed please find a copy of the Court's order dated January 7, 2008, directing the parties to cite to the record as it currently exist. If the parties fail to cite to the record as it exists in this Court, then the Court will be forced to remand the record to the trial court for recompilation by your office.

As always, I want to thank you for all of the help and assistance your office gives to ours. If you have any questions about this matter or if I can be of 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

cc: David A. Rutherford, Esq.
T. Tucker Habgood, Esq.
Kevin D. Fitzpatrick, Esq.
Earnest H. DeLong, Esq.

bcc: Judge John J. Ellington



Court of Appeals

Memorandum

To: William L. Martin, III

From: Judge Ellington

Subject: A07A2185

Date: January 10, 2008

I had talked with Sheila a couple of days ago about this case. Evidently, there was a problem with the lower clerk's office when the record was prepared and sent to us. According to them, there were some pages out of order. Mary has looked at this, and it doesn't seem reasonable to reassemble the record for this purpose. I have attached a copy of the letter from the Clerk of Rockdale County to Sheila.

Attached is an order this office prepared ordering the appellants to recast their briefs citing to the record as is.

Please send a letter to the Clerk of Rochdale County Superior Court, coping all parties, that the briefs should be cited according to the record as it is prepared. The case will be remanded back to the lower court if this is not complied with.

Please call Mary (404-463-3024) if you have questions.

Joanne P. Caldwell

Clerk of Rockdale County Superior Court
Post Office Box 937
Conyers, Georgia 30012
(770) 929-4021

Janey
Please handle
Thanks
Sheila

January 8, 2008

Ms. Sheila Collins
Deputy Clerk
Georgia Court of Appeals
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

Re: Civil Action #2004-CV-1830
Prime Home Properties v. Rockdale County et al

Dear Sheila:

As per our telephone conversation today, the appeal sent in the above case had some of the pages in improper order. Please move pages 607 through 681 to place after page 443.

I am sorry for this error and appreciate your assistance.

Yours very truly,

Joanne P. Caldwell
Joanne P. Caldwell, Clerk

Cc: William W. Lavigno, III and
Lawrence G. Morton, Attorneys
David C. Will, Attorney

ADD. 20042185

Court of Appeals of the State of Georgia

ATLANTA, JAN 7 2008

The Court of Appeals hereby passes the following order:

A07A2185. Prime Home Properties, LLC., v. Rockdale County Board of Health.

Appellant Prime Home Properties, LLC, is hereby ordered to recast its briefs to comply with Court of Appeals Rule 25 (c) (iii). Record cites should be to the volume and page number of the *appellate* record. For example: "Vol. 4 at p. 347" or "Trial Tr. 2 at. 11." Do not cite to individual exhibits or documents within the record, e.g. "Smith depo. at 12." Further, every fact upon which the parties rely should be supported by a record citation. We remind the parties that "is not the function of this court to cull the record on behalf of a party." (Punctuation omitted.) *Rolleston v. Cherry*, 226 Ga. App. 750, 753 (1) (b) (487 S.E.2d 354) (1997).

The Appellant's recast brief is due *received and filed* in this Court no later than the close of business on January 18, 2008. The failure to comply with this order will result in the dismissal of this appeal.

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JAN 7 2008

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

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

Willi L. Mant _____, Clerk.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 9, 2008

Ms. Cindy G. Brown
Clerk, Coweta County Juvenile Court
200 Court Square
Post Office Box 943
Newnan, Georgia 30264-0943

ATTN: Evelyn Hines, Deputy Clerk

RE: Your Case Number: 0700299. In the Interest of: AGG, a Child
0700300. In the Interest of: RBG, a Child
0700301. In the Interest of: MTG, a Child
0700302. In the Interest of: MBG, a Child

Dear Ms. Hines:

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 these appeals because the record contains the main Notice of Appeal and the companion Notice of Appeal. We are unable to docket a record that contains two Notices of Appeal.

Please remove the second Notice of Appeal filed by the father and send it along with your certification along with the main record. It is not necessary to reduplicate the record.

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

Sincerely,



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

WLM, III/ld
Enclosures

RECORDS RETURN NOTICE

DATE 1/9/2009

Style In the interest of: A.A., R.S., M.H.,
+ M.S., children

Lower Court 0700299, 0700300, 0700301 0700302

Lower Court Case NO. Covata Juvenile

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 _____

Mother + Father

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 10, 2008

Ms. Delma Hope
Clerk, Probate Court
Dougherty County Courthouse
Post Office Box 1827
Albany, Georgia 31703-1827

RE: Your Case Number: 06-PRO-002
In Re: Estate of Annie Lee McCarthern

Dear Ms. Hope:

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 this appeal because the record does not contain a stamped filed copy of the court's order. Without a stamped filed copy of the court's order, this Court is unable to determine if the Notice of Appeal was timely filed.

Please include a stamped filed copy of the court's order in the record and return it to this office for docketing. I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

**Probate Court of Dougherty County
Post Office Box 1827
Albany, GA 31702-1827**

Nancy S. Stephenson, Judge

**Telephone: (229) 431-2102
Facsimile: (229) 434-2694
E-Mail: nstephenson@dougherty.ga.us**

January 8, 2008

Hon. William L. Martin, III
Clerk, Court of Appeals of Georgia
47 Trinity Avenue, Suite 501
Atlanta, GA 30334

**RE: Record of Probate Court Case
Estate of Annie Lee McCartherm, Court File No. 06-PRO-002**

Dear Sir:

Enclosed please find the complete record of the above-listed probate court case. Please note that the notice of appeal states "a transcript of evidence and proceedings will be filed for inclusion in the record on appeal." There is no such transcript of evidence and proceedings in the court record, nor am I aware of its existence.

Please let me know any additional information or documents you will require for this appeal to proceed. Thank you, and in particular, please thank Ms. Patty Bender for her assistance in the preparation of this record.

With best regards, I am

Sincerely Yours,


Nancy S. Stephenson
Judge, Probate Court

cc: Leigh Ann Flynn; Ocie Robinson

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 10, 2008

Mr. Mark Harper
Clerk, State Court of Fulton County
TG800 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

RE: Your Case Number: 06DD002221
Merchant Investment Group, Inc., v. Petroleum Realty II, LLC

Dear Mr. Harper:

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 unable to docket this appeal because the Notice of Appeal indicates that a transcript will be filed for inclusion with the record on appeal, and no transcript accompanied the record.

If there is, in fact, a transcript, when the court reporter files it with your office, please attach your certificate and send the transcript along with the record to this office for docketing. If there is no transcript, when the appellant files an amended Notice of Appeal to reflect that fact, please return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 1/9/08

Style Merchant Investment Group, Inc. v. Petroleum Realty II, LLC

Lower Court Fulton State

Lower Court Case NO. 06DD002221

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 10, 2008

Mr. Mark Harper
Clerk, State Court of Fulton County
TG800 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

RE: Your Case Number: 06DD002224
Merchant Investment Group, Inc. v. Petroleum Realty II, LLC

Dear Mr. Harper:

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 unable to docket this appeal because the Notice of Appeal indicates that a transcript will be filed for inclusion with the record on appeal, and no transcript accompanied the record.

If there is, in fact, a transcript, when the court reporter files it with your office, please attach your certificate and send the transcript along with the record to this office for docketing. If there is no transcript, when the appellant files an amended Notice of Appeal to reflect that fact, please return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Steven M. Mills, Esq.
Timothy S. Walls, Esq.

RECORDS RETURN NOTICE

DATE 11/9/08

Style Merchant Investment Group, Inc. v. Petroleum Realty II, LLC

Lower Court Fulton State

Lower Court Case NO. 06 DDO02224

REASON:

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- 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 10, 2008

Mr. Mark Harper
Clerk, State Court of Fulton County
TG800 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

RE: Your Case Number: 06DD002213
S&S Business, Inc. v. Petroleum Realty V, LLC

Dear Mr. Harper:

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 unable to docket this appeal because the Notice of Appeal indicates that a transcript will be filed for inclusion with the record on appeal, and no transcript accompanied the record.

If there is, in fact, a transcript, when the court reporter files it with your office, please attach your certificate and send the transcript along with the record to this office for docketing. If there is no transcript, when the appellant files an amended Notice of Appeal to reflect that fact, please return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Steven M. Mills, Esq.
Timothy S. Walls, Esq.

RECORDS RETURN NOTICE

DATE 1/9/08

Style S+S Business, Inc. v. Petroleum Realty V, LLC.

Lower Court Fulton State

Lower Court Case NO. 06 DD 002213

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 8, 2008

Ms. Betty Sanders
Clerk, DeKalb County State Court
104 DeKalb County Courthouse
556 North McDonough Street
Decatur, Georgia 30030-3356

RE: Your Case Numbers: 07D54531
Dianne Nicholas v. Tracey Smith, et al.

Dear Ms. Sanders:

Enclosed please find the record in the above appeal which was forwarded from your office to the clerk of the Supreme Court of Georgia and transferred from the Supreme Court to the Court of Appeals. Please be advised that we are unable to docket the above appeal because the Notice of Appeal indicates that both the plaintiff and defendant are appealing. The Notice of Appeal can only designate the plaintiff or the defendant as the appealing party. If the other party wishes to file a Notice of Appeal or Notice of Cross Appeal they may do so, but it must be a separate document and each Notice of Appeal must be filed in this Court as a separate appeal.

When the appropriate party files the amended Notice of Appeal to reflect who, in fact, is the appellant, please return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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. Dianne Nicholas
Ms. Tracey Smith

RECORDS RETURN NOTICE

DATE 1/8/08

Style Tracey Smith et al v. Deanne Nichols

Lower Court DeKalb State Court

Lower Court Case NO. 07D54531

REASON:

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- No/improper certificate of Service
- Improper Notice of Appeal *NT + EE cannot*
- Order not stamped filed *all appeal in one*
- Transcripts *Notice of appeal*
- 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 _____

Transferred from Supreme Court



SUPREME COURT OF GEORGIA

Case No. S08A0586

Atlanta January 7, 2008

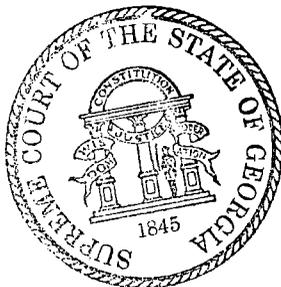
The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

TRACEY SMITH et al. v. DIANNE NICHOLAS

From the State Court of DeKalb County.

Appellant appeals the trial court's order granting a writ of possession against her and ordering her to pay past due rent. Because the appeal involves only the right of possession, not title to land, jurisdiction is in the Court of Appeals, not the Supreme Court, see Jordan v. Atlanta Neighborhood Housing Services, Inc., 251 Ga. 37 (302 SE2d 568) (1983). Accordingly, the appeal hereby is transferred to the Court of Appeals.



SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta

I hereby certify that the above is a true extract from the minutes of the Supreme Court of Georgia

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

, Chief Deputy Clerk

Dianne Nicholas
4029 Preserve Glen CT
Snellville GA 30039
Plaintiff

Civil Action
file no. 07D 545

vs.

Tracey Smith + Monique Watkins
3601 Indian Creek Way apt 1A
Clarkston GA 30021
Defendants

Notice of Appeal

Notice is hereby given that Dianne Nicholas
and Tracey Smith, + Monique Watkins above-named
hereby appeal to the Supreme Court from the
Judgment of rent Ms Nicholas says we owe
dated on the 26th day of November, 2007.

The clerk will not omit the following from the
record on appeal.

No Transcript

Dated 12-3-07

FILED IN THIS OFFICE
THIS 3 DAY OF Nov 2007
M. Baldwin
Clerk, State Court, DeKalb County

RECEIVED
DEC 9 2007
STATE COURT OF
DeKALB COUNTY, GA

Pro-se 3601 Indian Cree
way apt 1A
Clarkston GA 3002

Dianne Nicholas
4029 Preserve Glen CT
Snellville GA 30039

Plaintiff

Civil Action

Case Number 07D 54531

vs.

Tracey Smith + Monique WATKINS
3601 Indian Creeksway apt 1A
Clarkston GA 30021

Defendent

This is to Certify that I have this day served all parties and the foregoing matter, with a copy of this pleading by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage therein, mailed to this address:

Dianne Nicholas
4029 Preserve Glen CT
Snellville GA 30039

12-3-07
December 3rd 2007

Defendents:

Tracey M Smith Monia Watk
3601 Indian Creeksway
apt 1A Clarkston GA
30021

Phone (678) 732-8759

Tracey Smith

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 4, 2008

Ms. Linda T. Miller
Clerk, Clayton County Superior Court
Harold W. Banke Justice Center
9151 Tara Boulevard
Jonesboro, Georgia 30236

RE: Your Case Number: 2006-CR-1936-5
Anthony Davis v. The State/ Vincent Lupoe v. The State

Dear Ms. Miller:

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 this appeal because the Notice of Appeal contains one name in the style of the Notice of Appeal and another name in the body of the Notice of Appeal. It appears the record is that of Anthony Davis, and not Vincent Lupoe.

When counsel for the appellant files an amended Notice of Appeal to correct the Notice of Appeal and have the proper name of the party in the Notice of Appeal, please return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Brandon Lewis, Esq.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 20, 2007

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

RE: Your Case Number: 03CV6774
Accurate Printers, Inc., et al. v. Kenneth Stark

Dear Ms. Carter:

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 unable to docket the appeal because the Notice of Appeal indicates a Transcript of Evidence will be filed for inclusion with the record on appeal, and no transcript accompanied the record.

When the court reporter files the transcript with your office, please attach your certification and send it along with record to this office for docketing.

If, in fact, there is no transcript in this matter, when the appellant files an amended Notice of Appeal to reflect that fact, please include the amended Notice of Appeal in the record and return the copy of the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Michael D. Cross, Jr., Esq.

RECORDS RETURN NOTICE

DATE 12/20/07

Style Associated Printers, Inc. et al v. Kenneth Stark

Lower Court De Kalb Superior

Lower Court Case NO. 03CV6774

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 17, 2007

Ms. Diane Webb
Clerk, State Court of Cobb County
12 East Park Square
Marietta, Georgia 30090

RE: Your Case Number: 06-A-6564-2
Merdean Silman, et al. v. Associates Bellemeade, et al.

Dear Ms. Webb:

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 it does not contain a Certificate of Service showing the complete name and mailing address of opposing counsel. Without a Certificate of Service showing the complete name and mailing address of opposing counsel, we do not know to whom to send the Docketing Notice. Additionally, the trial court's order is not signed by the trial court judge and the Index is incomplete.

The record does not contain the certification of the deputy clerk.

When the appellants file an amended Notice of Appeal to include the complete name and mailing address of opposing counsel, and the trial court enters an order, and finally, when the Index is properly compiled, please return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 12/14/2007

Style Meredean Silman et al v. Associates
Bellemeadle et al

Lower Court Cobb State

Lower Court Case NO. 06A6564-2

REASON:

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- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
- Notice of Appeal not stamped filed
- No Index/Improper Index Incomplete
- 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 21, 2007

Mr. Rhett Walker
Clerk, Superior Court
Dodge County Courthouse
Post Office Drawer 4276
Eastman, Georgia 31023-4276

ATTN: Penny Minor, Deputy Clerk

RE: Your Case No 07V-2897
William F. Calhoun v. David Rawlins

Dear Ms. Minor:

I am in receipt of the record in the above appeal which was forwarded from your office to ours. Please be advised that although the record does now contain a Certificate of Service, the Certificate of Service shows service to the appellant, not opposing counsel. Again, without a Certificate of Service showing the complete name and address of the appellee, that is, opposing counsel, we are unable to docket the appeal.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

December 10, 2007

Mr. Rhett Walker
Clerk, Superior Court
Dodge County Courthouse
Post Office Drawer 4276
Eastman, Georgia 31023-4276

ATTN: Penny Minor, Deputy Clerk

RE: Your Case No 07V-2897
William F. Calhoun v. David Rawlin

Dear Ms. Minor:

page 1a

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 this appeal because the Notice of Appeal does not contain a **Certificate of Service** showing the complete name and mailing address of the opposing counsel. Likewise, the Notice of Appeal does not contain the complete name and mailing address of the appellant. Without these addresses, we are unable to send out the appropriate Docketing Notices and, therefore, unable to docket the appeal.

When the appellant files an amended Notice of Appeal to reflect the complete name and mailing address of appellant and appellee, please return the record to this office for docketing.

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

Sincerely,

Will. L. Martin, III

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

WLM, III/ld
Enclosures

Handwritten notes on a black background, including the name "Penny Minor" and other illegible cursive text.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 21, 2007

Ms. Sherri A. Akins
Clerk, Bulloch County Superior Court
20 Siebald Street
Statesboro, Georgia 30458

RE: Your Case Number: 1B06CR134P
Johnny Lee Walker v. The State

Dear Ms. Akins:

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 this appeal because the Notice of Appeal does not contain a stamped filed copy of the trial court sentence. Without a stamped filed copy of the sentencing form, this Court is unable to determine if the Motion for New Trial was filed timely.

Please include a stamped filed copy of the sentencing form in the record and return it to this office for docketing.

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

Sincerely,



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

WLM, III/lid
Enclosures

RECORDS RETURN NOTICE

DATE 12/20/07

Style Johnny Lee Walker v. The State

Lower Court Bullock Superior

Lower Court Case NO. 1B06CR134

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed *Sentence*
- 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 26, 2007

Ms. Diane Webb
Clerk, State Court of Cobb County
12 East Park Square
Marietta, Georgia 30090

RE: Your Case Number: 06-A-6564-2
Merdean Silman, et al. v. Associates Bellemeade, et al.

Dear Ms. Webb:

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 because the record does not contain a stamped filed copy of the order as signed by the trial judge. When a signed order is entered in your office, please include it in the record and send it to our office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 12/21/2001

Style Merdean Silman et al v. Associate
Bellemade et al

Lower Court Cobb State

Lower Court Case NO. 06A 6564

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
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- Other _____

not time sent back

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 26, 2007

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

RE: Your Case Number: 06R289
Silas Harris v. The State

Dear Ms. Norris:

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 this appeal because the Notice of Appeal indicates it is an appeal of Silas Harris and also that of Marvis Mahone. From the record, it appears that this is the appeal of Silas Harris, however, since the Notice of Appeal does not indicate that in the body of the Notice of Appeal, we are unable to docket this record.

When counsel for appellant files an amended Notice of Appeal to correct this discrepancy, 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. Joseph J. Saia
Circuit Public Defender

RECORDS RETURN NOTICE

DATE 12/21/07

Style Selas Harris v. The State

Lower Court Spalding Superior

Lower Court Case NO. OCR 289

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal *Notice of Appeal*
- Order not stamped filed *Name incorrect*
- 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 _____

OFFICE OF

Clerk Superior Court
and State Court of Spalding County

MARCIA L. NORRIS, CLERK

P. O. Box 1046
Griffin, Georgia 30224

770-467-4309

December 19, 2007

Court of Appeals
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

Dear Court of Appeals:

Please find enclosed the Notice of Appeal in Spalding County case number 06R-289, The State vs. Silas Harris.

Please be advised that the Notice of Appeal was filed on November 6, 2007 and a Pro Se Motion for Change of Appellate Counsel as filed on November 5, 2007. The Order concerning the Pro Se's motion was not filed until December 13, 2007 - therefore the delay in sending the Notice of Appeal.

In the Notice of Appeal, it references a transcript on the Motion for New Trial. After checking with the court reporter, a transcript will not be filed as the hearing was done in chambers.

If you have any questions, please do not hesitate to contact me at the above number.

Sincerely,



Marcia L. Norris, Clerk
Spalding Superior Court

mln/enclosure

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 26, 2007

Ms. Shonell M. Sfreddo
Clerk, Cobb County Juvenile Court
1738 County Services Parkway, S.W.
Marietta, Georgia 30008-4028

RE: Your Case Numbers: 06-CV-7744-05; 07-CV-0146-05; 07-CV-0241-05
In the Interest of: M.L., a Child
Your Case Numbers: 07-CV-0147-05; In the Interest of: D.W., a Child
Your Case Numbers: 07-CV-0148-05; In the Interest of: T.S., a Child
Your Case Numbers: 07-CV-0149-05; In the Interest of: R.S., a Child

Dear Ms. Sfreddo:

I am in receipt of the record in the above appeals which were forwarded from your office to ours. Please be advised that we are unable to docket these appeals because the record contains an outstanding Motion for New Trial. Notwithstanding the Statement of Lawrence W. Daniel, who filed the Notice of Appeal, that the filing of the Notice of Appeal moots the Motion for New Trial, this Court does not agree.

When the trial court enters an order denying the Motion for New Trial, or counsel files a notice withdrawing the Motion for New Trial, please return the record to this office for docketing. Obviously, should the trial court grant the Motion for New Trial, it may obviate the need for an appeal.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of further 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: Lawrence W. Daniel, Esq.

RECORDS RETURN NOTICE

DATE 12/26/07

Style In the Interest of: M.L., D.W., T.S., and R.S.,
children

Lower Court Cobb Juvenile

Lower Court Case NO. 06CV7744-05; 07CV0146-05; 07CV0241-05;
07CV0147-05; 07CV0148-05; 07CV0149-05.

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

led or Appealed to one/jurisdiction to other
ied front/back
side printed of duplex document

*Bill -
per the NOA;
att'y states motion
for new trial to
meet by filing of
the Notice of Appeal -
per central staff -
this is incorrect.
Patty*

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 28, 2007

Mr. Daniel Massey
Clerk, Chatham County Superior Court
133 Montgomery Street
Post Office Box 10227
Savannah, Georgia 31412-0427

RE: Your Case Number: CR05-2459-FR
Robert Field v. The State

Dear Mr. Massey:

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 this appeal as submitted.

The record contains the Notice of Appeal in the main case and a Notice of Appeal in a companion case. We are only able to docket one Notice of Appeal per record.

Please remove the second Notice of Appeal and return it along with the Notice of Appeal in the record in the main case.

It is not necessary to reduplicate the record for the Notice of Appeal in the companion case. Simply send the Notice of Appeal in the companion case along with your certification and the record in the main appeal.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 12/27/07

Style Robert Field v. The State

Lower Court Chatham County Superior

Lower Court Case NO. CR05 2459 FR

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 28, 2007

Ms. Rhonda W. Smith
Clerk, Superior Court
Butts County Courthouse
26 Third Street • Post Office Box 320
Jackson, Georgia 30233

ATTN: Patricia L. Smith, Deputy Clerk

RE: Your Case Number: 06-V-154(W)
Richard M. Roberts v. Bank of America, N.A.
Your Case Number: 07-V-621(W)
Richard M. Roberts v. Bank of America, N.A.

Dear Ms. Smith:

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 for the following reasons. First, there is no Certificate of Service showing the complete name and mailing address of opposing counsel. Without the complete name and mailing address of opposing counsel, this office is unable to send out the appropriate Docketing Notices. Secondly, the Notice of Appeal is deficient in that it does not state what order is being appealed and which appellate court has jurisdiction. The appellant should refer to OCGA §5-6-37 for the appropriate contents of the Notice of Appeal. Finally, the Notice of Appeal does not contain the complete name and mailing address of the appellant. Without this information, we are unable to send the appellant the appropriate Docketing Notice to advise the appellant of the Briefing Schedule and other important information.

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

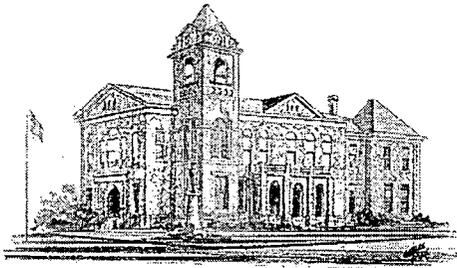
Sincerely,



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

WLM, III/ld
Enclosures

Rhonda Waits Smith, Clerk
Beth S. Smith, Chief Deputy Clerk
Patricia L. Smith, Deputy Clerk
Barbara Wilson, Deputy Clerk
Betsy Biles, Deputy Clerk
Frances R. Barnes, Deputy Clerk
Yvonne Johnson, Deputy Clerk
Rhonda Harkness, Deputy Clerk



Thomas H. Wilson, Chief Judge
William A. Fears, Judge
E. Byron Smith, Senior Judge
Towaliga Judicial Circuit
Sharon J. Whitwell, Juvenile Judge
Richard Milam, District Attorney

BUTTS COUNTY CLERK OF SUPERIOR COURT

December 21, 2007

CERTIFIED MAIL, RETURN RECEIPT REQUESTED
NO. 7007 0220 0003 2908 4099

RECEIVED

DEC 26 2007

COURT OF APPEALS
OF GA

William L. Martin, III, Clerk
Court Of Appeals Of Georgia
47 Trinity Avenue, Suite 501
Atlanta, Georgia 30334

Re: Richard M. Roberts
Appellant
Vs: Bank of America, N.A.
Appellee
No. 06-V-154 (W)

Re: Richard M. Roberts
Appellant
Vs: Bank of America, N.A.
Appellee
No. 07-V-621 (W)

Dear Mr. Martin:

Enclosed is a certified copy of the original record and one volume of the original transcript in the above-stated case(s) that is being submitted on appeal.

Sincerely,

Patricia L. Smith
Deputy Clerk

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 31, 2007

Mr. Roy A. Thomas
Clerk, Laurens County Superior Court
P. O. Box 2028
Dublin, Georgia 31040-2028

RE: Your Case Nos. 2000-FE-366-T, 2001-FE-067-S, 2001-FE-068-S,
2001-FE-069-S, 2001-FE-070-S.

Dear Mr. Thomas:

Enclosed please find the record in the above appeals which was forwarded from your office to the Court of Appeals. Please be advised that we are unable to docket this record because the Notice of Appeal indicates a transcript will be filed for inclusion in the record on appeal, and no transcript accompanied the record.

When the court reporter files with your office the transcript, please attach your certificate to the transcript and forward the record and transcript to this office for docketing. If, in fact, there is no transcript in this appeal, when the appellant files an amended Notice of Appeal to reflect that fact, please return the record to this office for docketing.

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

Sincerely,



William L. Martin, III

WLM, III/cw
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 31, 2007

Ms. Cathelene Robinson
Clerk, Fulton County Superior Court
Room C155
136 Pryor Street SW, 1st Floor
Atlanta, Georgia 30303
ATTENTION: WENDY BREWSTER

RE: Your Case No. 2007CV140608. Michael Roper d/b/a Remodeling Group v.
Sean O'Brien et al.

Dear Ms. Brewster:

I am in receipt of the record in the above appeal which was forwarded from your office to the Court of Appeals. Please be advised that we are unable to docket this appeal because the record does not contain an appealable order. When the trial court files a copy of the order or judgment disposing of the case, please include a stamped filed copy of the order in the record and return to this office for docketing.

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

Sincerely,



William L. Martin, III

WLM, III/cw
Enclosure

*The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 2, 2008

Ms. Betty Sanders
Clerk, DeKalb County State Court
104 DeKalb County Courthouse
556 North McDonough Street
Decatur, Georgia 30030-3356

RE: Your Case Numbers: 06D09111
Carol T. Mackey, et al. v. Federal National Mortgage Association

Dear Ms. Sanders:

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 this appeal because the Notice of Appeal indicates that a Transcript of Evidence and Proceedings would be filed with the record on appeal and no transcript accompanied the record. When the court reporter files with your office the transcript, please attach your certificate and send it to this office along with the record for docketing.

If, in fact, no transcript exists for this record, when the appellant files an amended Notice of Appeal to reflect that fact, please return the record to this office for docketing.

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

Sincerely,

Will. L. Martin, III

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

WLM, III/ld
Enclosures

cc: Dwight Bowen, Esq.

RECORDS RETURN NOTICE

DATE 12/31/07

Style CAROL T. Mackey et al v. Federal
National Mortgage Association

Lower Court DeKalb State

Lower Court Case NO. 06D09111

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 2, 2008

Ms. Joanne P. Caldwell
Clerk, Rockdale County Superior Court
Post Office Box 937
922 Court Street
Conyers, Georgia 30012

RE: Your Case Numbers: 2006CR1522
Harbonius Allen v. The State

Dear Ms. Caldwell:

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 this appeal because the Notice of Appeal indicates that a Transcript of Evidence and Proceedings would be filed with the record on appeal and no transcript accompanied the record. When the court reporter files with your office the transcript, please attach your certificate and send it to this office along with the record for docketing.

If, in fact, no transcript exists for this record, when the appellant files an amended Notice of Appeal to reflect that fact, please return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. James S. Purvis
Office of the Public Defender

RECORDS RETURN NOTICE

DATE 12/31/07

Style Harbonius Allen v. The State

Lower Court Rockdale Superior

Lower Court Case NO. 2006CR1522

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 _____

Joanne P. Caldwell

Clerk of Rockdale County Superior Court
Post Office Box 937
Conyers, Georgia 30012
(770) 929-4021

December 21, 2007

Mr. William L. Martin, III, Clerk
Court of Appeals of Georgia
47 Trinity Avenue, Suite 501
Atlanta, Georgia 30334

RE: State of Georgia
vs.
Harbonius Allen

RECEIVED

DEC 26 2007

COURT OF APPEALS
OF GA

Dear Mr. Martin:

Enclosed herewith is an appeal which was filed in the above styled case. along with transcript for your further handling. The Appeal is late due to our work load.

The address of the District Attorney is: Richard R. Read
District Attorney
Roberta Earnhardt
Asst. District Attorney
922 Court Street
Conyers, GA 30012
770-929-4006

The address of the Defendant's Attorney : James Steven Purvis
Office of Public Defender
934 Center Street
Conyers, Georgia 30012

Malinda Walker

Malinda Walker
Deputy Clerk
Rockdale Superior Court

Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 2, 2008

Mrs. Melba H. Fiveash
Clerk, Superior Court
Ware County Courthouse
800 Church Street
Waycross, Georgia 31502-0776

RE: Your Case Number: 07V-0418
Daniel A. Spottsville v. Randy Tielman, Warden

Dear Mrs. Fiveash:

I am in receipt of the two records in the above appeals with the same lower court case number which were forwarded from your office to ours. Please be advised that we are unable to docket these appeals because the Notice of Appeal does not contain a Certificate of Service showing the complete name and mailing address of opposing counsel. Without the complete name and mailing address of opposing counsel, we are unable to send out the appropriate Docketing Notices. If we cannot send out the appropriate Docketing Notices, we cannot docket the appeal.

When the appellant files an amended Notice of Appeal to include the complete name and mailing address of opposing counsel, please return the records to this office for docketing.

I am not sure why the appellant has filed two Notices of Appeal in the same order. If the appellant persists in filing both, please send them to this office. However, I suspect the Court will dismiss one as being duplicitous.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Daniel A. Spottsville
GDC 977050

2 Seperate Notices of Appeal

RECORDS RETURN NOTICE

DATE 12/31/07

Style Daniel Spottsville v. Randy Tielman

Lower Court Ware County Superior

Lower Court Case NO. 07V0418

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 _____



WARE COUNTY COURT HOUSE
WAYCROSS, GEORGIA 31501

MELBA H. FIVEASH
Clerk of Superior Court
State Court of Ware County

P.O. Box 776, Waycross, Georgia
(912) 287-4340

SUPERIOR COURT
STEPHEN L. JACKSON, Chief Judge
DWAYNE H. GILLIS, Judge
MICHAEL P. BOGGS, Judge

COURT TERMS: 1st Monday in April,
2nd Monday in November

STATE COURT
DOUGLAS GIBSON, Judge

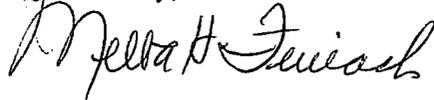
COURT TERMS: 3rd Mondays in March,
June, September & December

December 26, 2007

Mr. William L. Martin, III
Clerk of Court of Appeals of Georgia
47 Trinity Ave Suite 501
Atlanta, Ga. 30334

Dear Mr. Martin:

Enclosed please find the record in the case of Daniel A. Spottsville EF# 977050, versus Randy Tillman, Warden et-al, case number 07V-0418, together with the original Notice of Appeal.

Sincerely,


(Mrs.) Melba H. Fiveash
Clerk Superior Court



WARE COUNTY COURT HOUSE
WAYCROSS, GEORGIA 31501

MELBA H. FIVEASH
Clerk of Superior Court
State Court of Ware County

P.O. Box 776, Waycross, Georgia
(912) 287-4340

December 26, 2007

Mr. William L. Martin, III
Clerk of Court of Appeals of Georgia
47 Trinity Ave Suite 501
Atlanta, Ga. 30334

Dear Mr. Martin:

Enclosed please find the record in the case of Daniel A. Spottsville EF# 977050, versus Randy Tillman, Warden et-al, case number 07V-0418, together with the original Notice of Appeal.

Sincerely,

A handwritten signature in cursive script that reads "Melba H. Fiveash". The signature is written in black ink and is positioned above the typed name and title.

(Mrs.)Melba H. Fiveash
Clerk Superior Court

SUPERIOR COURT
STEPHEN L. JACKSON, Chief Judge
DWAYNE H. GILLIS, Judge
MICHAEL P. BOGGS, Judge

COURT TERMS: 1st Monday in April,
2nd Monday in November

STATE COURT
DOUGLAS GIBSON, Judge

COURT TERMS: 3rd Mondays in March,
June, September & December

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

May 4, 2009

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

RE: Your Case Numbers:
2007CV130937. Janique Barlow v. Phillippi Williams and
2007CV140680. Michelle Donovan v. Kim Wedel

Dear Ms. Robinson:

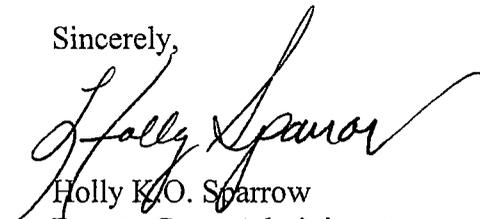
Please find enclosed the records in the above appeals. This Court cannot accept these records since the Notice of Appeal does not have a proper Certificate of Service. The Certificate of Service must show service to the proper opposing party so that we will know to whom to send the Docketing Notices. Each Notice of Appeal should be amended to include a proper Certificate of Service.

Additionally, you should note that in 2007CV130937, the appellant indicates that a transcript of evidence and proceedings will be included although no transcript was included. If there is no transcript in this case, the appellant should remove this language from the amended Notice of Appeal.

Once the Notice of Appeal has been amended, please transmit the record back to us for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 5/1/09

Style Michelle Donovan v. Kim Wedel

Lower Court Fulton Superior

Lower Court Case NO. 2007CV140680

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 _____

CIVIL ACTION FILE NUMBER: 2007CV140680
FROM FULTON SUPERIOR COURT

MICHELLE DONOVAN, APPELLANT
VS
KIM WEDEL, APPELLEE

RECEIVED

APR 30 2009 PAGE

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OF GA

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RECORDS RETURN NOTICE

DATE 5/1/09

Style Janique Barlow v. Phillip Williams

Lower Court Fulton Superior

Lower Court Case NO. 2007 CV130937

REASON:

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- No/improper certificate of Service
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- 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 this is a divorce action

CIVIL ACTION FILE NUMBER: 2007CV130937
FROM FULTON SUPERIOR COURT

JANIQUE BARLOW, APPELLANT
VS
PHILLIPPI WILLIAMS, APPELLEE

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RECEIVED
APR 30 2009
COURT OF APPEALS
OF GA

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

May 8, 2009

Ms. Tee Barnes
Clerk, Supreme Court of Georgia
244 Washington Street, S.W. • Room 572
Atlanta, Georgia 30334

RE: Your Case Number: S08A0328. Morrison v. Morrison
Trial Court Case Number: 2006CV113192
Fulton Superior Court

Dear Tee:

Attached please find a letter I received from Ms. Tina Robinson, Clerk of the Superior Court of Fulton County, Georgia, regarding the record in the above appeal.

The case was initially docketed in the Court of Appeals of Georgia on October 10, 2008 as A08A0364 and transferred by order of this Court to the Supreme Court of Georgia. Currently, there is an appeal pending in this Court A09A1558. Morrison, et al. v. Morrison, et al. In order to adequately brief the appeal and for the judges of this Court to review the enumerated errors, access to the record in your appeal is necessary. In that regard, I am requesting that you send the record in S08A0328 to the Court of Appeals of Georgia in order for this Court to deal with the issues raised in A09A1558. As always, I want to thank you in advance for your help and cooperation.

Sincerely,



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

WLM, III/ld
Enclosure

cc: Ms. Cathelene Robinson, Clerk
Ms. Che'Alexander, Chief Deputy Clerk

CATHELENE "TINA" ROBINSON
CLERK OF SUPERIOR COURT
FULTON COUNTY
(404) 730-5313



ATLANTA JUDICIAL CIRCUIT

May 8, 2009

The Honorable William L. Martin, III
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

RE: Morrison v. Morrison, Fulton County Superior Court Case No. 2006CV113192

Dear Mr. Martin:

The above-referenced case is presently pending before your Court as case number A09A1558.

This case was the subject of a previous appeal in your Court that was case number A08A0364 that was transferred to the Supreme Court and became case number S08A0328.

The currently pending appeal, case number A09A1558 needs to be supplemented with the record of the previous appeal that was transferred to the Supreme Court in order to make a complete record of proceedings in this Court as requested in the Notice of Appeal.

Accordingly, I am respectfully requesting that you ask the Supreme Court to transfer case number S08A0328 to your Court.

Thanks for your assistance.

Sincerely,

Cathelene Robinson (Che')

Cathelene "Tina" Robinson
Clerk of Superior Court

cc: Che' Alexander, Chief Deputy Clerk

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

May 12, 2009

Ms. Joan Lewallen-Jones
Clerk, Stephens County Juvenile Court
555 Monroe Street • Suite 68
Clarkesville, Georgia 30523

RE: Your Case Numbers: 127-07J-467 and 127-07J-468
In the Interest of: A.J.D.S. and J.L.T.S., Children

Dear Ms. Lewallen-Jones:

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 this appeal because the record contains the main Notice of Appeal and companion Notice of Appeal. We can only docket a record that contains one Notice of Appeal.

Please remove the Notice of Appeal in the companion case and send that along with your certification with the return of the record and the Notice of Appeal in the main case to this office for docketing. It is not necessary to re-duplicate the record for the companion Notice of Appeal.

I have enclosed for your review a Guide for the Preparation of Records from the Clerks of the Trial Court for the Court of Appeals of Georgia.

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
Clerk/Court Administrator
Court of Appeals of Georgia

WLM, III/ld
Enclosures

IN THE INTEREST OF

ANDREW JOHNNY DOUGLAS SAVAGE:
127-07J-467, DOB 11-12-2001

JOSHUA LEE TYLER SAVAGE:
127-07J-468, DOB 7-31-2003

FROM

RECEIVED
MAY 07 2009
COURT OF APPEALS
OF GA

STEPHENS COUNTY JUVENILE COURT

TO

GEORGIA COURT OF APPEALS

Robert D. Cullifer
Judge, Juvenile Court
Mountain Judicial Circuit
555 Monroe St.
Unit 68
Clarkesville, Ga. 30523
Presiding-Judge

E.W. Chip Angell, Attorney for Douglas Savage
GA. Bar # 019824
P.O. Box 1741
Toccoa, Ga. 30577
706-886-5884
706-886-9562 Fax

Willie J. Wooduff, Jr., Attorney for Amy Kelly
Ga. Bar #775212
P.O. Box 507
Toccoa, Ga. 30577
Phone 706-886-7553

Special Assistant Attorney General
Stephens County
Department of Family And Children Services
Ms. Marie Evans
Ga. Bar # 251404
P.O. Box 2195
Clarkesville, Ga.30523
706-297-7806
706-297-7705 Fax

RECORDS RETURN NOTICE

DATE 5/12/09

Style In The Interest of: A.T.D.S. + T.L.T.S., Children

Lower Court Stephens County Juvenile

Lower Court Case NO. 127-07J-467; 127-07J-468

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
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JUVENILE COURTS
MOUNTAIN JUDICIAL CIRCUIT OF GEORGIA
JOAN LEWALLEN JONES, Clerk

555 Monroe St., Unit 68
Clarkesville, GA 30523

706-754-6308
Fax 706-754-0047

April 23, 2009

From Joan Lewallen Jones
Clerk of Juvenile Court
Mountain Judicial Circuit of Georgia
555 Monroe Street Unit 68
Clarkesville, Ga. 30523

RECEIVED
MAY 07 2009
COURT OF APPEALS
OF GA

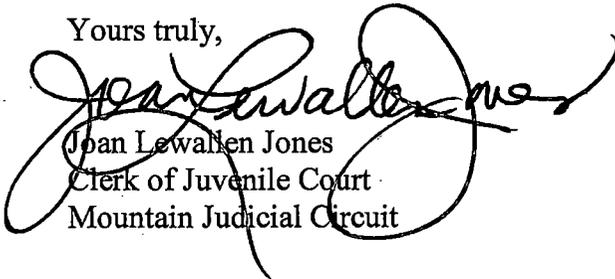
To Court of Appeals of Georgia,

This is to notify you that the appeal is late for filing due to the work load and limited help and support available and is not due to the Appellant/Appellee. I am doing everything possible with the fact I am one person that is staffed in this position to provide this service and to keep current of so many new and emergency situations in those cases that have stretched me to the limits as case loads and paperwork have increased in these difficult times.

My effort to provide detailed and correct information to you was my chief concern as these cases are so important to the children involved.

Due to errors in this case, it took must time to provide the best information that the file have provided. Please excuse the time it took me and take into account my diligent and faithful service to the court and to my office.

Yours truly,


Joan Lewallen Jones
Clerk of Juvenile Court
Mountain Judicial Circuit

**GUIDE FOR TRIAL COURT CLERKS
IN TRANSMITTING RECORDS
TO THE COURT OF APPEALS OF GEORGIA**

The Clerk's Office of the Court of Appeals of Georgia appreciates the assistance of the trial court clerks in preparing records for docketing in our Court. These guidelines will assist in the preparation of records and transcripts for transmission to this Court. We hope this information will be helpful to you and avoid our having to return records and transcripts to your offices. If you have any questions regarding these guidelines or in the preparation of any record or transcripts for this office, please feel free to call Patty Bender, (404) 657-8353 or Bill Martin (404) 657-8352. We will be happy to assist you.

PREPARING THE RECORD FOR TRANSMISSION

1. Create a complete Index of the record. Number the pages consecutively, and do not make a separate index for each volume of the record. The items of the records should be arranged as follows: the Index, Notice of Appeal and/or amended Notice of Appeal and record documents arranged in chronological order. It is very helpful if you place the date of the order or motion next to all orders and motion titles. The transcript(s) may be listed at the end of the record index.
2. The Notice of Appeal should be on 8 ½ x 11 inch, letter sized paper, and should show the name of the attorney or pro se party (typed or printed legibly) and his/her address. An attorney's bar number should be placed below his/her name or with the address. Make sure the Notice of Appeal has a legible stamped "filed" date and has a proper Certificate of Service showing the full name and complete mailing address of opposing counsel. We cannot accept a general rubber stamp as a proper Certificate of Service.

The Notice of Appeal when prepared by the attorney or pro se party should state to which court he/she is appealing, the Court of Appeals or the Supreme Court, the order(s) to be appealed and any documents he/she wishes omitted from the record. In the Notice of Appeal, the Court appealed to and the Court having jurisdiction must agree. A clear statement transcripts **ARE** or **ARE NOT** to be transmitted must be included.

3. The Notice of Appeal should show the name of the attorney representing the appellant or the name of the appellant, if he/she is pro se, and show his/her full address, telephone number, and bar number, if applicable. Again, a Certificate of Service must accompany the Notice of Appeal and must show the full name and complete mailing address of opposing attorney or pro se party. This is necessary because we get the addresses of the parties from the address on the Notice of Appeal and the Certificate of Service. Please try to impress upon any pro se parties filing a Notice of Appeal a telephone number should accompany the address, and the address of the opposing pro se party, if possible.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 504
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

May 12, 2009

(404) 656-3450
martinw@gaappeals.us

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

RE: Your Case Numbers: HC00755
Conal Decker v. Loren Grayer, Warden

Dear Ms. Robinson:

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 this appeal because the Notice of Appeal does not contain a Certificate of Service showing the complete name and mailing address of opposing counsel. Without this information, we do not know to whom to send the Docketing Notices.

I noticed that the matter appears to be an appeal from the denial of an Application for Writ of Habeas Corpus. In Georgia, an appeal from the denial of an Application for Writ of Habeas Corpus is to the Supreme Court of Georgia, not the Court of Appeals.

When the appellant files an amended Notice of Appeal to include the complete name and mailing address of opposing counsel, please return the record to this office for docketing. Also, hopefully, the appellant will also amend the Notice of Appeal to reflect that he appeals to the Supreme Court of Georgia, not the Court of Appeals.

This Court will accept the Notice of Appeal to the Court of Appeals, however, on the appeal of an Application for Writ of Habeas Corpus, the same will be transferred to the Supreme Court of Georgia. If the appellant amends the Notice of Appeal, it will speed up the processing of the Application for Writ of Habeas Corpus.

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
Clerk/Court Administrator
Court of Appeals of Georgia

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gappeals.us

May 12, 2009

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

RE: Your Case Numbers: HC00755
Conal Decker v. Loren Grayer, Warden

Dear Ms. Robinson:

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 this appeal because the Notice of Appeal does not contain a Certificate of Service showing the complete name and mailing address of opposing counsel. Without this information, we do not know to whom to send the Docketing Notices.

I noticed that the matter appears to be an appeal from the denial of an Application for Writ of Habeas Corpus. In Georgia, an appeal from the denial of an Application for Writ of Habeas Corpus is to the Supreme Court of Georgia, not the Court of Appeals.

When the appellant files an amended Notice of Appeal, please include the complete name and mailing address of opposing counsel, please return the original Notice of Appeal to the Court of Appeals for docketing. Also, hopefully, the appellant will also amend the Notice of Appeal to indicate that he appeals to the Supreme Court of Georgia, not the Court of Appeals.

cc to appellant

This Court will accept the Notice of Appeal to the Court of Appeals, however, on the appeal of an Application for Writ of Habeas Corpus, the same will be transferred to the Supreme Court of Georgia. If the appellant amends the Notice of Appeal, it will speed up the processing of the Application for Writ of Habeas Corpus.

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

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

WLM, III/ld
Enclosures
cc: Mr. Conal Decker, 41336-074

RECORDS RETURN NOTICE

DATE 5/11/09

Style Conae Decker v. Loren Gray, Warden

Lower Court Fulton Superior

Lower Court Case NO. HCO0755

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
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- Other Habeas

CIVIL ACTION FILE NUMBER: HC00755
FROM FULTON SUPERIOR COURT

CONAL DECKER, APPELLANT
VS
LOREN GRAYER, WARDEN, APPELLEE

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RECEIVED

MAY 06 2009

COURT OF APPEALS
OF GA

FULTON COUNTY STATE COURT OF GEORGIA
SUPERIOR COURT OF FULTON COUNTY

APR 23 2009
Zedra Blair
DEPUTY CLERK SUPERIOR COURT
FULTON COUNTY, GA

CONAL DECKER - Petitioner

v.

LOREN GRAYER, Warden - Respondent

CIVIL ACTION # HC-00755

N O T I C E O F A P P E A L

COMES NOW, the aforesaid Petitioner pro se, to file this Notice of Appeal to the Circuit Court of Appeals over this Court, for denial of access to the courts and challenge the Constitutionality of 42-12-7.1 in its entirety as being contrary to the Federal Constitution and abuse of discretion under **Gall v. United States**, 128 S.Ct. 586 (2007); **Kimbrough v. United States**, 128 S.Ct. 558 (2007); and **Rita v. United States**, 127 S.Ct. 2456 (2007)("differential abuse-of-discretion standard" announced in **Gall** not altered in **Kimbrough** or **Rita**).

This Court summarily denied Petitioner access to the Courts to file a habeas corpus for failure to pay fees without notice, forms to comply with state law, regulations citing state law, or due process of law. Facts in support of granting this appeal are:

1. Petitioner relies solely on the money he makes from prison to provide the copies, typing supplies, personal hygiene supplies (soap, shampoo, deoderant, powder, shaving supplies, toothpaste and the like that is not available to the Petitioner by the prison); in addition to medical appointments (\$2 each visit), dental appointment sick-calls (\$2 each visit); and medical supplies that prison regulations require Petitioner purchase from the prison commissary.

2. Phone calls to his wife and family must also be bore by Petitioner, which are required for Program Review reports, not including stamps needed bought so he can write and mail items to this Court as he is now doing.

3. This Court is requiring petitioner to mail to this Court his entire funds needed for continued communication with the court, or face dismissal as he is now.

4. The United States Constitution guarantees that habeas corpus cannot be suspended, yet, that is exactly what this Court did without the meager funds that Petitioner makes to survive in prison.

5. Where Georgia law requires him to surrender all his funds both at the time of filing and continued until the court costs and expenses are paid as deemed by this Court. That is not a writ of in forma pauperis as the statute portrays it is suppose to be.

6. In forma pauperis, in any court of the United States, means suspension of court costs and funds for access to the courts that this statute now contests and contrary to the U.S. Constitution.

WHEREFORE, Petitioner prays this Honorable Court will hereby provide the ORDER for transferal of this denial/dismissal of habeas corpus without prepayment of fees to the presiding court over this Court as law requires, give the proper address in the State of Georgia for process thereof, and file this as a Notice of Appeal to that Court for abuse of discretion and being contrary to the U.S. Constitution that trumps State legislation where citizen rights are abridged.

Respectfully submitted,



CONAL DECKER, 41336-074
P.O. Box 150160
Atlanta, GA 30315-0160

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

May 4, 2009

Ms. Linda T. Miller
Clerk, Superior Court
Clayton County
Harold W. Banke Justice Center
9151 Tara Boulevard
Jonesboro, Georgia 30236

RE: Your Case Number: 2008CV00784-6
Taylor A. Davis, et al. v. Renee Bright

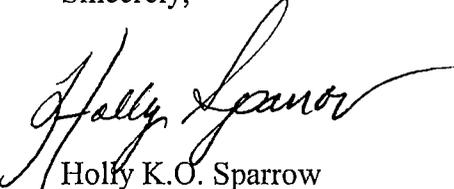
Dear Ms. Miller:

I am returning to you the above appeal that you transmitted to us. This Court cannot accept the record since the Notice of Appeal does not have a Certificate of Service. The Notice of Appeal must be accompanied by a Certificate of Service to the opposing party and include his or her complete mailing address. Without a Certificate of Service, we will not be able to determine to whom to send the Docketing Notice for the appeal.

Once the Notice of Appeal has been amended by the Appellant, please fix the Index, as necessary, and return the record to this Court.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

cc: Grady K. Dukes, Esq.



GEORGIA COURT OF APPEALS
STATE OF GEORGIA

DAVIS TAYLOR A, ET AL
 Appellant(s)

2008-CV-00784-06

VS.

APPEAL # 04296

BRIGHT RENEE, ET AL
 Appellee(s)

RECEIVED
 APR 29 2009
 COURT OF APPEALS
 OF GA

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

May 4, 2009

Ms. Connie Reed
Clerk, Superior Court of Murray County
Post Office Box 1000
Chatsworth, Georgia 30705-1000

RE: Your Case Number: 08-CI-938
Bettina R. Petereit v. John T. Longino

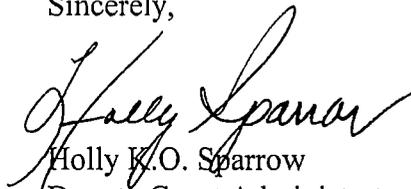
Dear Ms. Reed:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the Notice of Appeal does not contain a Certificate of Service showing the complete name and mailing address of the opposing party. Without this information, we do not know to whom to send the Docketing Notice.

When the appellant files an amended Notice of Appeal to include a complete name and mailing address of the opposing counsel, please include that in the record and Index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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



RECEIVED

APR 29 2009

COURT OF APPEALS
OF GA

Civil Action File No.
08-ci-938

IN THE SUPERIOR COURT OF MURRAY COUNTY
STATE OF GEORGIA

Bettina R. Petereit
Plaintiff

vs.

John T. Longino
Defendant

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IN THE SUPERIOR COURT FOR THE COUNTY OF MURRAY

STATE OF GEORGIA

JOHN THOMAS LONGINO, : CASE NUMBER: 05-CI-115
Plaintiff, :
v. :
: :
BETTINA R. PETEREIT :
Defendant. :

PROCEEDINGS BEFORE THE HONORABLE **ARTHUR FUDGER**,
IN CHATSWORTH, GEORGIA
ON FEBRUARY 06, 2006

APPEARANCES:

JOHN T. LONGINO, ESQUIRE
POST OFFICE BOX 310
ELLIJAY, GEORGIA 30541
PRO SE

MICHAEL D. McCHESNEY
244 ROSWELL STREET, SUITE 800
MARIETTA, GEORGIA 30060
FOR THE DEFENDANT

LISA P.S. SHORT, CCR
APPALACHIAN COURT REPORTING
POST OFFICE BOX 943
BLAIRSVILLE, GEORGIA 30514

ORIGINAL

IN THE SUPERIOR COURT OF MURRAY COUNTY
STATE OF GEORGIA

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JOHN T. LONGINO,	:	CIVIL ACTION FILES NO:
	:	
Plaintiff	:	06-CI-1629
	:	Motion for attorney's fees
-vs-	:	
	:	07-CI-1801
BETTINA R. PETEREIT,	:	Motion to lift lis pendens
	:	
Defendant	:	08-CI-1561
	:	Motion for contempt of
* * * * *	:	visitation
	:	
BETTINA R. PETEREIT,	:	08-CI-938
	:	Motion for contempt of
Plaintiff	:	child support
	:	
-vs-	:	07-CI-1801
	:	Status hearing on RICO case
JOHN T. LONGINO,	:	
	:	
Defendant	:	

MOTIONS HEARING

Before the Honorable Shepherd L. Howell

December 8, 2008

Murray County Courthouse

Chatsworth, Georgia

For MR. LONGINO: Pro Se

For MS. PETEREIT: Pro Se

JULIA OLSEN
Certified Court Reporter
770-387-5129

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

May 1, 2009

Ms. Melica Kendrick
Clerk, Superior Court of Whitfield County
300 West Crawford Street
Post Office Box 868
Dalton, Georgia 30720

RE: Your Case Number: 48168-M
Ernest Perez v. The State

Dear Ms. Kendrick:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. If the applicant is attempting to file an Interlocutory Application, that would need to be filed directly with the Court of Appeals following the provisions of OCGA §5-6-34(b) and the rules of this Court.

This case is presently been before the Court as A09A1158. Ernest Perez v. The State and A09A1362. Ernest Perez v. The State. Both of these appeals were dismissed.

I am returning these documents to you in case you need to share them with Mr. Perez.

Sincerely,



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

WLM, III/ld
Enclosures

cc: Michael A. Corbin, Esq.
505 South Thornton Avenue
Dalton, Georgia 30720

Court of Appeals of the State of Georgia

ATLANTA,

The Court of Appeals hereby passes the following order:

PROPOSED ORDER (A09A1158.92) April 30, 2009 (by DERRICO)	
AGREE	DISAGREE

A09A1158. ERNEST PEREZ v. THE STATE.

Ernest Perez a notice of direct appeal from the order denying his motion to suppress. The case remains pending below; thus, Perez was required to follow the interlocutory appeal procedure. OCGA § 5-6-34 (b); *Genter v. State*, 218 Ga. App. 311 (460 SE2d 879) (1995). Although Perez obtained a certificate of immediate review from the trial court within ten days of the denial of his motion to suppress, and although Perez filed an “application for appellate review” in the trial court, he failed to file his application for interlocutory review in this Court, as required by OCGA § 5-6-34 (b). His failure to apply for and obtain an order from this Court granting him the right to file a direct appeal deprives this Court of jurisdiction of this appeal, which is accordingly **DISMISSED**. See *Hargraves v. Turner*, 160 Ga. App. 807, 808 (287 SE2d 664) (1982).

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

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

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

....., Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA,

The Court of Appeals hereby passes the following order:

PROPOSED ORDER (A09A1362.71) April 30, 2009 (by Mattuch)	
AGREE	DISAGREE

A09A1362. PEREZ v. THE STATE.

A jury found Ernest Perez guilty of two counts of burglary and four counts of theft by receiving. We reversed this conviction based upon the ineffectiveness of Perez' trial counsel, who failed to seek suppression of evidence.¹ Upon retrial, Perez' new attorney filed a motion to suppress, which the trial court denied. Although the trial court issued a certificate of immediate review, Perez did not file an application for interlocutory appeal as required by OCGA § 5-6-34 (b) and Court of Appeals Rule 30. Instead, Perez filed a direct appeal, which was dismissed for lack of jurisdiction by order dated February 26, 2009.

Perez subsequently filed a motion for out-of-time appeal in the trial court, incorrectly asserting that his appeal in this Court had been dismissed because a notice of appeal was not properly included by the lower court clerk. The trial court purported to grant the motion for out-of-time appeal, and Perez once again has filed a direct appeal in this Court seeking to challenge the denial of his motion to suppress.

~~Perez fundamentally misconstrues the nature of an interlocutory appeal. As OCGA § 5-6-34 (b) makes clear, an application for interlocutory appeal is filed by the applicant with the clerk of the Court of Appeals.~~ It is not transmitted from the trial court. The application must contain the order on appeal, the timely granted certificate of immediate review, and such "parts of the record as [the applicant] deems appropriate." Perez has failed to comply with this statutory requirement and it was for this reason that his prior appeal was dismissed. This appeal must be dismissed for

¹ See *Perez v. State*, 284 Ga. App. 212 (643 SE2d 792) (2007).

the same reason.

The denial of a motion to suppress is an interlocutory order and thus Perez must comply with the appropriate interlocutory appeal procedure in order for this Court to have jurisdiction to entertain his appeal.² The trial court's grant of Perez' motion for out-of-time appeal does not alter this fundamental requirement. Accordingly, this appeal is hereby DISMISSED for lack of jurisdiction.

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

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

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

....., Clerk.

² See *Genter v. State*, 218 Ga. App. 311 (460 SE2d 879) (1995); *Hargraves v. Turner*, 160 Ga. App. 807, 808 (287 SE2d 664) (1982).



STATE OF GEORGIA

*

WHITFIELD COUNTY SUPERIOR COURT

VS

*

CASE NO: 48168-M

ERNEST PEREZ

*

JULY TERM, 2003

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RECEIVED

APR 29 2009

COURT OF APPEALS
OF GA

IN THE SUPERIOR COURT OF WHITFIELD COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

VS.

ERNEST PEREZ,

Defendant

:
:
:
:

CASE NO. 48168

CLERK OF SUPERIOR COURT

Arnold Roney

2006 AUG 1 PM 1 37

FILED & RECORDED
WHITFIELD COUNTY, GA.

TRANSCRIPT

MOTION FOR NEW TRIAL

February 17, 2006

Whitfield County Courthouse

Dalton, Georgia

The Honorable Cindy Morris, Presiding

APPEARANCES OF COUNSEL

For the State of Georgia: Lee Miles, Esq.

For the Defendant: Bentley Adams, Esq.

DEBORAH F. HOGSHEAD, CCR.

OFFICIAL COURT REPORTER
CONASAUGA JUDICIAL CIRCUIT

Post Office Box 323
Calhoun, Georgia 30703

COPY

*The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 29, 2009

Mrs. Melba H. Fiveash
Clerk, Ware County State Court
Post Office Box 776
Waycross, Georgia 31501

RE: Your Case Number: 07D-0220
Joseph Williams v. Randy Tillman, Warden

Dear Melba:

Enclosed please find the original record which accompanied the transcripts submitted by you in the above appeal. As I indicated to you, the Notice of Appeal indicates the appeal is to the Court of Appeals of Georgia, however it should have been the Supreme Court since it is a habeas corpus matter.

I shall docket the appeal and I presume that the case will be transferred to the Supreme Court.

Enclosed please find the original record that you submitted along with the transcripts. I have made a copy of the record for our purposes.

If you have any questions or if I can be of 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

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

April 22, 2009

Ms. Evonne S. Mull
Clerk, Superior Court of Dougherty County
Post Office Box 1827
Albany, Georgia 31702-1827

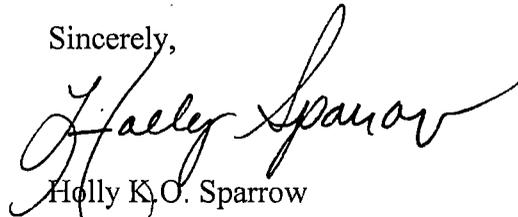
RE: Your Case Number: 2006SU-R-124
Kentroyia Kentrelle Williams v. The State

Dear Ms. Mull:

Enclosed please find the record for the above appeal which was transmitted from your office to our office. Please look at page 135 of the record. Although titled Notice of Appeal, this page seems to contain a Motion for an Out-of-Time Appeal and a Request for Appointment of Counsel. If that is correct, these motions need to be dealt with by the trial court judge before a Notice of Appeal is transmitted to this office.

If these motions have already been disposed, please provide the orders and return the record to us. I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of further 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

RECORDS RETURN NOTICE

DATE 4/20/09

Style Kentroyia Williams v. The State

Lower Court Dougherty Superior

Lower Court Case NO. 2006SU R 124

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 on page 95 - nt asked to be appointed counsel

✓
per Rachel - looks like he is filing a motion for out of time appeal on page 135 - (it is styled as "Notice of Appeal") - no order

IN THE GEORGIA COURT OF APPEALS
FROM
DOUGHERTY COUNTY SUPERIOR COURT

WILLIAMS KENTROYIA KENTRELL
APPELLANT

vs.

STATE OF GEORGIA
APPELLEE

RECEIVED
APR 20 2009
COURT OF APPEALS
OF GA

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In the Superior Court of Dougherty County

Kentroya Kentrelle Williams
petitioner

Vs

State of Georgia
respondant

Indictment No. *D62-124*

Notice of Appeal

Comes, now said petitioner an the above system case and thus files said motion as pro-se proforma and jurisdiction is proper as a matter of law pursuant to rule 5-6-33 (A) (1). Asking the Honorable Willie E. Lockette to grant an appeal wherein the petitioner was never advised of his right to appeal at the sentencing phase of trial. See T.T pg. 357-360. The petitioner was (denied) as it was his right to a direct appeal as provided in Georgia Law Code 5-6-33(A)(1). The appellant practice act are mandatory the petitioner also contends that Mr. Leonard Farkas never appealed or advised him of his appeal rights as it was his duty before ceasing his representation. By the petitioner being aware of this after trial he was "suprised and prejudiced". Petitioner would also like to secondly ask that the Court appoint an Attorney to represent the petitioner on his appeal process.

FILED
2009 MAR -9 AM 7:46
EYONNE S. MULL
DOUGHERTY COUNTY
CLERK OF COURTS

(1)

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 29, 2009

Ms. Rhonda Payne
Clerk, Superior Court
Douglas County Courthouse
8700 Hospital Drive
Douglasville, Georgia 30134-2264

RE: Your Case Numbers: 99CR00955
Matthew Ross, III v. The State

Dear Ms. Payne:

Again I must return to you the record in the above appeal. Enclosed please find a copy of my letter of April 15, 2009 stating why the record has been returned.

If there is no Notice of Appeal filed in your office on May 24, 2006, when the appellant files an amended Notice of Appeal to reflect that fact, please include the amended Notice of Appeal in the record and Index and return it to this office for docketing.

Sincerely,



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

WLM, III/ld
Enclosures

cc: Mr. Matthew Ross, III
GDC340564

*The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

COPY

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 15, 2009

FILED

APR 17 2009

Rhonda G. Payne, Clerk
Superior & State Court
Douglas County, GA

Ms. Rhonda Payne
Clerk, Superior Court
Douglas County Courthouse
8700 Hospital Drive
Douglasville, Georgia 30134-2264

RE: Your Case Numbers: 99CR00955
Matthew Ross, III v. The State

Dear Ms. Payne:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised that we were unable to docket this appeal because the record does not contain the original Notice of Appeal. This office must have the original Notice of Appeal, and the amended Notice of Appeal.

Please include a stamped filed copy of the original Notice of Appeal filed May 24, 2006 along with the amended Notice of Appeal and return to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

I called + spoke to Consetta Sellars who again
stated they do not have this NOA -

She was advised to forward record by
trial court Judge.

03-12-99 - Motion: Bond by Defendant
03-22-99 - Rule Nisi by Judge
04-05-99 - Notice: (See Memo) by Defendant
04-05-99 - Notice: Appearance Of Counsel by Defendant
04-05-99 - Motion: Discovery by Defendant
04-05-99 - Motion: Bond by Defendant
04-05-99 - Rule Nisi by Judge
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04-20-99 - Order: (See Memo) by Judge
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06-15-99 - Letter/Correspondence: See Memo by District Attorney
06-24-99 - Notice: Appearance Of Counsel by Defendant
06-25-99 - Motion: Bond by Defendant
06-30-99 - Order: Denying Motion (See Memo) by Judge: "MOTION FOR RECONSIDERATION OF BOND DENIED"
07-07-99 - Letter/Correspondence: See Memo by Defendant
07-23-99 - Motion: (See Memo) by Defendant
07-27-99 - Rule Nisi by Judge
08-06-99 - Notice: Conflict by Defendant
08-20-99 - Motion-Amended: (See Memo) by Defendant
08-23-99 - Notice: Calendar Call by Court Clerk
(Entity Xref) Defendant MATTHEW ROSS, III, Party Xref [13], 10-29-99, Notice To: [NOT]
(Entity Xref) District Attorney: WILLIAM H MCCLAIN, Party Xref [13], 10-29-99, Notice To: [NOT]
(Entity Xref) Former Attorney For Defendant: ERIC S OGREY, Party Xref [13], 10-29-99, Notice To: [NOT]
(Entity Xref) Former Attorney For Defendant: LEONARD DANLEY, SR, Party Xref [13], 10-29-99, Notice To: [NOT]
(Entity Xref) Attorney For Defendant: LEE SEXTON, Party Xref [13], 10-29-99, Notice To: [NOT]
Notice To: Defendant MATTHEW ROSS, III
Notice To: District Attorney: WILLIAM H MCCLAIN
Notice To: Former Attorney For Defendant: ERIC S OGREY
Notice To: Former Attorney For Defendant: LEONARD DANLEY, SR
Notice To: Attorney For Defendant: LEE SEXTON
09-07-99 - Notice: Conflict by Defendant
10-19-99 - Notice: Conflict by Attorney For Defendant
10-28-99 - Verdict: Bench Trial by Judge
11-17-99 - Notice: Conflict by Attorney For Defendant: RE: Sentencing 11/23/99
12-02-99 - Motion: New Trial by Attorney For Defendant
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02-25-00 - Motion: Leave Of Absence by Attorney For Defendant: LOA FOR ATD: 3/15-3/24/2000; 4/26-5/5/2000; 8/7-8/18/2000;
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09-25-00 - Transcript Of Court Trial/Hearing by Cathy Cox, CCR: "MOTION TO SUPPRESS 8/24/99"
10-09-00 - Rule Nisi by Judge: MOTION FOR NEW TRIAL
10-09-00 - Order: Produce Prisoner by Judge: THE PRODUCTION ORDER HAS THE WRONG COURT DATE - SHOULD
10-12-00 - Order: Produce Prisoner by Judge: COURT DATE 11/14/2000
11-06-00 - Motion-Amended: (See Memo) by Attorney For Defendant: AMENDED MOTION FOR NEW TRIAL
11-08-00 - Notice: Conflict by Attorney For Defendant: Re: Motions Cal. 11/14/00
11-21-00 - Order: Produce Prisoner by Judge: COURT DATE 12/5/2000
11-28-00 - Notice: Conflict by Attorney For Defendant: Re: Trial Cal. 11/27/00
(Entity Xref) Attorney For Defendant: LEE SEXTON, Party Xref [13], 11-28-00, Filed By: [FLD]
Filed By: Attorney For Defendant: LEE SEXTON
~~12-22-00 - Notice: Appeal by Defendant: "MAILED TO COURT OF APPEALS 11/15/2001"~~
07-02-01 - Letter/Correspondence: See Memo by Defendant: "INQUIRING IF TRANSCRIPTS HAVE BEEN PREPARED"
07-09-01 - Motion: (See Memo) by Defendant: REQUEST FOR TRANSCRIPT ADDRESSED TO CATHY COX, COURT
08-30-01 - Motion: (See Memo) by Defendant: COPY OF MOTION FOR DUE PROCESS ON RIGHT TO APPEAL
10-29-01 - Motion: (See Memo) by Defendant: "MOTION FOR WRIT OF MANDAMUS-SEE MEMO"
10-30-01 - Miscellaneous Pleadings: (Memo) by Judge
11-05-01 - Order: Denying Mot For New Trial by Judge
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11-20-01 - Notice: Appeal Docketing by Wm Martin Clerk Ct Of Appeals
04-11-02 - Application: Sentence Review by Defendant
10-04-02 - Judgment: Remittitur by Wm Martin Clerk Ct Of Appeals: "COURT OF APPEALS AFFIRMED JUDGMENT"
11-07-02 - Order: Of Appellate Court (Memo) by Judge: MAKING JUDGM'T OF COURT OF APPEALS THE JUDGM'T OF THIS COURT
07-21-03 - Order: (See Memo) by Other: SUPERIOR COURTS SENTENCE REVIEW PANEL- ORDER & REMITTITUR
04-25-06 - Motion: (See Memo) by Defendant Pro Se: MOTION TO VACATE, SETASIDE AND CORRECT OF VOID SENTENCE AND
05-01-06 - Order: Denying Motion (See Memo) by Judge: DEF'S MOTION TO VACATE...*1
07-10-08 - Letter/Correspondence: See Memo by Defendant: LETTER FROM DEF REQUESTING COPIES, SENT 07-11-2008
~~02-13-09 - Notice: Appeal by Defendant: "WCERTIFICATE OF IMMEDIATE REVIEW TO COURT OF APPEALS 4/9/09"~~
02-18-09 - Notes by Court Clerk: SENT TO LAW CLERK TO REVIEW FILING OF 2/13/09 -SEE MEMO
04-07-09 - Letter/Correspondence: See Memo by Defendant: LETTER FROM DEFENDANT, SENT TO LAW CLERK 04-07-2009
04-09-09 - Notes by Court Clerk: COPY OF APPEAL INDEX, BACKINGS & NOTICES TO ATTORNEYS

Patty,
The above is a print-out of all documents entered into this case. I don't see where our court ever received any other Notice of Appeal from this defendant. I have rechecked our file & find no other Notice of Appeal except for those marked above. If the defendant has a filed stamped copy of another Notice of Appeal that he can produce, we will definitely be interested in seeing it. Sincerely,
Cynthia Bellus

IN THE COURT OF APPEALS
STATE OF GEORGIA

RECEIVED

APR 14 2009

COURT OF APPEALS
OF GA

MATTHEW ROSS, III

VS.

STATE OF GEORGIA

RECEIVED

APR 20 2009

COURT OF APPEALS
OF GA

CASE NO. 99CR00955

DOUGLAS SUPERIOR COURT
DOUGLAS JUDICIAL CIRCUIT

APPEAL INDEX

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IN THE SUPERIOR COURT OF DOUGLAS COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

CRIMINAL ACTION

VS.

FILE NUMBER CR99-955

MATTHEW ROSS, III

PLEA OF GUILTY

TRANSCRIPT OF PROCEEDINGS

Before THE HONORABLE DONALD B. HOWE, on
Tuesday, October 19, 1999, in Douglasville,
Douglas County, Georgia.

APPEARANCES OF COUNSEL:

FOR THE STATE: WILLIAM McCLAIN, ESQUIRE
Assistant District Attorney
Douglas County Courthouse
Douglasville, Georgia 30134

FOR THE DEFENDANT: LEE SEXTON, ESQUIRE
137 W. Mill Street
Suite B
Jonesboro, Georgia 30236

CATHY COX
OFFICIAL COURT REPORTER
DOUGLAS COUNTY JUDICIAL CIRCUIT
369 Bruce Road
Douglasville, Georgia 30134
(770) 920-7461

SUPERIOR COURT
DOUGLAS COUNTY, GA
CINDY W. CHAFFIN, CLK.

2001 NOV 15 A 11:36

FILED

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IN THE SUPERIOR COURT OF DOUGLAS COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

CRIMINAL ACTION

CR99-955

VS.

FILE NUMBER ~~CR99-955~~

MATTHEW ROSS, III

SENTENCING

TRANSCRIPT OF PROCEEDINGS

Before THE HONORABLE DONALD B. HOWE, on
Tuesday, November 23, 1999, in Douglasville,
Douglas County, Georgia.

APPEARANCES OF COUNSEL:

FOR THE STATE: WILLIAM MCCLAIN, ESQUIRE
Assistant District Attorney
Douglas County Courthouse
Douglasville, Georgia 30134

FOR THE DEFENDANT: LEE SEXTON, ESQUIRE
137 W. Mill Street
Suite B
Jonesboro, Georgia 30236

CATHY COX
OFFICIAL COURT REPORTER
DOUGLAS COUNTY JUDICIAL CIRCUIT
369 Bruce Road
Douglasville, Georgia 30134
(770) 920-7461

COPY

SUPERIOR COURT
DOUGLAS COUNTY, GA
CINDY N. CHAFFIN, CLK.

2000 SEP 25 P 12:1

FILED

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 15, 2009

Mr. Greg Allen
Clerk, Superior Court
Forsyth County Courthouse
100 Courthouse Square
Cumming, Georgia 30040

RE: Your Case Numbers: 07CR0362
Brushawn Perry Fletcher v. The State

Dear Mr. Allen:

I have enclosed the record in the above appeal. We are unable to docket this appeal because the record does not contain the Motion for New Trial. Also, the record has a Motion for Out-of-Time Appeal pending. Please include a stamped filed copy of the Motion for New Trial in the record and Index and return the record to our office for docketing.

I regret having to return the record to you. As always, please do not hesitate to contact me for any questions or assistance you may need.

Sincerely,



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

WLM, III/ld
Enclosures

RECORDS RETURN NOTICE

DATE: 4/13/09

Style: Brushawn Perry Fletcher v. The State

Lower Court: Forsyth Superior

Lower Court Case No.: 07CR0362

REASON:

- No/Improper certificate of service
- Improper Notice of Appeal
- Order not stamp filed
- Transcripts
- Notice of Appeal not stamp 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 Appeals does not state to which Court
- Appealed to one Court/states jurisdiction to other
- Pages copied on front and back
- Only one side printed of duplex document
- Other pending motion for out of time appeal.
(hearing scheduled for April 15, 2009)



IN THE SUPERIOR COURT OF FORSYTH COUNTY

STATE OF GEORGIA

RECEIVED

APR 10 2009

COURT OF APPEALS
OF GA

STATE OF GEORGIA,
PLAINTIFF

VS.

BRUSHAWN PERRY FLETCHER,
DEFENDANT

INDICTMENT NO. 07CR-0362

APPEAL INDEX

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3. CONSENT ORDER, FILED OCTOBER 16, 2006	5
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STATE OF GEORGIA,

v.

BRUSHAWN PERRY FLETCHER,
Defendant

Indictment No. 07-CR-0362

Paul B. O'Keefe
CLERK SUPERIOR COURT

NOTICE OF APPEAL

Notice is hereby given that Brushawn Perry Fletcher, Appellant herein, hereby appeals to the Court of Appeals from the judgment of conviction and sentence entered by the Honorable Superior Court of Forsyth County on this 3rd day of November, 2008, and this court's denial of Defendant's Motion in Arrest of Judgment entered on February 20, 2009.

1.

The offense for which Defendant was convicted and appeals includes two felonies, Vehicular Homicide by DUI-per se and Vehicular Homicide by Reckless Driving, as well as two misdemeanors, DUI-less safe and Driving while License Suspended.

2.

The Clerk will please omit nothing from the record, including all audio and video recordings.

3.

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

Jurisdiction of this appeal is in the Court of Appeals since the issues involve errors of law committed by the Trial Court during Defendant's trial in which the Defendant was convicted of Vehicular Homicide by DUI-per se, Vehicular Homicide by Reckless Driving, DUI-less safe and Driving while License Suspended.

5.

This appeal is filed within 30 days of the ruling by this court on the Motion in Arrest of Judgment, despite a pending Motion for New Trial that was filed by other legal counsel. This filing is made to protect the appellate rights of Defendant.

Respectfully submitted this 19th day of March 2009.



William C. Head
Attorney for Appellant
State Bar No. 342050

750 Hammond Drive NE
Suite 5-100
Atlanta, GA 30328-6116
404-250-1113
404-250-1494 fax

STATE OF GEORGIA

STATE OF GEORGIA,

v.

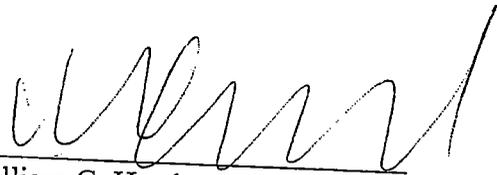
BRUSHAWN PERRY FLETCHER,
Defendant

Indictment No. 07-CR-0362

CERTIFICATE OF SERVICE

I hereby certify that I caused to be served by hand delivery a copy of the foregoing *Notice of Appeal* in the above-referenced case to Penny A. Penn (or her Chief Assistant Sandra Partridge or one of their assistants), District Attorney for the Superior Court of Forsyth County located at 100 Courthouse Square, Room 200, Cumming, GA 30040.

Dated: March 19, 2009.



William C. Head
Attorney for Appellant
State Bar No. 342050

750 Hammond Drive NE
Suite 5-100
Atlanta, GA 30328-6116
404-250-1113
404-250-1494 fax

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 15, 2009

Ms. Rhonda Payne
Clerk, Superior Court
Douglas County Courthouse
8700 Hospital Drive
Douglasville, Georgia 30134-2264

RE: Your Case Numbers: 99CR00955
Matthew Ross, III v. The State

Dear Ms. Payne:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised that we were unable to docket this appeal because the record does not contain the original Notice of Appeal. This office must have the original Notice of Appeal, and the amended Notice of Appeal.

Please include a stamped filed copy of the original Notice of Appeal filed May 24, 2006 along with the amended Notice of Appeal and return to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 4/15/09

Style Matthew Ross III v. The State

Lower Court Douglas Superior

Lower Court Case NO. 99CR00955

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
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- Notice of Appeal not stamped filed
- No Index/Improper Index
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- No Motion for New Trial (have order thereon)
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- 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 need original NOA
(filed 5/24/06 per amended NOA).

IN THE COURT OF APPEALS
STATE OF GEORGIA

RECEIVED

APR 14 2009

COURT OF APPEALS
OF GA

MATTHEW ROSS, III

VS.

CASE NO. 99CR00955

STATE OF GEORGIA

DOUGLAS SUPERIOR COURT
DOUGLAS JUDICIAL CIRCUIT

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ORDER MAKING THE JUDGMENT OF THE COURT OF APPEALS THE JUDGMENT OF THE SUPERIOR COURT DOUGLAS COUNTY, FILED 10/7/02	22
INDICTMENT RETURNED INTO OPEN COURT BY GRAND JURY 5/7/99	23
FELONY SENTENCE SHEET, FILED 11/23/99	30
LETTER OF CORRESPONDENCE FROM DEFENDANT DATED 3/31/09 REQUESTING STATUS OF HIS FILING OF "CERTIFICATE OF IMMEDIATE REVIEW AND NOTICE OF APPEAL", FILED 4/7/09	31

IN THE SUPERIOR COURT OF DOUGLAS COUNTY

STATE OF GEORGIA

FEB 13 2009

Rhonda G. Payne, Clerk
Superior & State Court
Douglas County, GA

STATE OF GEORGIA

VS.

MATTHEW ROSS III

CRIMINAL ACTION CASE NO. 99-CR-955

MOTION TO CORRECT VOID SENTENCE

NOTICE OF APPEAL: AMENDED

NOTICE IS HEREBY GIVEN THAT MR. MATTHEW ROSS III, DEFENDANT ABOVE NAMED, HEREBY AMENDS HIS TIMELY FILED NOTICE OF APPEAL THE 24TH DAY OF MAY 2006 BY NOW DESIGNATING THE RECORD ON APPEAL FROM THE DENIAL OF HIS "MOTION TO CORRECT VOID SENTENCING PUNISHMENT" stamp filed in court MAY 1ST 2006 AND DENIED ON THE VERY FACE OF SAID MOTION AS DEFENDANT RECEIVED IT STAMPED MAY 8TH 2006 SIGNED JUDGE DONALD B. HOWE DOUGLAS SUPERIOR COURT AS NO WRITTEN FINAL APPEALABLE ORDER FORWARDED TO DEFENDANT AND FILED AS PART OF THE DOCKET RECORD, DEFENDANT NOW DIRECTS THE SUPERIOR COURT'S CLERK AS FOLLOWS: (A) PREPARE FINAL APPEALABLE ORDER DENYING SAID MOTION AND

- (A) file AS PART OF THE RECORD ON APPEAL.
- (B) TO OMIT NOTHING FROM THE RECORD ON APPEAL CONCERNING SENTENCING AND PUNISHMENT.
- (C) TO INCLUDE; STIPULATIONS OF SENTENCING PUNISHMENT(S), FORMAL NOTICE OF ENHANCED PUNISHMENT CONSIDERATIONS, INDICTMENT 99-CR-955, CERTIFIED COPIES OF FORMAL NOTICED PRIOR CONVICTION EVIDENCE, WRITTEN SENTENCING FINAL ORDER, SENTENCING TRANSCRIPTS OF EVIDENCE AND PROCEEDINGS, DEFENDANT'S ORIGINAL MOTION TO

①

SCANNED

CORRECT VOID SENTENCING PUNISHMENT(S), PRESENTENCE INVESTIGATION REPORTS, VERDICT OF THE COURT SHEET ON GUILTY OR INNOCENTS, SUPERIOR COURT "DOCKET ENTRY SHEET" FROM MARCH, 1999 til FEBRUARY, 2009, TRIAL JUDGE'S AJUDICATION OF GUILTY TRANSCRIPTS (PLEA OF GUILTY PROCEEDINGS).

THIS APPEALS COURT RATHER THAN THE SUPREME COURT HAS JURISDICTION OVER THIS SUPERIOR COURT'S DENIAL OF MOTION DECISION ON NOTICE OF APPEAL, AND FOR THAT REASON, APPELLATE JURISDICTION REVIEW IS VESTED IN THE "APPEALS COURT OF GEORGIA".

THIS THE 9th DAY OF FEBRUARY 2009.

Promptly submitted

Mr. Matthew Ross III

MR. MATTHEW ROSS III ^{CD#} 340564

Dodge State Prison P.O. Box 276 A-6

CHESTER, GEORGIA 31012

SWORN AND SUBSCRIBED BEFORE ME
THIS 9 DAY OF Feb 2009.

Robert L. Stanley

NOTARY PUBLIC



The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 15, 2009

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

RE: Your Case Numbers: 08CV13141-8
Althea Miley v. Thornburg Home Loans, Inc., et al.

Dear Ms. Carter:

I am enclosing the record in the above appeal which was received from your office. The clerk's office is unable to docket this appeal because the record does not contain an order denying the Motion for New Trial. When the trial court enters an order denying the Motion for New Trial, please include the order in the record and index and return the record to this office for docketing. Should the trial court grant the Motion for New Trial, the appeal may not be warranted.

The attached companion appeal cannot be docketed without the primary record so it is also being returned. Please make sure it is included when you mail your return.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 4/15/09

Style Althea Miley v. Thornburg Home Loans, Inc. et al

Lower Court DeKalb Superior

Lower Court Case NO. 08CV13141-8

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
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- 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 _____

*also
* return
companion
appeal -
attached -
cannot be
docketed
w/o this
record -*



ALTHEA MILEY : NO.
 APPELLANT :
 VS :
 TERM, 2009
 THORNBURG MORTGAGE :
 HOME LOANS INC., MCCALLA :
 RAYMER, LLC., ROBERT :
 MICHAEL SHEFFIED, AND DOES:
 1-20 INCLUSIVE :
 APPELLEE : COURT OF APPEALS OF GEORGIA

RECEIVED
 APR 14 2009
 COURT OF APPEALS
 OF GA

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2. AMENDED NOTICE OF APPEAL, FILED 3/31/09-----4.
3. ORIGINAL COMPLAINT, FILED 12/5/08-----7.
4. CONSOLIDATED DEFENSES, ANSWER AND COUNTERCLAIM OF THORNBURG MORTGAGE HOME LOANS, INC., BY SPECIAL APPEARANCE; DEFENSES, ANSWER AND COUNTERCLAIM OF MCCALLA RAYMER, LLC, AND DEFENSES, ANSWER AND COUNTERCLAIM OF ROBERT MICHAEL SHEFFIELD, MOTION TO DISMISS AND INCOROPORATED BRIEF FILED BY THORNBURG MORTGAGE HOME LOANS, INC., MCCALLA RAYMER, LLC, AND ROBERT MICHAEL SHEFFIELD, FILED 1/2/09-----37.
5. SHERIFF'S ENTRY OF SERVICE, (5), FILED 1/5/09-----69.
6. PLAINTIFF'S MOTION TO STRIKE SPECIAL APPEARANCE:

of the entire record of the case, omitting nothing, including any transcripts, and together with a copy of the Notice of Appeal and Motion for New Trial transmit the same to the appellate court together with the certificate as to the correctness of the record.

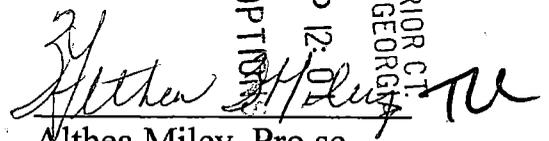
Under O.C.G.A. § 5-6-44 (c) when separate appeals and motions for new trial are filed, only one transcript of evidence and proceedings, (where required) only one record need be prepared, filed, or transmitted to the appellate court.

This Court, a court of errors, rather than the Supreme Court has jurisdiction in this case pursuant to O.C.G.A. § 5-6-34(a)(1) to review Superior Court's orders, judgments, and/or decisions directly upon an appeal.

The Court of Appeals reviews the trial court's Orders to Dismiss under the de novo standard of review. *Manufacturers Nat. Bank of Detroit v. Tri-State Glass*, 201 Ga. App. 253, 254 (1) (410 SE2d 808) (1991)

Respectfully submitted,

APPEALS/ADOPTIONS
2009 MAR 13 P 12:01
CLERK OF SUPERIOR CT.
DEKALB COUNTY, GEORGIA


Althea Miley, Pro se
1525 High Haven Court
Atlanta GA 30329
(404) 636-7099

This 13th day March 2009

IN THE SUPERIOR COURT OF DEKALB COUNTY
STATE OF GEORGIA

Althea Miley)
) **CIVIL ACTION**
) **FILE NO. 08CV13141-8**
)
 Plaintiff,)
)
 v.)
)
)
 Thornburg Mortgage Home Loans, Inc,)
) **NOTICE OF APPEAL**
 McCalla Raymer, LLC,)
)
 Robert Michael Sheffield)
)
 and DOES 1-20 inclusive.)
)
)
 Defendants.)
)
)

CERTIFICATE OF SERVICE

I certify that I have this day, 13th of March 2009, served McCalla Raymer, LLC, Elizabeth A. George, Six Concourse Parkway, Suite 3200, Atlanta, GA, 30328, and Thornburg Mortgage Home Loan, Inc. c/o CT Corporation System, 1201 Peachtree Rd. N.E. #1240, Atlanta, GA 30361 the opposing party in the forgoing matter with a copy of this Notice by hand depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage thereon.

Althea Miley
Name
1525 High Haven CT
Address
Atlanta, GA 30329
City State Zip
(404) 636-7099
Phone
Althea Miley
Plaintiff's Signature

CLERK OF SUPERIOR CT.
DEKALB COUNTY, GEORGIA
2009 MAR 13 P 12:01
APPEALS/ADOPTIONS

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 16, 2009

Ms. Holly Henry-Perry
Clerk, Superior Court Rabun County
25 Courthouse Square • Suite 105
Clayton, Georgia 30525

RE: Your Case Number: 09CV23
John Catlin v. Joann Smith

Dear Ms. Henry-Perry:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because there is no order in the record denying the Motion to Dismiss the Appeal. When the trial court files with your office a copy of the order denying the Motion to Dismiss the Appeal, please include that in the record and Index and return the record to this office for docketing.

Should the trial court grant the Motion to Dismiss, it may obviate the need for an appeal.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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
Attachments



HOLLY E. HENRY-PERRY

CLERK OF COURT
SUPERIOR, JUVENILE and MAGISTRATE COURT
RABUN COUNTY, GEORGIA

Phone: (706) 782-3615
Fax: (706) 782-1391
Email: hehp@alltel.net

25 Courthouse Square
Suite 105
Clayton, Georgia 30525

FILED IN OFFICE

APR 14 2009

COURT CLERK
CLERK COURT OF APPEALS OF GA

April 14, 2009

Georgia Court of Appeals
Mr. William Martin
344 State Judicial Building
47 Trinity Avenue, Suite 501
Atlanta, Georgia 30334

Case No: 2009-CV-23-W
Joann Smith vs John Catlin

RECEIVED IN OFFICE
2009 APR 15 PM 3:10
William E. Martin
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA.

Dear Mr. Martin,

Enclosed you will find the appeal in regards to the above referenced case file. As you will see, we have enclosed an index, followed by the entire record contained within this office, along with the Clerk's Certification. We sincerely apologize for the delay in forwarding this appeal, as we are limited in staff. This delay was by no means the fault of the parties involved.

If you have any questions or concerns please feel free to contact this office at (706)782-3615. Thank you very much.

Sincerely,

Holly E. Henry-Perry
Clerk of Court
Superior, Juvenile, Magistrate, & Traffic Court
Rabun County, Georgia

NO ORDER
ON MOTION
TO DISMISS
APPEAL

TO GEORGIA COURT OF APPEALS

Joann Smith
Plaintiff

Vs

Superior Court Case No. 09-CV-23-W

John Catlin
Defendant

APPEAL TO INDEX

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**IN THE SUPERIOR COURT OF RABUN COUNTY
STATE OF GEORGIA**

Case # 09-CV-23-W

**JOANN SMITH,
Plaintiff**

Vs.

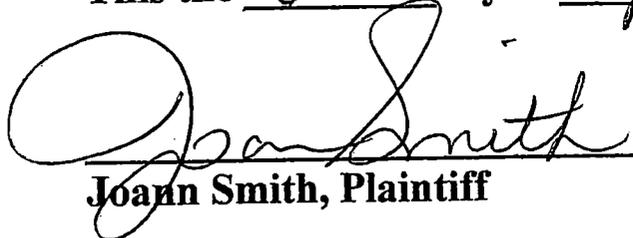
**JOHN CATLIN,
Defendant**

MOTION TO ENTER EVIDENCE

Comes now the Plaintiff, Joann Smith, and files this motion to enter into evidence the attached exhibits that were entered into to evidence in this civil action on November 26, 2008. These documents were not copied and were given back to the Plaintiff in this action.

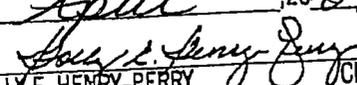
- 1. That these documents are the whole entire agreement between the parties in this action and no other agreements, either written or verbal were ever made.**
- 2. That all the evidence that was presented before the lower Courts should also be made available for this Court of Appeals have available for review as to the facts of this case.**

This the 6 day of April, 2009



Joann Smith, Plaintiff

000001

FILED IN OFFICE OF CLERK SUPERIOR COURT
RABUN COUNTY, GEORGIA. THIS 6 DAY OF
April, 2009


HOLLY E. HENRY-PERRY CLERK

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 16, 2009

Mr. John D. Castleberry
Clerk, Crawford County Juvenile Court
Post Office Box 1037
Roberta, Georgia 31078-1037

RE: Your Case Numbers: 039-07J-149 039-07J-150
In the Interest of: R.P.T. and W.L.T., Children

Dear Mr. Castleberry:

Enclosed please find the record about which we spoke in our telephone conversation of this date. As I indicated to you, the record volumes must be numbered consecutively so that we do not have duplicate page numbers in the record.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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
Enclosure

RECORDS RETURN NOTICE

DATE 4/15/09

478-836-3328

Style In the interest of: R.P.T. and W.L.T.,
children

Lower Court Crawford County Juvenile Court

Lower Court Case NO. 039-07J-149 03907J-150

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

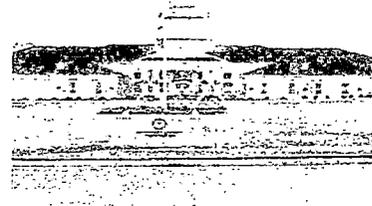
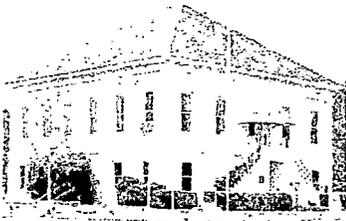
Pages copied front/back

Only one side printed of duplex document

Other clerk has included 6 volumes of records of related cases.

They have numbered each volume! -

* I'm not sure why they sent these other volumes- they were not asked for in the NOA.



John D. Castleberry

Clerk Of Superior Court
Crawford County, Georgia

P.O. Box 1037
Roberta GA 31078
(478) 836-3328

Nakia S. Gibson Dep. Clerk
Jennifer N. Beach Dep. Clerk
Jonnie R. Crane Dep. Clerk

Superior Court Judges:
Honorable Martha C Christian, Chief
Honorable S. Phillip Brown

Honorable Lamar W. Sizemore Jr.
Honorable Tilman E. Self III
Honorable Edgar W. Ennis

April 9, 2009

Court of Appeals of Georgia
47 Trinity Ave., S.W.
Suite 501
Atlanta, Georgia 30334

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APR 15 2009

COURT OF APPEALS
OF GA

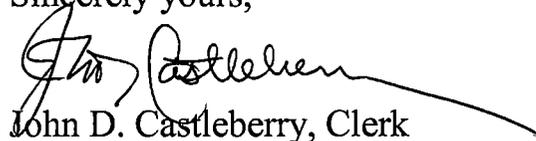
Re: Juvenile Case Numbers
039-07J-149 and 150
Thaxton Children

Dear Mr. Martin:

Enclosed is a certified copy of Juvenile Case Numbers 039-07J-149 and 150 along with the Original Transcripts of Proceedings for hearings on December 6, 2007 and February 21, 2008, which is on appeal to your Honorable Court.

Also enclosed are certified copies of related cases, 039-05J-107, 108, 109, & 110; 039-06J-71, 72, & 73; 039-06J-88 & 89; 039-06J-196 & 197; 039-07J-13 & 14; and 039-07J-106 & 107.

Sincerely yours,


John D. Castleberry, Clerk



IN THE COURT OF APPEALS

STATE OF GEORGIA

FROM THE SUPERIOR COURT

CRAWFORD COUNTY, GEORGIA



Should be Juvenile ->

RECEIVED

APR 15 2009

COURT OF APPEALS OF GA

IN THE INTEREST OF:

RPT AND WLT,

Minor Children

APPEAL NUMBER _____
FROM JUVENILE CASE NUMBERS O39-07J-149 AND 039-07J-150

INDEX TO RECORD

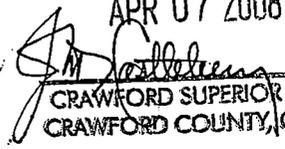
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5 - 6	NOTICE OF APPEAL FILED MARCH 17, 2008
7 - 24	PETITION TO TERMINATE PARENTAL RIGHTS AND COMPLAINT FORMS
25	SHERIFF'S ENTRY OF SERVICE ON RICKY THAXTON
26	SHERIFF'S ENTRY OF SERVICE ON REBECCA THAXTON
27	ACKNOWLEDGE OF SERVICE OF GUARDIAN-AD-LITEM
28 - 29	ORDER OF CONTINUANCE
30 - 31	PUBLISHER'S AFFIDAVIT
32 - 33	AFFIDAVIT OF ATTEMPTED SERVICE ON RICKY THAXTION
34 - 36	ORDER CONCERNING APPOINTMENT OF ATTORNEY
37 - 51	ORDER TERMINATING PARENTAL RIGHTS
52 - 97	EVIDENCE
98	AFFIDAVIT OF BOBBY BEARDEN
99 - 102	ORDER CONCERNING POSSIBLE RELATIVE PLACEMENT
103-104	ORDER OF CONTINUANCE
105-108	ORDER CONCERNING POSSIBLE RELATIVE PLACEMENT
109-110	ORDER OF CONTINUANCE
111-112	ORDER ALLOWING OUT OF STATE VISIT
113-114	ORDER WITH CONTINUANCE
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117	CLERK'S CERTIFICATE

IN THE JUVENILE COURT OF CRAWFORD COUNTY, GEORGIA
IN THE INTEREST OF
RPT and WLT,
MINOR CHILDREN

NO. 039-07J-149
039-07J-150

FILED IN OFFICE

APR 07 2008


CLERK
CRAWFORD SUPERIOR COURT
CRAWFORD COUNTY, GEORGIA

NOTICE OF APPEAL

The mother of the above mentioned children, Rebecca Thaxton, filed both an Application For Discretionary Appeal and a Notice of Appeal for a direct appeal. The Court of Appeals of Georgia issue an order on the Application for Discretionary Appeal on April 2, 2008, in which the Court stated that appellant, Rebecca Thaxton, should file a Notice of Appeal within 10 days of the order that was issued on April 2, 2008. Therefore, this is appellant's second Notice of Appeal, and the other Notice of Appeal that was filed on or about March 17, 2008, should also be sent, along with this second Notice of Appeal, to the Court of Appeals of Georgia.

NOTICE OF APPEAL is hereby given that Rebecca Thaxton, the mother of the minor children, Wesley Lane Thaxton and Richard Paul Thaxton, appeals to the Court of Appeals of Georgia from an order of termination of her parental rights in Crawford Juvenile Court. Permanent custody and control of said children were placed with Crawford County Department of Family and Children Services. The Petition to Terminate Parental Rights was filed on November 1, 2007. Said order of termination was

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 16, 2009

Ms. Glenda Sue Johnson
Clerk, Gilmer County Superior Court
#1 Broad Street • Suite 102
Ellijay, Georgia 30540

RE: Your Case Number: 2008JV-325
In the Interest of: C.B., a Child

Dear Glenda Sue:

Enclosed please find the record in the above appeal which you requested we return to you.

When all the transcripts have been filed with you, please return the record to our office for docketing.

I hope you are doing well and I shall look forward to seeing you in St. Simon's next week at the Clerk's Conference.

Sincerely,



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

WLM, III/ld
Enclosures



Glenda Sue Johnson
Clerk of Superior Court
Gilmer County

#1 West Side Square
Ellijay, Georgia 30540
Email glendasue.johnson@gsccca.org

Court Terms:
Second Monday in April
Second Monday in October

Office (706) 635-4462
Residence (706) 635-4331
Fax (706) 635-1462

April 6, 2009

RECEIVED
APR - 9 2009
COURT OF APPEALS
OF GA

Court of Appeals of Georgia
47 Trinity Ave., Ste. 501
Atlanta, Georgia 30334

Attn: Honorable Clerk

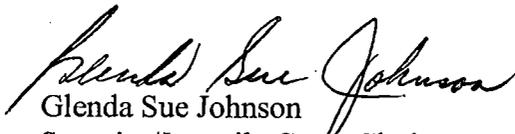
Re: Juvenile Court Appeal No. 2008JV-325

Dear Mr. Martin:

Enclosed please find the appeal in the above referenced juvenile case number. For inclusion are the record and two dated transcripts.

The record includes all documentation to date in the file. The delay in transmittal was the filing of the order dated April 3, 2009, nunc pro tunc for January 27, 2009.

Respectively submitted.


Glenda Sue Johnson
Superior/Juvenile Court Clerk
Gilmer County

Glenda Sue Johnson said
HELLO

RECORDS RETURN NOTICE

DATE 4/15/09

Style In the Interest of: C.B., a child

Lower Court Guilmer Co Juvenile

Lower Court Case NO. 2008 JV-325

REASON:

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- 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 ms. Johnson asked that we return record to her.

she stated it was mailed prematurely and that the appellant has not yet paid -



IN THE GEORGIA COURT OF APPEALS

FROM

GILMER COUNTY JUVENILE COURT

CHRISTOPHER BAILEY
APPELLANT

VS.

STATE OF GEORGIA
APPELLEE

RECEIVED

APR - 9 2009

COURT OF APPEALS
OF GA

INDEX TO CASE NO. 2008-JV-CR-325

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STATE OF GEORGIA

IN THE INTEREST OF: *

THE STATE OF GEORGIA *

versus * Cruelty to Animals

C.B. *

CASE # 2008JV325 *

Filed in office of Clerk of Superior Court
Gilmer County Georgia (By: KG)
Time _____ M Date: 1-30-09
Glenda Sue Johnson
Glenda Sue Johnson, Clerk

Transcript of the proceedings had in the above entitled and numbered case before the Honorable John Worcester-Holland, Juvenile Court Judge, Appalachian Judicial Circuit, to have heard a Cruelty to Animals Hearing in Ellijay, Gilmer County, Georgia on the 10th day of December, 2008.

APPEARANCES OF COUNSEL:

MR. MICHAEL BAIRD:
Assistant District Attorney

MR. WILLIAM REILLY:
Attorney for the Defendant

ORIGINAL

Stephanie "Tess" Davis, CCR, CVR
Official Court Reporter
Appalachian Judicial Circuit
Juvenile Court
(770) 713-6725

STATE OF GEORGIA

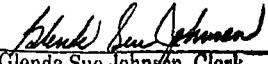
IN THE INTEREST OF: *

THE STATE OF GEORGIA *

versus * Cruelty to Animals

C.B. * Dispositional hearing

CASE # 2008JV325 *

Filed in office of Clerk of Superior Court
Gilmer County Georgia (By: JS)
Time _____ M Date: 2-10-09

Glenda Sue Johnson, Clerk

Transcript of the proceedings had in the above entitled and numbered
cause before the Honorable John Worcester-Holland, Juvenile Court Judge,
Appalachian Judicial Circuit, to have heard a Dispositional Hearing in
Ellijay, Gilmer County, Georgia on the 27th day of January, 2009.

APPEARANCES OF COUNSEL:

MR. MICHAEL BAIRD:
Assistant District Attorney

MR. WILLIAM REILLY:
Attorney for the Defendant

ORIGINAL

Stephanie "Tess" Davis, CCR, CVR
Official Court Reporter
Appalachian Judicial Circuit
Juvenile Court
(770) 713-6725

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 16, 2009

Ms. Evonne S. Mull
Clerk, Superior Court of Dougherty County
Post Office Box 1827
Albany, Georgia 31702-1827

RE: Your Case Number: 08CV1497-2
Etsuko Cox v. Jeffrey Dean Cox

Dear Ms. Mull:

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 this appeal because the Notice of Appeal indicates a transcript and evidence and proceedings will be filed for inclusion in the record on appeal and no transcript accompanied the record.

When the court reporter files a transcript with your office, please attach your certificate and send the transcript along with the record to this office for docketing. If there is, in fact, no transcript in this appeal, when the appellant files an amended Notice of Appeal to reflect that fact, please include the amended Notice of Appeal in the record and the Index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions of if I can be of 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
Enclosure



EVONNE S. MULL
CLERK OF SUPERIOR AND STATE COURTS
P. O. BOX 1827
ALBANY, DOUGHERTY COUNTY, GEORGIA 31702-1827
(229) 431-2198

April 13, 2009

William L. Martin, III
Clerk of Court of Appeals
47 Trinity Ave. Suite 501
Atlanta, Georgia 30334

RECEIVED

APR 15 2009

COURT OF APPEALS
OF GA

Re: Etsuko Cox, Appellant v. Jeffrey Dean Cox, Appellee
Civil Action No.: 08CV1497-2

Dear Mr. Martin:

Please find enclosed a notice of appeal and a true and complete copy of the record in the above mentioned case which is being appealed to your court. The case is being filed with a pauper's affidavit.

If you have any questions please feel free to contact me @ 229-432-8169.

Sincerely,

Linda J. Blanchard
Chief Deputy Clerk

Enc. (1)

RECORDS RETURN NOTICE

DATE 4/15/09

Style ETSUKO COY a/k/a ETSUKO ASATO v.
Jeffrey Dean Coy

Lower Court Dougherty Superior

Lower Court Case NO. 08 CV 1497

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
- Notice of Appeal not stamped filed
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- Not properly assembled
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- 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 _____

STATE OF GEORGIA
COURT OF APPEALS

RECEIVED
APR 15 2009
COURT OF APPEALS
OF GA

ETSUKO COX, aka ETSUKO ASATO,
APPELLANT

APPEAL CASE NO. _____

VS.
JEFFREY DEAN COX,
APPELLEE

CIVIL ACTION: 08CV1497-2

APPELLANT PRO-SE : ETSUKO COX
VSNH OKINAWA
ATTN: STAFF JUDGE ADVOCATE
ADDRESS : PSC 482
FBO, AP 96362
PHONE NUMBER : 011-81-611-743-7410
N/A

APPELLEE ATTORNEY : W. T. GAMBLE, III
COLLIER & GAMLE, LLP
ADDRESS : P.O. 577
DAWSON, GEORGIA 319842
PHONE NUMBER : (229) 995-5657

TRIAL JUDGE : STEPHEN GOSS
ADDRESS : P. O. BOX 1827
ALBANY, GEORGIA 31702-1827
PHONE NUMBER : (229) 431-3242

**STATE OF GEORGIA
COURT OF APPEALS**

ETSUKO COX, aka ETSUKO ASATO
Appellant
vs.
JEFFREY DEAN COX
Appellee

APPEAL CASE NO.:

CASE NO.: 08CV1497-2

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FILED

2009 APR -3 PM 1:30

EVONNE S. MULL
DOUGHERTY COUNTY
CLERK OF COURTS

NOTICE OF APPEAL
IN THE SUPERIOR COURT
OF DOUGHERTY COUNTY
STATE OF GEORGIA

PLAINTIFF

Jeffrey Dean Cox

vs.

DEFENDANT

Etsuko Cox, a.k.a., Etsuko Asato

CASE NUMBER

08-CVD-1497-2

NOTICE OF APPEAL

Notice is given that Etsuko Cox, a.k.a. Etsuko Asato, defendant in the above matter hereby appeals to the Court of Georgia from the judgment of the trial court entered on the 5th day of March, 2009.

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 child custody and appeals of such cases are not reserved in the Supreme Court of Georgia pursuant to Article VI, Section VI, Paragraph II and III of the Constitution of the State of Georgia.

CERTIFICATE OF SERVICE

I certify that I have this day served W. T. Gamble, III, Esq. with a copy of this Notice of Appeal by mailing a copy first class mail postage prepaid to him at 177 South Main Street, Dawson, Georgia 39842.

This the 3rd day of April, 2009.



COURT OF APPEALS OF GEORGIA

Etsuko Cox, a.k.a., Etsuko Asato

APPELLANT

Vs

CASE NUMBER

Jeffrey Dean Cox

APPELLEE

PAUPER'S AFFIDAVIT

Comes now Etsuko Cox, a.k.a., Etsuko Asato first being duly sworn, deposes and states I am financially unable to pay the \$80.00 filing fee required for filing costs in the Court of Appeals of Georgia, and I request I be permitted to file Appellant's brief without having to pay filing fees.

This the 3rd day of April, 2009

Etsuko Cox, a.k.a., Etsuko Asato

Etsuko Cox

(Sign your name.)

USNH Okinawa

Attn: Staff Judge Advocate

Psc 482

FPO, AP 96362

011-81-611-743-7410

Sworn to and subscribed before me

this the 3rd day of April, 2009

E. Sylla Notary Public

SEAL

Ebony-Azizi Sylla, LT, JAGC, USN
Staff Judge Advocate, USNH Okinawa
Notary Public of the United States
10 U.S.C 1044(a) No Seal required
Commission Expires: Indefinite



FILED
2009 APR -3 PM 1:30
EVONNE S. MULL
DOUGHERTY COUNTY
CLERK OF COURTS

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 17 2009

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

RE: A06A0464. Mark Malone v. The State
Lower Court Case Number: 029530624

Dear Mr. Stephenson:

We are returning the enclosed 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 17 2009

Ms. Gail Brown
Clerk, Pickens County Superior Court
52 North Main Street • Suite 102
Jasper, Georgia 30143

RE: A07A0148. Nicholas Lee Nichols, et al. v. James Anthony Prather, et al.
Lower Court Case Number: 2003SUCV908

Dear Ms. Brown:

We are returning the enclosed three (3) depositions 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 17 2009

Ms. Patricia Baker
Clerk, Superior and State Courts
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A0169. Scott Anthony Lacy v. The State
Lower Court Case Number: 05T10324

Dear Ms. Baker:

We are returning the enclosed two (2) DVDs 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,

Handwritten signature of William L. Martin, III in cursive script, followed by a horizontal line and the letters 'ml'.

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

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 17 2009

Mr. Dwight S. Wood
Clerk, Superior and State Courts
Hall County Courthouse
Post Office Box 1336
Gainesville, Georgia 30503-1336

RE: A07A0211. Alec Richardson v. The State
Lower Court Case Number: 05CR1300J

Dear Mr. Wood:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 17 2009

Mr. Charles Baker
Clerk, Superior Court
Hall County Courthouse
235 Green Street, S.E.
Post Office Box 1336
Gainesville, Georgia 30503-1336

RE: A07A0297. Ronald S. Bourne, et al. v. Tony Garrett, et al.
Lower Court Case Number: 05CV455A

Dear Mr. Baker:

We are returning the enclosed original 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 17 2009

Mr. Dwight S. Wood
Clerk, Superior Court
Hall County Courthouse
235 Green Street, S.E.
Post Office Box 1336
Gainesville, Georgia 30503-1336

RE: A07A0722. Alea London Limited v. Dwayne Lee
Lower Court Case Number: 04CV2091A

Dear Mr. Wood:

We are returning the enclosed DVD 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 17 2009

Mr. Greg Allen
Clerk, Superior Court
Forsyth County Courthouse
100 Courthouse Square
Cumming, Georgia 30040

RE: A07A1357. Laura Lee Amstead v. Robert P.
McFarland, Sr., et al.
Lower Court Case Number: 05CV2155

Dear Mr. Allen:

We are returning the enclosed depositions 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
Clerk/Administrator

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 17 2009

Ms. Patricia Baker
Clerk, Superior and State Courts
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A1399. Georgia Waste Systems, Inc., et al. v. City of Woodstock,
Georgia, et al.
Lower Court Case Number: 06CV1745

Dear Ms. Baker:

We are returning the enclosed notebook and envelope containing depositions 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 17 2009

Ms. Patricia Baker
Clerk, Superior Court
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A2349. Keith Price v. The State
Lower Court Case Number: OCCR0170

Dear Ms. Baker:

We are returning the enclosed photographs and original exhibits and a file folder with information in the above referenced matter for your files. If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 17 2009

Mr. Greg G. Allen
Clerk, Superior and State Courts
Forsyth County Courthouse
100 West Courthouse Square
Cumming, Georgia 30040

RE: A07A2475. Hampshire Homes, Inc. v. Espinosa Construction Services,
Inc., et al.
Lower Court Case Numbers: 04SC0979

Dear Mr. Allen:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 15, 2009

Mr. Stetson Bennett, Jr.
Clerk, Wayne County Superior Court
262 East Walnut Street
Post Office Box 920
Jesup, Georgia 31598

RE: Your Case Number: 06CV0267
Donnie Wheelis, et al. v. Vernon Noland

Dear Mr. Bennett:

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 unable to docket this appeal because there is no order in the record of December 19, 2008, which is identified in the Notice of Appeal as the order being appealed.

When the trial court enters the order of December 19, 2008, please include it in the record and Index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

IN THE SUPERIOR COURT OF WAYNE COUNTY
STATE OF GEORGIA

DONNIE WHEELIS and his wife
DEBORAH WHEELIS

Plaintiffs

vs.

CIVIL ACTION
FILE NO. 06CV0267

VERNON NOLAND

Defendant

NOTICE OF APPEAL

Notice is hereby given that Plaintiff above named hereby appeals to the Court of Appeals of Georgia from a judgment of the Superior Court of Wayne County, Georgia entered in the clerk's office on the 19th day of December, 2008, which judgment denied Plaintiff's Motion to Dismiss Defendant's Motion for a New Trial on the ground that the case had been settled, herein and the Plaintiff appeals from each and every part of said Order.

The clerk will please omit none of the said record on appeal.

Transcript of evidence and proceedings of the proceedings on Plaintiff's Motion to Dismiss Defendant's Motion for a New Trial will be filed for inclusion in the record on appeal.

The Court of Appeals has jurisdiction of this appeal as it involves the validity of a settlement contract entered into after verdict and judgment.

Dated: January 5, 2009.

FILED
WAYNE CO. CLERK'S OFFICE
2009 JAN 5 PM 3:27
Stephanie Pennington
CLERK SUPERIOR COURT



ALVIN ISAPHART
Attorney for Plaintiff - Appellant
Georgia Bar No. 442400

155 N. Brunswick Street
Jesup, Georgia 31546
(912) 427-2024



WILLIAM B. JOHNSON
Attorney for Plaintiff - Appellant
Georgia Bar No. 395907

161 East Cherry Street
Jesup, Georgia 31546
(912) 427-2504

IN THE SUPERIOR COURT OF WAYNE COUNTY
STATE OF GEORGIA

DONNIE WHEELIS and his wife
DEBORAH WHEELIS
Plaintiffs

vs.

CIVIL ACTION
FILE NO. 06CV0267

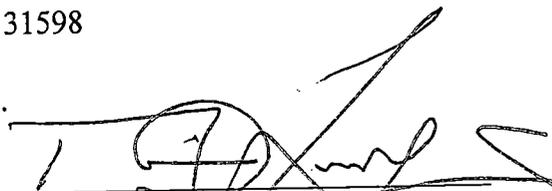
VERNON NOLAND
Defendant

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for all parties with a copy of the attached and foregoing NOTICE OF APPEAL by depositing same in the U.S. Mail in a properly addressed envelope to:

Mr. Jerry W. Caldwell
Attorney at Law
PO Box 1075
Jesup, GA 31598

This the 5th day of January, 2009.



ALVIN LEAPHART
Attorney for Plaintiff - Appellant
Georgia Bar No. 442400

155 N. Brunswick Street
Jesup, Georgia 31546
(912) 427-2024



WILLIAM B. JOHNSON
Attorney for Plaintiff - Appellant
Georgia Bar No. 395907

161 East Cherry Street
Jesup, Georgia 31546
(912) 427-2504

RECEIVED

APR 13 2009

COURT OF APPEALS
OF GA

DONNIE WHEELIS AND HIS
WIFE, DEBORAH WHEELIS,

APPELLANTS'

WAYNE SUPERIOR COURT

VS.

VERNON NOLAND

NOVEMBER TERM 2008

APPELLEE

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RECORDS RETURN NOTICE

DATE 4/14/09

Style Donnie Wheelis et al v.
Vernon Roland

Lower Court Wayne county superior

Lower Court Case NO. 06 CV 0267

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 of 12/19/08
- 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:

STETSON BENNETT, JR.

CLERK OF SUPERIOR COURT
CLERK OF STATE COURT
CLERK OF JUVENILE COURT
WAYNE COUNTY
P.O. BOX 920
JESUP, GEORGIA 31598

MARCH 24, 2009

RECEIVED

APR 13 2009

COURT OF APPEALS
OF GA

HONORABLE WILLIAM L. MARTIN, III
CLERK, COURT OF APPEALS OF GEORGIA
334 STATE JUDICIAL BLDG., CAPITOL SQUARE
ATLANTA, GEORGIA 30334

Spring

RE; DONNIE WHEELIS AND HIS
WIFE, DEBORAH WHEELIS,
VS.
VERNON NOLAND

Dear
DEAR MR. MARTIN,

I AM ENCLOSING THE ORIGINAL NOTICE OF APPEAL, THE RECORD
REQUESTED IN THE APPEAL AND THE COURT REPORTER'S TRANSCRIPTS
IN THE ABOVE CASE TO BE FILED IN YOUR OFFICE.

WITH KIND REGARDS, I AM

VERY TRULY YOURS,

WAYNE COUNTY

Stetson Bennett Jr.
STETSON BENNETT, JR.

ENC.

Gardi

Ritch

Screven

Mt. Pleasant

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Gail Brown
Clerk, Pickens County Superior Court
52 North Main Street • Suite 102
Jasper, Georgia 30143

RE: A07A0148. Nicholas Lee Nichols, et al. v. James Anthony Prather, et al.
Lower Court Case Number: 2003SUCV908

Dear Ms. Brown:

We are returning the enclosed three (3) depositions 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/l
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Joe Wilder
Clerk, Peach County Superior Court
205 West Church Street
Post Office Box 389
Fort Valley, Georgia 31030-0389

RE: A07A0427. Vichien Krirat v. The State
Lower Court Case Number: 03CR220

Dear Mr. Wilder:

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
Enclosure

*The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Peggy Fauscett
Clerk, Pulaski County Superior Court
Post Office Box 60
Hawkinsville, Georgia 31036-0060

RE: A07A0851. Craig Brown v. The State
Lower Court Case Number: 2004R9539

Dear Ms. Fauscett:

We are returning the enclosed transcript 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Teresa Harper
Clerk, Superior Court Upson County
Post Office Box 469
Thomaston, Georgia 30286-0469

RE: A07A0865. William David Nichols v. The State
Lower Court Case Numbers: 97R534

Dear Ms. Harper:

We are returning the enclosed sealed records 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Elizabeth Z. Hursey
Clerk, Effingham County Judicial Complex
700 North Pine Street • Suite 110
Springfield, Georgia 31329

RE: A07A0969. Coastal Water and Sewerage, LLC v. Effingham County
Industrial Development Authority
Lower Court Case Number: SU05CV360

Dear Ms. Hursey:

We are returning the enclosed transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Kathy D. Page
Clerk, Dade County Superior Court
Post Office Box 417
12371 Main Street
Trenton, Georgia 30752

RE: A07A1080. Floyd Thomas Ray Evans v. The State
Lower Court Case Number: 03CR12938 and 03CR12939

Dear Ms. Page:

We are returning the enclosed transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Teresa P. Tucker
Clerk, Bulloch County Superior Court
20 Siebald Street
Statesboro, Georgia 30458

RE: A07A1112. Delmas Edward Smith, et al. v. Dabbs Williams General
Contractors, LLC
Lower Court Case Number: 1B04CV410

Dear Ms. Tucker:

We are returning the enclosed transcript 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

April 10, 2009

Ms. Kim H. Birge
Clerk, Probate Court
of Chatham County
133 Montgomery Street
Savannah, GA 31412

Re: Your Case # T-2775 In Re: Estate of Lucien
Tauman

Dear Ms. Birge:

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 record as presented. Pursuant to Rule 18 of the Rules of the Court of Appeals you need to include an index of the items in the record with reference to the page numbers at which each item is located. I am enclosing a guide for transmitting records to this Court that may be helpful to you.

Please create an index for the record before returning it to us. I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of assistance to you, please do not hesitate to contact me.

Sincerely,



Holly Sparrow
Deputy Court Administrator

Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 10 2009

Mr. Joe Wilder
Clerk, Superior Court
Peach County Courthouse
Post Office Box 389
Fort Valley, Georgia 31030-0389

RE: A09A1365. Cory Clark v. The State
Lower Court Case Number: 01CR116

Dear Mr. Wilder:

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/d
Enclosure

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 9, 2009

Ms. Diane Webb
Clerk, State Court of Cobb County
12 East Park Square
Marietta, Georgia 30090

RE: Your Case Number: 04A5606
Mahabir Nanan, et al. v. State Farm Insurance Company

Dear Ms. Webb:

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 this appeal because the Notice of Appeal indicates a transcript will be filed for inclusion in the record on appeal and no transcript accompanied the record.

When the court reporter files the transcript with your office in the above appeal, please attach your certification and send the transcript along with the record to this office for docketing.

Sincerely,



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

WLM, III/ld
Enclosures

cc: Mahabir Nanan

RECORDS RETURN NOTICE

DATE: 4/7/09

Style: Mahabir Nanan et al v. State Farm
Insurance Company
Lower Court: Cekko State Court

Lower Court Case No.: 04A5606

REASON:

- No/Improper certificate of service
- Improper Notice of Appeal
- Order not stamp filed
- Transcripts
- Notice of Appeal not stamp 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 Appeals does not state to which Court
- Appealed to one Court/states jurisdiction to other
- Pages copied on front and back
- Only one side printed of duplex documnet
- Other

STATE COURT OF COBB COUNTY
MARIETTA, GEORGIA

Mahabir Nanan and
Shellielle Nanan

APPELLANT(S)

CASE NUMBER: 04-A-5606-5

VS

State Farm Insurance Company

APPELLEE(S)

VS

Carl Bostic d/b/a Affordable Home
Improvement, Goodman-Gable-Gould/
Adjusters International, and Everhome
Mortgage Company, a Florida Corporation
As Servicing Agent for Everbank,

APPELLEE(S)

VS

Rolyn Construction Corporation,

APPELLEE(S)

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IN THE STATE COURT OF COBB COUNTY

STATE OF GEORGIA

MAHABIR NANAN)
 SHELLIE YOUHOING- NANAN)
 Plaintiffs)
 V.)
 GOODMAN, GABLE, GOULD/)
 ADJUSTERS INTERNATIONAL)
 REGIONS MORTGAGE INC)
 EVERHOME MORTGAGE COMPANY)
 ROLIN CONSTRUCTION)
 Defendants/ Defendants)

COBB COUNTY GA
 FILED IN OFFICE
 08 NOV - 6 PM 12:05
 DANIEL L. WEBB
 STATE COURT CLERK-13

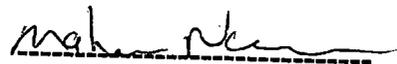
SYP

Case # 04- A- 5606-5

NOTICE OF APPEAL

Notice is hereby given that Mahabir Nanan and Shellie Youhoing- Nanan hereby appeal to the Court of Appeals of Georgia the final judgment from on order descending it, entered on the 27th day of October 2008.

Submitted on this 05th day of November, 2008.



Mahabir Nanan

445 Staten Street

Jonesboro Ga. 30238 (770) 603-6573

CERTIFICATE OF SERVICE

This is to certify that I have on this 06th day of November 2008, I have served upon the defendants through their attorney, a true copy of Plaintiffs notice of appeal by depositing same with the United States Postal Service with adequate postage addressed as follows:

Randy C. Gepp
Holloway Foster and Gepp
1200 Harris Tower
233 Peachtree Street, NE
Atlanta, Ga. 30303-1507

Kent E. Altom
Mccalla, Raymer, Padrick, Cobb Nicholas and Clark
1544 Old Alabama Road
Roswell Ga. 30076

Douglas L. Brooks
P.O Box 8477
Atlanta Ga. 30306

On this 6th day of November 2008.



Mahabir Nanan

Shellie- Youhoing- Nanan

(770) 603- 6573

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 9, 2009

Mr. Charles Baker
Clerk, Hall County Superior Court
235 Green Street, S.E.
Post Office Box 1336
Gainesville, Georgia 30503-1336

RE: Your Case Number: 05-CR-900
Rodolfo Alvarez Cabrera v. The State

Dear Mr. Baker:

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 this appeal because the order granting the out-of-time appeal does not have the judge's signature, but is merely a stamped signature.

Please include the signed order by the trial judge and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE: 4/7/09

Style: Rodolfo Alvarez Cabrera v. The State

Lower Court: Hall Superior

Lower Court Case No.: 05CR900

REASON:

- No/Improper certificate of service
- Improper Notice of Appeal
- Order not stamp filed
- Transcripts
- Notice of Appeal not stamp 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 (*signature is stamped*)
- No notice of appeal after Order granting Out of Time
- Notice of Appeals does not state to which Court
- Appealed to one Court/states jurisdiction to other
- Pages copied on front and back
- Only one side printed of duplex documnet
- Other

RECEIVED

APR - 6 2009

COURT OF APPEALS
OF GA

RODOLFO ALVAREZ CABRERA

FROM:

SUPERIOR COURT OF
HALL COUNTY, GEORGIA

VS.

TO:

COURT OF APPEALS
OF GEORGIA

STATE OF GEORGIA

CASE

NUMBER:

05-CR-900A

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FILED
HALL CO., GA.
IN THE SUPERIOR COURT OF HALL COUNTY
STATE OF GEORGIA

09 JAN 14 PM 3:27

STATE OF GEORGIA,

Plaintiff,

v.

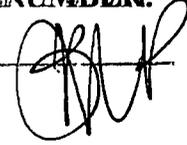
RODOLFO ALVAREZ CABRERA

Defendant.

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*

CHARLES BAKER, CLERK
CRIMINAL ACTION NUMBER:

BY _____



2005-CR-900-A

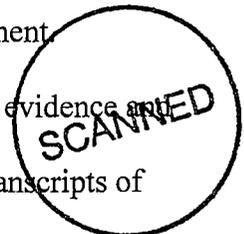
NOTICE OF APPEAL TO COURT OF APPEALS OF GEORGIA

Notice is hereby given that RODOLFO ALVAREZ CABRERA, Defendant in the above-styled action, hereby appeals to the Court of Appeals of Georgia from the judgment of conviction for Trafficking in Methamphetamine and the sentence entered in the Superior Court of Hall County, Georgia on April 5, 2006. Thereafter, a timely Motion for New Trial was filed and a hearing on the motion held September 12, 2007. Subsequently, on March 16, 2008, the trial court entered an Order Denying Defendant's Motion for New Trial. Due to ineffective assistance of counsel, no timely Notice of Appeal was made. Because this happened through no fault of Defendant to pursue his right to appeal, the Court granted Defendant's Motion to Pursue an Appeal Out-of-Time. A copy of that Order is attached hereto as Exhibit "A" and incorporated herein by reference.

The offense for which the Defendant was convicted and the respective sentence was as follows:

Trafficking in Methamphetamine: Thirty years, twenty-five years imprisonment.

The Clerk will please omit nothing from the record on appeal. Transcript of evidence and trial proceedings will be filed for inclusion in the record on appeal. Additionally, transcripts of



all hearings and the court's rulings on same will be included. Transcriptions of these hearings will be necessary for this appeal, if they are not already available.

The Court of Appeals, rather than the Supreme Court, has jurisdiction of this case on appeal for the reason that this matter is not one reserved to the Supreme Court or conferred on other courts by law. Ga. Const. Art. VI, §5, ¶3 (1983).

Defendant is indigent and has no funds to pay for the costs or his attorney's fees for this appeal, as is reflected by the qualification of Defendant for representation by the Public Defender's Office on April 17, 2006. A copy of the Appointment Notice is attached hereto as Exhibit "B" and incorporated herein by reference.

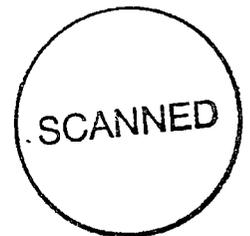
This 15 day of January, 2009.

Respectfully submitted,



Nicki Noel Vaughan
Assistant Public Defender
Georgia State Bar No. 726051

P.O. Box 390
Gainesville, GA 30503
(770) 718-5523



The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 7, 2009

Ms. Betty Lynn Johnson
Clerk, Ben Hill Superior Court
115 South Sheridan Street
Post Office Box 1104
Fitzgerald, Georgia 31750-1104

RE: Your Case Number: 06CR113
Ivan Lightsey v. The State

Dear Ms. Johnson:

Enclosed please find the record in the above appeal which is forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the record does not contain a stamped filed copy of the Sentencing Sheet. When the Sentencing Sheet is filed with your office, please include it in the record and index and return the record to this office for docketing.

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

Sincerely,



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

WLM, III/ld
Enclosures

RECORDS RETURN NOTICE

DATE: 4/6/09

Style: Van Lightsey v. The State

Lower Court: Ben Hill Superior

Lower Court Case No.: 06CR113

REASON:

- No/Improper certificate of service
- Improper Notice of Appeal
- Order not stamp filed
- Transcripts
- Notice of Appeal not stamp 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 Appeals does not state to which Court
- Appealed to one Court/states jurisdiction to other
- Pages copied on front and back
- Only one side printed of duplex documnet
- Other need sentence sheet

**THE SUPREME COURT
OF GEORGIA
THE COURT OF APPEALS
OF GEORGIA**

INDEX TO RECORD

**IN THE CASE OF
STATE OF GEORGIA
VS.
IVAN LIGHTSEY
06CR-113**

**FROM
THE SUPERIOR COURT
BEN HILL COUNTY, GEORGIA**

RECEIVED

APR - 2 2009

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OF GA

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CLERK OF SUPERIOR & JUVENILE COURTS
BEN HILL COUNTY, GEORGIA

Phone (229) 426-5135
Fax (229) 426-5487

115 South Sheridan Street
Post Office Box 1104
Fitzgerald, Georgia 31750-1104

IN THE SUPERIOR COURT OF BEN HILL COUNTY
STATE OF GEORGIA

IVAN LIGHTSEY
APPELLANT

VS

CASE NO. 06CR-113

STATE OF GEORGIA
APPELLEE

CERTIFICATE OF SERVICE

I hereby certify that I have enclosed, directed, stamped and mailed a copy of the above stated case filed April 3, 2006 with a true and complete copy of the record.

Witness my signature and the seal of Court affixed

This the 30th day March 2009

Betty Lynn Johnson

Betty Lynn Johnson

Clerk of Superior Court, Ben Hill County, Georgia

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 7, 2009

Mr. Thomas W. Sauls
Clerk, Juvenile Court of Pierce County
Post Office Box 588
Blackshear, Georgia 31516-0588

ATTN: Melissa A. Howard, Deputy Clerk

RE: Your Case Numbers: 2008-JV-CJ-101
2008-JV-CJ-110
2008-JV-CJ-118

Bobby Lee Lester v. The State

Dear Ms. Howard:

I am in receipt of the record in the above appeals which were sent from your office to ours. Please be advised that we are unable to docket these appeals.

As we discussed in our telephone conversation, I believe you can make these three appeals into a single appeal. Please make sure that the pages are consecutively numbered with a corresponding index. It is not necessary to duplicate record pages.

As we also discussed, I am unable to docket the records as submitted because there is not a clerk's certificate attached to each part of the record. Also, there are indexing problems in 2008-JV-CJ-110 and 2008-JV-CJ-118.

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

Sincerely,



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

WLM, III/ld
Enclosures

Thomas W. Sauls, Clerk
Pierce County Superior Court
P.O. Box 588
Blackshear, GA 31516
(912) 449-2020

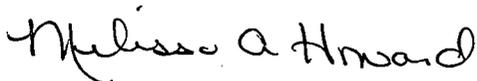
March 27, 2009

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

Dear Mr. Martin,

Enclosed please find the record in the cases of the State versus Bobby Lester case number 2008-JV-CJ-101, case number 2008-JV-CJ-110 and case number 2008-JV-CJ- 118 together with the original Notice of Appeal and one volume of transcript of proceedings.

Sincerely,



Melissa A. Howard
Deputy Clerk Pierce State Court

RECEIVED

APR - 3 2009

COURT OF APPEALS
OF GA

STATE OF GEORGIA

OFFICE OF THE CLERK OF PIERCE SUPERIOR COURT

COUNTY OF PIERCE

THIS IS TO CERTIFY That the foregoing pages, hereto attached, contain the original Notices of Appeal, together with a true and complete copy of those portions of the record required by the Court of Appeals of Georgia to be transmitted to the Court of Appeals of Georgia.

The delay in sending this record was caused by the stress of work in the Clerk's Office and was not caused by the attorney for the appellant.

WITNESS MY HAND AND OFFICIAL SEAL this 27th day of March, 2009.

Melissa A. Howard Deputy
CLERK OF COURT
PIERCE COUNTY, GEORGIA

RECORDS RETURN NOTICE

DATE: 4/7/09

Style: Bobby Lee Hester v. The State

Lower Court: Pierce County Juvenile

Lower Court Case No.: 2008-JV-CJ-101 2008-JV-CJ-110
2008-JV-CJ-118

REASON:

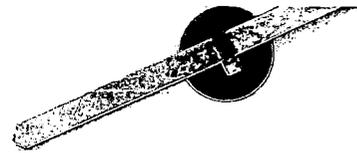
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- No motion for new trial (have order thereon)
- Order not signed by Judge
- No notice of appeal after Order granting Out of Time
- Notice of Appeals does not state to which Court
- Appealed to one Court/states jurisdiction to other
- Pages copied on front and back
- Only one side printed of duplex document

** index in 2008 JV CJ 110 does not reference page 11.*

** index in case 2008 JV CJ-118 does not match page #'s of record as currently prepared -*

Other *only one appeal was filed as to 3 lower case #'s - pages should be consecutively numbered.*

each part should have clerks certificate



IN THE GEORGIA COURT OF APPEALS

FROM

PIERCE COUNTY JUVENILE COURT

BOBBY LEE LESTER
APPELLANT

VS.

STATE OF GEORGIA
APPELLEE

RECEIVED
APR 3 2009
COURT OF APPEALS
OF GA

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IN THE GEORGIA COURT OF APPEALS

FROM

PIERCE COUNTY JUVENILE COURT

BOBBY LEE LESTER
APPELLANT

VS.

STATE OF GEORGIA
APPELLEE

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IN THE GEORGIA COURT OF APPEALS

FROM

PIERCE COUNTY JUVENILE COURT

BOBBY LEE LESTER
APPELLANT

VS.

STATE OF GEORGIA
APPELLEE

RECEIVED

APR - 3 2009

COURT OF APPEALS
OF GA

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IN THE JUVENILE COURT OF PIERCE COUNTY
STATE OF GEORGIA

IN RE:]
] CASE NOS. 113-08J-101a
BOBBY LESTER] 113-08J-110a
] 113-08J-117a
] 113-08J-118a
]

TRANSCRIPT OF PROCEEDINGS

A Hearing, held before the Honorable John B. Adams, Judge, Juvenile Court of Pierce County, held in the Courtroom of the Pierce County Courthouse in Blackshear, Georgia, on Wednesday, February 25, 2009, commencing at approximately 10:20 a.m.

APPEARANCES:

FOR THE STATE: VICTORIA CANNIZZO
Assistant District Attorney
201 State Street
Waycross, Georgia 31501

FOR THE JUVENILE: TALETHIA WEEKLEY
Assistant Public Defender
605 Church Street
Waycross, Georgia 31501

VICKI L. THIGPEN
Certified Court Reporter B-1099
3056 Spatola Loop
Blackshear, Georgia 31516
(912) 449-4857

ORIGINAL

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 10, 2009

Ms. Deimetria High
Clerk, Juvenile Court of Floyd County
3 Government Plaza • Suite 202
Rome, Georgia 30161-0946

RE: Your Case Number: 08JV17
In the Interest of: R.H., a Child

Dear Ms. High:

On November 17, 2008, I returned the record in the above appeal to your office because the Notice of Appeal did not contain a Certificate of Service showing the person by name and address who is being served with the Notice of Appeal. This Court received under cover of your mailing of postmark date February 9, 2009, a copy of that letter and an amended Notice of Appeal to include the Certificate of Service showing the name and address of the party to be served. However, you did not return the original record.

I am returning your amended Notice of Appeal which contains the name and address of the party to be served. Please include that in the record, and index same, and return the complete record to this Court for Docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

Enclosure

cc: Mr. Timothy M. Henry

RECORDS RETURN NOTICE

DATE 2/10/09

Style In the Interest of: R.H., a child

Lower Court Floyd Juvenile Court

Lower Court Case NO. 08JV 17

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
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- Not properly assembled
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- 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 record was returned 11/17/08 -

no certificate of service

here nt filed an amended NOA
but clerk did not return
original record.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

(404) 656-3450
martinw@gaappeals.us

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

November 17, 2008

Ms. Deimetria High
Clerk, Juvenile Court of Floyd County
3 Government Plaza • Suite 202
Rome, Georgia 30161-0946

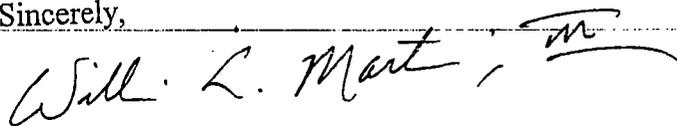
RE: Your Case Number: 08JV17
In the Interest of: R.H., a Child

Dear Ms. High:

I am in receipt of the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the Notice of Appeal does not indicate the party, by name and address, who is being served with the Notice of Appeal. Without the complete name and mailing address of the party being served by the appellant, we are unable to docket this appeal because we do not know to whom to send the Docketing Notices.

When the appellant files an amended Notice of Appeal to include the complete name and mailing address of the party to be served with the Notice of Appeal, please include the amended Notice of Appeal in the record and index same and return the record to this office for docketing.

Sincerely,



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

WLM, III/ld
Enclosure

cc: Mr. Timothy M. Henry
GDC1197084
Western Pre-Release Center
Post Office Box 2250
Butler, Georgia 31006

**IN THE JUVENILE COURT OF
FLOYD COUNTY, GEORGIA**

IN THE INTEREST OF:

R.H.

08-JV-17

INDEX

	<u>FILED</u>	<u>PAGE</u>
AMENDED NOTICE OF APPEAL	1-31-09	

GEORGIA, FLOYD COUNTY

I do hereby certify that the attached legal and social documents and records to be true, correct and exact copies of the originals as they appear in the office of the Clerk of the Court of Floyd County, Georgia.

This 31 day of January, 2009



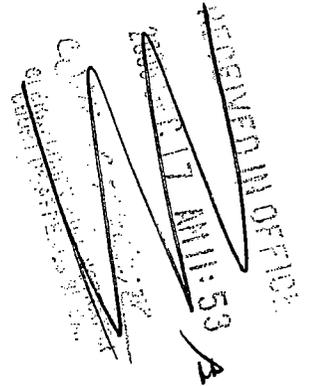
Clerk / Deputy Clerk
Floyd County Juvenile Court

JAN 31 2009

FLOYD COUNTY
JUVENILE COURT

TIMOTHY HENRY #1197084
WESTERN PRE-RELEASE CENTER
P.O. BOX 2250
BUTLER, GA. 31006

CLERK OF COURT;
WILLIAM L. MARTIN III; ADMINISTRATOR



DEAR MR. MARTIN,

THE ENCLOSED NOTICE OF APPEAL IS IN RESPONSE TO THE LETTER YOU WROTE ADDRESSED TO MRS. D. HIGH, ON NOVEMBER 17, 2008.

IN REGARDS TO ALL DOCKETING NOTICES OF PARTY TO BE SERVED PLEASE NOTE THE LIST BELOW.

- 1 GEORGIA DEPT. OF HUMAN SERVICES
- 2 DIVISION OF FAMILY AND CHILDREN SERVICES
- 3 DANETTE M. HILL; SOCIAL SERVICE CASE MANAGER

ALL LOCATED AT: 450 RIVERSIDE PARKWAY
SUITE # 110

POST OFFICE BOX 193
ROME, GEORGIA 30162-0193

SINCERELY
TIMOTHY HENRY
Timothy Henry

COURT OF APPEALS
STATE OF GEORGIA

TIMOTHY HENRY
PETITIONER

CASE No. # 08 JVT
IN THE INTEREST OF: R.H. ACHFIELD

RECEIVED IN OFFICE
JAN 31 2009

✓
FLOYD COUNTY JUVENILE COURT
RESPONDENT

NOTICE OF AMENDED APPEAL

JAN 31 2009

FLOYD COUNTY
JUVENILE COURT

COMES NOW TIMOTHY HENRY, PETITIONER, HEREBY
GIVING NOTICE OF HIS AMENDED APPEAL TO THE JUVENILE
COURTS OF FLOYD COUNTY AT, 3 GOVERNMENT PLAZA, SUITE
202, ROME, GA. 30161-0946.

THE CLERK WILL PLEASE INCLUDE THE ENTIRE
RECORD ON APPEAL, INCLUDING ALL DOCUMENTARY EVIDENCE
ADMITTED, ALL PLEADINGS SUBMITTED TO COURTS, AND THE
NAME WITH MAILING ADDRESS OF PARTY TO BE SERVED.

ALL DOCKETING NOTICES SHOULD BE SENT TO BOTH
PETITIONER AND RESPONDENT AT THEIR SUBMITTED ADDRESS
AND NOTHING SHOULD BE OMITTED FROM RECORD ON APPEAL.

15 DAY OF Dec. 08

RESPECTFULLY SUBMITTED

SIGNED THIS
Cynthia K. James My Commission Expires 5/14/2010
NOTARY PUBLIC SWORN TO OATH

Timothy Henry

Floyd County Juvenile Court
c/o Demetria High
3 Government Plaza
Suite 202
Rome, Georgia 30161



The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, GA 30334

3033489006 0001



The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 10 2009

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

RE: A05A1646. William Earle Bryant v. Antebellum Homes, Inc.
Lower Court Case Numbers: 200V-0996

Dear Ms. Studdard:

We are returning the enclosed transcript and 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 10 2009

Ms. Annie L. Middleton
Clerk, Miller County Superior Court
Post Office Box 66
Colquitt, Georgia 31737-0066

RE: A06A1498. Rhonda Waden v. Annie Ruth Burke, Administrator of the
Estate of Evelyn J. Lockhart
Lower Court Case Number: 2003V159

Dear Ms. Middleton:

We are returning the enclosed depositions 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 10 2009

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

RE: A06A1541. Amanda Karklis v. The State
Lower Court Case Number: SU03CR1543

Dear Ms. Pierce:

We are returning the enclosed micro 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/lld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 10 2009

Ms. Evonne S. Mull
Clerk, Superior Court
Dougherty County Courthouse
Post Office Box 1827
Albany, Georgia 31703-1827

RE: A06A1557. Michael Mulvaney v. The State
Your Case Number: 2004R480

Dear Ms. Mull:

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

Sincerely,



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

WLM, III/l
Enclosure

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334.

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 10 2009

Ms. Evonne S. Mull
Clerk, Superior Court
Dougherty County Courthouse
Post Office Box 1827
Albany, Georgia 31703-1827

RE: A06A1564. Stavinci Ellis v. The State
Your Case Number: 2003R162

Dear Ms. Mull:

We are returning the enclosed videocassette for the above referenced appeal for your files.
If you have any questions regarding this matter, please do not hesitate to contact my 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 10 2009

Ms. Evonne S. Mull
Clerk, Superior Court
Dougherty County Courthouse
Post Office Box 1827
Albany, Georgia 31703-1827

RE: A06A1764. Daniel E. Barber v. The State
Lower Court Case Number: 02R664

Dear Ms. Mull:

We are returning the 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 10 2009

Ms. Evonne S. Mull
Clerk, Dougherty County Superior Court
P. O. Box 1827
Albany, Georgia 31702-1827

RE: A06A2325. Jeffrey Scott Clark v. The State.
Lower Court Case Number: 04R982

Dear Ms. Mull:

Enclosed please find one videotape and one letter in reference to the above 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

WLM, III/cw
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 10 2009

Ms. Joy Smith
Clerk, Marion County Superior Court
P. O. Box 41
Buena Vista, Georgia 31803-0041

RE: A06A2412. The State v. Sam Rigdon.
Lower Court Case Number: 88749D

Dear Ms. Smith:

Enclosed please find one videotape in reference to the above 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

WLM, III/cw
Enclosure

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 10 2009

Ms. Carolyn V. Sullivan
Clerk, Houston County Superior Court
201 Perry Parkway
Perry, Georgia 31069

RE: A07A0548. Kevin Allen Daly v. The State
Lower Court Case Number: 2004X31582

Dear Ms. Sullivan:

We are returning the enclosed photographs 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 10 2009

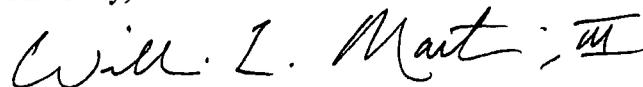
Mr. Kenneth H. Skinner
Clerk, Superior and State Courts
Carroll County Courthouse
Post Office Box 1620
Carrollton, Georgia 30112

RE: A07A0679. Billy Joe McIntyre v. The State
Lower Court Case Number: S2004TR1899

Dear Mr. Skinner:

We are returning the enclosed transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martlnw@gaappeals.us

APR 10 2009

Ms. Kay Arnold
Clerk, Randolph County Magistrate Court
2005 South Webster Street
Post Office Box 98
Cuthbert, Georgia 39840

RE: A07A0706. In Re: S.M.G, D.L.G., D.E.G and D.E.G, Children
Lower Court Case Number: 12006J083

Dear Ms. Arnold:

We are returning the enclosed transcript and 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 10 2009

Ms. Nancy C. Smith
Clerk, Superior Court
Sumter County Courthouse
Post Office Box 333
Americus, Georgia 31709

RE: A07A0848. In the Interest of D.K., a Child
Lower Court Case Number: 12906J310

Dear Ms. Smith:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 10 2009

Ms. Teresa Harper
Clerk, Superior Court Upson County
Post Office Box 469
Thomaston, Georgia 30286-0469

RE: Your Case Number: 04R380
A07A0893. Ronnie Holloway v. The State

Dear Ms. Harper:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 10, 2009

Ms. Louise T. Garrett
Clerk, Superior Court
Meriwether County Courthouse
Post Office Box 160
Greenville, Georgia 30222-0160

RE: A07A1758. Donald Adams v. The State
Lower Court Case Number: 2001CR000340

Dear Ms. Garrett:

We are returning the enclosed eighteen (18) 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 10 2009

Ms. Carolyn V. Sullivan
Clerk, Superior Court
Houston County
201 Perry Parkway
Perry, Georgia 31069-3312

RE: A07A1885. Kent-Head, Jr. v. The State
Lower Court Case No: 2002C29855

Dear Ms. Sullivan:

We are returning the enclosed original exhibits and tapes in the above referenced appeal for your files. If you have any questions regarding this matter, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

APR 10 2009

Ms. Carolyn V. Sullivan
Clerk, Houston County Superior Court
201 Perry Parkway
Perry, Georgia 31069

RE: A07A2322. David Wade Bartlett v. The State
Lower Court Case Number: 2005C33062

Dear Ms. Sullivan:

We are returning the enclosed photographs and original 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/d
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 504
Atlanta, Georgia 30334

(404) 656-3450
martinw@gaappeals.us

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

April 1, 2009

Ms. Ruth Wilson
Clerk, Rockdale County Superior Court
Post Office Box 937
922 Court Street
Conyers, Georgia 30012

RE: Your Case Numbers: 2006CR1147
Jean Jocelyn Merilien v. The State

Dear Ms. Wilson:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised we are unable to docket this appeal because the Notice of Appeal indicates this is an appeal to the Superior Court of Rockdale County. We cannot docket an appeal in which the Notice of Appeal does not state the case is being appealed to the Court of Appeals of Georgia. When the appellant files an amended Notice of Appeal to reflect she is appealing to the Court of Appeals, please return the record to this office for docketing.

Beginning at page 16 of the record, some of the record is copied on front and back pages. The record should be printed on the front of the page only. See Court of Appeals Rule 18(a). It is very difficult for the Court to research a record which has copies made on both sides. Also, please bind the record at the top with roundhead fasteners, brass brads or ACCO clamps. Please do not staple each individual document in the record separately.

I am not sure exactly what Mr. Merilien is trying to appeal. An appeal from a murder conviction is to the Supreme Court of Georgia, not the Court of Appeals. Likewise, an appeal from the trial court's denial of an Application for Writ of Habeas Corpus is to the Supreme Court of Georgia, not the Court of Appeals.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Jean Jocelyn Merilien
GDC1048466
Valdosta State Prison

RECORDS RETURN NOTICE

DATE 3/30/09

Style Jean Jocelyn Merilien v. The State

Lower Court Rockdale Superior

Lower Court Case NO. 2006cr21147

*Ruth Wilson
Clerk
6/1/09*

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 being appealed to Superior Court
 each pleading was stapled -

*Marti helped me to remove all staples
I called clerks office to ask them
not to staple pleadings. Clerk
Ruth Wilson asked me to email her this -
(I have not yet done so)*

DIRECT APPEAL PREPARATION SHEET

DOCKET DATE: _____

CASE NUMBER: _____ JUDGE NO. _____

STYLE: Jean Jocelyn Merilien v. The State

CLASSIFICATION CODE: _____

X REFERENCE: _____

APPLICATION CASE NO.: _____

SUPREME COURT CASE NO.: _____

PAUPER _____

LOWER COURT JUDGE NO.: _____

LOWER COURT COUNTY: _____ 08 122

LOWER COURT NAME: _____ 07 001

CLERK OF LOWER COURT NO.: _____ 14122

JUDGMENT DATE: _____

NOTICE OF APPEAL DATE: _____ 2/5/09

LOWER COURT CASE NO.: _____ 2006CR1147

RECORDS _____ 2

TRANSCRIPTS _____ 4

OTHER DOCUMENTS _____

APPELLANT ATTORNEY BAR NO.

APPELLEE ATTORNEY BAR NO.

OTHER ATTORNEY BAR NO.



RUTH A. WILSON
Clerk of Rockdale County Superior Court
Post Office Box 937
Conyers, Georgia 30012

RECEIVED

MAR 26 2009

COURT OF APPEALS
OF GA

March 25, 2009

Mr. William L. Martin, III, Clerk
Court of Appeals of Georgia
47 Trinity Ave, Suite 501
Atlanta, Georgia 30334

RE: Jean Jocelyn Merilien vs. State of Georgia
Rockdale Superior Court case no: 2006-CR-1147 N

Dear Mr. Martin:

Enclosed herewith is an Appeal that has been filed (Pro-se) in the above-styled case.

The address of the District Attorney is:

Richard R. Read, District Attorney
Roberta Earnhardt, Asst. District Attorney
922 Court Street
Conyers, GA 30012
770-278-7990

The address of the Defendant is:

Jean Jocelyn Merilien
GDC # 1048466
Valdosta State Prison
P.O. Box 310
Valdosta, Georgia 31603

Sincerely,

Sheila-Marie Johnson
Deputy Clerk
Rockdale County Superior Court

Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 3, 2009

Ms. Angela Spell
Clerk, Superior Court
Coffee County Courthouse
101 South Peterson Street
Douglas, Georgia 31533

RE: Your Case Numbers: 2006S03-0416
Russ Frier, et al. v. Rebecca Futch Frier, et al.

Dear Ms. Spell:

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 this appeal because the record contains both the Notice of Appeal and the Notice of Cross Appeal. We are unable to docket a record which contains more than one Notice of Appeal.

Please remove the Notice of Cross Appeal, attach your certificate and send it along with the record in the main appeal. It is not necessary to reduplicate the record for the Notice of Cross Appeal.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 4/1/09

Style Rebecca Futch Frier v. Russ Frier, as executor of the Estate of Thomas H. Frier, Jr

Lower Court Coffee Superior

Lower Court Case NO. 2006503-0416

REASON:

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- 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 they duplicated record + transcripts - not necessary to do

- on appeal @ page 296

2 cases

RECORDS RETURN NOTICE

DATE 4/1/09

Style RUSSO FRIER, as executor of the estate of
Thomas H. Frier, Jr. v. Rebecca Futch Frier

Lower Court Coffee Superior

Lower Court Case NO. 2006503-0416

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 _____

or appeal @ page 296



IN THE SUPREME COURT OF GEORGIA

RUSS FRIER
THOMAS FRIER JR

CASE NUMBER

PLAINTIFFS

:

VS

:

APPEAL FROM THE SUPERIOR

COURT OF COFFEE COUNTY

REBECCA FRIER
COLONY BANK SOUTHEAST

:

(2006S03-416)

DEFENDANTS

:

RECEIVED

RECORD

MAR 27 2009

(ONE VOLUMES)

COURT OF APPEALS
OF GA

ATTORNEY FOR APPELLANT:

JAMES D. HUDSON
918 N MADISON AVENUE
DOUGLAS, GA 31535
912-384-0956

ATTORNEY FOR APPELLEE:

WILLIAM W PRESTON
ATTORNEY FOR APPELLANT
PO BOX 499
DOUGLAS, GA 31534
912-384-4700
STATE BAR NO.: 587601

RECEIVED

MAR 27 2009

COURT OF APPEALS
OF GA

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 3, 2009

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

RE: Your Case Numbers: 03SC06141
Nick Clausell v. The State

Dear Ms. Robinson:

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 this appeal because the record does not contain the Motion for New Trial. Please include a stamped filed copy of the Motion for New Trial in the record an Index and return this record to our office for docketing.

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

Sincerely,



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

WLM, III/d
Enclosures

RECORDS RETURN NOTICE

DATE: 4/2/09

Style: NICK Clausell v. The State

Lower Court: Fulton Superior

Lower Court Case No.: 03SC06141

REASON:

- No/Improper certificate of service
- Improper Notice of Appeal
- Order not stamp filed
- Transcripts
- Notice of Appeal not stamp 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 Appeals does not state to which Court
- Appealed to one Court/states jurisdiction to other
- Pages copied on front and back
- Only one side printed of duplex documnet
- Other

TO THE COURT OF APPEALS OF GEORGIA

NICK CLAUSELL,
APPELLANT

-VS-

STATE OF GEORGIA,
APPELLEE

INDICTMENT NUMBER
03SC06141

RECEIVED
MAR 25 2009

COURT OF APPEALS
FROM OF GA
FULTON COUNTY
SUPERIOR COURT

INDEX

PAGE

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8. ORDER FOR BOND, FILED DECEMBER 3, 2003 101-102

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 6, 2009

Ms. Barbara Penson
Clerk, Floyd County Superior Court
ATTN: **Mr. Kevin Gruber**
Three Government Plaza • Suite 101
Post Office Box 1110
Rome, Georgia 30162

Dear Mr. Gruber:

Enclosed please find the portions of the record which were inadvertently omitted from an earlier communication to you. I apologize for any confusion this may have caused you.

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

Sincerely,

Will. L. Martin, III

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

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 25, 2009

Ms. Barbara Penson
Clerk, Floyd County Superior Court
Three Government Plaza • Suite 101
Post Office Box 1110
Rome, Georgia 30162

RE: Your Case Number: 07-CV-05202-JFL002
Teresa Watson, et al. v. Stephanie Dennis

Dear Ms. Penson:

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 this appeal because Part 4 which includes the designation of record and those portions designated must be paginated consecutively. Also, the companion appeal must be paginated and contain an Index.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of further 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



FROM FLOYD SUPERIOR COURT
 TO GEORGIA COURT OF APPEALS
 APPEAL CASE #07CV05202-JFL002

RECEIVED

MAR 23 2009

COURT OF APPEALS
 OF GA

TERESA WATSON AND ROMENEWSBYWATSON.COM, INC.APPELLANT

V

STEPHANIE DENNIS.....APPELLEE

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**FLOYD COUNTY SUPERIOR COURT
CLERK'S OFFICE**

BARBARA H. PENSON, CLERK
KEVIN GRUEBER, CHIEF DEPUTY CLERK
P.O. BOX 1110
ROME, GEORGIA 30162-1110
PHONE (706) 291-5191
FAX (706) 233-0035

RECEIVED

MAR 23 2009

COURT OF APPEALS
OF GA

March 13, 2009

Enclosed are two sets of documents pertaining to the same case (07CV05202-JFL002 from Floyd Superior Court):

1. The appeal of Teresa Watson and Romenebywatson.com, Inc. vs. Stephanie Dennis which consists of three volumes and four transcripts.
2. The appeal of L. Vincent Anderson, Ms Watson's former attorney. This consists of only the original Notice of Appeal and is the same Notice of Appeal used by Ms Watson. It includes no other paperwork as Mr. Anderson requested that the same documentation used in Ms Watson's appeal be used in his appeal. I'm simply doing as he requested.

Please let me know of any questions or problems.



Kevin Grueber
Chief Deputy Clerk
(706)291-5198
grueberk@floydcountyga.org

FILED IN OFFICE

11:54
SEP 17 2008

Emma Butler
CLERK

IN THE SUPERIOR COURT OF FLOYD COUNTY
STATE OF GEORGIA

Stephanie Dennis
Plaintiff

Civil File No. 07CV05202JFL002

v.

TERESA WATON and
ROMENEWSBYWATSON.COM, INC.
Defendants

DEFENDANTS' AFFIDAVIT IN SUPPORT OF MOTION FOR PROTECTIVE
ORDER

Comes now Affiant, Defendant Teresa Watson, owner and operator of Defendant Personality, RomeNewsByWatson.com, and swears to the following facts:

I. INTRODUCTION

Since October, 2007 when I began a series on my news website, regarding the Chattooga County, Georgia Branch of the Dixie Mafia, Bobby Lee Cook and his associates have conspired and engaged in numerous acts of criminal activity directed against myself and others, attempting to violate our **Civil Rights**, attempting to **Suppress Free Speech**, and to threaten my physical life, in an effort to intimidate me such that **I am afraid for my physical life.**

They have effected this through:

- Terroristic threats of violence against my person
- Illegal /Unethical manipulation of the judicial process.
- Violation of Federal Trade Protection by threatening litigation against my advertisers, causing a complete loss in revenue to her corporation, including out of state clients.
- Attempting to interfere with my attorney client relationship through Fraud by Plaintiff's attorney.

Additionally, in recent months, as reported by several news entities in addition to my website, Bobby Lee Cook has become irrationally violent to towards others.
(See "Police Incident Report", Exhibit 1)

Bobby Lee Cook has filed a twin law suits against me in Chattooga County and in Floyd County which are almost word for word identical to each other, with the exception that in the Chattooga County case, he has made me and my website co-defendants/co-conspirators, alleging conspiracy with someone who used to be a poster

223



Law

FILED IN OFFICE

4:45pm

DEC 01 2008

Cynthia Moreland
CLERK

IN THE SUPERIOR COURT OF FLOYD COUNTY
STATE OF GEORGIA

STEPHANIE DENNIS)

Plaintiff,)

vs.)

TERESA WATSON and)
ROMENEWSBYWATSON.COM,)
INC.)

Defendants.)

CIVIL ACTION FILE NO.
07-CV-05202-JFL002

PLAINTIFF STEPHANIE DENNIS' NOTICE OF FILING
AND SERVICE OF AFFIDAVIT

Comes now Plaintiff, Stephanie Dennis ("Ms. Dennis"), and notifies the Court of the filing and service of the "Affidavit of Jackson B. Harris," attached hereto as "Exhibit A" in support of PLAINTIFF STEPHANIE DENNIS' MOTION FOR ATTORNEYS FEES AND EXPENSES OF LITIGATION PURSUANT TO O. C. G. A. § 9-15-14.

This 1st day of December, 2008.

COOK & CONNELLY

BY:

Bobby Lee Cook (by [Signature])

Bobby Lee Cook
Georgia Bar No.: 183100

Cook & Connelly
P. O. Box 370
Summerville, Ga 30747
(706) 857-3421

474

VT

FILED IN OFFICE

OCT 08 2008

C. Dillard

IN THE SUPERIOR COURT OF FLOYD COUNTY

CLERK

ROME, GEORGIA

STEPHANIE DENNIS,

)

Plaintiff

)

VS

07-CV-5202-JFL002

)

TERESA WATSON and

ROMENEWSBYWATSON.COM,

)

ORIGINAL

Defendant

)

MOTION TO DISMISS
TORT/NEGLIGENCE
PAGES 1 - 9

APPEARANCES:

FOR THE PLAINTIFF:

)

BOBBY LEE COOK, ESQ.

FOR THE DEFENDANT:

)

L. VINCENT ANDERSON, ESQ.

SEPTEMBER 23, 2008, Rome, Georgia

BE IT REMEMBERED, the above-styled case came up for hearing on this date before the HON. WALTER J. MATTHEWS, Judge of said Court, when all parties announced ready.

WHEREUPON, the following proceedings were held, to wit: Defendant was duly sworn and examined by the Court and a civil action motion to dismiss tort/negligence action was heard.

Melodie E. Taylor, CCR-1057, 3 Government Plaza, Suite 212, Rome, Georgia 30161
(706) 291-5166, 5120; fax (706) 291-5166, 5120

IN THE SUPERIOR COURT OF FLOYD COUNTY

ROME, GEORGIA

STEPHANIE DENNIS,)

Plaintiff)

VS)

TERESA WATSON and)
ROMENEWSBYWATSON.COM, INC.,)
A Georgia Corporation,)
Defendant)

) CIVIL ACTION FILE NO.

) 07-CV-05202-JFL002

ORIGINAL
FILED IN OFFICE

DEC 18 2008

PAGES 1 - 17

Melodie Taylor
CLERK

APPEARANCES:

FOR THE PLAINTIFF:

BOBBY LEE COOK, ESQ.
PO Box 370
Summerville, GA 30747

FOR THE DEFENDANT:

J. VINCENT ANDERSON, ESQ.
1119 Trammell Street
Dalton, GA 30720

DECEMBER 17, 2008, Rome, Georgia

BE IT REMEMBERED, the above-styled case came up for hearing on this date before the HON. WALTER J. MATTHEWS, Judge of said Court, when all parties announced ready.

WHEREUPON, the following proceedings were held, to wit: A MOTIONS HEARING WAS HELD.

Melodie E. Taylor, CCR-1057, 3 Government Plaza, Suite 212, Rome, Georgia 30161
(706)291-5166, 5120; fax (706)291-5166

IN THE SUPERIOR COURT OF FLOYD COUNTY
ROME JUDICIAL CIRCUIT
ROME, GEORGIA

STEPHANIE DENNIS

) CASE NO.: 07-CV-05202JFL002

VS

TERESA WATSON &
ROMENEWSBYWATSON.COM,

Defendant

FILED IN OFFICE

JAN 29 2009

ORIGINAL

Melodie Taylor
CLERK

FOR THE PLAINTIFF:

Bobby Lee Cook, Esq.
Rex Abernathy, Esq.
Jack Harris, Esq.

FOR THE DEFENDANT:

No appearance

PAGES 1-22

Motions

January 27, 2009, Rome, Georgia

BE IT REMEMBERED, the above-styled case came up for hearing on this date before the HON. WALTER J. MATTHEWS, Judge of said Court, when all parties announced ready.

WHEREUPON, the following proceedings were held, to wit: A motions hearing was held.

Melodie Taylor, Certified Court Reporter, 3 Government Plaza, Ste 212, Rome, Ga

(706)291-5166, 5120

ORIGINAL

IN THE SUPERIOR COURT OF FLOYD COUNTY
ROME JUDICIAL CIRCUIT
ROME, GEORGIA

STEPHANIE DENNIS

) CASE NO.: 07-CV-05202JFL002

VS

)

MOTIONS

TERESA WATSON &
ROMENEWSBYWATSON.COM,

FILED IN OFFICE

Defendant

)

FEB 04 2009

Mimi Treadwell
CLERK

FOR THE PLAINTIFF:

FOR THE DEFENDANT:

Bobby Lee Cook, Esq.
Rex Abernathy, Esq.
Jack Harris, Esq.

No appearance

PAGES 1-12
Motions

February 4, 2009, Rome, Georgia

BE IT REMEMBERED, the above-styled case came up for hearing on this date before the HON. WALTER J. MATTHEWS, Judge of said Court, when all parties announced ready.

WHEREUPON, the following proceedings were held, to wit: A motions hearing was held.

Melodie Taylor, Certified Court Reporter, 3 Government Plaza, Ste 212, Rome, Ga

(706)291-5166, 5120



FROM FLOYD SUPERIOR COURT
 TO GEORGIA COURT OF APPEALS
 APPEAL CASE #07CV05202-JFL002

RECEIVED

MAR 23 2009

COURT OF APPEALS
 OF GA

SUPPLEMENTAL

TERESA WATSON AND ROMENEWSBYWATSON.COM, INC.APPELLANT

V

STEPHANIE DENNIS.....APPELLEE

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

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

RE: A06A0464. Mark Malone v. The State
Lower Court Case Number: 029530624

Dear Mr. Stephenson:

We are returning the enclosed 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/l
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Mary L. Green
Clerk, Superior Court of Turner County
Post Office Box 106
Ashburn, Georgia 31714-0106

RE: Your Case Number: 2005CV0125
A07A0572. Ashburn Health Care Center, Inc., et al. v. Craig Poole as
Executor of the Estate of Maxine Poole

Dear Ms. Green:

We are returning the enclosed DVD or CD with transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Brian Brannon
Clerk, Superior Court
Gordon County Courthouse
100 Wall Street • Suite 102
Calhoun, Georgia 30701

RE: Lower Court Case Number: 04CV44400
A07A0669. Charles Golden, et al. v. Larry Vickery

Dear Mr. Brannon:

We are returning the enclosed depositions in the above referenced appeal for your files. If you have any questions regarding this matter, 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
47 Trinity Avenue
Suite 504
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Carolyn V. Sullivan
Clerk, Houston County Superior Court
201 Perry Parkway
Perry, Georgia 31069

RE: A07A2322. David Wade Bartlett v. The State
Lower Court Case Number: 2005C33062

Dear Ms. Sullivan:

We are returning the enclosed photographs and original 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Patricia Baker
Clerk, Superior Court
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A2349. Keith Price v. The State
Lower Court Case Number: OCCR0170

Dear Ms. Baker:

We are returning the enclosed photographs and original exhibits and a file folder with information in the above referenced matter for your files. If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 5, 2009

Ms. Dena M. Adams
Clerk, Superior Court
White County Courthouse
59 South Main Street, Suite B
Cleveland, Georgia 30528-1376

RE: Your Case Number: 2005CR188
James Gerald Matiatos v. The State

Dear Ms. Adams:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the record does not contain a stamped filed copy of the Motion for New Trial. Without a stamped filed copy of the Motion for New Trial, this Court is unable to determine if the Motion was timely filed.

Please include a stamped filed copy of the Motion for New Trial in the record and Index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 3/4/09

Style James Geraed Matiatos v. The State

Lower Court White Superior

Lower Court Case NO. 2005CR 188

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
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STATE OF GEORGIA

CRIMINAL ACTION

VS

FILE NO. 2005-CR-188-DB

JAMES GERALD MATIATOS

Defendant

RECEIVED

MAR - 2 2009

COURT OF APPEALS
OF GA

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IN THE SUPERIOR COURT OF WHITE COUNTY
STATE OF GEORGIA

2009 JAN 27 AM 11:56

BOOK _____ PAGE _____
DENA M. ADAMS, CLERK
WHITE COUNTY, GA

STATE OF GEORGIA)

v.)

JAMES G. MATIATOS,)
Defendant)

CRIMINAL ACTION:
2005-CR-188-DB

JUDGE,
David E. Barrett

NOTICE OF APPEAL

Notice is hereby given that James G. Matiatos, Defendant above named, hereby appeals to the Georgia Court of Appeals from the verdict of the Jury and sentence entered thereon, on the 25th day of April, 2006 and from the order denying Defendant's Motion for New Trial entered in this action on the 16th day of January, 2009.

The offenses for which Defendant was convicted are as follows: numerous counts of Sexual Exploitation of Children each with a sentence of twenty (20) years to be served concurrently. And consecutively, numerous counts of Sexual Exploitation of Children each with a sentence of twenty (20) years probation to be served concurrently.

Defendant is unable to afford neither an attorney nor the appeal costs pursuant thereto because of his poverty.

Defendant requested an indigent affidavit and was determined indigent for trial. Trial counsel was appointed and the undersigned counsel has been appointed to handle Defendant's appeal.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 24, 2009

Ms. Linda T. Miller
Clerk, Clayton County Superior Court
Harold W. Banke Justice Center
9151 Tara Boulevard
Jonesboro, Georgia 30236

RE: Case Numbers: 2007-CV-04242
Terrence Owens, et al. v. Robinson St Victor

Dear Ms. Miller:

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 this appeal because the record contains the Notice of Appeal for the main appeal and a Notice of Appeal for a companion appeal. We can not docket an appeal which contains two Notices of Appeal.

Please remove one of the Notices of Appeal, attach your certificate and send it along with the record containing the other Notice of Appeal to this office for docketing. It is not necessary to reduplicate the record for the second Notice of Appeal.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 3/24/09

Style Terrence Owens et al v.
Robinson St. Victor et al

Lower Court Clayton Superior

Lower Court Case NO. 2007CV04242

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
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**GEORGIA COURT OF APPEALS
STATE OF GEORGIA**

OWENS TERRENCE
Appellant(s)

2007-CV-04242-06

VS.

APPEAL # 04282

ST VICTOR ROBINSON
Appellee(s)

RECEIVED

MAK 20 2009

***** COURT OF APPEALS OF GA *****

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 504
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 25, 2009

Ms. Cathelene Robinson
Clerk, Superior Court Fulton County
136 Pryor Street, S.W. • 5th Floor
Atlanta, Georgia 30303

ATTN: Ms. Wendy Brewster, Deputy Clerk

RE: Your Case Numbers: 2007CV138529
William Bussey Hammack v. Georgia Department of Transportation

Dear Ms. Brewster:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised that we were unable to docket this appeal because the record does not contain an order denying the Motion for New Trial.

When the trial court enters an order denying the Motion for New Trial, please include that in the record and Index and return the record to this office for docketing. Obviously, should the Court grant the Motion for New Trial, it may obviate the need for an appeal.

I apologize for any inconveniences this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 3/24/09

Style William Bussey Hammack v.
Ga Dept. of Transportation

Lower Court Fulton Superior

Lower Court Case NO. 2007CV138529

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
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FROM FULTON SUPERIOR COURT

WILLIAM BUSSEY HAMMACK, APPELLANT
VS
GA DEPT OF TRANSPORTATION, APPELLEE

RECEIVED

INDEX

=====

PAGE

~~MAR 23 2009~~

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 25, 2009

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

RE: Your Case Number: 2005-CV-02483-B
Mark Field v. Mark Lowery

Dear Ms. Smith:

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 because the page numbers to the depositions which are made a part of the record are not consecutively numbered relative to the record.

If you include the depositions as part of the record, the depositions will have to have a record page number. It is not sufficient to rely on the pagination for the depositions when they are included in and made a part of the record.

If you are going to leave the depositions in the record, they will need to have record page numbers with a corresponding Index. If you wish to file the depositions separately, you may place them in an envelope or box marking them as depositions and send them along with the record.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 3/24/09

Style MARK Field v. MARK Lowery

Lower Court Clayton State court

Lower Court Case NO. 2005CV02483-B

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
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- Notice of Appeal does not state to which Court
- Appealed or Appealed to one/jurisdiction to other
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- Other see index at page 50

they have attached depositions which are numbered by court reporter



THE COURT OF APPEALS
STATE OF GEORGIA

RECEIVED

MAR 23 2009

COURT OF APPEALS
OF GA

MARK FIELD

Appellant(s)

Vs.

Court Case _____

MARY LOWERY

Appellee(s)

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STATE OF GEORGIA

MAR 13 2009

Nancy M. ...
CLERK, STATE COURT
CLAYTON COUNTY

MARK FIELD,

Plaintiff,

vs.

MARY LOWERY

Defendants.

CIVIL ACTION FILE

No. 2005-CV-02483-B

NOTICE OF APPEAL

COMES NOW, Mark Field, Plaintiff in the above-styled civil action, and hereby gives notice of his appeal of this Court's Order, dated February 16, 2009, granting Defendant's Motion for Partial Summary Judgment. This appeal is made to the Georgia Court of Appeals, which has jurisdiction of this appeal in that this case is not one over which the Georgia Supreme Court has exclusive jurisdiction on appeal. This Notice is being filed within ten days of the Georgia Court of Appeals' Grant of Plaintiff's Application for Interlocutory Appeal, and The clerk is respectfully requested to *forward the following parts of the record, only*, on appeal, excluding everything else:

1. Defendant's Motion for Partial Summary Judgment, dated December 5, 2008;
2. Plaintiff's Motion for Partial Summary Judgment and Plaintiff's Response to Defendant's Motion for Partial Summary Judgment, dated December 23, 2008;
3. The Court's Order granting Defendant's Motion for Partial Summary Judgment, dated February 16, 2009;
4. Plaintiff's Motion for Reconsideration, dated February 23, 2009;
5. The Court's Order denying Plaintiff's Motion for Reconsideration, dated February 25, 2009;
6. The original transcripts of the following depositions, including exhibits thereto, which have previously been filed with the Court:

5/13/09 m/c

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 18, 2009

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

ATTN: Ms. T. Cole-Lewis, Deputy Clerk

RE: A08A2391. Allen Bailey v. State of Georgia
Your Court Case Numbers: 01CR5062

Dear Ms. Cole-Lewis:

I am in receipt of your letter of March 13, 2009, received in this office on March 16, 2009, regarding the above appeal. Pursuant to your request, we are returning the original transcripts forwarded from your office to ours in this appeal. These transcripts are volumes or parts 4-20 of the record in this case and are transcripts of the trial and various motions in this matter.

If you have any questions regarding this matter or if I can otherwise be of service to you, please do not hesitate to contact me.

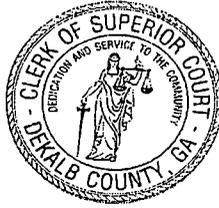
Sincerely,



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

WLM, III/ld
Attachments

01025062



CLERK OF SUPERIOR COURT
207 DEKALB COUNTY COURTHOUSE
556 NORTH MCDONOUGH STREET
DECATUR, GEORGIA 30030

LINDA CARTER
CLERK OF SUPERIOR COURT

404-371-2762

March 13, 2009

Court of Appeals of Georgia
47 Trinity Avenue
Suite 501
Atlanta Ga 30334

Dear Sir/Madam,

We are hereby requesting our original transcripts sent to your office on your case #A08A2391, styled Allen Bailey v State of Georgia.

Please do not hesitate to call us, if you have any questions.

Sincerely,

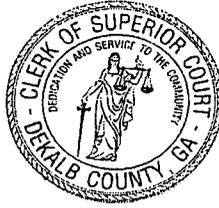
T. Cole-Lewis
Deputy Clerk

RECEIVED

MAR 16 2009

COURT OF APPEALS
OF GA

01CR5062



CLERK OF SUPERIOR COURT
207 DEKALB COUNTY COURTHOUSE
556 NORTH MCDONOUGH STREET
DECATUR, GEORGIA 30030

LINDA CARTER
CLERK OF SUPERIOR COURT

404-371-2762

March 13, 2009

Court of Appeals of Georgia
47 Trinity Avenue
Suite 501
Atlanta Ga 30334

Dear Sir/Madam,

We are hereby requesting our original transcripts sent to your office on your case #A08A2391, styled Allen Bailey v State of Georgia.

Please do not hesitate to call us, if you have any questions.

Sincerely,

T. Cole-Lewis
Deputy Clerk

RECEIVED

MAR 16 2009

COURT OF APPEALS
OF GA



CLERK OF SUPERIOR COURT
556 N. McDONOUGH STREET
DECATUR, GEORGIA 30030



Haster

016H26508121

\$00.420

03/13/2009

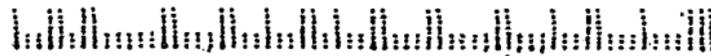
Mailed From 30030

US POSTAGE

RETURN SERVICE REQUESTED

*Court of Appeals of Georgia
47 Trinity Avenue
Suite 501
Atlanta Ga 30334*

30334+5006



The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 13, 2009

Ms. Kay Carter
Clerk, Superior Court
Charlton County Courthouse
Post Office Box 760
100 Third Street
Folkston, Georgia 31537

RE: Your Case Number: 08V072
Cedric J. Whitting v. Donald Jackson, Warden, et al.

Dear Ms. Carter:

I am in receipt of the record in the above appeal which was forwarded from your office to the Supreme Court of Georgia and then transmitted from the Supreme Court of Georgia to the Court of Appeals. Please be advised that we are unable to docket this appeal.

The Notice of Appeal does not contain a Certificate of Service showing the complete name and mailing address of opposing counsel. Without this information, we do not know to whom to send the proper Docketing Notices.

The Notice of Appeal does not indicate that the case is being appealed to the Court of Appeals of Georgia. In one instance, the appellant indicates he is appealing to the Superior Court of Charlton County, and in another instance, he gives notice he is appealing to the Court of Appeals of Georgia. In fact, the matter is an appeal for Application for Writ of Habeas Corpus, for which the Supreme Court has the appellate jurisdiction.

It appears you have sent the original record in this matter. I believe pursuant to the Appellate Practice Act, the clerk is to make a copy of the record and send a copy of the record to the appellate court and maintain the original record in the clerk's office.

When the appellant files an amended Notice of Appeal to indicate to which Court he wishes to appeal and also to have a Certificate of Service showing the complete name and mailing address of opposing counsel, please return the record to the Court which the appellant designates, rather than be the Supreme Court of Georgia or the Court of Appeals.

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

Sincerely,



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

WLM, III/ld
Enclosures

cc: Mr. Cedric J. Whitting
GDC1038789
D. Ray James Prison
Post Office Box 2000
Folkston, Georgia 31537

Charlton County, Georgia

CLERK OF SUPERIOR COURT

KAY CARTER, Clerk

P. O. Box 760 • 100 Third Street • Folkston, Georgia 31537 • (912) 496-2354

March 6, 2009

Sherie M. Welch, Clerk
Supreme Court of Georgia
244 Washington St, Room 572
Atlanta, GA 30334

RECEIVED

MAK 12 2009

COURT OF APPEALS
OF GA

RE: Case 08V-072
Cedric J Whitting, GDC 1038789, Appellant
-vs-
Donald Jackson, Warden, et al, Appellees

Dear Clerk:

Enclosed herewith, for filing in your court, is the record on appeal in the
above referenced case.

Sincerely yours,

Kay Carter
Kay Carter

Court of Appeals

*Charlton County Courthouse
Folkston, Georgia*

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Sheriff's Entry of Service	March 27, 2008	17
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PETITIONER,
CEDRIC J. WHITTING

CASE NO. 08V-072

HABEAS CORPUS

CLERK SUPERIOR COURT

Shay Carter

2009 FEB 17 PM 3:39

CHARLTON COUNTY, GEORGIA
FILED IN OFFICE

V.

RESPONDENT,
DONALD JACKSON, WARDEN

NOTICE OF APPEAL

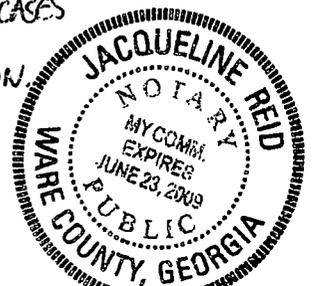
COME NOW CEDRIC J. WHITTING AND HEREBY GIVE NOTICE OF HIS APPEAL TO THE CHARLTON SUPERIOR COURT OF THE DECISION IN THE INSTANT CASE WHICH DECISION WAS FILED ON MAY 2008. THE CLERK WILL PLEASE INCLUDE THE ENTIRE RECORD ON APPEAL, INCLUDING THE HABEAS CORPUS TRANSCRIPT, ALL DOCUMENTARY EVIDENCE ADMITTED, AND ALL PLEADINGS SUBMITTED TO THE COURT. NOTHING SHOULD BE OMITTED FROM THE RECORD ON APPEAL.

JURISDICTION OF THIS APPEAL IS VESTED IN THE GEORGIA COURT OF APPEALS AND NOT IN THE SUPREME COURT OF GEORGIA FOR THE REASON THAT THE CONSTITUTION OF THE STATE OF GEORGIA SETS OUT THE SUPREME COURT HAS EXCLUSIVE APPELLATE JURISDICTION IN CERTAIN CASES AND THE COURT OF APPEALS OF THE STATE OF GEORGIA IS NOT ONE OF THOSE CASES OF WHICH THE SUPREME COURT HAS EXCLUSIVE APPELLATE JURISDICTION.

THIS 10th DAY OF FEBRUARY, 2009

RESPECTFULLY SUBMITTED,

Cedric J. Whitting

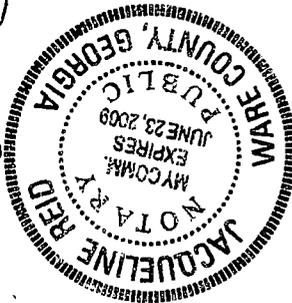


Jacqueline Reid
2-2-09

Cedric J Whiting
1038789
PO Box 2000
Folkston, GA 31537

2

Jacqueline Reid
2-12-09
Cedric J. Whiting



THIS 10 DAY OF FEBRUARY, 2009

Superior, State, and Juvenile Courts
ATTN: KAY CARTER, CLERK
PO Box 760
100 SOUTH THIRD STREET
FOLKSTON, GA. 31537

I DO HEREBY CERTIFY THAT I HAVE THIS DAY SEELED THE
WITHIN AND FORGIVING NOTICE OF APPEAL, PRIOR TO FILING THE
SAME, BY DEPOSITING A COPY THEREOF, POSTAGE PREPAID, IN THE
OUTER STATES MAIL, PROPERLY ADDRESSED UPON:

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 17, 2009

Ms. Shawna Hughes
Clerk, Superior Court
Berrien County Courthouse
Post Office Box 504
Nashville, Georgia 31639-0504

RE: A09A1339. Lamar Kinard, et al. v. Georgia Farm Bureau Mutual
Insurance Company, et al.
Your Case Number: 04C185

Dear Ms. Hughes:

We are in receipt of the record in the above appeal which was forwarded from your office to ours. Please be advised that we have docketed this appeal, however, in the future, please make sure that the record is sent to us bound at the top securely with either roundhead fasteners or ACCO clamps.

We received the record bound only by a rubber band. It is technically the responsibility of the clerk of the trial court to certify the record, transmit the record and bind it in such a fashion as the pages do not become lost, out of order or misplaced.

I have enclosed a copy of our Guidelines for Preparing Records on Appeal.

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

Sincerely,



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

WLM, III/ld
Enclosure

GUIDE TO TRANSMITTING RECORDS TO THE COURT OF APPEALS FOR TRIAL COURT CLERKS

The Clerk's Office of the Court of Appeals of Georgia would appreciate the assistance of the trial court clerks in preparing records for docketing in our Court. Following these guidelines will ensure that the records and transcripts you transmit to the Court of Appeals will be properly docketed on a timely basis. We hope this information will help us avoid returning records and transcripts to your offices and prevent you from having to do unnecessary tasks. If you have any questions, at any time, feel free to call Patty Bender at (404) 657-8353. She will be happy to assist you.

PREPARING THE RECORD FOR TRANSMISSION

1. Create an Index with page numbers. As well as listing all documents, it is very helpful if you place the date of the order or motion next to all order and motion titles.
2. The Notice of Appeal should be on 8 ½ x 11 inch paper, signed by the attorney or pro se party and include their name (typed or printed legibly) and address. Attorneys bar numbers should be placed below their names or within the address. Make sure that the Notice of Appeal has a legible stamped filed date and has a proper Certificate of Service showing the full name and mailing address of the opposing counsel. We cannot accept a general rubber stamp as a proper Certificate of Service.

The Notice of Appeal when prepared by the attorney or pro se party should state to which court they are appealing, the Court of Appeals or the Supreme Court; the order(s) they are appealing from and any documents which they wish to be included in the record. A clear statement that transcripts **ARE** or **ARE NOT** to be transmitted must be included.

3. If there are any pro se parties, either appellant or appellees, the full name and address of the pro se parties should be on the Notice of Appeal and/or the Certificate of Service.
4. In addition to the Notice of Appeal, all orders, motions and sentences **MUST** have a legible stamped filed date.
5. The record **MUST** include the order or orders being appealed. Civil cases must include the complaint and answer. Criminal cases **MUST** include the charge and sentence. If a Motion for New Trial was filed, that motion and the order disposing of the Motion for New Trial must be included in the record.
6. The judge's signature on all documents must be legible. If the signature is difficult to read, please print or type the name below the signature or put a sticky note with the judge's name.
7. Again, make sure the stamped filed date is legible on all documents.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 17, 2009

Ms. Rebecca G. Crowe
Clerk, Bryan County Juvenile Court
Post Office Box 670
Pembroke, Georgia 31321

RE: Your Case Number: 2008JVJV252
In the Interest of: E.Z., a Child

Dear Ms. Crowe:

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 this appeal because the record does not contain an order denying the Motion to Dismiss. When the trial court enters the order denying the Motion to Dismiss, please include same in the record and the Index and return the record to this office for docketing. Obviously, should the trial court grant the Motion to Dismiss, it may obviate the need for an appeal.

I am returning the record to you. I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 3/16/19

Style In the interest of: E.Z., a child

Lower Court Bryan Juvenile Court

Lower Court Case NO. 2008 JVJV 252

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 NO ORDER ON MOTION TO DISMISS

FROM
BRYAN COUNTY JUVENILE COURT

EVANS ZECHARIAH
APPELLANT

VS.

STATE OF GEORGIA
APPELLEE

RECEIVED

MAR 16 2009

COURT OF APPEALS
OF GA

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12. FOR TRANSCRIPTS FILED ON FEBRUARY 2, 2009	28	~	28
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15. TO MOTION TO DISMISS FILED ON FEBRUARY 20, 2009	33	~	35
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IN THE JUVENILE COURT OF BRYAN COUNTY

STATE OF GEORGIA

IN THE INTEREST OF:

ZECHARIAH EVANS

DOB 06/22/2008

§
§
§
§
§

Case No. 015-08J-252

MAR - 6 2009
Richard G. Crowe
Clerk of Court
Bryan County Georgia

NOTICE OF APPEAL

Notice is hereby given that Joseph Evans, Father of the above-named minor child, hereby appeals to the Court of Appeals from an Order declaring said child deprived and granting temporary custody to the Department of Family and Children Services entered by the Juvenile Court of Bryan County March 5, 2009.

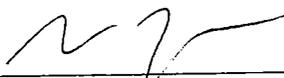
The Order herein appealed from was entered in a Petition brought by the Bryan County Department of Family and Children Services ("DFACS") seeking a disposition on allegations of deprivation. The Order was a Final Order and Notice of Appeal is filed pursuant to the provisions of O.C.G.A. § 5-6-34.

The Clerk will please omit nothing from the record on appeal.

Transcript of the proceedings will be filed for inclusion in the record on appeal.

The Court of Appeals, rather than the Supreme Court, has jurisdiction of this case on appeal by reason that the Constitution of the State of Georgia thus provides.

This 6th day of March, 2009.



Earle J. Duncan
Attorney for Joseph Evans

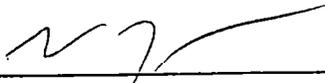
P O Box 644
Darien, Georgia 31305
(912) 437-6220
Georgia Bar No. 233426

CERTIFICATE OF SERVICE

I hereby certify that I have this day served opposing counsel with the above and foregoing Notice of Appeal by placing a copy in the United States Mail with adequate postage affixed and addressed to:

Gary A. Sinrich
103 Courthouse Square
Hinesville, Georgia 31313

This the 6th day of March, 2009.



Earle J. Duncan

P. O. Box 644
Darien, Georgia 31305
(912) 437-6220
Georgia Bar No. 233426

The Court of Appeals
Office of the Clerk
47 Trinity Avenue.
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 18, 2009

Ms. Carolyn Brazel
Clerk, Juvenile Court
Colquitt County Courthouse
Post Office Box 2827
Moultrie, Georgia 31776-2827

RE: Your Case Number: 03507J066; 03507J067 and 03507J068
In the Interest of: S.P., A.P. and L.P., Children

Dear Ms. Brazel:

Enclosed please find the record in the above appeals which were forwarded from your office to ours. Please be advised that we are unable docket these appeals because portions of the record have not been numbered.

The record contains one part record, six parts transcripts and two volumes of State Exhibits. Volumes 3 and 4 of the transcripts are exhibits which are not paginated. Volume 2 of the State's Exhibits are also not paginated nor listed on the Index.

It is necessary to paginate an Index the entire record to include volumes of exhibits. Without the Index or pagination, attorneys cannot reference the material in their briefs and the Court cannot locate same.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE: 3/18/09

Style: In the Interest of: S. P., A. P. and L.P., children

Lower Court: Juvenile Court of Colquitt County

Lower Court Case No.: 03507J066, 03507J067, 03507J068

REASON:

- No/Improper certificate of service
- Improper Notice of Appeal
- Order not stamp filed
- Transcripts
- Notice of Appeal not stamp filed
- No Index/Improper Index
- Not properly assembled
- Main/Cross/Companion in same record
- Pages not numbered (**see below**)
- 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 Appeals does not state to which Court
- Appealed to one Court/states jurisdiction to other
- Pages copied on front and back
- Only one side printed of duplex documnet
- Other: **This record contains 1 record, 6 transcripts and 2 volumes of states exhibits. Volumes 3 and 4 of the transcripts are exhibits which are not paginated. The 2 volumes of state's exhibits are also not paginated nor are they listed on the index. I'm not sure if they should be considered as exhibits to the transcripts.**

IN THE JUVENILE COURT OF COLQUITT COUNTY
STATE OF GEORGIA

DIANA, SHIRLEY, ALAN &
LUCERO PADILLA

PLAINTIFFS

VS.

OFELIA PADILLA

DEFENDANT

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*

JUVENILE COURT FILE
NUMBER 035-08J-65, 66, 67 & 68

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IN THE JUVENILE COURT OF COLQUITT COUNTY
STATE OF GEORGIA

08 JAN -8 AM 8:33
RET
CAROLYN M. BRAZEL, CLERK

IN THE INTEREST OF :

S. P., DOB: 12/30/1993
A. P., DOB: 11/25/1995
L. P., DOB: 09/19/1997

*
*
* CASE No: 035-07J-066
* CASE No: 035-07J-067
* CASE No: 035-07J-068
*
*

NOTICE OF APPEAL

Notice is hereby given that OPHELIA PADILLIA, mother of the children in the above-styled action, hereby appeals to the Court of Appeals from the judgment of termination of her parental rights entered on December 6, 2007.

The clerk will please omit nothing from the record on appeal.

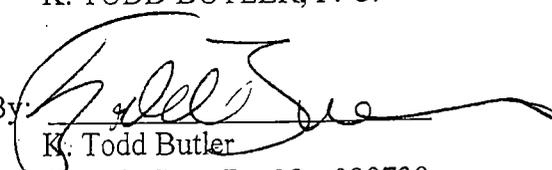
Transcript of evidence and proceedings will be filed for inclusion in the record on appeal.

This 4th day of Jan, 2008.

Attorney for Appellant:

K. TODD BUTLER, P. C.

By:

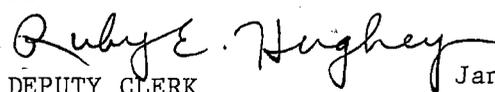

K. Todd Butler
Georgia State Bar No. 099730

P. O. Box 668
Cairo, Georgia 39828
TEL 229/377-1683
FAX 229/377-1783

GEORGIA, COLQUITT COUNTY

I, Carolyn M. Brazel, Clerk of Superior Court of said county, do hereby certify that the above and foregoing is a true copy of the original filed in this office on January 8, 2008; said original having been placed in case file number 035-07J-066.

BY:


DEPUTY CLERK January 11, 2008

IN THE JUVENILE COURT OF COLQUITT COUNTY
STATE OF GEORGIA

08 JAN -8 AM 8:33

CAROLYN M. BRAZEL, CLERK

IN THE INTEREST OF :

S. P., DOB: 12/30/1993
A. P., DOB: 11/25/1995
L. P., DOB: 09/19/1997

*
*
* CASE No: 035-07J-066
* CASE No: 035-07J-067
* CASE No: 035-07J-068
*

CERTIFICATE OF SERVICE

I certify that I have this day served a true and correct copy of the foregoing Notice of Appeal upon all parties or their counsel by depositing same in the U.S. Mails with correct postage affixed and addressed to the following persons:

Mr. Robert D. Jewell
Attorney for DFCS
Post Office Box 157
Moultrie, GA 31768

Mr. Kenneth B. Still
Guardian Ad Litem
1 North Main Street, Suite 104
Moultrie, GA 31768

This 4th day of January, 2008.



Trial Court Letters

LOWER COURT	LOWER COURT NUMBER	ENCLOSURES
Telfair County Superior Court	05CV401	Depositions
Oconee County Superior Court	2006CV0135	Exhibits
Newton County Superior Court	2005CR1351	Photos
Jefferson County Superior	03CR129	Videocassette
Jackson County Superior Court	X05CR0310	Videocassette
Forsyth County Superior Court	04SC0979	Exhibits
Peach County Superior Court	01CR116	Videocassette
Cherokee County Superior	05T10324	DVDs
Hall County Superior Court	05CV455A	Exhibits
Whitfield County Superior	05SUCR51733	Photographs and transcript
Cherokee County Superior	06CV1745	Notebook and Depositions

Record we are looking for: A08A1694. Yancey v. The State
CR20705007 to Brenda Boone-Cove

2/11/09 remittitur date

REMITTITUR

Court of Appeals of the State of Georgia

ATLANTA, JANUARY 23, 2009

The Court of Appeals having met, the following judgment was rendered:

**COURT OF APPEALS CASE NO. A08A1694
JAMES MICHAEL YANCEY V. THE STATE**

This case came before this court on appeal from the STATE Court of GLYNN County; it is considered and adjudged that

THE JUDGMENT OF THE COURT BELOW BE REVERSED.

SMITH, P.J., MIKELL AND ADAMS, JJ., CONCUR.

LC NUMBERS: CR20705007

Court of Appeals of the State of Georgia

*Clerk's Office, Atlanta, **FEB 11, 2009***

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

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

Clerk.

*Court of Appeals Cost \$80.00. O.C.G.A. Sec. 5-6-10.
No costs are payable to the Court of Appeals.*

Willi Z. Mat...

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Gene Johnson
Clerk, Superior Court
Telfair County Courthouse
128 East Oak Street • Suite 2
McRae, Georgia 31055-1604

RE: A07A1237. Barrie Franklin Dunn, II, et al. v. Telfair County
Lower Court Case Number: 05CV401

Dear Mr. Johnson:

We are returning the enclosed depositions 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Angela Watson
Clerk, Superior Court
Oconee County
Post Office Box 1099
Watkinsville, Georgia 30677-1099

RE: A07A1323. Andrew Harris, et al. v. Leon Baker
Lower Court Case Number: 2006CV0135

Dear Ms. Watson:

We are returning the enclosed envelope of 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Linda D. Hays
Clerk, Superior Court
Newton County Judicial Center
1132 Usher Street, Room 338
Covington, Georgia 30014

RE: A07A1793. Rodney Cochran v. The State
Lower Court Case Number: 2005CR1351

Dear Ms. Hays:

We are returning the enclosed exhibits (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/ld
Enclosure

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Michael R. Jones
Clerk, Superior and State Courts
Jefferson County Courthouse
Post Office Box 151
Louisville, Georgia 30434-0151

RE: A07A2182. Cedric Lewis Beals v. The State
Lower Court Case Number: 03CR129

Dear Mr. Jones:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Camie W. Thomas
Clerk, Superior Court
Jackson County Courthouse
5000 Jackson Parkway • Suite 150
Jefferson, Georgia 30549-0007

RE: A07A2389. John Brookshire v. The State
Lower Court Case No. X05CR0310

Dear Ms. Thomas:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Greg G. Allen
Clerk, Superior and State Courts
Forsyth County Courthouse
100 West Courthouse Square
Cumming, Georgia 30040

RE: A07A2475. Hampshire Homes, Inc. v. Espinosa Construction Services,
Inc., et al.
Lower Court Case Numbers: 04SC0979

Dear Mr. Allen:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Joe Wilder
Clerk, Superior Court
Peach County Courthouse
Post Office Box 389
Fort Valley, Georgia 31030-0389

RE: A09A1365. Cory Clark v. The State
Lower Court Case Number: 01CR116

Dear Mr. Wilder:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Patricia Baker
Clerk, Superior and State Courts
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A0169. Scott Anthony Lacy v. The State
Lower Court Case Number: 05T10324

Dear Ms. Baker:

We are returning the enclosed two (2) DVDs 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,

Handwritten signature of William L. Martin, III in black ink.

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

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Charles Baker
Clerk, Superior Court
Hall County Courthouse
235 Green Street, S.E.
Post Office Box 1336
Gainesville, Georgia 30503-1336

RE: A07A0297. Ronald S. Bourne, et al. v. Tony Garrett, et al.
Lower Court Case Number: 05CV455A

Dear Mr. Baker:

We are returning the enclosed original 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

FEB 23 2009

Ms. Cathelene Robinson
Clerk, Superior Court of Fulton County
136 Pryor Street, S.W.
1st Floor • Room C155
Atlanta, Georgia 30303

RE: A07A0589. Liu Investment Partners, L.P. v. Fulton County, Georgia
Lower Court Case Number: 2003CV79080

A07A1304. Willie Bloodsoe v. Ambrose Simmons, et al.
Lower Court Case Number: 2006CV119197

Dear Ms. Robinson:

We are returning six (6) large plats in A07A0589 (2003CV79080) and two (2) large poster boards in A07A1304 (2006CV119197) in the above referenced matters for your files. If you have any questions regarding these matters, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

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

RE: A07A0902. Candi Doyal v. The State
Lower Court Case Number: 05SUCR51733

Dear Ms. Kendrick:

We are returning the enclosed photographs and transcript 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Patricia Baker
Clerk, Superior and State Courts
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A1399. Georgia Waste Systems, Inc., et al. v. City of Woodstock,
Georgia, et al.
Lower Court Case Number: 06CV1745

Dear Ms. Baker:

We are returning the enclosed notebook and envelope containing depositions 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

MAR - 5 2009

Ms. Sherri A. Akins
Clerk, State and Superior Courts
Bulloch County Judicial Annex
Number One North Main Street
Statesboro, Georgia 30458

RE: A05A2005. Ronald W. Anderson v. Kristen Cayes
Lower Court Case Numbers: 2B04CV104

Dear Ms. Akins:

We are returning the enclosed depositions 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/d
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

MAR - 5 2009

Ms. Janis B. Reddick
Clerk, Superior and State Courts
Screven County
Post Office Box 156
Sylvania, Georgia 30467-0156

RE: A06A0430. Doris Strickland v. City of Sylvania
Lower Court Case Number: ISO3CV124-W

Dear Ms. Reddick:

We are returning the enclosed transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martlnw@gaappeals.us

MAR - 5 2009

Ms. Sherri A. Akins
Clerk, Superior Court
Bulloch County Judicial Annex
Number One North Main Street
Statesboro, Georgia 30458

RE: A06A0665. Ben Donald Martin v. The Tattnall Bank
Lower Court Case Numbers: 1B03CV138W

Dear Ms. Akins:

We are returning the enclosed depositions 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

MAR - 5 2009

Ms. Janis B. Reddick
Clerk, Superior and State Courts
Screven County
Post Office Box 156
Sylvania, Georgia 30467-0156

RE: A07A0031. Ruth Brown, et al. v. Diane Graham
Lower Court Case Number: 2S0VCV037

Dear Ms. Reddick:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

MAR - 5 2009

Ms. Sherri A. Akins
Clerk, Bulloch County Superior Court
20 Siebald Street
Statesboro, Georgia 30458

RE: A07A0443. Joseph Keith Bragg v. The State
Lower Court Case Number: 1B05CR570P

Dear Ms. Akins:

We are returning the enclosed photos and exhibits in the above referenced matter for your files. If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

MAR - 5 2009

Ms. Sherri A. Akins
Clerk, Bulloch County Superior Court
20 Siebald Street
Statesboro, Georgia 30458

RE: A07A0773. Ann G. Sherrod v. Triple Play Café, LLC, et al.
Your Case Number: 2B05CV205

Dear Ms. Akins:

We are returning the enclosed depositions 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

MAR - 5 2009

Ms. Elizabeth Z. Hursey
Clerk, Superior Court
Effingham County Courthouse
Post Office Box 387
Springfield, Georgia 31329-0387

RE: A07A1498. Dean Miller, et al. v. Ford Motor Company, et al.
Lower Court Case Number: SU05V078

Dear Ms. Hursey:

We are returning the enclosed depositions 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 5, 2009

Mr. Thomas K. Kahn
Clerk, Eleventh Circuit Court of Appeals
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

RE: USA v. Harden (3:08-cr-0007)

Dear Mr. Kahn:

Enclosed please find a correspondence I received from Mr. Jud Green which I believe was intended for your office.

Sincerely,



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

WLM, III/ld
Enclosures

cc: Jud Green, Esq.
Post Office Drawer 2027
Dublin, Georgia 31040

LAW OFFICE
GREEN & GREEN
111 SOUTH JEFFERSON STREET
DUBLIN, GEORGIA 31021

TELEPHONE 478-272-7022
FAX 478-272-3191
LEON GREEN
JUD L. GREEN

March 2, 2009

REPLY TO:
P.O. DRAWER 2027
Dublin, Georgia 31040
greenlawoffice@bellsouth.net

Mr. William L. Martin, III, Clerk
Court of Appeals of Georgia
47 Trinity Avenue, Suite 501
Atlanta, GA 30334

Re: U.S.A. vs. Harden (3:08-cr-0007)

Dear Mr. Martin:

Please find enclosed herewith a copy of a Transcript Order Information to be filed in your records. Kindly acknowledge receipt and filing on the form below and send to me in the self addressed stamped envelope I have enclosed.

Thank you for your assistance in this matter.

Sincerely,



JUD GREEN

JG/vmw

Enclosures

The above-mentioned document was received and filed in this office on this the _____ day of March, 2009

Clerk, Court of Appeals of Georgia

Enclosures

PART I TRANSCRIPT ORDER INFORMATION

Appellant to complete and file with the District Court Clerk within 10 days of the filing of the notice of appeal in all cases, including those in which there was no hearing or for which no transcript is ordered.

Short Case Style: USA vs Harden

District Court No.: 3:08-cr-0007 Date Notice of Appeal Filed: 2-19-09 Court of Appeals No.: _____ (If Available)

CHOOSE ONE: No hearing No transcript is required for appeal purposes All necessary transcript(s) on file
 I AM ORDERING A TRANSCRIPT OF THE FOLLOWING PROCEEDINGS:

Check appropriate box(es) and provide all information requested:

	HEARING DATE(S)	JUDGE/MAGISTRATE	COURT REPORTER NAME(S)
<input type="checkbox"/> Pre-Trial Proceedings			
<input checked="" type="checkbox"/> Trial	<u>10-27,28-08</u>		<u>Rhea Rangel</u>
<input checked="" type="checkbox"/> Sentence	<u>2-19-09</u>		<u>" "</u>
<input type="checkbox"/> Other			

METHOD OF PAYMENT:

- I CERTIFY THAT I HAVE CONTACTED THE COURT REPORTER(S) AND HAVE MADE SATISFACTORY ARRANGEMENTS WITH THE COURT REPORTER(S) FOR PAYING THE COST OF THE TRANSCRIPT.
- CRIMINAL JUSTICE ACT. Attached for submission to District Judge/Magistrate is my completed CJA Form 24 requesting authorization for government payment of transcript. [A transcript of the following proceedings will be provided ONLY IF SPECIFICALLY AUTHORIZED in Item 13 on CJA Form 24: Voir Dire; Opening and Closing Statements of Prosecution and Defense; Prosecution Rebuttal; Jury Instructions.]

Ordering Counsel/Party: Jud Green
 Name of Firm: Jud Green LLC
 Street Address/P.O. Box: P.O. Drawer 2027, CSS
 City/State/Zip Code: Dublin GA 31040 Phone No.: 478 272 7022

I certify that I have filed the original (Yellow page) with the District Court Clerk, sent the Pink and Green pages to the appropriate Court Reporter(s) if ordering a transcript, and sent a photocopy to the Court of Appeals Clerk and to all parties.

DATE: 3-2-09 SIGNED: [Signature] Attorney for: A.R. Harden

PART II COURT REPORTER ACKNOWLEDGMENT

Court Reporter to complete and file Pink page with the District Court Clerk within 10 days of receipt. The Court Reporter shall send a photocopy to the Court of Appeals Clerk and to all parties, and retain the Green page to provide notification when transcript filed.

Date Transcript Order received: _____
 Satisfactory arrangements for paying the cost of the transcript were completed on: _____
 Satisfactory arrangements for paying the cost of the transcript have not been made.

No. of hearing days: _____ Estimated no. of transcript pages: _____ Estimated filing date: _____
 DATE: _____ SIGNED: _____ Phone No.: _____

NOTE: The transcript is due to be filed within 30 days of the date satisfactory arrangements for paying the cost of the transcript were completed unless the Court Reporter obtains an extension of time to file the transcript.

PART III NOTIFICATION THAT TRANSCRIPT HAS BEEN FILED IN DISTRICT COURT

Court Reporter to complete and file Green page with the District Court Clerk on date of filing transcript in District Court. The Court Reporter shall send a photocopy of the completed Green page to the Court of Appeals Clerk on the same date.

This is to certify that the transcript has been completed and filed with the district court on (date): _____
 Actual No. of Volumes and Hearing Dates: _____
 Date: _____ Signature of Court Reporter: _____

LAW OFFICE

GREEN & GREEN

111 SOUTH JEFFERSON STREET

P. O. DRAWER 2027

DUBLIN, GEORGIA 31040

RECEIVED
LAW OFFICE

2009 MAR -4 10:51

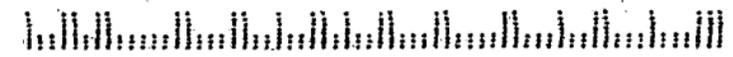
John
Med...
ALLEN ...



Mr. William L. Martin, III, Clerk
Court of Appeals of Georgia
47 Trinity Avenue, Suite 501
Atlanta, GA 30334



30334+3006



The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 5, 2009

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

RE: Your Case Numbers: 06SC43149
Clifford Hambrick v. The State

Dear Ms. Robinson:

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 because no appealable order is contained in the record. The Notice of Appeal references an order of January 24, 2008, but no such order can be located in the record.

When the trial court enters the order described in the Notice of Appeal, please include it in the record and the index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 3/5/09

Style Clifford Hambrick v. The State

Lower Court Fulton Superior

Lower Court Case NO. 06SC43149

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 of Jan 24 2008
- 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 _____

14.	Notice States Intent to use Prior Conviction for Purposes of Impeachment, filed April 13, 2007	67-100
15.	Final Disposition, filed August 16, 2007	101 – 101- A
16.	Affidavit of Custodian, filed August 23, 2007	102
17.	Extra Ordinary Motion for New Trial as to Sentence Only, filed December 6, 2007	103-104
18.	Order, filed January 29, 2008	105
19.	Petition for Case Files, filed April 24, 2008	106-109
20.	Defendant's Letter, filed May 29, 2008	110-112
21.	Defendant's Letter, filed May 29, 2008	113-115
22.	Motion to Withdraw the Guilty Plea, Hearing, and The Appointment of Counsel, filed June 26, 2008	116-122
23.	Defendant's Letter, filed September 4, 2008	123-124

Transcripts

25.	Transcript of Guilty Plea before the Honorable Michael D. Johnson, Commencing on April 23, 2007, filed May 30 2007	
26.	Transcript of Proceedings before the Honorable Michael D. Johnson, Commencing on June 4, 2007, filed October 1, 2007	
27.	Transcript of guilty Plea before the Honorable Michael D. Johnson, Commencing on August 16, 2007, filed October 16, 2007	

STATE OF Georgia

The STATE OF Georgia,

Plaintiff,

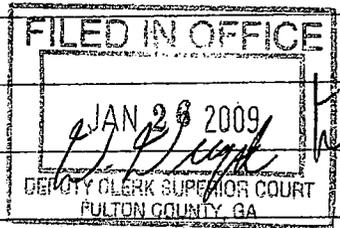
vs.

MR Clifford B. Plambrock,

Defendant,

Indictment no 06-SC-43149

Appeal no 7



Notice of Appeal

Notice is hereby given The MR, Clifford B. Plambrock, Defendant above, in the above styled matter Appeal the Judgment and Order of The Superior Court of Fulton County, Entered in on The 24th day of January 2008 to The Georgia Court of Appeals For Review and Consideration;

That The Clerk shall Forward all Records, Transcripts, Motions, Briefs, Exhibit, Orders ect to The Georgia Court of Appeal without omitting anything

The Georgia Court of Appeals, Rather Than The Supreme Court, has Jurisdiction of This Appeal because The Issue Involves a Substantial denial of petitioner Constitutional Rights To Due process.

This 28th day of January 2009

Respectfully Submitted

/s/ MR, Clifford B. Plambrock,

MR, Clifford B. Plambrock, J-2

Johnson State Prison # 319889

BOOK

PAGE

P

9

Box 344

50399

348

Wrightsville, Georgia 31096

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 6, 2009

Ms. Cathelene "Tina" Robinson
Clerk, Fulton County Superior Court
136 Pryor Street, S.W. • 1st Floor • Room C155
Atlanta, Georgia 30303

RE: Your Case Numbers: 06SC50052
Demetrius Smith v. The State

Dear Ms. Robinson:

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 this appeal because the very large transcript which consists of two volumes has too many pages in each volume. The fasteners did not hold and the transcript came apart.

The transcript needs to be broken down into smaller parts, no more than 400 pages per section. Large transcripts make it difficult for the Court to read the top two or three lines when it is folded over.

We are not permitted to reassemble the transcript in volumes which are small enough to be easily used by the Court because each volume of the transcript must contain the court reporters certificate and your certificate. Please have the court reporter reconstitute the transcript in volumes which are easily read and handled by the many persons on this Court who will have to review the transcript.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 9, 2009

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

RE: Your Case Number: 06CV10670
Robin Morgan as Temporary Administrator of the Estate of Cynthia M. Schmidt and John Does 1-5 v. Floyd E. Probst, as Administrator of the Estate of Murlea J. Schmidt, et al.

Dear Ms. Carter:

We are returning the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket the appeal since the Notice of Appeal filed August 21, 2008 and amended Notice of Appeal filed September 9, 2008 were dismissed by the trial court. Additionally, the record was not submitted in chronological order.

Should the record be submitted, please arrange the same in chronological order with a corresponding Index.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 9, 2009

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

RE: Your Case Number: 06CV10670
Robin Morgan as Temporary Administrator of the Estate of Cynthia M. Schmidt and John Does 1-5 v. Floyd E. Probst, as Administrator of the Estate of Murlea J. Schmidt, et al.

Dear Ms. Carter:

We are returning the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket the appeal since the Notice of Appeal filed August 21, 2008 and amended Notice of Appeal filed September 9, 2008 were dismissed by the trial court. Additionally, the record was not submitted in chronological order.

Should the record be submitted, please arrange the same in chronological order with a corresponding Index.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

bcc: Patty Bender, Deputy Clerk

I have balance of record (2 boxes) in my office Dekalb will pick these up.

RECORDS RETURN NOTICE

DATE 3/6/09

Style Robin Morgan as temporary administrator of the estate of Cynthia Schmidt v. Floyd E. Propst as administrator of the estate of Murrel J. Schmidt
Lower Court Dekalb Superior et al

Lower Court Case NO. 06CV10670

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 Record should be in chronological date order.

* NOA filed 8/21/08 and amended NOA filed 9/9/08 were dismissed in trial court and ~~dismissed~~

ROBIN MORGAN, AS : NO.

TEMPORARY :

ADMINISTRATOR OF THE:

ESTATE OF CYNTHIA M. :

SCHMIDT, AND JOHN :

DOES 1-5 :

APPELLANT :

VS :

TERM, 2009

FLOYD E PROBST, AS :

ADMINISTRATOR OF :

THE ESTATE OF :

MURLEA J SCHMIDT, :

AND THOMAS L :

SCHMIDT, JR, AS :

ADMINISTRATOR OF :

THE ESTATE OF A :

THOMAS L SCHMIDT, SR :

APPELLEE : COURT OF APPEALS OF GEORGIA

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 9, 2009

Ms. Sherri J. Cochran
Clerk, Burke County Superior Court
111 East Sixth Street • Room 107
Post Office Box 803
Waynesboro, Georgia 30830-0803

RE: A07A0836. Christopher Bernard McGee v. The State
Your Case Number: 2006R0021

Dear Ms. Cochran:

Pursuant to our telephone conversation of this date, enclosed please find the videotape which was submitted along with the record in the above appeal. It is my understanding from Ms. Rhea Rangle, Court Reporter, this video needs to be returned to you for use in a Habeas Corpus Hearing in Dooly County on March 17, 2009.

If you have any questions or if I can be of 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. Betty Colter, Clerk
Dooly County Superior Court

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 22, 2008

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

ATTN: Ms. Doris W. Wilkins

RE: Your Case Number: 07CR379
Edwin Baker v. The State

Dear Ms. Wilkins:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the record does not contain the trial court's order of October 23, 2007 denying the Motion to Suppress Evidence. When the trial court enters the order denying the Motion to Suppress Evidence, please include that in the record, index same and return the record to this office for docketing.

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

Sincerely,



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

WLM, III/d
Enclosures

RECORDS RETURN NOTICE

DATE 12/22/08

Style Edwin Baker v. The State

Lower Court Carnell Superior

Lower Court Case NO. 07CR379

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 missing order on motion to suppress filed 10/23/07.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 4, 2009

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

RE: Your Case Number: 2008V1775
Sally Norton, et al. v. Fannie Mae

Dear Ms. Studdard:

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 this appeal because the Notice of Appeal does not contain a Certificate of Service showing the complete name and mailing address of opposing counsel. Without a Certificate of Service showing the complete name and mailing address of opposing counsel, we do not know to whom to send the Docketing Notices.

When the appellant files an amended Notice of Appeal to include the complete name and mailing address of opposing counsel, please that amended Notice of Appeal in the record and index and return the record to this office for docketing.

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

Sincerely,

William L. Martin, III

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

WLM, III/ld
Enclosures

cc: Ms. Sally Norton
100 Holly Springs Drive
Peachtree City, Georgia 30269

TO THE COURT OF APPEALS OF GEORGIA

RECEIVED

FEB 27 2009

COURT OF APPEALS
OF GA

SALLY NORTON, ET AL., :
APPELLANTS, :
VS. : CIVIL ACTION NUMBER #2008V-1775
FANNIE MAE, : FROM FAYETTE SUPERIOR COURT
APPELLEE. :

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 3, 2009

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

RE: Your Case Number: 05-CV-9893
DeKalb County Board of Tax Assessors v. Park Springs, LLC

Dear Ms. Carter:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the Notice of Appeal indicates transcripts of evidence will be filed for inclusion in the record on appeal and no transcripts accompanied the record. When the court reporter files a transcript with your office, please attach your certification and return the record along with the transcript to this office for docketing.

If there is no transcript, when the appellant files an amended Notice of Appeal to reflect that fact, please include the amended Notice of Appeal in the record and Index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Sam L. Brannen, Jr.
Senior Assistant County Attorney
DeKalb County Law Department

RECORDS RETURN NOTICE

2 large
boxes

DATE 3/3/09

Style DeKalb county Board of Tax Assessors
v. Park Springs, LLC

Lower Court 05CV9893

Lower Court Case NO. DeKalb Superior

REASON:

- No/improper certificate of Service
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- 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 been holden since

Jan 21 09 for transcripts

after following up again today -
the clerk advised the NDA was
dismissed 2/10/09.



DEKALB COUNTY BOARD OF : NO.

RECEIVED

TAX ASSESSORS :

JAN 16 2009

APPELLANT :

COURT OF APPEALS
OF GA

VS :

TERM, 2009

PARK SPRINGS LLC :

APPELLEE : COURT OF APPEALS OF GEORGIA

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Sam L. Cordle, Jr.
Clerk, Superior Court
Chattooga County Courthouse
Post Office Box 159
Summerville, Georgia 30747-0159

RE: A06A0502. Selena Pickle v. The State
Lower Court Case Number: 03CR16083

Dear Mr. Cordle:

We are returning the enclosed exhibits and 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/ld
Enclosures

2 of 10

CLERK'S OFFICE
COURT OF APPEALS OF GEORGIA
334 STATE JUDICIAL BUILDING
ATLANTA, GEORGIA 30334
(404) 656-3450

APPEAL SUMMARY PAGE

CASE NUMBER: A06A0502. DATE OF DOCKETING: 10-27-2005

STYLE: SELENA PICKLE V. THE STATE

CLASSIFICATION: CRUELTY TO CHILDREN

LOWER COURT SUMMARY INFORMATION:

~~COOK~~ *Chattanooga* County SUPERIOR COURT

TRIAL JUDGE: HONORABLE KRISTINA COOK CONNELLY

DATE OF JUDGMENT APPEALED: 09-27-2005 NOTICE OF APPEAL DATE: 10-04-2005

LOWER CT#:03CR16083

RECORDS DESCRIPTION:

LOWERCOURT RECORDS.

TRANSCRIPTS.

PARTS:

01

~~08~~ 9

COURT OF APPEAL CODE: 93-018 C
TERM: Jan. CAL. MO. FEB/06

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

FEB 27 2009

Ms. Gloria M. Wall
Clerk, Superior Court
Barrow County Courthouse
30 North Broad Street • Post Office Box 1280
Winder, Georgia 30680-1280

RE: A06A1913. Benjamin C. Free v. Lankford & Associates, Inc.
Lower Court Case Number: 04CV664X

Dear Ms. Wall:

We are returning the enclosed original 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

FEB 27 2009

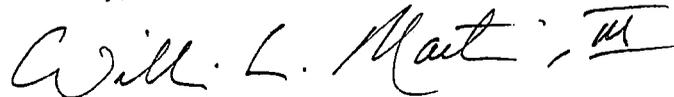
Ms. Joanne P. Caldwell
Clerk, Rockdale County Superior Court
Post Office Box 937
922 Court Street
Conyers, Georgia 30012

RE: A07A0446. David Eugene Purcell v. Shirley D. Kelly, et al.
Lower Court Case Numbers: 204SV1532

Dear Ms. Caldwell:

We are returning the enclosed transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Carolyn V. Sullivan
Clerk, Houston County Superior Court
201 Perry Parkway
Perry, Georgia 31069

RE: A07A0548. Kevin Allen Daly v. The State
Lower Court Case Number: 2004X31582

Dear Ms. Sullivan:

We are returning the enclosed photographs 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

FEB 24 2009

Mr. Mark Harper
Clerk, State Court Fulton County
TG800 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

RE: A07A0596. Glenda Compton v. Huddle House, Inc.
Lower Court Case Number: 00VS003544C

Dear Mr. Harper:

We are returning the enclosed transcripts in the above referenced matter for your files. If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

FEB 27 2009

Ms. Linda D. Hays
Clerk, Superior Court
Newton County Judicial Center
1132 Usher Street, Room 338
Covington, Georgia 30014

RE: A07A0750. Reginald Felder v. The State
Lower Court Case Number: 2004CR504

Dear Ms. Hays:

We are returning the enclosed exhibits (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/ld
Enclosure

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

FEB 27 2009

Ms. Linda D. Hays
Clerk, Superior Court
Newton County Judicial Center
1132 Usher Street, Room 338
Covington, Georgia 30014

RE: A07A0814. Anthony Carlos Baisden v. The State
Lower Court Case Number: 2003CR10753

Dear Ms. Hays:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Mark Harper
Clerk, State Court of Fulton County
TG800 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

RE: A07A1218. Adam Matthew Grodhaus v. The State
Lower Court Case Number: 06CR3107102

Dear Mr. Harper:

We are returning the enclosed transcript and 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/lid
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

FEB 24 2009

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

RE: A07A1304. Willie Bloodsoe v. Ambrose Simmons, et al.
Your Case Numbers: 2006CV119197

Dear Ms. Robinson:

We are returning the enclosed Evidence envelope 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

FEB 27 2009

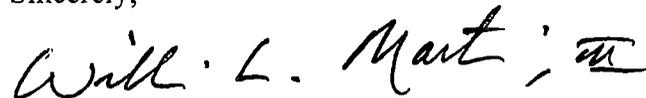
Ms. Angela Watson
Clerk, Superior Court
Oconee County
Post Office Box 1099
Watkinsville, Georgia 30677-1099

RE: A07A1323. Andrew Harris, et al. v. Leon Baker
Lower Court Case Number: 2006CV0135

Dear Ms. Watson:

We are returning the enclosed envelope of 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/l
Enclosure

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

FEB 27 2009

Ms. Beverly Logan
Clerk, Superior Court
Clarke County Courthouse
325 East Washington Street • Room 450
Post Office Box 1805
Athens, Georgia 30603-1805

RE: A07A1375. Lafrederick Kenyon Griffith v. The State
Lower Court Case Number: SU04CR1784

Dear Ms. Logan:

We are returning the enclosed exhibits (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/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

FEB 24 2009

Mr. Mark Harper
Clerk, State Court Fulton County
TG800 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

RE: A07A1494. Kairos Peachtree Associates, LLC, f/k/a RCI Peachtree
Associates, LLC v. Constantin Papadopoulos
Lower Court Case Number: 05VS081720

Dear Mr. Harper:

We are returning the enclosed depositions in the above referenced matter for your files.
If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

FEB 27 2009

Ms. Linda D. Hays
Clerk, Superior Court
Newton County Courthouse
1124 Clark Street
Covington, Georgia 30014

RE: A07A1499. Walter Delgado v. The State
Lower Court Case Number: 2005R0037

Dear Ms. Hays:

We are returning the enclosed original 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

FEB 27 2009

Ms. Linda D. Hays
Clerk, Superior Court
Newton County Judicial Center
1132 Usher Street, Room 338
Covington, Georgia 30014

RE: A07A1793. Rodney Cochran v. The State
Lower Court Case Number: 2005CR1351

Dear Ms. Hays:

We are returning the enclosed exhibits (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/ld
Enclosure

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 26, 2009

Ms. Brenda Boone-Cove
Clerk, State Court of Glynn County
1st Floor Courthouse • Suite 104
701 "H" Street
Brunswick, Georgia 31520

RE: Your Court Case Number: CR20705007
James Michael Yancey v. The State

Dear Brenda:

This will confirm our conversation of this date that I have, in fact, returned the original record to you in the above appeal. If I can be of further 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

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 30, 2009

Ms. Brenda Boone-Cove
Clerk, State Court of Glynn County
1st Floor Courthouse • Suite 104
701 "H" Street
Brunswick, Georgia 31520

RE: A08A1694. James Michael Yancey v. The State
Lower Court Case Number: CR20705007

Dear Brenda:

Pursuant to our conversation of today, I shall return the original record in the above appeal to you as soon as the remittitur issues. If possible, I will hand deliver the record, otherwise I will send it to you via certified mail.

As we discussed, you are going to send me a letter specifically requesting the record of the record as soon as the remittitur issues.

If I can ever be of service to you in regard to appeals or otherwise, please do not hesitate to contact me. Again, congratulations on your new position and I know you will do an excellent job.

Sincerely,



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

WLM, III/ld

Clerk of State Court
Glynn County

Suite 104
701 H Street
Brunswick, Georgia 31520



Brenda Boone-Cove
Clerk

Rodney A. Bennett
Chief Deputy Clerk

Phone

912-554-7325

912-261-3849 Fax

January 27, 2009

William L. Martin, III
Clerk and Court Administrator
Court of Appeals Clerk
Suite 501, 47 Trinity Avenue
Atlanta, Georgia 30334

Dear Mr. Martin,

On April 30, 2008 case #A08A1694, James Michael Yancey (CR20705007) was docketed in your court. On January 23, 2009 this case was reversed. At the request of our two former clerks, Bill Killian and Elaine Brinson, the originals were always sent up in appeals. I was elected the Clerk of State Court and took office on January 2, 2009. It will be my policy to send copies of cases when appealed as you have previously requested.

With the reversal of this case, I have been asked by the prosecuting office to have Mr. Yancey arraigned. It is because of this that I am asking to have the originals in this case returned to my office.

I understand that the remitter will not be issued until 20 days after the reversal and that you hold all cases for one (1) year after the remitter is issued. If you will, once the remitter has been issued, please return the originals pertaining to this case to my office. If I need to forward a certified copy of all documents to your office for replacement, I will do so at your request.

I thank you for giving this matter your prompt attention.

Sincerely,


Brenda Boone-Cove, Clerk
State Court of Glynn County, Georgia

2009 JAN 29 PM 2:53

RECEIVED IN OFFICE

Brenda Boone-Cove
Clerk of State Court

Glynn County
Suite 104, 701 "A" Street
Brunswick, Georgia 31520



RECEIVED IN OFFICE

2009 JAN 29 PM 2:53

William L. Martin, III
Clerk and Court Administrator
Court of Appeals Clerk
Suite 501, 47 Trinity Avenue
Atlanta, Georgia 30334



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*The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

COPY

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 30, 2009

Ms. Brenda Boone-Cove
Clerk, State Court of Glynn County
1st Floor Courthouse • Suite 104
701 "H" Street
Brunswick, Georgia 31520

RE: A08A1694. James Michael Yancey v. The State
Lower Court Case Number: CR20705007

Dear Brenda:

Pursuant to our conversation of today, I shall return the original record in the above appeal to you as soon as the remittitur issues. If possible, I will hand deliver the record, otherwise I will send it to you via certified mail.

As we discussed, you are going to send me a letter specifically requesting the record of the record as soon as the remittitur issues.

If I can ever be of service to you in regard to appeals or otherwise, please do not hesitate to contact me. Again, congratulations on your new position and I know you will do an excellent job.

Sincerely,

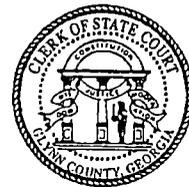


William L. Martin, III
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld

Clerk of State Court
Glynn County

Suite 104
701 H Street
Brunswick, Georgia 31520



Brenda Boone-Cove
Clerk

Rodney H. Bennett
Chief Deputy Clerk

Phone
912-554-7325
912-261-3849 Fax

January 27, 2009

William L. Martin, III
Clerk and Court Administrator
Court of Appeals Clerk
Suite 501, 47 Trinity Avenue
Atlanta, Georgia 30334

Dear Mr. Martin,

On April 30, 2008 case #A08A1694, James Michael Yancey (CR20705007) was docketed in your court. On January 23, 2009 this case was reversed. At the request of our two former clerks, Bill Killian and Elaine Brinson, the originals were always sent up in appeals. I was elected the Clerk of State Court and took office on January 2, 2009. It will be my policy to send copies of cases when appealed as you have previously requested.

With the reversal of this case, I have been asked by the prosecuting office to have Mr. Yancey arraigned. It is because of this that I am asking to have the originals in this case returned to my office.

I understand that the remitter will not be issued until 20 days after the reversal and that you hold all cases for one (1) year after the remitter is issued. If you will, once the remitter has been issued, please return the originals pertaining to this case to my office. If I need to forward a certified copy of all documents to your office for replacement, I will do so at your request.

I thank you for giving this matter your prompt attention.

Sincerely,

Brenda Boone-Cove, Clerk
State Court of Glynn County, Georgia

2009 JAN 29 PM 2:53

RECEIVED IN CLERK'S OFFICE

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 24, 2009

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

RE: Your Case Numbers: 06SC41667
Larry Pressley v. The State

Dear Ms. Robinson:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the record does not contain the Motion for New Trial. Without a stamped filed copy of the Motion for New Trial, this Court does not know if it has been timely filed which is a prerequisite to the appeal.

Please include a stamped filed copy of the Motion for New Trial and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 2/23/09

Style LARRY PRESSLEY V. THE STATE

Lower Court Fulton Superior

Lower Court Case NO. 06SC41667

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
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- Other _____

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 25, 2009

Ms. Michele B. Gardner
Clerk, State Court of Henry County
1 Judicial Center • Suite 120
McDonough, Georgia 30253

RE: Your Case Number: 08SV03814
Theresa Amos, et al. v. Veronica Tucker

Dear Ms. Gardner:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised that we were unable to docket this appeal because the Notice of Appeal, does not indicate that it is an appeal to the Court of Appeals of Georgia, but rather an appeal to the superior court.

When the appellant files an amended Notice of Appeal to direct the appeal to the Court of Appeals of Georgia, please include the amended Notice of Appeal in the record and the index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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 Court of Henry County



Michele B. Gardner, Clerk

One Judicial Center - Suite 120 • McDonough, Georgia 30253
Office: 770.288.7800 • Facsimile: 770.288.7801

February 18, 2009

RECEIVED

FEB 20 2009

COURT OF APPEALS
OF GA

William L. Martin, III
Clerk and Court Administrator
Court of Appeals of Georgia
47 Trinity Avenue - Suite 501
Atlanta, GA. 30334

RE: State Court of Henry County
Civil Action Case # 08SV03814

Rolston & Theresa Amos, Appellant
vs.
Veronica Tucker, Appellee

Dear Mr. Martin:

Enclosed you will find an Index, as well as copies of the Clerk's record for the proceedings held before the Honorable Ben W. Studdard, III, Chief Judge.

Sincerely,

A handwritten signature in cursive script that reads "Michele B. Gardner".

Michele B. Gardner
Clerk of State Court

cc: Rolston & Theresa Amos, Appellant
Veronica Tucker, Appellee
Ben W. Studdard, III, Chief Judge

ROLSTON & THERESA AMOS,
APPELLANT

VS.

VERONICA TUCKER,
APPELLEE

FROM: STATE COURT OF HENRY COUNTY
ONE JUDICIAL CENTER
MCDONOUGH, GA. 30253

RECEIVED

FEB 20 2009
COURT OF APPEALS
OF GA

CIVIL ACTION CASE NO. 08SV03814

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ROLSTON & THERESA AMOS, APPELLANT
215 CECIL JACKSON ROAD
GRIFFIN, GA 30223

VERONICA TUCKER, APPELLEE
60 LAKE COURT
STOCKBRIDGE, GA 30281

BEN W. STUDDARD III, CHIEF JUDGE
ONE JUDICIAL CENTER
MCDONOUGH, GA. 30253

ENCLOSURES: CERTIFICATION OF RECORD

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 25, 2009

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

RE: Your Case Number: 2008V1761
Susan C. Bostow v. Georgia Department of Labor, et al.

Dear Ms. Studdard:

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 this appeal because it does not contain a Certificate of Service showing the complete name and mailing address of opposing counsel. Specifically, the Certificate of Service attached to the Notice of Appeal directs that the clerk of the Superior Court of Fayette County affect service.

When the appellant files an amended Notice of Appeal which has a valid Certificate of Service, please include that in the record and index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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. Susan C. Bostow

RECORDS RETURN NOTICE

DATE 2/24/09

Style Susan C. Boston v. Georgia Dept. of Labor et al

Lower Court Fayette Superior

Lower Court Case NO. 2008V1761

REASON:

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No/improper certificate of Service *see page 4*
 Improper Notice of Appeal *appellant*
 Order not stamped filed *did not serve*
 Transcripts *appellee -*
 Notice of Appeal not stamped filed *but request filed*
 No Index/Improper Index *clerk of*
 Not properly assembled *superior*
 Main/Cross/Companion in same record *court to*
 Pages not numbered *do so -*
 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 _____

SUSAN C. BOSTOW, :

APPELLANT, :

VS. :

GEORGIA DEPARTMENT OF LABOR, ET AL., :

APPELLEES. :

CIVIL ACTION NUMBER #2008V-1761

FROM FAYETTE SUPERIOR COURT

STATUS OF APPELLANT: INDIGENT (SEE PAGE 7)

RECEIVED

FEB 20 2009

COURT OF APPEALS
OF GA

SUSAN C. BOSTOW, :
 APPELLANT, :
 VS. : CIVIL ACTION NUMBER #2008V-1761
 GEORGIA DEPARTMENT OF LABOR, ET AL., : FROM FAYETTE SUPERIOR COURT
 APPELLEES. :

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 27, 2009

Mr. Joe Wilder
Clerk, Peach County Superior Court
205 West Church Street
Post Office Box 389
Fort Valley, Georgia 31030-0389

RE: Lower Court Case Number: 07V605
Amy Martinez v. Robert Martinez

Dear Mr. Wilder:

Enclosed please find the record in the above appeal which was forwarded from the Supreme Court of Georgia to this Court. The Supreme Court, by its order of February 9, 2009, has determined that the Court of Appeals is the proper Court for the appellate jurisdiction of the matters raised in the appeal.

The Supreme Court delivered the record in the above appeal on February 24, 2009. After a review of the record, we are unable to docket this appeal. The Notice of Appeal indicates a transcript of evidence will be filed for inclusion in the record on appeal, however, no transcript accompanied the record. When the court reporter files a transcript with your office, please attach your certificate and return the record along with the transcript to this office for docketing.

When you return the record, please prepare an Index to the record which should come directly before the Notice of Appeal. Without an Index to the record, we are unable to docket the appeal.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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
Enclosure

cc: Jonathan Perry Waters, Esq.
James E. Patterson, Esq.
Tee Barnes, Clerk, Supreme Court of Georgia

RECORDS RETURN NOTICE

DATE 2/26/09

Style Amy Martinez v. Robert Martinez

Lower Court Placer Superior

Lower Court Case NO. 07V605

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
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- 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
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- Other _____



SUPREME COURT OF GEORGIA
Case No. S09A0698

Atlanta February 9, 2009

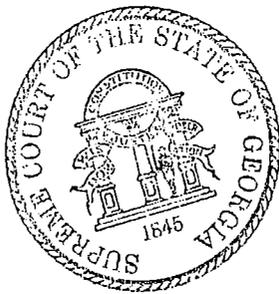
The Honorable Supreme Court met pursuant to adjournment.

The following order was passed.

RECEIVED
FEB 24 2009
COURT OF APPEALS
OF GA

AMY N. MARTINEZ v. ROBERT MARTINEZ

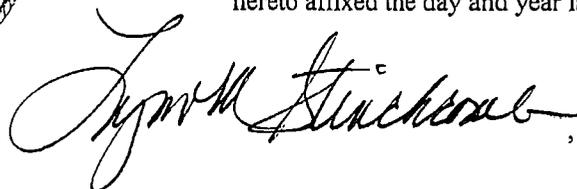
In this pending divorce action, appellant directly appeals from an order enforcing the final order on custody and visitation which incorporated the parties' settlement agreement on those subjects and awarded primary physical custody of the parties' children to appellee. As there is no final judgment of divorce and the appeal involves child custody rather than divorce or alimony, this Court's subject-matter jurisdiction found in 1983 Ga. Const., Art. VI, Sec. VI, Par. III, is not invoked. Egeland v. Egeland, 279 Ga. 565 (619 SE2d 595) (2005); Gates v. Gated, 277 Ga. 175 (1) (587 SE2d 32) (2003). Accordingly the appeal is hereby transferred to the Court of Appeals.



SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

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

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


, Chief Deputy Clerk

11/17

IN THE SUPERIOR COURT OF PEACH COUNTY

STATE OF GEORGIA GEORGIA, PEACH COUNTY

Clerk's Office, Superior Court

Filed in Office

day of Nov 2008

Amy Martinez Deputy Clerk

07-V-605

CASE NO. ~~05-CR-58994~~

ROBERT MARTINEZ

Plaintiff,

vs.

AMY MARTINEZ

Defendant.

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NOTICE OF APPEAL

Now comes Amy Martinez, Defendant in the above entitled action, who files this her Notice of Appeal and attaches as Exhibit "A" to this Notice of Appeal the Final Order on Custody and Visitation and as Exhibit "B" the Order on Plaintiff's Motion to Enforce Settlement, which Final Order on Custody and Visitation is dated November 10, 2008 and Order on Plaintiff's Motion to Enforce Settlement which is dated November 10, 2008.

The Clerk will please omit nothing from the record on appeal.

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

The Supreme Court, rather than the Court of Appeals, has jurisdiction of this case on appeal for the reason that this

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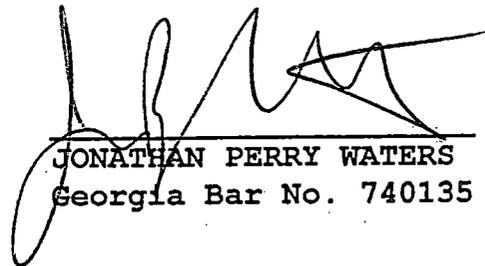
Microfilm
Document Control No. 7338
Camera Operator WN

case is one involving child custody under Art.6, Par 3,
Constitution of Georgia of 1983.

This is one of the case types deemed directly appealable
pursuant to recent legislation O.C.G.A. § 5-6-34 (a)(11) 2008.

The Defendant appeals from the Orders of the Superior Court
for Peach County which were the Final Order on Custody and
Visitation and Order on Plaintiff's Motion to Enforce Settlement
dated November 10, 2008.

Respectfully submitted this 17th day of November, 2008.



JONATHAN PERRY WATERS
Georgia Bar No. 740135

2245 Vineville Avenue
Macon, Georgia 31204
(478) 750-1800

002

Microfilm	
Document	
Control No.	7338
Camera	
Operator	WN

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 30, 2009

Mr. Tom Lawler
Clerk, Superior Court
Gwinnett County Courthouse
Post Office Box 880
Lawrenceville, Georgia 30046-0880

ATTN: Ms. Rita Eason, Deputy Clerk

RE: Your Case Number: 07A01618-5
Jeffrey Cohen, et al. v. Kum S. Kim a/k/a Martha Kim

Dear Ms. Eason:

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 this appeal because there is a pending motion to dismiss the Notice of Appeal. When the trial court enters an order denying the Motion to Dismiss the Notice of Appeal, please include that order in the record and index and return the record to this office for docketing.

Should the trial court grant the Motion to Dismiss the Notice of Appeal, it may obviate the need for an appeal.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

JEFFREY COHEN AND § CIVIL ACTION NO. 07-A-01618-5
 LYNETTE COHEN §
 VS § FROM GWINNETT SUPERIOR COURT
 §
 KUM S. KIM A/K/A §
 MARTHA KIM § TO THE COURT OF APPEAL OF GEORGIA

RECEIVED

JAN 2 2009

COURT OF APPEALS
 OF GA

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3. Plaintiffs' first request for admission of fact and genuineness
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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 30, 2009

Mr. Bryan Owensby
Clerk, Superior Court
Heard County Courthouse
Post Office Box 249
Franklin, Georgia 30217-0249

RE: Your Case Number: 2007R027
The State v. Roy Cleveland Jennings

Dear Mr. Owensby:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the record does not contain an appealable order. When the trial court enters the order in your office, please include it in the record and index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 1/29/09

Style The State v. Roy Cleveland Jennings

Lower Court Heard Superior

Lower Court Case NO. 2007R027

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
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- No order on Motion for New Trial
- No Motion for New Trial (have order thereon)
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- Notice of Appeal does not state to which Court
Appealed or Appealed to one/jurisdiction to other
- Pages copied front/back
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- Other _____

Heard Superior Court

BRYAN OWENSBY, CLERK
POST OFFICE BOX 249
FRANKLIN, GEORGIA 30217

COURT CONVENES
3RD MONDAY IN
MARCH & SEPTEMBER

TELEPHONE
(706) 675-3301

January 26, 2009

In Re: Appeal of Roy Cleveland Jennings
Case No: 07-R-27

To Whom It May Concern:

Please find enclosed the Appeal on the above named defendant, as filed in the Superior Court of Heard County.

If you have any questions please contact my office.

Sincerely,


Bryan Owensby
Clerk of Heard Superior Court

IN THE SUPERIOR COURT OF HEARD COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

VS

CASE NO: 07-R-27

ROY CLEVELAND JENNINGS

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 30, 2009

Ms. Evonne S. Mull
Clerk of State and Superior Courts
Dougherty County Courthouse
Post Office Box 1827
Albany, Georgia 31702-1827

RE: Your Case Number: 07-R-73
Edlenco Green v. The State

Dear Ms. Mull:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because there is no stamped filed date on the Sentence. When the trial court enters the Sentence, please include it in the record and the index and return it to this office for docketing.

Without a stamped filed copy of the Sentence, this Court does not know if the Notice of Appeal has been timely filed.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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
Enclosure

RECORDS RETURN NOTICE

DATE 1/30/09

Style Edlencio Green v. The State

Lower Court Dougherty Superior

Lower Court Case NO. 2007SUR 73

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed (sentence)
- Transcripts
- Notice of Appeal not stamped filed
- No Index/Improper Index
- Not properly assembled
- Main/Cross/Companion in same record
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- 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 _____



EVONNE S. MULL
CLERK OF SUPERIOR AND STATE COURTS
P. O. BOX 1827
ALBANY, DOUGHERTY COUNTY, GEORGIA 31702-1827
(229) 431-2198

January 27, 2009

William L. Martin, III
Clerk of Court of Appeals
47 Trinity Ave. Suite 501
Atlanta, Georgia 30334

Re: Edlendco Green
Appellant
Vs.
State of Georgia
Appellee
Case No.: 07-R-73

RECEIVED

JAN 29 2009

COURT OF APPEALS
OF GA

Dear Mr. Martin:

Please find enclosed a notice of appeal with two a true and complete copy of the record, bench trial transcript and sentencing transcript from the above mentioned case which is being appealed to your court.

If you have any questions please feel free to contact me @ 229-432-8169.

Sincerely,

Linda J. Blanchard

Linda J. Blanchard
Chief Deputy Clerk

Enc. (3)



IN THE GEORGIA COURT OF APPEALS
 FROM
 DOUGHERTY COUNTY SUPERIOR COURT

EDLENDCO SHANDAR GREEN
 APPELLANT

VS.

STATE OF GEORGIA
 APPELLEE

RECEIVED
 JAN 29 2009
 COURT OF APPEALS
 OF GA

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2009

Ms. Debbie Kines
Clerk, Grady County Superior Court
250 North Broad Street • Box 8
Cairo, Georgia 39828

Dear Debbie:

Thank you for coming to visit the Court of Appeals of Georgia along with the other clerks. I am sorry I was unable to stay for the entire tour, but I had to meet with the chief judge to prepare for our budget hearings which begin tomorrow.

I hope that you will come and visit again. If I can ever be of assistance to you, please do not hesitate to contact me.

Please give my regards to my good friend and law school classmate Tom Lehman when you see him.

Sincerely,



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

WLM, III/ld

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2009

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

Dear Sheila:

I want to thank you and the other clerks for coming to visit me yesterday. I apologize that I was not able to stay for the entire tour, but I had to meet with Chief Judge Miller to prepare for our budget hearings which begin tomorrow. I am sorry you got away because I had some original exhibits for you. I guess that is not all bad, because that will give me an excuse to come and see you.

Thanks again for coming and if I can ever be of 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

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2009

Ms. Cathelene "Tina" Robinson
Clerk, Superior Court Fulton County
136 Pryor Street, S.W. • 5th Floor
Atlanta, Georgia 30303

Dear Tina:

Please forgive me for having to leave the tour to meet with Chief Judge Miller on our upcoming budget hearings. I sincerely appreciate you, Arivey Meeks and the other clerks coming to visit me and I hope that you will come again.

If I can ever be of service to you, please do not hesitate to contact me.

Sincerely,



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

WLM, III/ld

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2009

Mr. Tim Quick
Clerk , Stephens County Superior Court
Stephens County Government Building
205 North Alexander Street • Room 202
Toccoa, Georgia 30577

Dear Tim:

I want to thank you and the other clerks for coming to visit me yesterday. I apologize that I had to leave the tour early, but I had to meet with the chief judge to prepare for our budget hearings which begin tomorrow.

I hope you are settling in to your duties as clerk. If there is ever anything I can do to assist you, please do not hesitate to contact me.

Sincerely,



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

WLM, III/ld

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2009

Ms. Lola B. Jamsky
Clerk, Glynn County Superior Court
First Floor Courthouse • 701 "H" Street
Post Office Box 1355
Brunswick, Georgia 31521

Dear Lola:

I want to thank you and the other clerks for coming to visit me yesterday. I apologize that I was unable to stay for the entire tour, but I had to meet with the chief judge to prepare for our budget hearings which begin tomorrow.

I am sorry to hear that Stetson broke his arm. Please give him my regards when you see him.

If I can ever be of assistance to you, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Will. L. Martin, III". The signature is written in a cursive style with a large, sweeping flourish at the end.

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

WLM, III/ld

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2009

Ms. Debbie Kines
Clerk, Grady County Superior Court
250 North Broad Street • Box 8
Cairo, Georgia 39828

Dear Debbie:

Thank you for coming to visit the Court of Appeals of Georgia along with the other clerks. I am sorry I was unable to stay for the entire tour, but I had to meet with the chief judge to prepare for our budget hearings which begin tomorrow.

I hope that you will come and visit again. If I can ever be of assistance to you, please do not hesitate to contact me.

Lehman

Please give my regards to my good friend and law school classmate Tom ~~Leah~~ when you see him.

Sincerely,

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

WLM, III/ld

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2009

Mr. Greg G. Allen
Clerk, Forsyth County Superior Court
100 West Courthouse Square
Cumming, Georgia 30040

Dear Greg:

It was a pleasure to see you again and I am sorry that I had to rush away early, but I had to meet with the chief judge to prepare for our budget hearings which begin tomorrow. I hope you are settling in to your new job. If I can ever be of assistance to you, please do not hesitate to contact me. Again, thank you for coming to visit me and I hope you will come back,

Sincerely,

A handwritten signature in black ink that reads "Will. L. Martin, III" followed by a stylized flourish.

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

WLM, III/ld

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2009

Mr. Daniel Massey
Clerk, Chatham County Superior Court
133 Montgomery Street
Post Office Box 10227
Savannah, Georgia 31412-0427

Dear Dan:

Thank you for coming to visit me. I really appreciate you and the other clerks stopping by, however, I apologize that I had to leave the tour early. I had to meet with Chief Judge Miller to prepare for our budget hearings beginning tomorrow.

I hope you will come back and visit and if I can ever be of 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

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2009

Ms. Carolyn V. Sullivan
Clerk, Superior Court
Houston County Courthouse
800 Carroll Street
Perry, Georgia 31069-3312

Dear Carolyn:

I appreciate you and the other clerks coming to visit me. However, I do apologize for having to leave the tour early, but I had to meet with the chief judge in preparation for our budget hearings beginning tomorrow. I am sorry you slipped away because I had some original exhibits for you, but that just gives me an excuse to come visit you.

If I can ever be of assistance to you, please do not hesitate to contact me.

Sincerely,



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

WLM, III/d

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2009

Mr. Rhett Walker
Clerk, Superior Court
Dodge County Courthouse
Post Office Drawer 4276
Eastman, Georgia 31023-4276

Dear Rhett:

It was a pleasure to meet you yesterday. I apologize for having to leave the tour, but I had to meet with the chief judge in preparation of our budget hearings beginning tomorrow.

I really appreciate you and the other clerks coming to visit me and I hope you will come another time. If I can ever be of 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

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2009

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

Dear Linda:

I want to thank you and Cecilia Willis for coming to visit me yesterday. I apologize that I was not able to stay for the entire tour, but I had to meet with Chief Judge Miller to go over our budget presentation for the House Budget Committee scheduled for tomorrow.

I hope you will come and visit again. If I can ever be of assistance to you, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Will. L. Martin, III". The signature is written in a cursive style with a long horizontal flourish extending to the right.

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

WLM, III/ld

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2009

Mr. Chess Fountain
Clerk, Superior Court
Toombs County Courthouse
Post Office Drawer 530
Lyons, Georgia 30436-0530

Dear Chess:

I apologize for having to leave the group early, but I had to meet with the chief judge in preparation of our budget hearings for tomorrow. I hope that you will forgive me and I really appreciate you and the other clerks coming to visit me.

If I can ever be of 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

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 28, 2009

Ms. Cindy Mason
Clerk, Columbia County Superior Court
Post Office Box 2930
Evans, Georgia 30809

Dear Cindy:

I want to thank you and the other clerks for coming to visit me. I apologize that I was not able to stay for the entire tour, but I had to meet with the Chief Judge about our upcoming budget hearings.

Thank you again for coming to visit me and I promise I will come to see you soon. Please give my regards to the retiring Tom Gunnels.

Sincerely,



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

WLM, III/ld

Superior Ct Clerks Visiting 1/27/2009

Cathelene "Tina" Robinson

Fulton County Clerk of Superior Court

Cindy Mason - Clerk, Columbia City

CHESS FOUNTAIN - TOWNS CO,

Jenita Carter - DeKalb County Superior Court Clerk

Cecilia Willis - DeKalb County Clerk of Superior Court

Rhett Walker - Dodge County Clerk

Carolee Sullivan - Houston County - Clerk

Arvey Meeks - Fulton County

DAN MASSELL - Chatham Co.

Debra King - Brady Co.

Lola B. Jamsky - Glynn Co

Tim Quick - Clerk of Court - Stephens County

Greg G. Allen - Forsyth Co. Clerk of Court

Sheila Studdard - Fayette - Clerk of Court

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 18, 2009

Mr. Mark Harper
Clerk, State Court of Fulton County
TG800 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

RE: Civil Action File Number: 07DD322719
Shantavia Steger v. Kingston Drive Homeowners Association

Dear Mr. Harper:

I am in receipt of the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket the appeal because there is no appealable order in the record, being the order of October 15, 2008 described in the Notice of Appeal.

When the trial court enters that order, please include it in the record and the index and return the record to this office for docketing. Also, please be advised that the record does not contain page number 227, although it is listed on the Index.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 2/13/09

Style Shantavia Steger v. Kingston Drive Homeowners Association

Lower Court Fulton State

Lower Court Case NO. 07④D322719

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 *of 10/15/08*
- 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 missing page 227

TO: GEORGIA COURT OF APPEALS

SHANTAVIA STEGER
Defendant, Appellant

*FROM: MAGISTRATE COURT OF FULTON CO.

VS.

*CIVIL ACTION FILE NO. 07DD002533

KINGSTON DRIVE HOMEOWNERS
Plaintiff, Appellee

*

RECEIVED

FEB 11 2009

COURT OF APPEALS
OF GA

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 19, 2009

Mr. Wilson Paulk
Clerk, Superior Court
Atkinson County Courthouse
Post Office Box 6
Pearson, Georgia 31642-0006

RE: Your Case Number: 2007C63
Barbara Ann James v. Roy Sirmans, et al.

Dear Mr. Paulk:

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 this appeal because the Notice of Appeal indicates a transcript will be filed for inclusion in the record on appeal, and no transcript accompanied the record.

When the court reporter files the transcript with your office, please attach your certificate and send it along with the record to this office for docketing. If, in fact, there is no transcript, when the appellant files an amended Notice of Appeal to reflect that fact, please include the amended Notice of Appeal in the record and the Index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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 Evans, Esq.

RECORDS RETURN NOTICE

DATE 2/16/09

Style Barbara Ann James v.
Roy Simons et al

Lower Court Atkinson Superior

Lower Court Case NO. 2007CL3

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 ATKINSON COUNTY
STATE OF GEORGIA

RECEIVED

FEB 13 2009

COURT OF APPEALS
OF GA

Barbara Ann James,

Plaintiff,

vs.

Civil Action No. 2007-C-63

Roy Sirmans and Cheryl Davis d/b/a
Tips, Tangles & Toes,

Defendants.

RECORD ON APPEAL

Volume I

IN THE SUPERIOR COURT OF ATKINSON COUNTY
STATE OF GEORGIA

Barbara Ann James,

Plaintiff,

vs.

Civil Action No. 2007-C-63

Roy Sirmans and Cheryl Davis d/b/a
Tips, Tangles & Toes,

Defendants.

RECORD ON APPEAL

Volume II

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 23, 2009

Ms. L. Carolyn Williams
Clerk, Juvenile Court
Pike County Courthouse
Post Office Box 10
Zebulon, Georgia 30295

RE: Your Case Number: 0200270
In the Interest of : TEM, a Child

Dear Carolyn:

I am in receipt of your communication of postmark date February 12, 2009 and the certified copy of the order dismissing appeal in the above referenced case. Please be advised that no appeal was ever docketed in this Court under that case number.

Sincerely,



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

WLM, III/ld
Enclosures

IN THE JUVENILE COURT OF PIKE COUNTY
STATE OF GEORGIA

09 FEB -6 PM 3: 56

In the interest of:

*
*
*
*
*

Tyler Eugene Minyard,
Male, 01, 12/04/01,

BY: HRM
CAROLYN WILLIAMS, CLERK

Case #: 0200270

Juvenile
PIKE SUPERIOR COURT

I hereby certify this copy to be
a true and correct copy of the
original on file in this office.

ORDER DISMISSING APPEAL
IN RE: T.E.M.

This 6 day of Feb 09
Heather D. Duke Clerk

It having come to the Court's attention that the captioned matter has not been properly disposed of in the Court of Appeals of the State of Georgia, and the Court, after reviewing the Pike County Juvenile Court file, hereby enters the following:

Finding of Facts

1. On April 18, 2006, Trina Minyard, the biological mother of the captioned child entered a Voluntary Dismissal, which was filed with the Pike County Juvenile Court on April 18, 2006 and accompanied by her affidavit. Apparently, these documents were not provided to the Court of Appeals. A copy of the dismissal and affidavit are attached hereto as Exhibit "A" and by reference incorporated herein.
2. On February 14, 2007, Pike County DFCS scheduled a status review concerning the status of the appeal at which time the Deputy Clerk of Pike County Juvenile Court testified that no appeal had been filed and the Clerk's Office had not forwarded anything from the trial court's file to the Court of Appeals. A copy of that Status Review Order on Appeal is attached hereto as Exhibit "B" and by reference incorporated herein.

Order

THEREFORE, there appearing to the Court that if an appeal of the Order Terminating the Mother's Parental Rights was ever filed, the Mother wanted that appeal dismissed, therefore, it is

SECOND ORIGINAL

ORDERED AND ADJUDGED that any notice of appeal filed by or on behalf of Trina Minyard, the biological mother of the captioned child, is **HEREBY DISMISSED WITH PREJUDICE**. The Clerk of the Pike County Juvenile Court is hereby directed to send a date-stamped certified copy of this Order to the Court of Appeals of the State of Georgia.

SO ORDERED this 2 day of February, 2009, *nunc pro tunc* to April 18, 2006.


BEN J. MILLER, JR., Presiding Judge
Pike County Juvenile Court

Copies to:

Tammy M. Griner, SAAG
Post Office Box 319
Griffin, GA 30224

Robert L. Morton, Attorney for Mother
Post Office Box 700
Zebulon, GA 30295

Charles B. O'Neill, Jr., Attorney and GAL
Post Office Box 1188
Zebulon, GA 30295

IN THE SUPERIOR COURT OF PIKE COUNTY

STATE OF GEORGIA

IN THE INTEREST OF,

:

: Case No.: 0200270

TYLER EUGENE MINYARD,

:

:

:

Pike Co. Juvenile Court
Filed for record in open court.

1:45 P.M. APR 18 2006

A. Jackson
Carol Williams
Clerk

VOLUNTARY DISMISSAL

COMES NOW, the biological mother, TRINA MINYARD herein and voluntarily dismisses the Appeal related to the above styled matter. Said dismissal is supported by the Affidavit of Trina Minyard attached hereto.

So dismissed this 18th day of April, 2006.

Respectfully submitted,



Robert L. Morton
Attorney for Plaintiff
Georgia Bar No.: 526060

Morton & Morton
P.O. Box 700
Zebulon, Georgia 30295
(770) 567-8534
(770) 567-3786 facsimile



FILED & RECORDED, CLERK
SUPERIOR/JUVENILE CT.
PIKE COUNTY, GA 30295

07 NOV 28 AM 10:56

BY: HRLM
CAROLYN WILLIAMS, CLERK

IN THE JUVENILE COURT OF PIKE COUNTY
STATE OF GEORGIA

In the interest of:

Tyler Eugene Minyard,
Male, 05, 12/04/01,

*
*
*
*
*
*

Case # 0700015

A Child Under the Age of 18

STATUS REVIEW ORDER ON APPEAL

The above referenced matter, having come before the undersigned Judge on February 14, 2007, concerning a status review hearing on an appeal filed by the Mother, which was requested by the Georgia Department of Human Resources, acting through the Pike County Department of Family and Children Services (hereinafter sometimes referred to as DFCS or as the Department). The following persons were present at said Hearing: Susan Boggs, Director, with DFCS; Charles B. O'Neill, Jr., Attorney and *Guardian Ad Litem*; and Tammy M. Griner, Special Assistant Attorney General.

The Court put on the record that Trina Minyard, the Mother, had voluntarily dismissed her appeal in the Superior Court of Pike County; that an affidavit by the Mother had been filed in the Juvenile Court of Pike County on April 18, 2006; and that a letter dated February 7, 2007 from the Mother's attorney, Robert Morton, had been filed with the Clerk of Court.

The Court swore in Vera Hammond of the Pike County Juvenile Court. She gave testimony that she had been the Deputy Clerk for six years and that there had been no appeal filed in that office and that her office had not forwarded anything to the Court of Appeals.

ORDER

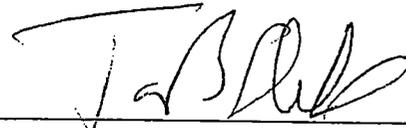
- A) IT IS THE JUDGMENT OF THIS COURT that it is evident that if the Mother had filed an appeal, it was not filed properly, apparently the appeal has now been dismissed, requiring no further intervention by this Court.
- B) IT IS ALSO ORDERED that the Department can now close its file as it relates to this matter.



SERVICE COPY

- C) IT IS FURTHER ORDERED that upon the filing of this Order, the attorney for the Department shall mail a copy to: Trina Minyard, 351 Drew Allen Road, Williamson, GA 30292; Rob Morton, Esquire, Post Office Box 700, Zebulon, GA 30295; Susan Boggs, Director, Pike County DFCS, Post Office Box 387, Zebulon, GA 30295; Charles B. O'Neill, Jr., Attorney and *Guardian Ad Litem*, Post Office Box 1188, Zebulon, GA 30295; and Tammy M. Griner, Special Assistant Attorney General, Post Office Box 319, Griffin, GA 30224.

SO ORDERED, this 27th day of November, 2007 *nunc pro tunc* to February 14, 2007.



TAREY B. SCHELL, PRESIDING JUDGE
Juvenile Court, Spalding County
Griffin Judicial Circuit

I hereby certify that the foregoing is in accord with the oral pronouncement of the Court. I also certify that I furnished a copy of this Order to counsel for the respective parties prior to its presentation to the Court and that all timely and appropriate objections have been incorporated herein.

Prepared By:



TAMMY M. GRINER 312720
SPECIAL ASSISTANT ATTORNEY GENERAL
TAMMY M. GRINER, ATTORNEY AT LAW, P.C.
Post Office Box 319
Griffin, Georgia 30224
Office: 770-567-5507

ty
ite Courts
ams, Clerk

ox 10

a. 30295

Court of Appeals of Georgia
334 State Judicial Bldg.
Atlanta, Georgia 30334



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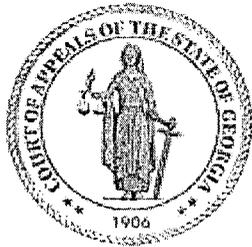
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FEB 12 2009

MAILED FROM ZIP CODE 30295

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Court of Appeals

Memorandum

To: Lynn Osborne
From:  William L. Martin, III
Subject: April Oral Argument Calendar
Date: February 23, 2009

Please give me a preliminary April report.

Thank you.

/ld

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 23, 2009

Ms. Gay B. Valasky
Clerk, Houston State Court
202 Carl Vinson Parkway
Warner Robins, Georgia 31088

RE: Your Case Number: 2006T325156
Charles Chamberlain v. The State

Dear Ms. Valasky:

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 this appeal because the order of conviction does not show your stamped filing date. Without the stamped filing date, this Court does not know if the Notice of Appeal was timely filed.

When the trial court enters the final order, please stamp the filing date thereon, include it in the record and index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 2/23/09

Style Charles Chamberlain v. The State

Lower Court Houston State

Lower Court Case NO. 2006 T 325156

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
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- 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 STATE COURT OF HOUSTON COUNTY

STATE OF GEORGIA

CHARLES CHAMBERLAIN

CASE NO. 2006-T-325156

APPELLANT

DUI

VS.

STATE OF GEORGIA

APPELLEE

RECEIVED

FEB 19 2009

COURT OF APPEALS
OF GA

APPEARANCES

APPELLANT:

GREG HOLT
P. O. BOX 7105
WARNER ROBINS, GA. 31095

478-923-5305

APPELLEE:

STATE OF GEORGIA
ROBERT A. TAWSE
SOLICITOR-GENERAL
202 CARL VINSON PKWY.
WARNER ROBINS, GA. 31088

478-542-2100

JUDGE:

HON. BOB RICHARDSON
JUDGE STATE COURT
202 CARL VINSON PKWY.
WARNER ROBINS, GA 31088

478-542-2013

IN THE STATE COURT OF HOUSTON COUNTY

STATE OF GEORGIA

CHARLES CHAMBERLAIN

CASE NO. 2006-T-325156

APPELLANT

VS.

STATE OF GEORGIA

DUI

APPELLEE

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IN THE STATE COURT OF HOUSTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

VS.

CHARLES CHAMBERLAIN,
DEFENDANT

§
§
§
§
§
§

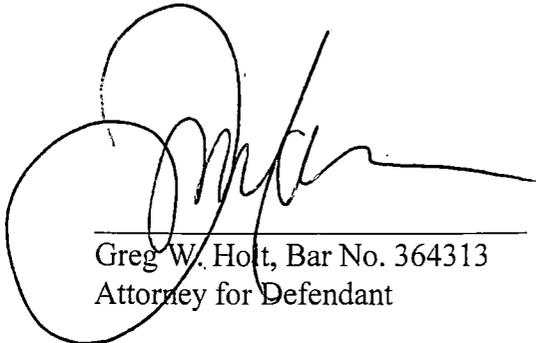
CASE NO.: 2006-T-325156

NOTICE OF APPEAL

Notice is hereby given that *CHARLES CHAMBERLAIN*, Defendant in the above-named, hereby appeals to the Court of Appeals of Georgia from the judgment of conviction and sentence entered herein on August 14, 2007.

The Clerk will please omit nothing from the record on appeal. Transcript of evidence and proceedings will be filed for inclusion in the record on appeal. This Court, rather than the Supreme Court, has jurisdiction of this case on appeal for the reason that the issues presented are not among those for which jurisdiction is reserved exclusively for the Supreme Court.

This the *12th* day of September, 2007.



Greg W. Holt, Bar No. 364313
Attorney for Defendant

FILED IN CLERK'S OFFICE, STATE COURT,
HOUSTON COUNTY, SEP 12 2007
Carolyn A. Bennett CLERK

LAW OFFICE OF GREG W. HOLT
P.O. Box 7105, Warner Robins. GA 31095
(478) 923-5305 (478) 328-6522 Fax

①

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 13, 2009

Mr. Mark Harper
Clerk, State Court of Fulton County
TG800 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

RE: Magistrate Court of Fulton County
Civil Action File Number: 08ED373796
Anthony Nzeribe, et al. v. Wedean Properties Alpha, LLC

Dear Mr. Harper:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the order complained of is not contained in the record. When the trial court enters the order described in the Notice of Appeal, please include it in the record and index and return it to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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



TO: GEORGIA COURT OF APPEALS

ANTHONY NZERIBE ET LA
Defendant, Appellant

*FROM: MAGISTRATE COURT OF FULTON CO

VS.

WEDEAN PROPERTIES/
ALPHA, LLC
Plaintiff, Appellee

*CIVIL ACTION FILE NO.08ED373796

*

RECEIVED

FEB 11 2009

COURT OF APPEALS
OF GA

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 3, 2009

Ms. Cathelene "Tina" Robinson
Clerk, Superior Court Fulton County
136 Pryor Street, S.W. • 5th Floor
Atlanta, Georgia 30303

RE: Your Case Number: 2007CV133689
Michael Miller v. Molly Wheatley

Dear Ms. Robinson:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised that we were unable to docket this appeal because the record does not contain an appealable order signed by the judge. Rather, someone has stamped the judge's signature.

When the court enters an order from your office which has been actually signed by the judge, please include that in the record and return it to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

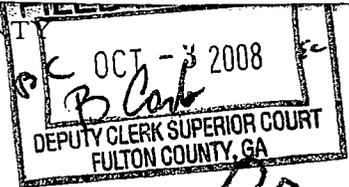
CIVIL ACTION FILE NUMBER: 2007CV133689
FROM FULTON SUPERIOR COURT

MICHAEL MILLER, APPELLANT
VS
MOLLY WHEATLEY, APPELLEE

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FEB - 2 2
COURT OF APPEALS
OF GA

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IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA



ORIGINAL

MICHAEL MILLER,)
)
Plaintiff,)
)
v.)
)
MOLLY WHEATLEY,)
)
Defendant.)

CIVIL ACTION FILE
No: 2007-CV-1336-89

NOTICE OF APPEAL

Notice is hereby given that MICHAEL MILLER, Plaintiff in the above-captioned action, hereby appeals to the Court of Appeals from an Order Granting Defendant's Motion for Award of Attorney Fees entered by the Superior Court of Fulton County on August 13, 2008.

A timely Application for Discretionary Appeal (Application No. A09D0043) was filed with the Court of Appeals on September 12, 2008, and the Court of Appeals granted the Application on September 26, 2008. A copy of the Order granting the Application is attached hereto as Exhibit A for inclusion in the record.

The Court of Appeals rather than the Supreme Court has jurisdiction over this appeal because the issues in this case are not among those reserved to the Supreme Court.

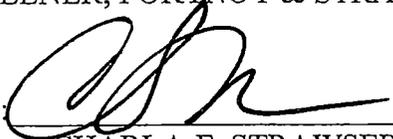
The Clerk/Court will please include all pleadings from the record, and all matters of record filed with the Court, with no omission of any pleading or item of record, on appeal. The transcript of the August 12, 2008 hearing will be filed for inclusion in the record on appeal upon its transcription by the court reporter.

10/3/08 BC
1:35PM

Respectfully submitted this the 3rd day of October, 2008.

CALLNER, PORTNOY & STRAWSER, P.C.

BY:



CHARLA E. STRAWSER

Ga. State Bar No. 582697

Attorneys for Plaintiff

Peachtree Center South Tower, Suite 1925
225 Peachtree Street, N.E.
Atlanta, Georgia 30303
(404) 688-8800
192342

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 9, 2009

Ms. Joy H. Conner
Clerk, Superior Court
Washington County Courthouse
Post Office Box 231
Sandersville, Georgia 31082-0231

RE: Your Case Number: 05CR197
Annette Bryant v. The State

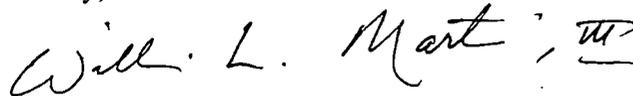
Dear Ms. Conner:

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 this appeal because the Notice of Appeal does not contain a Certificate of Service showing the complete name and mailing address of opposing counsel. Without a Certificate of Service showing the complete name and mailing address of opposing counsel, we do not know to whom to send the Docketing Notices.

When the appellant files an amended Notice of Appeal to reflect the complete name and mailing address of opposing counsel, please include that in the record and Index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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. Annette Bryant
GDC1233948

RECORDS RETURN NOTICE

DATE 2/9/09

Style Annette Bryant v. The State

Lower Court Washington Superior

Lower Court Case NO. 05CR197

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
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- 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 states transmit "entire record omitting nothing"

IN THE SUPERIOR COURT OF Washington
STATE OF GEORGIA

COUNTY
FILED IN OFFICE

JAN 20 2009

Joy A. Connor
CLERK

Annette Bryant,
Appellant,

v.

State of Georgia,
Appellee.

Case No. 05CR197

NOTICE OF APPEAL

Notice is hereby given that Annette Bryant the
Above named appellant, Appeals to the Georgia Court of Appeals,
from the denial of his Pro Se Motion to Modify
(Case no. 05CR197), said judgment was entered by the court on the
19 day of December, 20008.

Appellant has a right to a Discretionary appeal from the adverse
(Direct/Discretionary)
ruling pursuant to O.C.G.A. § 5-6-32.

The clerk will please transmit the entire record "omitting nothing" to the
Georgia Court of Appeals, which has jurisdiction of the case pursuant
to the constitution of Georgia 1983 Art. 10, Sec. 4, Par. 1.

Submitted this 12 day of January, 20009.

Annette Bryant
Appellant (Pro Se)



IN THE SUPERIOR COURT FOR THE COUNTY OF
WASHINGTON, STATE OF GEORGIA

ANNETTE BRYANT
GDC 1233948

CASE FILE NO.: 05CR197

APPELLANT

RECEIVED

STATE OF GEORGIA

FEB - 5 2009

APPELLEE

COURT OF APPEALS
OF GA

APPEARANCES

FOR THE APPELLANT

ANNETTE BRYANT
GDC 1233948
PRO SE
PULASKI STATE PRISON
P. O. BOX 8395
HAWKINSVILLE, GA 31036

FOR THE APPELLEE

HAYWARD ALTMAN
DISTRICT ATTORNEY
MIDDLE JUDICIAL CIRCUIT
P. O. DRAWER J
SWAINSBORO, GA 30401

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 11, 2009

Ms. Melica Kendrick
Clerk, Superior Court of Whitfield County
300 West Crawford Street
Post Office Box 868
Dalton, Georgia 30720

RE: Your Case Number: 84960-J
Brooke Hensley, et al. v. Evergreen Express Lines, Inc.

Dear Ms. Kendrick:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal. Each part of the record must be certified. Please bind the record into smaller volumes, preferably two inches maximum.

The larger volumes of records make it difficult for the judges and attorneys to see the top two lines of the record as they turn the pages. Also, as you can see, larger volumes tend to become unbound in transit through the mail, as has this record.

Also, please make the deposition into a single document rather than having portions divided into Part 1 and Part 2.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 2/10/09

Style Brooke Hensley et al v. Evergreen Express Lines, Inc.

Lower Court Whitfield Superior

Lower Court Case NO. 84960-5

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
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- 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 2 parts of record are too

large and cumbersome to handle

- 1st part came apart in mail transit

- deposition was divided in middle w/ portions each in part 1 + part 2

each part of record is not certified by clerk

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 10, 2009

Ms. Kathy D. Page
Clerk, Superior Court
Dade County Courthouse
Post Office Box 417
12371 Main Street
Trenton, Georgia 30752-0417

RE: Your Case Number: 08CV00196
In Re: Estate of John Lasley O'Dell

Dear Ms. Page:

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 this appeal because it is not properly assembled. Please make sure that the record is securely bound with roundhead fasteners or ACCO clamps. Pressure clamps tend to come off and then the record becomes lost or out of order.

It is my understanding that your office is requesting that this record be returned because you sent originals rather than copies. Please be advised that OCGA §5-6-43(a) provides that the clerk shall prepare a complete copy of the entire record, omitting only those things designated for omission **the appellant**, in which were not designated for inclusion by the appellee, together with a copy of the Notice of Appeal, and transmit same together with the transcript. Your office should maintain the original record.

The code further provides that the original transcript shall be sent to the Court of Appeals and your office shall maintain a copy of the transcript.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 2/10/09

Style In re: Estate of John Lasley O'Dell

Lower Court Dade Superior

Lower Court Case NO. 08 CV 00196

REASON:

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- Other Return per Request of clerk
they sent original documents

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 3, 2009

Ms. Elizabeth Z. Hursey
Clerk, Superior Court Effingham County
Effingham County Judicial Complex
700 North Pine Street • Suite 110
Springfield, Georgia 31329

RE: Your Case Number: SU08CV022T
Carol Varkony v. Lyndon Property Insurance Company

Dear Ms. Hursey:

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 unable to docket this appeal because the Notice of Appeal indicates a transcript of evidence will be filed for inclusion in the record on appeal, but no transcript accompanied the record.

When the court reporter files a transcript with your office, please attach your certificate and return it to this office for docketing.

If there is, in fact, no transcript in this appeal, when the appellant files an amended Notice of Appeal to reflect that fact, please include the amended Notice of Appeal in the record and Index and return it to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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. Godlove, Esq.

RECORDS RETURN NOTICE

DATE 2/21/09

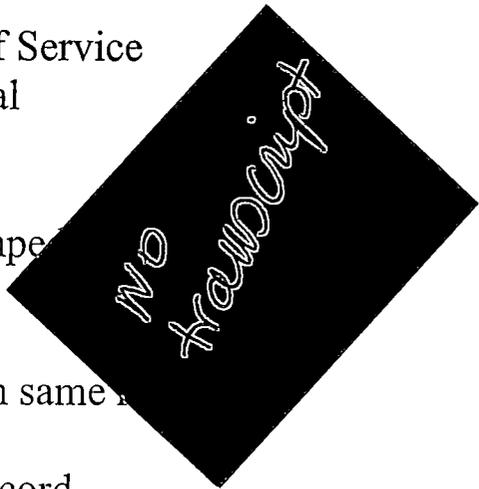
Style Carol Varkony v. Lyndon property insurance co.

Lower Court Effingham Superior

Lower Court Case NO. 5408CVO22T

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
- Notice of Appeal not stamped
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- Only one side printed of duplex document
- Other _____



The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 2, 2009

Mr. Sean Kean
Clerk, Juvenile Court Whitfield County
205 North Selvidge Street • Suite H
Dalton, Georgia 30720

RE: Your Case Numbers: 0600918 0601622
In the Interest of: H.C.C., a Child

Your Case Numbers: 0600916 0601623
In the Interest of: A.M.C., a Child

Dear Sean:

Enclosed please find your letter of January 29, 2009 and the certified order of dismissal by Judge Connie Blaylock. As we discussed, these appeals have not been docketed in the Court of Appeals of Georgia. Therefore, Judge Blaylock is free to dismiss the Notice of Appeals which are filed in your court or permit the Notice of Appeal to be withdrawn, whatever she feels appropriate.

If you have any questions or if I can be of 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: Honorable Connie M. Blaylock,
Judge, Juvenile Court
Conasauga Judicial Circuit



WHITFIELD COUNTY JUVENILE COURT

205 N. Selvidge Street Suite H
Dalton, Georgia 30720

706-278-6558 Fax 706-272-7018

Connie Blaylock, Judge

David Moeller, Court Administrator

Sean V. Kean, Clerk

January 27th, 2009

Georgia Court of Appeals
Attn: Bill Martin, Clerk
Suite 501
47 Trinity Avenue
Atlanta, GA 30334

RE: H.C. & A.C.

Mr. Martin,

Judge Morris contacted Judge Blaylock in regards to the above named case. This was back from August of 2006. The Judge and I didn't realize this was still pending in your court as counsel for the appellate was supposed to file a dismissal of his appeal based upon an agreement reached in a related case.

Attached you will find two (2) certified copies of an Order Dismissing Appeals for your records. Should you require anything further, please feel free to contact me back at (706) 281-4602.

Thanking for your consideration, I am

Sean V. Kean

Sean V. Kean
Clerk of Court
Whitfield County Juvenile Court

CC: Court file

2009 JAN 29 PM 2:55

RECEIVED IN OFFICE

CLERK'S CERTIFICATE

STATE OF GA. WHITFIELD COUNTY
I, SEAN V. KEAN, Clerk of the Juvenile Court of
said State and County, do hereby certify that the
foregoing is a true and correct copy of

Order Dismissing Appeals RE: H.C.C. # A.M.C.
and is on file in this office.

AS WITNESS WHEREOF, I have hereunto set
my hand and affixed my seal this 27th day of

January, 2009
Sean V. Kean, Clerk
Whitfield County Juvenile Court

IN THE JUVENILE COURT OF WHITFIELD COUNTY
STATE OF GEORGIA

IN THE INTEREST OF:

HAILEY CIERA CRIDER Case No. 0600918/0601622

ALLISON MIKAYLA CRIDER Case No. 0600916/0601623

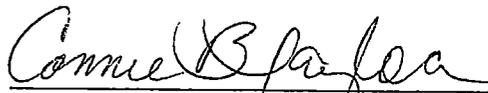
CHILDREN UNDER THE AGE OF
EIGHTEEN YEARS

ORDER DISMISSING APPEALS

The above referenced matters came on for hearing on or about the 20th day of July, 2006. An order was entered terminating the parental rights of the parents, and denying a Motion to Intervene by the maternal grandmother. Both the mother and the maternal grandmother then filed notices of appeal. Subsequent to the filing of the notices of appeal, this court held a hearing in the interest of Hunter C. Crider, a sibling of these children. A consent order was entered in the interest of Hunter C. Crider in which the maternal grandmother and the mother of the children agreed to dismiss their respective appeals in the above referenced cases, pursuant to an announced settlement agreement in the interest of Hunter C. Crider.

Now therefore it is hereby ORDERED, ADJUDGED AND DECREED that the appeals filed in the interest of the above named children are hereby DISMISSED.

So ordered this the 26th day of January, 2009, nunc pro tunc to the 11th day of January, 2007.



CONNIE BLAYLOCK, JUDGE

2009 JAN 26 PM 4 29

FILED
JUVENILE COURT
WHITFIELD COUNTY GA
SEAN V. KEAN, CLERK



Whitfield County Juvenile Court
 County Courthouse
 205 North Selvidge Street, Suite H
 Dalton, Georgia 30720-4298

REC'D JUN 27 2009

2009 JAN 20 11 29 AM

Handwritten notes:
 L. M. ...
 ...

Georgia Court of Appeals
 47 Trinity Avenue
 Suite 501
 Atlanta, GA 30334

30334+3006



02 1A \$ 00.59⁰
 0004632341 JAN 27 2009
 MAILED FROM ZIP CODE 30720



The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 3, 2009

Ms. Teresa P. Tucker
Clerk, Bulloch County Juvenile Court
20 Siebald Street
Statesboro, Georgia 30458

RE: Your Case Number: 01606-J-158
In the Interest of: R.C., a Child

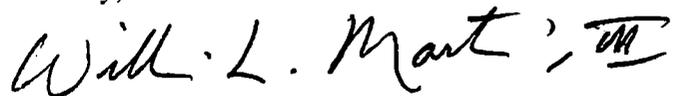
Dear Ms. Tucker:

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 this appeal because the Notice of Appeal did not contain a Certificate of Service. Without a Certificate of Service showing the complete name and mailing address of opposing counsel, we do not know to whom to send the Docketing Notices and therefore cannot docket the appeal.

When the appellant files an amended Notice of Appeal to include the complete name and mailing address of opposing counsel, please include that in the record and Index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Stephen B. Taylor, Esq.

IN THE JUVENILE COURT OF BULLOCH COUNTY

2008 AUG 20 PM 1:53

STATE OF GEORGIA

SHERRI A. AKINS
CLERK B.C.S.C.

CASE NO. 016-06J-158

IN RE: RAVEN CHILDERS, (Female, DOB: 04/07/06),
A Child under 18 years of age.

NOTICE OF APPEAL

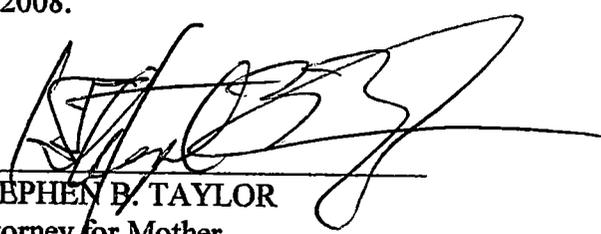
Notice is hereby given that Teewandra Young, Mother of the above-named Child, hereby appeals to the Court of Appeals from the Order of Termination of Parental Rights under O.C.C.A. § 15-11-93 entered herein on July 24, 2008.

No portion of the record is to be omitted on appeal.

Transcript of evidence and proceedings will be filed for inclusion in record on appeal.

This court rather than the Supreme Court has jurisdiction of this case on appeal for reason that no federal or state constitutional construction or challenge is being made.

This 20th day of August, 2008.



STEPHEN B. TAYLOR
Attorney for Mother
State Bar No. 701200

P.O. Box 66
Statesboro, GA 30459
912/764-5355

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 3, 2009

Ms. Shelley Wilson
Clerk, Lumpkin County Probate Court
99 Courthouse Hill, Suite C
Dahlonega, Georgia 30533-0278

RE: Your Case Number: 2007-77
In Re: Melvin Ligon

Dear Ms. Wilson:

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 unable to docket this appeal because the Notice of Appeal did not contain a Certificate of Service. Without a Certificate of Service showing the complete name and mailing address of opposing counsel, we do not know to whom to send the Docketing Notices.

When the appellant files an amended Notice of Appeal to include the complete name and mailing address of opposing counsel, please include that amended Notice in the record and the Index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Melvin K. Ligon
11882 S.W. 207th Street
Miami, Florida 33177

MAY 29 2007 @ 12:01 pm
S. Snell
Michael A. Chastain
Probate Judge

May 23, 2007

To:
Probate Court Judge
Michael Chastain
99 Courthouse Hill Suite C
Dahlonega, GA 30533
706 864 3847
Fax 706-864-9271

From:
Melvin K. Ligon
11882 S.W. 207 Street
Miami, Fl 33177

Ref: Request for Processioning.

The United States District Court of Northern Georgia has issued a judgment filed in lawsuit Eniko Mattson and Jenó Karsanyi vs. Department of Agriculture Case Number 2:06 CV 44 RWS in which a new form of Processioning by the court was used. The new method was the Judge outside the courtroom ask Powell to make a sketch showing where he wanted the seven pins located and then Judge Story would issue it as a Judgment of the District Court.

The new lines invented by Government Surveyor Marice Brown runs through the middle of Boyd Walker' house and moves Eniko Mattson and Jenó Karsanyi' land west by 204 feet. No surveyor will find the pins and refuse to do a survey in the area because this was the eighth new locations ordered by the Judges. The list of lawsuits setting the same corner pins in other locations by Court' Decrees are listed in attached Support of Title (DB 994 P. 571-573).

Dear Probate Court Judge,

You have refused to permit a Processioning. This has lead to sixty-nine lawsuits in the courts. (See: List in attached Support of Title). We still do not know which location to use. The courts issue judgment on hearsay and gobbledygook. We want a Processioning in which a County Surveyor and three Processioners take part and inform the neighbors of the proceeding and to

follow the laws within Processioning Georgia Code 44-4-2 to 44-4-9.

All the new methods invented by surveyors, judges, and citizens just do not work and only invent new locations overlapping deed over deed.

Please mail me the information and documentation to request a Processioning and the Bill for the application.

It is my first goal to discuss the problems with a new judge who has not discussed the issues with Judge Hugh Stone or David Barrett, as was the case in Eniko Mattson' Request for Processioning. In that case Judge Hugh Stone explained only his side of the locations and on their discussions Judge Struble did not permit a hearing. Struble ordered all the neighbors with overlapping deeds to sue the United States of America. That did not work and the Judge (Story) did not follow a single law written within Processioning. We can not allow that to happen again. We want a hearing without the judge talking to the local judges who set the new dual locations overlapping the other judges new locations. Judge Boswell in seven cases used the Government Tracts 1320-W-II, 1320-W-I, 1320-V, A-230, Boyd Walker Plat 11 page 142, etc. Now Judge Story bypasses all the other Superior Court Judges Decisions and sets his own new locations using Frederick Kauffman' sketch. We do not know which decree by which judge we are to follow. Please help. Don't allow the new judge to get biased information.

Best regards,



Melvin K. Ligen
11882 S. W. 207 Street
Miami, Fl 33177
305-278-1373

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 26, 2009

Ms. Sherri J. Cochran
Clerk, Burke County Superior Court
111 East Sixth Street • Room 107
Post Office Box 803
Waynesboro, Georgia 30830-0803

RE: Your Case Number: 2003R0141
Eugene Griffin v. The State

Dear Ms. Cochran:

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 this appeal because the record does not contain a Motion for New Trial. Without a stamped filed copy of the Motion for New Trial, this Court does not know if the Motion for New Trial was timely filed and therefore cannot determine this Court has jurisdiction over this matter.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 1/23/09

Style eugene griffin v. The State

Lower Court BURKE SUPERIOR

Lower Court Case NO. 2003R0141

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 MOTION FOR OUT OF TIME APPEAL

RECEIVED

JAN 22 2009

COURT OF APPEALS
OF GA

THE COURT OF APPEALS

OF GEORGIA

INDEX TO RECORD

IN THE CASE OF

STATE OF GEORGIA

VS.

EUGENE GRIFFIN

2003-R-0141

FROM THE SUPERIOR COURT

BURKE COUNTY, GEORGIA

IN THE SUPERIOR COURT OF BURKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

VS.

INDICTMENT NO. 2003-R-0141

EUGENE GRIFFIN

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

December 9, 2008

Ms. Wenona C. Belton
Clerk, Fulton County Juvenile Court
Romae T. Powell Justice Center
395 Pryor Street, S.W. • Suite 2116
Atlanta, Georgia 30303

RE: Your Case Number: 182724-02
In the Interest of: D.B., a Child

Dear Ms. Belton:

I am returning to you the above appeal that you transmitted to us. This Court cannot accept the record since the Notice of Appeal does not have a Certificate of Service. The Notice of Appeal must be accompanied by a Certificate of Service to the opposing party and include his or her complete mailing address. Without a Certificate of Service, we will not be able to determine to whom to send the Docketing Notice for the appeal.

In addition, the Notice of Appeal should state to which Court the appellant is appealing and which order of the Juvenile Court is being appealed.

Since it appears that counsel was appointed for the appellant after the Notice of Appeal was filed, I am also sending a copy of this letter to the appointed counsel so he can file an amended Notice of Appeal. Once an amended Notice of Appeal has been filed (which includes a Certificate of Service) with your court, you can send the record back to us with the amended Notice of Appeal.

If you have any questions about this letter, please do not hesitate to contact me.

Sincerely,


Holly K. O. Sparrow
Deputy Court Administrator

Enclosures

cc: Curtis Miller, Esq.

RECORDS RETURN NOTICE

DATE 12/8/08

Style In the Interest of: D.B., a child

Lower Court Fulton Juvenile

Lower Court Case NO. 182724-02

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal - what court being appealed to -
- Order not stamped filed
- Transcripts - which order?
- 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 counsel was appointed 8/20/08 after NOA filed -
need an amended NOA.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

December 9, 2008

Ms. Kay Carter
Clerk Charlton County Superior Court
Charlton County Courthouse
Post Office Box 760
Folkston, Georgia 31537-0760

RE: Lower Court Case Number: 2003 WR-44
Glenda Brown v. The State

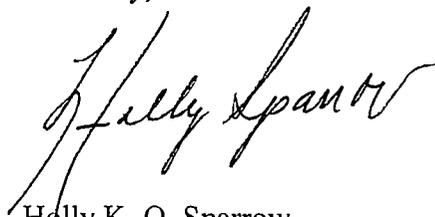
Dear Ms. Carter:

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 this appeal because notwithstanding the fact that the Notice of Appeal indicates a transcript of evidence and proceedings will be filed for inclusion in the record upon appeal, no transcript accompanied the record. As such, we are unable to docket this appeal.

When the court reporter files the transcript in your office, please attach your certification and return it to this office for docketing. If there is, in fact, no transcript to be filed in this appeal, when the appellant files an amended Notice of Appeal to reflect that fact, please return the record to this office for docketing.

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

Sincerely,



Holly K. O. Sparrow
Deputy Court Administrator

Enclosures

cc: Chevene B. King, Jr., Esq.

RECORDS RETURN NOTICE

DATE 12/18/08

Style Glenda Brown v. The State

Lower Court Charlton Superior

Lower Court Case NO. 2003 WR-44

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 please copy Mr. King (atty for nt)
with letter.

Charlton County, Georgia

CLERK OF SUPERIOR COURT

KAY CARTER, Clerk

P. O. Box 760 • 100 Third Street • Folkston, Georgia 31537 • (912) 496-2354

RECEIVED

DEC - 4 2008

COURT OF APPEALS
OF GA

December 1, 2008

Court of Appeals
334 State Judicial Building
40 Capitol Square
Atlanta, Georgia 30334

Re: Civil Action 04R-196
State of Georgia vs. Glenda Brown

Dear Sir or Madam:

On August 15, 2007 Attorney Chevene B. King, Jr. filed a Notice of Appeal in the above referenced case. As of this date, we have not received the plea transcript. It is my understanding that Mr. King has not requested the preparation of the transcript.

This office has contacted Mr. King by telephone on numerous occasions regarding the need for the court transcript, explaining that we continue to hold the appeal in our pending files. We have received no response from him.

After speaking with Patty (Court of Appeals) by telephone, we are submitting this appeal without the transcript. If other avenues should be pursued by the Clerk's office in an attempt to obtain the transcript, please let us know and we will be happy to comply.

Sincerely yours,



Kay Carter
Clerk of Court

*Charlton County Courthouse
Folkston, Georgia*

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 5, 2008

Ms. Toni Williamson
Deputy Clerk
Superior Court Cobb County
Post Office Box 3370
Marietta, Georgia 30061

RE: Your Case Number: 07-9-6355-18
Ashley LaMonth Kittrell v. The State

Dear Ms. Williamson:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because it does not contain a Notice of Appeal.

It appears the trial court granted a Certificate of Immediate Review. This is a condition precedent to filing an Application for Interlocutory Appeal. If that is what the appellant is intending, then the appellant will need to follow the procedures set out in OCGA §5-6-34(b).

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 12/4/08

Style Ashley Lamenth Rittree v. The State

Lower Court Colo Superior

Lower Court Case NO. 07-9-6355-18

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 NO Notice of appeal filed.

trial court granted certificate of immediate review - per clerk - atty advised her she was supposed to send us the record. An application was never filed by atty.

RECEIVED

DEC - 2 2008

COURT OF APPEALS
OF GA

ASHLEY LAMONTH KITTRELL,

*

COBB SUPERIOR COURT

APPELLANT

*

*

INDICTMENT NO. 07-9-6355-18

VS

*

STATE OF GEORGIA,

*

APPELLEE

*

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 26, 2008

Ms. Michelle B. Gardner
Clerk, State Court of Henry County
1 Judicial Center • Suite 120
McDonough, Georgia 30253

RE: Your Case Number: 08SV01773
George E. Rodriguez v. CitiBank

Dear Ms. Gardner:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised that we were unable to docket this appeal because the stamped filed date on the Notice of Appeal does not coincide with the date listed for the Notice of Appeal in the Index.

Please make the necessary correction either for the Index or the stamped filed date on the Notice of Appeal and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 11/25/08

Style George E. Rodriguez v. CITI Bank

Lower Court Henry State

Lower Court Case NO. 08SV 01773

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 filing date of NOA listed on index does not match actual filing date.

State Court of Henry County



Michele B. Gardner, Clerk

One Judicial Center - Suite 120 • McDonough, Georgia 30253
Office: 770.288.7800 • Facsimile: 770.288.7801

November 21, 2008

RECEIVED

NOV 24 2008

COURT OF APPEALS
OF GA

William L. Martin, III
Clerk and Court Administrator
Court of Appeals of Georgia
47 Trinity Avenue - Suite 501
Atlanta, GA. 30334

RE: State Court of Henry County
Civil Action Case # 08SV01773

George E. Rodriguez, Appellant
VS.

Citibank (South Dakota) N.A., Appellee

Dear Mr. Martin:

Enclosed you will find an Index, as well as copies of the Clerk's record for the proceedings held before the Honorable James T. Chafin, III, Judge.

Sincerely,

A handwritten signature in black ink that reads "Michele B. Gardner". The signature is written in a cursive style.

Michele B. Gardner
Clerk of State Court

cc: George E. Rodriguez, Appellant
Paul Gallo, Mann Bracken LLC, Attorney for Appellee
James T. Chafin, III, Judge

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 2, 2008

Mr. Tom Lawler
Clerk, Superior and State Courts
Gwinnett County Justice Center
Post Office Box 880
Lawrenceville, Georgia 30046-0880

ATTN: Lori King, Deputy Clerk

RE: Your Case Number 08-A-04366-2
Debra Marie Shepard v. Priscilla Washington

Dear Ms. King:

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 this appeal because the Notice of Appeal does not indicate the order that is to be appealed. When the appellant files an amended Notice of Appeal to designate the order or orders being appealed in the above matter, please include that order in the record and index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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. Debra M. Shepard
3350 Merlot Court
Lawrenceville, Georgia 30044

PRISCILLA WASHINGTON

§ CIVIL ACTION NO. 08-A-04366-2

VS.

§ FROM GWINNETT SUPERIOR COURT

DEBRA MARIE SHEPARD

§ TO THE COURT OF APPEALS OF GEORGIA

RECEIVED

NOV 26 2008

COURT OF APPEALS
OF GA

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 26, 2008

Mr. Frank S. Middleton
Clerk, Superior Court
Long County Courthouse
Post Office Box 458
Ludowici, Georgia 31316-0458

ATTN: Diane Middleton

RE: Your Case Number: 2008V150
Tracy Rucker v. Twin Oaks Apartments

Dear Diane:

Enclosed please find the record which you gave to me last Friday to take to Atlanta for you. Please be advised that we are unable to docket this appeal because the Notice of Appeal does not contain a Certificate of Service showing the complete name and mailing address of opposing counsel. Without the complete name and mailing address of opposing counsel, we do not know to whom to send the Docketing Notice. We must have this information to notify the appellee that an appeal has been filed.

When the appellant files an amend Notice of Appeal to reflect the complete name and mailing address of opposing counsel, please include that in the record and index.

I apologize any inconvenience this may have caused you. If you have any questions or if I can be of 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: Tracy Rucker
Post Office Box 934
Hinesville, Georgia 31310

RECORDS RETURN NOTICE

DATE 11/25/08

Style Tracy Rucker v. Twin Oaks Apartments

Lower Court Long Superior

Lower Court Case NO. 2008 V150

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 please send copy to appellant @

Tracy Rucker
 P.O. Box 934
 Hinesville GA 31310

of letter

STATE OF GEORGIA
COUNTY OF LONG

TWIN OAKS APARTMENTS

VS

TRACY RUCKER

*
*
*
*
*

2008-V-150

RECEIVED
NOV 24 2008
COURT OF APPEALS
OF GA

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 26, 2008

Mr. F. Barry Wilkes
Clerk, Liberty County Juvenile Court
Post Office Box 50
Hinesville, Georgia 31310-0050

RE: Your Case Number: 089-08J-436A, B; 089-08J-519A,B, 089-08J-526 A,B
In the Interest of: B.B., a Child

Dear Mr. Wilkes:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the record pages are not numbered.

Please number the record pages to correspond with the Index and return same to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 11/25/08

Style In the Interest of: P.B., a child

Lower Court Liberty Juvenile

Lower Court Case NO. 089-08J-436A,B

REASON: 089-08J-519A,B
089-08J-526A,B

- 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
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- 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: In the Interest of: B.B., a child

CLASSIFICATION CODE: _____

X REFERENCE: _____

APPLICATION CASE NO.: _____

SUPREME COURT CASE NO.: _____

PAUPER yes

LOWER COURT JUDGE NO.: _____

LOWER COURT COUNTY: _____ 08 089

LOWER COURT NAME: _____ 07 009

CLERK OF LOWER COURT NO.: _____ 26089

JUDGMENT DATE: _____

NOTICE OF APPEAL DATE: _____ 10/20/08

LOWER COURT CASE NO.: 08908J436 08908J519 08908J526

RECORDS 3

TRANSCRIPTS 1

OTHER DOCUMENTS _____

APPELLANT ATTORNEY BAR NO.

<u>350147</u>				

APPELLEE ATTORNEY BAR NO.

OTHER ATTORNEY BAR NO.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

FILE # 08-V-150

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Agent AddresseeB. Received by (*Printed Name*)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

 Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.4. Restricted Delivery? (*Extra Fee*) Yes

2 7007 1490 0001 9498 3170

UNITED STATES POSTAL SERVICE



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Postage & Fees Paid
USPS
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Frank S. Middleton, Clerk
Long County Superior, State & Juvenile Court
Post Office Box 458
Ludowici, Georgia 31316

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 25, 2008

Mr. Brian K. Hart
Court Administrator/Clerk
State Court of Chatham County
133 Montgomery Street • Suite 308
Savannah, Georgia 31401

ATTN: Ann Galleta

RE: Your Case Number: STCV0700246FO
Tami Erickson as Personal Representative of the Estate of Robert
Hornbeck, et al. v. Savannah Hotel Associates, LLC, et al.

Dear Ms. Galleta:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. We are returning to your office per your request and statement that the record was sent prematurely to this Court.

If you have any questions or if I can be of 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



THE STATE COURT OF CHATHAM COUNTY

133 MONTGOMERY ST. SUITE 308 SAVANNAH, GEORGIA 31401 (912) 652-7224 • FAX: (912) 652-7229
http://www.chathamcourts.org stcourt3@bellsouth.net

From the Office of Brian K. Hart
Court Administrator / Clerk of Court

November 19th, 2008

William L. Martin, III, Clerk
Court of Appeals of Georgia
47 Trinity Avenue, Suite 501
Atlanta, Georgia 30334

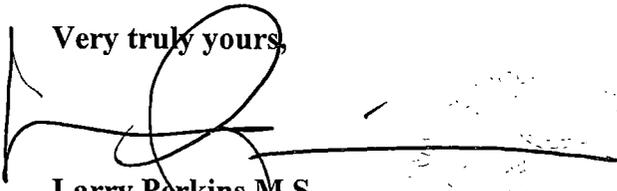
Re: Tami Erickson as Personal Representative of the Estate of Robert
Hornbeck and Mother and Next Friend of Robert Hornbeck & Erik
Hornbeck as Father & Next Friend of Robert Hornbeck
vs
Savannah Hotel Associates LLC dba Hilton Savannah Desoto &
MHI Hotel Services LLC

LCN STCV0700246FO
Transmittal of Record of Appeal

Dear Mr. Martin:

The record and transcript on appeal in the above case is transmitted herewith.

Very truly yours,


Larry Perkins M.S.
Judicial Case Manager

Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 24, 2008

Ms. Diane Webb
Clerk, State Court of Cobb County
12 East Park Square
Marietta, Georgia 30090

RE: Your Case Number: 07-D-14537
Essie Williams v. N/A Glen 77 a/a/f Glen Park Apartments

Dear Ms. Webb:

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 because the record does not contain the trial court's order of August 21, 2008. When the trial court enters that order, please include it in the record and Index and return the record to this office for docketing.

If, in fact, there is no order of August 21, 2008, and there is another order in the record that is being appealed, when the appellant files an amended Notice of Appeal to reflect that fact, please include the amended Notice of Appeal with the record and return it to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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. Essie Williams
302 Walton Way/Walton Lane
Smyrna, Georgia 30082

RECORDS RETURN NOTICE

DATE 11/20/08

Style Essie Williams v. N/A Glen 77 A/A/F
Glen park apartments

Lower Court State court of Cobb county

Lower Court Case NO. 07D14537

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 of 8/21/08 *
- 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 _____

* per Cobb state court - they will not contact appellant or advise to file an amended Notice of Appeal to correct date of order being appealed.



**STATE COURT OF COBB COUNTY
MARIETTA, GEORGIA**

Essie Williams

APPELLANT(S)

CASE NUMBER: 07-D-14537

VS

RECEIVED

NOV 18 2008

COURT OF APPEALS
OF GA

N/A Glen 77 A/A/F
Glen Park Apartments

APPELLEE(S)

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 19, 2008

Ms. Peggy A. Carroll
Deputy Clerk, Augusta-Richmond County Superior Court
530 Greene Street • Suite 503
Augusta, Georgia 30901

RE: Your Case Number: 2006-RCCR-432
A08A1031. Richard Kelly Heslen v. The State

Dear Ms. Carroll:

I am in receipt of your letter of November 14, 2008 wherein you requested that this office return to you the record in the above appeal. Enclosed please find two parts record and three parts transcript which were initially forwarded from your office to ours and docketed on January 29, 2008 as the above Court of Appeals case.

If you have any questions or if I can be of 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

Certified Mail Number: 7001 1140 0000 0878 9879

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 19, 2008

Ms. Peggy A. Carroll
Deputy Clerk, Augusta-Richmond County Superior Court
530 Greene Street • Suite 503
Augusta, Georgia 30901

RE: Your Case Number: 2006-RCCR-432
A08A1031. Richard Kelly Heslen v. The State

Dear Ms. Carroll:

I am in receipt of your letter of November 14, 2008 wherein you requested that this office return to you the record in the above appeal. Enclosed please find two parts record and three parts transcript which were initially forwarded from your office to ours and docketed on January 29, 2008 as the above Court of Appeals case.

If you have any questions or if I can be of 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

Certified Mail Number: 7001 1140 0000 0878 9879

bcc: File A08A1031

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

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7001 1140 0000 0878 9879

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

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 Peggy Carroll, Deputy Clerk
 Street, Apt. No., or PO Box No. 530 Greene St., Suite 503
 City, State, ZIP+4 Augusta, GA 30901

PS Form 3800, January 2001 See Reverse for Instructions

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3 and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
 - Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:
 Ms. Peggy A. Carroll
 Deputy Clerk, Augusta-Richmond
 Superior Court
 530 Greene Street, Suite 503
 Augusta, GA 30901

4a. Article Number
 7001 1140 0000 0878 9879

4b. Service Type
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

1 of 5

70

2008

STYLE: RICHARD KELLY HESLEN V. THE STATE

LOWER COURT SUMMARY INFORMATION:

RICHMOND County SUPERIOR COURT 2006RCCR432

DISMISSED

FEB -6 2008

TRIAL JUDGE: DUNCAN WHEALE

RECORDS DESCRIPTION:

PARTS:

2008-01-29 LOWERCOURT RECORDS.

02

2008-01-29 TRANSCRIPTS.

03

**SECOND DIVISION
Johnson.P.J.
Barnes, C.J., Phipps,J.**

JUDGMENT:

CASE NO. A08A1031 DATE OF DOCKETING: JANUARY 29, 2008

STYLE: RICHARD KELLY HESLEN V. THE STATE

THIS CASE CAME BEFORE THE COURT ON AN APPEAL FROM THE SUPERIOR COURT OF RICHMOND County(2006RCCR432); it is considered and adjudged that

FEB -6 2008

DISMISSED



Elaine C. Johnson

Clerk of Superior, State & Juvenile Court
Augusta-Richmond County, Georgia

Superior Court Division
Municipal Building
530 Greene Street, Suite 503
Augusta, Georgia 30901
Tel: 706.821.1837
Fax: 706.821.2448

State & Juvenile Court Division
Law Enforcement Center
401 Walton Way, Suite 218
Augusta, Georgia 30901
Tel: 706.821.1234
Fax: 706.821.1218

November 14, 2008

William L. Martin, III
Clerk of Court of Appeals of Georgia
47 Trinity Avenue, SW, Suite 501
Atlanta, GA 30334

Elaine C. Johnson
CLERK OF SUPERIOR COURT
AUGUSTA-RICHMOND COUNTY, GEORGIA

2008 NOV 19 AM 11:43

RECEIVED IN OFFICE

Dear Mr. Martin,

Our Criminal Division sent a Pro Se Appeal to your Court with the Court of Appeals Docketing Number of A08A1031, with the date of docketing as January 29, 2008. On February 22, 2008, the defendant's appeal was dismissed and the Remittitur filed in our office on February 25, 2008. The style of the case is State of Georgia vs. Richard Kelly Heslen and our case number is 2006RCCR432.

It is my understanding that appeals that are dismissed by your court may be returned if requested. If this is correct, could you please have this appeal mailed back to our office to my attention?

Your help in this matter would be greatly appreciated.

Thank you,

Peggy A. Carroll

Peggy A. Carroll
Deputy Clerk
Richmond County Superior Court
706-312-4601

Clerk of Superior and State Court
Richmond County, Georgia

ELAINE C. JOHNSON, CLERK
Municipal Building, Room 503
530 Greene Street
Augusta, Georgia 30901



RECEIVED IN OFFICE

2008 NOV 19 AM 11:43

William L. Martin, III
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GEORGIA

Mr. William L. Martin, III
Clerk, Court of Appeals of Ga.
47 Trinity Avenue, SW, Suite 501
Atlanta, GA 30334



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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 19, 2008

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

RE: Your Case Number: 07CV5819-7
Paul A. Mitchell v. Cancer Carepoint, Inc.

Dear Ms. Carter:

We are in receipt of the record in the above appeal which was forwarded from your office to ours. Please be advised that we are unable to docket this appeal as presented.

First, the Notice of Appeal fails to indicate an individual attorney or attorney's names. Without the complete name and mailing address of opposing counsel, we do not know to whom to send the Docketing Notices.

In addition, there is a pending Motion to Dismiss the Notice of Appeal in the record. When the trial court enters an order denying the Notice of Appeal, please include that order in the record and index same and return the record to this office for docketing. Obviously, should the trial court grant the Motion to Dismiss the Notice of Appeal, it may obviate the appeal.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Paul A. Mitchell
2322 Blackjack Oak Street
Ocoee, Florida 34761

RECORDS RETURN NOTICE

DATE 11/19/08

Style Paul A. Mitchell v. Career Carepoint, Inc.

Lower Court DeKalb Superior

Lower Court Case NO. 07CV5819-7

REASON:

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- No/improper certificate of Service - *does not list attorney's name*
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
- Notice of Appeal not stamped filed
- No Index/Improper Index
- Not properly assembled
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- 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 pending motion to dismiss NOA.



Paul A. Mitchell : No.
 Appellant :
 Vs : Term, 2008
 Cancer Carepoint, Inc. :
 Appellee : Court of Appeals of Georgia

RECEIVED

NOV 18 2008

COURT OF APPEALS
 OF GA

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 19, 2008

Ms. Patty Baker
Clerk, Superior Court
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

ATTN: Ms. Amanda Warriner
Senior Deputy Clerk

RE: Your Case Number: 08M0891
Mary E. Brown v. The State

Dear Ms Warriner:

I am in receipt of the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the record does not contain an appealable order. Additionally, we do not have an order denying the Motion to Suppress nor an order denying the Motion to Dismiss. Should the trial court grant the Motion to Suppress or the Motion to Dismiss, it may obviate the appeal.

When the trial court files the missing orders with your office, please include them in the record and return the record to this office for docketing.

Sincerely,



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

WLM, III/ld
Enclosures



**PATTY BAKER
CLERK SUPERIOR COURT**

Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114
678-493-6511

November 13, 2008

William L. Martin, III, Clerk
Georgia Court of Appeals
47 Trinity Avenue, Suite 501
Atlanta, Georgia 30334

RECEIVED
NOV 17 2008
COURT OF APPEALS
OF GA

RE: State Case 08-ST-M-0891
Mary E. Brown
VS
The State of Georgia

Dear Mr. Martin:

Enclosed you will find the complete record for Ms. Brown. Also included are the Criminal Non-Jury Trial and Sentencing Hearing transcripts.

Please call our office at 678.493.6506 if you have any questions regarding this Appeal.

Thank you for your time and cooperation.

Sincerely,

Amanda Warriner
Senior Deputy Clerk
Cherokee County Superior Court

Cc: Michelle Homier
Assistant Solicitor
Michael J. Kramer
Attorney for Mary E. Brown

Enclosures: Transcripts (2)

**IN THE GEORGIA COURT OF APPEALS
FROM
STATE COURT OF CHEROKEE COUNTY**

**MARY BROWN
APPELLANT**

VS.

**STATE OF GEORGIA
APPELLEE**

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FROM
STATE COURT OF CHEROKEE COUNTY

MARY BROWN
APPELLANT

VS.

STATE OF GEORGIA
APPELLEE

RECEIVED

NOV 17 2008

COURT OF APPEALS
OF GA

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 13, 2008

Ms. Betty Sanders
Clerk, DeKalb County State Court
104 DeKalb County Courthouse
556 North McDonough Street
Decatur, Georgia 30030-3356

RE: Your Case Number: 08D94757
Greg Young, et al. v. Aurora Loan Services

Dear Ms. Sanders:

I am in receipt of the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the Certificate of Service does not name an individual attorney but rather a Firm. In reviewing the attorneys in the record, I do not find any from the Firm of McCordy Chandler, LLC.

When the appellant files an amended Notice of Appeal which has a Certificate of Service showing the complete name and mailing address of opposing counsel, please include that in the record and return to this office for docketing. We will need the name of a particular attorney or attorneys so we can list the bar number.

Although Mr. Young may represent himself, unless he is an attorney licensed to practice in this State, he is not permitted to file pleadings on behalf of other parties. To do so constitutes practicing law which is a crime in this State unless the person so practicing has been admitted to the State Bar of Georgia and is in good standing with the State Bar of Georgia.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Greg Young
4495 Hearn Road
Ellenwood, Georgia 30294

Aurora Loan Services
Appellant

Case No. _____

vs.

_____ Term, 20

Greg Young
Appellee

RECEIVED

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**COURT OF APPEALS
OF GA**

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 17, 2008

Ms. Betty Sanders
Clerk, DeKalb County State Court
104 DeKalb County Courthouse
556 North McDonough Street
Decatur, Georgia 30030-3356

RE: Your Case Number: 04A20548-6
Morgan W. Scott v. Capital One Auto Finance, Inc.

Dear Ms. Sanders:

Enclosed please find the record in the above appeal which you requested we return to you. It is my understanding, this record has been sent prematurely.

If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 11/13/08

Style Morgan W. Scott v. Capital one Auto Finance, Inc.

Lower Court DeKalb State

Lower Court Case NO. 04A20548-6

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 please return to DeKalb
state court per their
request -
- record is premature



Morgan W. Scott
Appellant

Case No. _____

vs.

_____ Term, 20_____

Capital One Auto Finance, Inc., f/k/a
Summit Acceptance Corporation,
Assignee of John Thornton Isuzu
Appellee

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 17, 2008

Mr. Rhett Walker
Clerk, Superior Court
Dodge County Courthouse
Post Office Drawer 4276
Eastman, Georgia 31023-4276

RE: Your Case No 08V-3644
801 Legion, LLC v. Heart of Georgia NRC, LLC

Dear Mr. Walker:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised that we were unable to docket this appeal because the Notice of Appeal indicates that a transcript will be filed for inclusion in the record on appeal and no transcript accompanied the record.

When the court reporter files a transcript with your office, please attach your certificate and send the transcript along with the return of the record to this office for docketing. If, in fact, there is no transcript in this appeal, when the appellant files an amended Notice of Appeal to reflect that fact, please include the amended Notice of Appeal in the record in the Index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused. If you have any questions or if I can be of 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: Roy N. Cowart, Esq.
Post Office Box 818
Warner Robins, Georgia 31099

RECORDS RETURN NOTICE

DATE 11/14/08

Style 801 Legion, LLC v. Heart of Georgia NRC, LLC

Lower Court Dodge Superior

Lower Court Case NO. 08V 3644

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 _____

TO THE COURT OF APPEALS OF GEORGIA

HEART OF GEORGIA NRC, LLC

Plaintiff,

CIVIL ACTION

vs.

FILE NUMBER 08V-3644

801 LEGION, LLC

Defendant,

FROM THE SUPERIOR COURT OF DODGE COUNTY

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 17, 2008

Ms. Sherri A. Akins
Clerk, Bulloch County Superior Court
20 Siebald Street
Statesboro, Georgia 30458

RE: Your Case Number: 1B02CR099P
Anthony Ravon v. The State

Dear Ms. Akins:

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 this appeal because the Notice of Appeal does not contain a stamped filed date on the Sentencing Sheet. Without a stamped filed date on the sentence, this Court does not know if the Notice of Appeal is timely filed.

When a stamped filed copy of the Sentencing Sheet is filed in your office, I would appreciate your including it in the record and returning the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 11/17/08

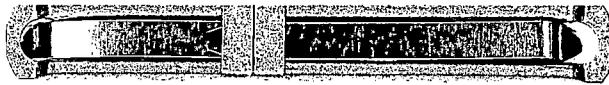
Style Anthony RAVON v. The State

Lower Court Superior Court of Bulloch county

Lower Court Case NO. 1B02CR099P

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
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pg. 28



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COURT OF APPEALS
OF GA

IN THE SUPERIOR COURT OF BULLOCH COUNTY GEORGIA

STATE OF GEORGIA

STATE OF GEORGIA

VS

CASE NO 1B02CR099P

ANTHONY RAVON

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 17, 2008

Ms. Deimetria High
Clerk, Juvenile Court of Floyd County
3 Government Plaza • Suite 202
Rome, Georgia 30161-0946

RE: Your Case Number: 08JV17
In the Interest of: R.H., a Child

Dear Ms. High:

I am in receipt of the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the Notice of Appeal does not indicate the party, by name and address, who is being served with the Notice of Appeal. Without the complete name and mailing address of the party being served by the appellant, we are unable to docket this appeal because we do not know to whom to send the Docketing Notices.

When the appellant files an amended Notice of Appeal to include the complete name and mailing address of the party to be served with the Notice of Appeal, please include the amended Notice of Appeal in the record and index same and return the record to this office for docketing.

Sincerely,



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

WLM, III/ld
Enclosure

cc: Mr. Timothy M. Henry
GDC1197084
Western Pre-Release Center
Post Office Box 2250
Butler, Georgia 31006

RECORDS RETURN NOTICE

DATE 11/17/08

Style In the Interest of: R.H., a child

Lower Court FLOYD SUPERIOR

Lower Court Case NO. 08JV17

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
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- No Motion for New Trial (have order thereon)
- Order not signed by Judge
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- Other _____

**IN THE JUVENILE COURT OF
FLOYD COUNTY, GEORGIA**

IN THE INTEREST OF:

R.H.

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COURT OF APPEALS
OF GA

08-JV-17

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NOTE: THERE ARE NO COURT REPORTER'S TRANSCRIPT IN THAT THE TIMOTHY HENRY REPRESENTED HIMSELF PRO SE AND HAS NOT MADE PAYMENT FOR SAID TRANSCRIPTS.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 18, 2008

Mr. Tom Lawler
Clerk, Superior and State Courts
Gwinnett County Justice Center
Post Office Box 880
Lawrenceville, Georgia 30046-0880

ATTN: Ms. Rita Eason, Deputy Clerk

RE: Your Case Number 06-B-2590
James John Snelius v. The State

Dear Ms. Eason:

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 this appeal because there is no appealable order in the record. The amended Notice of Appeal references an order dated September 2, 2008, but there is no such order in the record, and it is my understanding that there is no appealable order dated that date in your files.

When the appellant files an amended Notice of Appeal to correct this defect, please include that in the record and return it to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

JAMES JOHN SNELIUS

§ ACCUSATION NO. 06-B-2590-3

§

VS

§ FROM GWINNETT SUPERIOR COURT

STATE OF GEORGIA

§ TO THE COURT OF APPEALS OF GEORGIA

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 18, 2008

Ms. Rebecca McCook
Clerk, Superior Court
Decatur County Courthouse
Post Office Box 336
Bainbridge, Georgia 39818-0336

RE: Your Case Number: 07-CR-008
Henry Franklin Chambliss v. The State

Dear Ms. McCook:

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 unable to docket this appeal. The Notice of Appeal does not contain a Certificate of Service. Without a Certificate of Service showing the complete name and mailing address of opposing counsel, our office does not know to whom to send the Docketing Notices.

Additionally, the Sentencing Sheets located on Pages 55 through 63 of the record, do not have a stamped filed date. Without a stamped filed date, this Court does not know if the Notice of Appeal or Motion for New Trial, whichever is appropriate, has been timely filed. When you officially enter the Sentencing Sheets to have a stamped filed date on them and when the appellant files an amended Notice of Appeal to include a Certificate of Service with the complete name and mailing address of opposing counsel, please return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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



Rebecca McCook
Clerk of Superior Court,
State and Juvenile Courts



Post Office Box 336

Decatur County
Bainbridge, Georgia 31718

Bainbridge, Georgia 31718

HONORABLE WILLIAM L. MARTIN, III
CLERK, COURT OF APPEALS OF GEORGIA
334 STATE JUDICIAL BUILDING
ATLANTA, GEORGIA 30334

RECEIVED
NOV 17 2008
COURT OF APPEALS
OF GA

RE: STATE OF GEORGIA
VS:
HENRY FRANKLIN CHAMBLISS
07-CR-008

DEAR MR. MARTIN,

I ENCLOSE FOR FILING THE RECORD AND (2) VOLUME OF TRANSCRIPT WHICH IS THE ORIGINAL OF HEARINGS AND TRIAL AS FILED BY THE OFFICIAL COURT REPORTER IN THE ABOVE REFERENCED CASE.

IF FURTHER ASSISTANCE IS NEEDED, PLEASE ADVISE.

SINCERELY,

Rebecca McCook

REBECCA MCCOOK, CLERK
SUPERIOR COURT, DECATUR COUNTY
GEORGIA

COPIES TO: Joseph Mulholland, District Attorney
Robert McLendon, IV Attorney At Law

IN THE SUPERIOR COURT OF
DECATUR, COUNTY, GEORGIA

THE STATE OF GEORGIA
VS
HENRY FRANKLIN CHAMBLISS

07-CR-008
CT.I MANUFACTURE OF METHAMPHETAMINE.
CT.II POSSESSION OF METHAMPHETAMINE.
CT. III CAUSING OR PERMITTING A CHILD'S
PRESENCE DURING THE MANUFACTURE OF METH-
AMPHETAMINE. CT.IV POSSESSION OF ANHYD-
ROUS AMMONIA. CT.V POSSESSION OF PSEUD-
OEPHEDRINE. CT.VI POSSESSION OF A FIRE-
ARM DURING THE COMMISSION OF A CRIME.
CT.VII POSSESSION OF DRUG RELATED OBJECTS.
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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 10, 2008

Ms. Carolyn Brazel
Clerk, Superior Court
Colquitt County Courthouse
Post Office Box 2827
Moultrie, Georgia 31776-2827

RE: Your Case Number: 97CR17
Charlie Frank Burks v. The State

Dear Ms. Brazel:

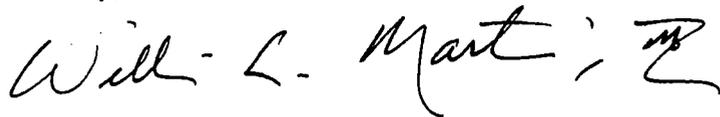
I am in receipt of the record in the above appeal which was forwarded from your office to ours. Please be advised that we are unable docket this appeal because there is no order denying the Motion for New Trial. When the trial court enters the order denying the Motion for New Trial, please include that in the record and the Index.

Also, the Notice of Appeal indicates that a transcript of evidence and proceedings will be filed for the record on appeal. However, no transcript accompanied the record. When the court reporter files a transcript with your office, please attach your certificate and send the record on to this office for docketing upon the receipt of the order denying the Motion for New Trial.

If the trial court grants the Motion for New Trial, it may be obviate the need for an appeal. If there is, in fact, no transcript, when the appellant files an amended Notice of Appeal to reflect that fact, please return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

IN THE SUPERIOR COURT FOR THE COUNTY OF COLQUITT

STATE OF GEORGIA

THE STATE OF GEORGIA

APPELLEE,

Vs.

CHARLIE FRANK BURKS

APPELLANT.

CRIMINAL ACTION

FILE NO. 07-CR-0017

INCARCERATED

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COURT OF APPEALS
OF GA

PRESIDING JUDGE

HONORABLE FRANK D. HORKAN
JUDGE, SUPERIOR COURTS
SOUTHERN JUDICIAL CIRCUIT
POST OFFICE BOX 2227
MOULTRIE, GEORGIA 31776-2227

ATTORNEYS

FOR APPELLEE:

BRIAN A. McDANIEL
State Bar Number 487895
Assistant District Attorney
Southern Judicial Circuit
Post Office Box 2498
Moultrie, Georgia 31776-2498
Telephone: (229) 616-7476

FOR APPELLANT:

CHARLIE FRANK BURKS, Pro Se
UNO 550484, EF #376894
Calhoun State Prison
Post Office Box 249
Morgan, Georgia 39866

RECORDS RETURN NOTICE

DATE 11/7/08

Style Charlie Frank Burks v. The State

Lower Court Colquitt Superior

Lower Court Case NO. 07CR17

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 _____

STATE OF GEORGIA

VS.

JAMES JUNIOR J. CALHOUN

ATTORNEY FOR THE STATE

ATTORNEY FOR THE DEFENDANT

JUDGE

CLERK

LOWNDES SUPERIOR COURT

CRIMINAL ACTION FILE NO.
2006CR-495

Tracy Chapman
Assistant District Attorney
Post Office Box 99
Valdosta, Georgia 31603

Pro Se
125 Wilkerson Avenue
Valdosta, Georgia 31601

Hon Frank D Horkan
P.O. Box 2227
Moultrie, Georgia 31776

Sara L. Crow
PO Box 1349
Valdosta, Georgia 31603

RECEIVED
NOV 05 2008
COURT OF APPEALS
OF GA

RECORDS RETURN NOTICE

DATE 11/7/08

Style James Junior Calhoun v. The State

Lower Court Lowndes Superior

Lower Court Case NO. 2006CR495

REASON:

- 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
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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 10, 2008

Mr. William E. Holland, III
Clerk, Superior Court
Hart County
Post Office Box 386
Hartwell, Georgia 30643-0386

RE: Lower Court Case Number: 07HV1160T
Steve Mize v. First Citizens Bank, et al.

Dear Mr. Holland:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the record does not contain an order denying the Motion for New Trial.

When the trial court files with your office the order denying the Motion for New Trial, please include it in the record and Index and return the record to this office for docketing. Should the trial court grant the Motion for New Trial, it may obviate the need for an appeal.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

INDEX

RECEIVED

NOV 10 2008

COURT OF APPEALS
OF GA

STEVE MIZE
Plaintiff

Vs.

FIRST CITIZENS BANK & ANDY DOVE
A REPRESENTATIVE OF FIRST CITIZENS BANK

SECOND AMENDMENT TO NOTICE OF APPEAL FILED 10-23-2008	1
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RECORDS RETURN NOTICE

DATE 11/7/08

Style Steve Mize v. First Citizen Bank et al

Lower Court Hart Superior

Lower Court Case NO. 07HV1160T

REASON:

- No/improper certificate of Service
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BILL HOLLAND
**CLERK OF THE SUPERIOR COURT
HART COUNTY, GEORGIA**

P.O. BOX 386
HARTWELL, GEORGIA 30643
(706) 376-7189 • FAX (706) 376-1277

November 4, 2008

Georgia Court of Appeals
47 Trinity Avenue, Suite 501
Atlanta, GA 30334

STEVE MIZE

Vs.

FIRST CITIZENS BANK & ANDY DOVE, A
REPRESENTATIVE OF FIRST CITIZENS BANKS

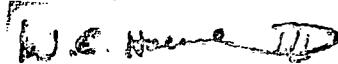
Dear Clerk:

Enclosed please find Certified Copies of the record in the above state case.

Trusting that everything is in proper order to be filed in your court.

Thanking you in advance for your cooperation with us.

Sincerely,



W. E. Holland, III Clerk
Hart Superior Court

WEH/be

Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 10, 2008

Ms. Michelle B. Gardner
Clerk, State Court of Henry County
1 Judicial Center • Suite 120
McDonough, Georgia 30253

RE: Your Case Number: 085SV02058
Bettye Parks Jones v. HSBC Bank National

Dear Ms. Gardner:

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 unable to docket this appeal because the record does not contain an appealable order. When the trial court enters the order of October 7, 2008, referenced in the Notice of Appeal, please include that order in the record and index same, and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 11/7/08

Style Jones v. HSBC BANK National

Lower Court Henry State

Lower Court Case NO. 08SV 02058

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
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State Court of Henry County



Michele B. Gardner, Clerk

One Judicial Center - Suite 120 • McDonough, Georgia 30253
Office: 770.288.7800 • Facsimile: 770.288.7801

November 4, 2008

William L. Martin, III
Clerk and Court Administrator
Court of Appeals of Georgia
47 Trinity Avenue - Suite 501
Atlanta, GA. 30334

RE: State Court of Henry County
Civil Action Case # 08SV02058

Bettye Parks Jones, Appellant
VS.
HSBC Bank National, Appellee

RECEIVED

NOV 05 2008

COURT OF APPEALS
OF GA

Dear Mr. Martin:

Enclosed you will find an Index, as well as copies of the Clerk's record for the proceedings held before the Honorable Ben W. Studdard, III, Chief Judge.

Sincerely,

A handwritten signature in cursive script that reads "Michele B. Gardner".

Michele B. Gardner
Clerk of State Court

cc: Bettye Parks Jones, Appellant
Paul G. Wersant, Attorney for Appellee
Ben W. Studdard, III, Chief Judge

BETTYE PARKS JONES,
APPELLANT

VS.

HSBC BANK NATIONAL,
APPELLEE

FROM: STATE COURT OF HENRY COUNTY
ONE JUDICIAL CENTER
MCDONOUGH, GA. 30253

CIVIL ACTION CASE NO. 08V02058

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RECEIVED

NOV 05 2008

COURT OF APPEALS
OF GA

BETTYE PARKS JONES, APPELLANT
270 WHISTLE WAY
LOCUST GROVE, GA 30248

PAUL G. WERSANT, ATTORNEY FOR APPELLEE
1587 NORTHEAST EXPRESSWAY
ATLANTA, GA 30329

BEN W. STUDDARD III, CHIEF JUDGE
ONE JUDICIAL CENTER
MCDONOUGH, GA. 30253

ENCLOSURES: CERTIFICATION OF RECORD

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 10, 2008

Mr. Bryan K. Wood
Chief Clerk, Probate Court
Cherokee County Justice Center
90 North Street, Suite 340
Canton, Georgia 30114

RE: Your Case No. 2008ES0006
Barbara Smith v. Estate of Bobby Linc Bannister

Dear Mr. Wood:

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 unable to docket this appeal because the pages in the record are not numbered. Please number the pages to correspond with the Index and 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

RECORDS RETURN NOTICE

DATE 11/7/08

Style Barbara Smith v. Estate of Bobby Gene Baumister

Lower Court Cherokee Probate

Lower Court Case NO. 2008ES0006

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
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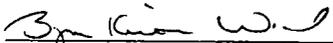
STATE OF GEORGIA
COUNTY OF CHEROKEE

I, Bryan Keith Wood, Chief Clerk of the Probate Court of said County same being a court of record and being the court formerly designated the Court of Ordinary, do hereby certify that I have compared the foregoing copy of the following:

<u>Index</u>	<u>Pages</u>
Original Notice of Appeal – not a photocopy	1-6
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Letters Testamentary	18
Statement of Claim filed by Barbara Ann Smith	19
Demand for Settlement of Accounts	20-33
Order dated September 23, 2008	34-36
Money Order made payable to Barbara Smith	37

with the original records thereof, now remaining in this office, and the same is a correct transcript therefrom, and of the whole of such records.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Probate Court this 29th day of October, 2008.



Bryan Keith Wood
Chief Clerk
Probate Court
Cherokee County, Georgia

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NOV 05 2008

COURT OF APPEALS
OF GA

SEAL

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

November 7, 2008

Ms. Vivian Bishop
Clerk/Administrator
Municipal Court of Columbus
Post Office Box 1340
Columbus, Georgia 31902-1340

RE: Lower Court Case Number: 07CV10777
Rex Gaston Richards v. Brenda Diane K. Davis

Dear Ms. Bishop:

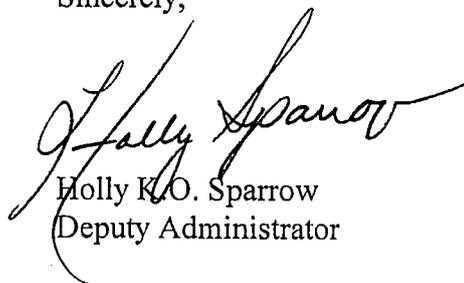
Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we were unable to docket this appeal because the Notice of Appeal indicates that a transcript will be filed for inclusion in the record on appeal and no transcript accompanied the record. When the court reporter files the transcript with your office, please attach your certificate and send it along with the record to this office for docketing. If there is, in fact, no transcript, when the appellant files an amended Notice of Appeal to reflect that fact, please include that in the record and return the record to this office for docketing.

The name of the plaintiff contained in the body of the Court's order is different from the name of the plaintiff in the style of the judgment.

Finally, in the future, I would appreciate your placing your Certificate as the last page of the record.

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

Sincerely,


Holly K.O. Sparrow
Deputy Administrator

HKOS/ld
Enclosures



MUNICIPAL COURT APPEAL

APPEAL TO COURT OF APPEALS OF ATLANTA

CASE NUMBER MC 2007 CV 10777

**BRENDA DIANE K. DAVIS
617 49TH STREET
COLUMBUS, GA 31904
PLAINTIFF**

RECEIVED
NOV 03 2008
COURT OF APPEALS
OF GA

VS.

**REX GASTON RICHARDS
3233 PARK AVENUE APT. #8
COLUMBUS, GA. 31904**

PLAINTIFF'S ATTORNEY:

**GARY BRUCE
Ga. Bar No. 314384
912 Second Ave
Columbus, Ga. 31901
706-596-1446**

DFENDANT'S ATTORNEY:

**B. THASSANEE GUTTER-PARKER
Ga. Bar No. 315917
P.O. BOX 14503
Des Moines , IA. 50306
770-510-4340**

MUNICIPAL COURT OF MUSCOGEE COUNTY
STATE OF GEORGIA

SEP 8 2008
MUNICIPAL COURT
MUSCOGEE COUNTY

BRENDA DIANE K. DAVIS

Plaintiff

vs.

REX GASTON RICHARDS,

Defendant.

*
*
*
*
*
*
*
*

CIVIL ACTION FILE NUMBER
07 CV 10777

JUDGMENT

The above-captioned case, having come on for trial and the jury having returned a verdict which stated:

Court Action

We the ~~jury~~ find for the plaintiff in the amount of \$15,000.00.

The Court hereby enters judgment upon this verdict and it is hereby ordered and adjudged that plaintiff Brenda Davis K. Davis have judgment against defendant Rex Gaston Richards in the amount of \$15,000.00 together with all costs and interest from the date of this judgment.

SO ORDERED this *JTH* day of September, 2008.

[Signature]

HONORABLE HAYWOOD TURNER
Municipal Court of Muscogee County

PREPARED BY:

Archie I. Grubb, II
Gary O. Bruce, P.C.
Counsel for Plaintiff
912 2nd Avenue
Columbus, GA 31901
706)596-1446

COPY PROVIDED TO:

Thassanee Gutter-Parker
Counsel for Defendant
P.O. Box 14503
Des Moines, IA 50306
770) 510-4340

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

November 7, 2008

Ms. Michelle B. Gardner
Clerk, State Court of Henry County
1 Judicial Center • Suite 120
McDonough, Georgia 30253

ATTN: Ms. Carol McQueen

RE: Your Case Number: 08SV00886
Goodcare Medgroup, P.C., et al. v. Bank of America, N.A.

Dear Ms. McQueen:

Enclosed please find the record in the above matter which was forwarded from your office to ours. If this is intended to be a direct appeal, then the appellant should file an amended Notice of Appeal to include a Certificate of Service to the Notice of Appeal giving the complete name and mailing address of opposing counsel. Also, the appellant is not permitted to represent a corporation, unless the appellant is admitted to practice law in this State. The appellant, however, can represent him or herself.

If this is intended to be a Interlocutory Application, it must contain a Certificate of Immediate Review which is purely discretionary with the trial judge and be re-filed with this office.

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

Sincerely,



Holly K.O. Sparrow
Deputy Administrator

HKOS/ld
Enclosures

cc: J.C. Adiele, M.D.
1111 Rowanshyre Circle
McDonough, Georgia 30253

State Court of Henry County



Michele B. Gardner, Clerk

One Judicial Center - Suite 120 • McDonough, Georgia 30253
Office: 770.288.7800 • Facsimile: 770.288.7801

November 3, 2008

William L. Martin, III
Clerk and Court Administrator
Court of Appeals of Georgia
47 Trinity Avenue – Suite 501
Atlanta, GA 30334

RE: State Court of Henry County
Civil Action Case # 08SV00886

Goodcare Medgroup, P.C. and J. C. Adiele, M.D., Appellant
vs.
Bank of America, N.A., Appellee

Dear Mr. Martin:

Enclosed you will find an Index, as well as copies of the Clerk's record for the proceedings held before the Honorable Ben W. Studdard, III, Chief Judge.

Sincerely,


Michele B. Gardner
Clerk of State Court

RECEIVED

NOV 05 2008

COURT OF APPEALS
OF GA

cc: Goodcare Medgroup, P.C., and J. C. Adiele, M.D., Appellant
Christopher M. Walsh, Attorney for Appellee
Ben W. Studdard, III, Chief Judge

GOODCARE MEDGROUP, P.C. AND
J. C. ADIELE, M.D.

APPELLANT

VS.

BANK OF AMERICA, N.A.,
APPELLEE

FROM: STATE COURT OF HENRY COUNTY
ONE JUDICIAL CENTER
MCDONOUGH, GA. 30253

CIVIL ACTION CASE NO. 08V00886

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2	SHERIFF'S ENTRY OF SERVICE, GENERAL CIVIL CASE FILING INFORMATION FORM, & SUMMONS WITH ATTACHED PLAINTIFF'S COMPLAINT FOR DAMAGES, W/VERIFICATION, FILED 04/01/2008	2-33
3	SHERIFF'S ENTRY OF SERVICE, FILED 04/21/2008	34
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5	NOTICE OF FILING OF ORIGINAL DISCOVERY REQUESTS AND AFFIDAVIT OF GEORGE MONTGOMERY, W/CERTIFICATE OF SERVICE, FILED 08/11/2008	40-71
6	STATEMENT OF THEORY OF RECOVERY AND MATERIAL FACTS AS TO WHICH THERE IS NO GENUINE ISSUE TO BE TRIED, W/CERTIFICATE OF SERVICE, FILED 08/11/2008	72-93
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8	MOTION FOR SUMMARY JUDGMENT AS TO DEFENDANTS GOODCARE MEDGROUP, P.C. AND J. C. ADIELE, M.D., W/CERTIFICATE OF SERVICE, FILED 08/11/2008	100-102
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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

November 7, 2008

Mr. Roy Alan Thomas
Clerk, Superior Court of Laurens County
Post Office Box 2028
Dublin, Georgia 31040-2028

RE: Your Case Number: M 2005 353
Deborah Brooks v. The State

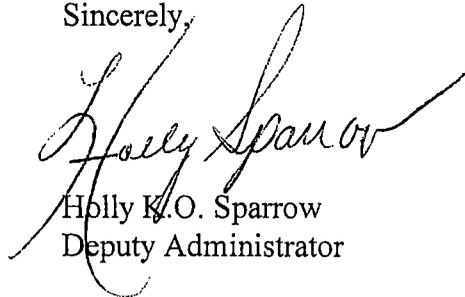
Dear Mr. Thomas:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. We are unable to docket this appeal because the record does not contain an order denying the Motion for New Trial.

When the trial court enters the order denying the Motion for New Trial, please include that in the record and the Index and return the record to this office for docketing. Should the trial court grant the Motion for New Trial, it may obviate the need for an appeal.

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

Sincerely,



Holly K.O. Sparrow
Deputy Administrator

HKOS/ld
Enclosures

RECORDS RETURN NOTICE

DATE 11/6/08

Style Deborah Brooks v. The State

Lower Court Laurens Superior Court

Lower Court Case NO. M 2005-353

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
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M2005-353 INDEX

DEBORAH BROOKS
APPELLANT

LAURENS CO. SUPERIOR COURT

VS.

CRIMINAL DOCKET

THE STATE OF GEORGIA
APPELLEE

CASE NO. M2005-353

RECEIVED

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NOV 04 2008

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 4, 2008

Mrs. Melba H. Fiveash
Clerk, Superior Court
Ware County Courthouse
Post Office Box 776
Waycross, Georgia 31501

RE: Your Case Number: 2008SUV503
Franklin L. Williams v. Richard E. Currie, D.A., et al.

Dear Mrs. Fiveash:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we were unable to docket this appeal because the record does not contain an appealable order. The order referenced in the Notice of Appeal which is captioned , "Notice of Discretionary Appeal," is to an interlocutory order. As such, to appeal this order, Mr. Williams would need to obtain a Certificate of Immediate Review from the trial court to file an Interlocutory Application directly with this Court.

Also, I am returning the check in the amount of \$80.00 made payable to the Court of Appeals of Georgia drawn on Bank of America, Cashier's Check number 1275351 which accompanied the record.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Franklin L. Williams
GDC296472 F-33
Men's State Prison
Post Office Box 396
Hardwick, Georgia 31034



WARE COUNTY COURT HOUSE
WAYCROSS, GEORGIA 31501

MELBA H. FIVEASH
Clerk of Superior Court
State Court of Ware County

P.O. Box 776, Waycross, Georgia
(912) 287-4340

SUPERIOR COURT
STEPHEN L. JACKSON, Chief Judge
DWAYNE H. GILLIS, Judge
MICHAEL P. BOGGS, Judge

COURT TERMS: 1st Monday in April,
2nd Monday in November

STATE COURT
DOUGLAS GIBSON, Judge

COURT TERMS: 3rd Mondays in March,
June, September & December

October 13, 2008

RECEIVED

OCT 28 2008

COURT OF APPEALS
OF GA

Mr. William L. Martin, III
Clerk of Court of Appeals of Georgia
47 Trinity Ave Suite 501
Atlanta, Ga. 30334

Dear Mr. Martin:

Enclosed please find the record in the case of Franklin L. Williams GDC#296472, versus Richard E. Currie, DA, State of Georgia, and Martin H. Eaves, Attorney, case number 08V-0503, together with the original Notice of Appeal.

Sincerely,

Melba H. Fiveash
(Mrs.) Melba H. Fiveash
Clerk Superior Court

DIRECT APPEAL PREPARATION SHEET

transcript

DOCKET DATE: _____

CASE NUMBER: _____ JUDGE NO. _____

STYLE: Franklin L. Williams v. Martin Eaves

CLASSIFICATION CODE: 01232

X REFERENCE: -

APPLICATION CASE NO.: -

SUPREME COURT CASE NO.: -

PAUPER _____

LOWER COURT JUDGE NO.: Boogs 18375

LOWER COURT COUNTY: _____ 08 148

LOWER COURT NAME: _____ 07 001

CLERK OF LOWER COURT NO.: _____ 14148

JUDGMENT DATE: 7/30/08

NOTICE OF APPEAL DATE: 8/15/08

LOWER COURT CASE NO.: 2008 SUV503

RECORDS 1

TRANSCRIPTS _____

OTHER DOCUMENTS _____

APPELLANT ATTORNEY BAR NO.

<u>y</u>	<u>1</u>				

APPELLEE ATTORNEY BAR NO.

OTHER ATTORNEY BAR NO.

<u>033887</u>				

JURISDICTIONAL INITIAL SCREENING CHECKLIST

Case Number _____ Judge Number _____ Date _____

1. (A) Is notice of appeal timely?

- Yes
- No
 - NOA > 30 days from entry of judgment or order
 - Dispossessory NOA > 7 days from entry of order (writ of possession)
 - Appeal from Grant of Application > 10 days from Grant of Application
 - Cross Appeal > 15 days from filing of main NOA

1. (B) Was Motion for New Trial timely (≤ 30 days from judgment)?

- Yes
- No

2. Do we (vs. the Supreme Court) have jurisdiction?

- Yes, case belongs in Court of Appeals
- No, case belongs in Supreme Court because case classification is:
 - Divorce
 - Election Contest
 - Habeas Corpus
 - Mandamus
 - Murder
 - Wills

3. Is the case directly appealable?

- Yes
- No – discretionary application should have been filed
 - Attorney Fees - O.C.G.A. §9-15-14 (no other direct appeal pending)
 - Damages \$10,000 or less
 - Denial of Extraordinary Motion for New Trial
 - Denial of Motion to Set Aside Judgment
 - Dispossessory
 - Domestic Relations Case
 - Garnishment/Attachment
 - Inmate Civil Actions
 - Probation Revocation
 - State Court Reviewing Magistrate Court Decision
 - Termination of Parental Rights
 - Workers' Compensation or Administrative Agency
 - Superior Court Review of Lower Court Decision (not probate)
- No – interlocutory application should have been filed

Note: _____

Within 90 days of this date, this check is no longer valid for payment. This check is not valid for payment if the date is not stamped. Date: **AUGUST 12, 2008** 018-1/1140
NTX

AYCROSS MAIN

102961 00002 001275351 **FRANKLIN L. WILLIAMS**
Remitter (Purchased By)

Y DOLLARS AND 00 CENTS** \$ ****80.00****

COURT OF APPEALS**

VOID AFTER 90 DAYS

Annice Waters
Authorized Signature

ANTI-FRAUD PROTECTION PATENTS 5,197,715; 5,240,159 US PATENT & TRADEMARK OFFICE

⑈ 1 27535 1 ⑈ ⑆ 1140000 19 ⑆ 00 164 100 2575 ⑈

DOCUMENT HAS REFLECTIVE WATERMARK ON THE BACK THE ORIGINAL DOCUMENT HAS REFLECTIVE WATERMARK ON THE BACK



IN THE GEORGIA COURT OF APPEALS
 FROM
 WARE COUNTY SUPERIOR COURT

RECEIVED

OCT 28 2008

COURT OF APPEALS
 OF GA

FRANKLIN L WILLIAMS GDC#296472
 PLAINTIFFS

VS.

RICHARD E CURRIE, DA
 STATE OF GEORGIA
 MARTIN H EAVES, ATTORNEY
 DEFENDANTS

INDEX TO CASE NO. 2008-SU-V-503

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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

November 3, 2008

Mr. Douglas Sorrells
Clerk, Superior and State Courts
Forsyth County Courthouse
100 West Courthouse Square, Suite 10
Cumming, Georgia 30040

RE: Your Case Number: 04CR-0090
Gary F. Gregory 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 this appeal because the Notice of Appeal requests that nothing be omitted from the record on appeal. This office will need the entire record including the record from the previous appeal, A05A1736. Gary F. Gregory v. The State.

The remittitur from that appeal issued from this office on August 8, 2006. Pursuant to our rules, we maintain the record for a period of one year after the remittitur date unless we are notified by a party that the record should be maintained. See Court of Appeals Rule 42(b).

Since none of the parties notified this office to maintain the record, our copy of the record was recycled pursuant to our Record Retention Schedule.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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
Enclosure

cc Lee W. Fitzpatrick, Esq.

RECORDS RETURN NOTICE

DATE 11/3/08

Style Gary F. Gregory v. The State

Lower Court Forsyth Superior

Lower Court Case NO. 04CR0090

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 NOA request "to omit nothing from the record" we need entire record as the previous record in A05A1736 was no "Hold" & therefore appears to have been recycled.



IN THE SUPERIOR COURT OF FORSYTH COUNTY

STATE OF GEORGIA

STATE OF GEORGIA
PLAINTIFF

VS.

GARY F. GREGORY
DEFENDANT

RECEIVED

OCT 27 2008

04CR-0090

COURT OF APPEALS
OF GA

APPEAL INDEX

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2. NOTICE OF DOCKETING, FILED MAY 19, 2005	4
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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

October 28, 2008

Mr. Mark Harper
Clerk, State Court of Fulton County
TG800 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

RE: Your Case Number: 07EV001732G
Michelle Bone, et al. v. The Children's Place, Inc., et al.

Dear Mr. Harper:

This morning as I cleared the drop box for after hours filing I found the record in the above appeal in the drop box. Please be advised that the drop box is not for record deliveries from the trial courts, but is for pleadings and filings filed by attorneys who come to the Court of Appeals of Georgia after 4:30 p.m.

The guard in the lobby told me the employee from Fulton State Court came to 47 Trinity Avenue, S.W., after 4:30 p.m. As you know, our hours are from 8:30 a.m. until 4:30 p.m. The guard said the record was placed in the drop box.

I would appreciate your making sure that the records are delivered to our office personally. We run the risk of records being lost or damaged if placed in the drop box. Also, we lose the audit trail and chain of custody from your office to ours.

If an employee sees they are coming late and will not make the 4:30 deadline, either save the record for the next day or call me at (404) 657-8352.

If you have any questions or would like to discuss this matter with me, please do not hesitate to contact me.

Sincerely,



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

WLM, III/ld

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 504
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

October 28, 2008

Mr. Mark Harper
Clerk, State Court of Fulton County
TG800 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

RE: Your Case Number: 07EV001732G
Michelle Bone, et al. v. The Children's Place, Inc., et al.

Dear Mr. Harper:

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If an employee sees they are coming late and will not make the 4:30 deadline, either save the record for the next day or call me at (404) 657-8352.

If you have any questions or would like to discuss this matter with me, please do not hesitate to contact me.

Sincerely,



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

WLM, III/ld
bcc: Judge M. Yvette Miller

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

October 27, 2008

Ms. Concetta Sellers
Deputy Clerk, Douglas Superior Court
Douglas County Courthouse
8700 Hospital Drive
Douglasville, Georgia 30134-2264

RE: Lower Court Case Number: 05CR00312
Antone Leonard v. The State

Dear Ms. Sellers:

I am in receipt of the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal. There is no new Notice of Appeal after the order granting the out-of-time appeal. Additionally, the original record which was transmitted from your office to ours in this appeal, A06A1203, has been recycled under our Record Retention Schedule.

No one communicated to this Court the necessity of maintaining the record. Please see Court of Appeals Rule 42.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

A06A 1203

RECORDS RETURN NOTICE

NO HOLD
Record Recycled

DATE 10/21/08

Style Antone Leonard v. The State

Lower Court Douglas Superior

Lower Court Case NO. OSCR 00312

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
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- 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

order was filed 10/19/08.
NO notice of appeal from the 10/19/08
order has been filed.

Trial Court

denied a motion to file an
outof time appeal which resulted
in a NOA docketed as H08A0943.
This court reversed + remanded for
entry of an order granting an out of time appeal.

RECEIVED

**IN THE COURT OF APPEALS
STATE OF GEORGIA**

OCT 20 2008

**COURT OF APPEALS
OF GA**

ANTONE DENNARD LEONARD

VS

STATE OF GEORGIA

**CASE NO. 05CR00312
DOUGLAS SUPERIOR COURT
DOUGLAS JUDICIAL CIRCUIT**

RELATED TO: A08A0943

APPEAL INDEX

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ORDER OF COURT OF APPEALS IN CASE A08A0943, DATED 10/3/08 – REVERSING AND REMANDING FOR ENTRY OF AN ORDER GRANTING AN OUT-OF-TIME APPEAL, FILED 10/9/08	2
NOTICE OF DOCKETING DATED 1/16/08 OF ENTIRE APPEAL RECORD WITH TRANSCRIPTS RECEIVED BY THE COURT OF APPEALS OF GEORGIA, FILED 1/18/08	6

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

October 17, 2008

Mr. David Hutchings, Jr.
Clerk, Thomas County Superior Court
225 North Broad Street
Post Office Box 1995
Thomasville, Georgia 31799-1995

RE: Your Case Number: 08CV024
E. C. Genter v. Larry D. Smith, et al.

Dear Mr. Hutchings:

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 this appeal because the Notice of Appeal does not identify what order of the trial court is being appealed. When the appellant files an amended Notice of Appeal to state with specificity what order is being appealed, and when a stamped filed copy of that order is filed with your office, please include the amended Notice of Appeal and the order in the record, index same and return to this office for docketing.

I noticed that Mr. E.C. Genter is not licensed to practice law and is not an attorney. Therefore, under Echols d/b/a Atlanta Technology Group v. Atlanta Technology Group, Inc. 267 Ga. 801(1997)(285 SE2d 22)(1997), I am not sure that Mr. Genter can represent a corporation.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: E.C. Genter, Pro Se
15125 U.S. Highway 19 South • Suite 178
Thomasville, Georgia 31792

RECORDS RETURN NOTICE

DATE 10/17/08

Style E. C. Genter v. Larry D. Smith et al

Lower Court Thomas County Superior

Lower Court Case NO. 08CV024

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts
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- No Index/Improper Index
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- No Motion for New Trial (have order thereon)
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- 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 * does not state specific order being appealed.

I know we would docket this case & let court act on this issue

** per order on pg. 163 - Mr. Genter is not licensed to practice law nor is he an atty, therefore he can not properly file any pleadings on behalf of ACE Diner, Inc.*

E.C. "Chuck" Genter
15125 US Hwy 19 S, #178
Thomasville, GA 31792

October 28, 2008

Mr. William L. Martin, III
The Court of Appeals
47 Trinity Avenue
Suite 504
Atlanta, GA 30334

RECEIVED IN OFFICE
2008 NOV -3 PM 12:08
C. J. WILLIAMS
CLERK/DEPUTY ADMINISTRATOR
COURT OF APPEALS OF GA.

RE: Larry D. Smith and Norma Jean Smith vs. Ace Diner, Inc.
Civil Action No. 08-CV-021 Superior Court of Thomas County Georgia

Dear Mr. Martin,

Your correspondence of October 17, 2008 to Mr. Hutchings and copied to me is in hand and I can appreciate your position to date. You state that you are unable to docket the Appeal as the Notice of Appeal does not identify what Order of the Trial Court is being appealed. I firmly believe that the very style of the case was misfiled from the outset and needed to be dismissed. The Plaintiffs, Larry D. Smith and Norma Jean Smith vs. ACE Diner, Inc. is fatally flawed as all parties, inclusive of the Plaintiffs attorney knew and have received copies of the enclosed Assignment of the Lease with Option to Purchase Agreement. The Plaintiffs have received copies of this Assignment as well as the Court. Yet to date all efforts have gone to protect the flawed style of the case rather than amend and make myself a party to the lawsuit as Assignee. The Courts position is that I am not a party to this lawsuit and therefore must lose my life's savings. I firmly believe the Assignment speaks for itself and sooner or later must be addressed.

Your second paragraph states that you notice that I am not an attorney and you are absolutely correct. I am not an attorney therefore, not licensed to practice law in this State nor any other. I am in this case strictly as an Assignee of ACE Diner, Inc., protecting my own life's savings and with this investment cannot afford to obtain an attorney to represent my interest in this fatally flawed case. Please take note that this case has never gone to trial nor has there ever been a formal hearing with any notice of any kind that I could call witnesses. In the small towns of Georgia there is a term called "home cooking" and in this case at bar the Plaintiffs attorney was many years socially entangled with the Judge. Therefore thought he could run over a retired citizen of Georgia. A thorough review of this case must show flagrant violations by Plaintiffs and their counsel.

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

Sincerely yours,



E.C. "Chuck" Genter

ASSIGNMENT LEASE WITH OPTION TO PURCHASE AGREEMENT

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged the undersigned, ACE Diner, Inc., "Buyer/Assignor", Owner of that certain Lease With Option To Purchase Agreement described below, does hereby transfer, set over, grant, bargain, sell, convey and assign unto E.C. Genter, individually, "Assignee", all its right, title and interest in and to said Lease With Option To Purchase Agreement. The monthly mortgage payments as provided in said Lease With Option To Purchase Agreement are \$500.00 per month with the next payment in April 2006.

This Lease With Option To Purchase Agreement executed on Thursday, February 23, 2006 by ACE Diner, Inc. "Buyer/Assignor", and Larry and Jean Smith, "Sellers" concerns the premises located 1001 Railroad Street, Ochlocknee, Georgia 31773, also known as The Depot Restaurant, and provided for Lease With Option To Purchase payments of \$500.00 per month beginning on April 10, 2006 and continuing on a monthly basis.

Under this Assignment, E.C. Genter, individually as "Assignee" agrees to not file the Lease With Option To Purchase Agreement or this Assignment until after the September 10, 2006 date pursuant to the original Lease With Option To Purchase Agreement executed between ACE Diner,

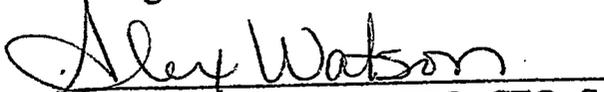
Inc. and Larry and Jean Smith, or at any time after September 10, 2006, at the Assignee's discretion.

Assignee, E.C. Genter, is further assigned all rights and obligations of Buyer/Assignor in the Lease With Option To Purchase Agreement subject to the laws of the State of Georgia. Assignee, E.C. Genter, is acquiring the rights of the Buyer including, but not limited to, all rights in the real estate, vehicles, and equipment.

IN WITNESS HEREOF, the undersigned have caused this instrument to be executed between the Buyer/Assignor and the Assignee.

Assignor: ACE Diner, Inc.

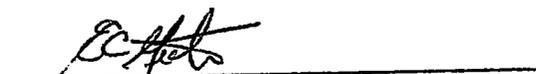
Date: March 3, 2006



By: Alex Watson, CEO, CFO, Sec

Assignee: E.C. Genter

Date: March 3, 2006


Individually

5. Order granting Plaintiff's Motion for Default Motion filed June 30, 2008.
6. Order on Notice of Appeal dated July 14, 2008.
7. Order on Defendants Motions filed on August 28 2008.
8. All Defendants Amended Motions which included the attached Assignment that the Court refused to review and entertain in any manner.

Please take judicial notice that this appeal is timely filed and that appellant has never had this fraudulent complaint heard nor addressed on any of the fraudulent issues or case merits in the initial complaint, inclusive of the Lease with Option to Purchase Agreement assignment to E.C. Genter, attached hereto.

Appellant also requests the Court of Appeals of the State of Georgia direct the Superior Court of Thomas County to address the issues properly filed as regards the Cross Complaint and all Motions filed by Defendant in Pro Se.

Therefore, E.C. Genter as assignee of ACE DINER, INC. and in Pro Se status, prays the State of Georgia Court of Appeals carefully reviews the entire file inclusive but not limited to the original complaint and all motions

filed in support of your appellant and remands to the Superior Court of
Thomas County for correction and dismissal, with any and all other relief as
this Appeal Court deems necessary and just.



E.C. Genter, Pro Se
15125 US Hwy 19 S.
Suite 178
Thomasville, GA 31792

CERTIFICATE OF SERVICE

Your Defendant, E.C. Genter, as Assignee and in Pro Se status,
hereby certifies that a copy of the foregoing Amended Notice of Appeal was
placed in the United States Mail with sufficient postage for delivery on the
30th day of October, 2008 addressed to:

T. Jack Morse
203 E. Washington Street
Thomasville, Georgia 31792



E.C. Genter, Pro Se
15125 US Hwy 19 S.
Suite 178
Thomasville, GA 31792

E.C. Genter
15125 US Hwy 19 S, #178
Thomasville, GA 31792

ALBANY GA 317

31 OCT 2005 PM 2:1



RECEIVED IN OFFICE

2005 NOV -3 PM 12:07

William L. Martin, III
CLERK/CO-ADMINISTRATOR
COURT OF APPEALS

William L. Martin, III
The Court of Appeals
47 Trinity Avenue
Suite 504
Atlanta, GA 30334

30334+9006



The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

October 23, 2008

Mr. Stetson Bennett, Jr.
Clerk, Superior Court
Wayne County Courthouse
262 East Walnut Street
Post Office Box 920
Jesup, Georgia 31598

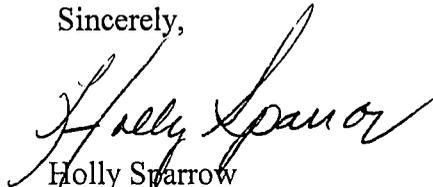
RE: Your Case Number: 15105CVS0020
Enduracare Therapy Management, Inc. v. Henry Drake, et al.

Dear Mr. Bennett:

Enclosed please find the record for the above appeal which was forwarded from your office to ours. Please be advised that we cannot accept the record as sent, because three separate Notices of Appeal are bound together. Please bind one Notice of Appeal to the record. Please separate the other two Notices of Appeal from the main record and put a separate back on each that contains your certification as clerk. We require it to be assembled in this manner, since each Notice of Appeal must be docketed as a separate case in our Court.

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

Sincerely,


Holly Sparrow
Deputy Court Administrator

HKOS/ld
Enclosures

RECORDS RETURN NOTICE

DATE 10/22/08

Style Enduracare Therapy Management, Inc.
v. Henry Drake et al

Lower Court Wayne Superior

Lower Court Case NO. 15105 CVS 0020

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
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- * Main/Cross/Companion in same record
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- Pages copied front/back
- Only one side printed of duplex document
- Other _____

3 Notice of Appeal filed and bound within same record.

STETSON BENNETT, JR.

CLERK OF SUPERIOR COURT
CLERK OF STATE COURT
CLERK OF JUVENILE COURT
WAYNE COUNTY
P.O. BOX 920
JESUP, GEORGIA 31598

October 2, 2008

RECEIVED

OCT 21 2008

COURT OF APPEALS
OF GA

Honorable William L. Martin, III
Clerk, Court of Appeals of Georgia
47 Trinity Avenue, Suite 501
Atlanta, Georgia 30334

RE: Enduracare Therapy Management, Inc., ETAL

Odum

Vs

Henry Drake, Husband and
Mamie Bryant, as Duly
Appointed Administratrix
Of the Estate of Dorothy
Drake, Deceased

Jesup

Dear Mr. Martin,

WAYNE COUNTY

I am enclosing the Original Notices of Appeal, the record requested in the Appeal and the Court Reporter's Transcripts in the above case to be filed in Your Office.

Ritch

With kind regards, I am

Screven

Very truly yours,

Stetson Bennett Jr.
Stetson Bennett, Jr.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

October 23, 2008

Mr. Stetson Bennett, Jr.
Clerk, Superior Court
Wayne County Courthouse
262 East Walnut Street
Post Office Box 920
Jesup, Georgia 31598

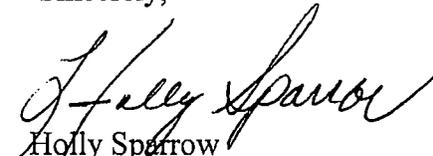
RE: Your Case Number: 15105CVS0020
Brentwood Nursing, LLC, et al. vs. Henry Drake, et al.

Dear Mr. Bennett:

Enclosed please find the record for the above appeal which was forwarded from your office to ours. Please be advised that we cannot accept the record as sent, because three separate Notices of Appeal are bound together. Please bind one Notice of Appeal to the record. Please separate the other two Notices of Appeal from the main record and put a separate back on each that contains your certification as clerk. We require it to be assembled in this manner, since each Notice of Appeal must be docketed as a separate case in our Court.

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

Sincerely,


Holly Sparrow
Deputy Court Administrator

HKOS/ld
Enclosures

RECORDS RETURN NOTICE

DATE _____

Style Brentwood Nursing, LLC et al v.
Henry Drake et al

Lower Court Wayne Superior

Lower Court Case NO. 15105CVS 0020

REASON:

- _____ No/improper certificate of Service
- _____ Improper Notice of Appeal
- _____ Order not stamped filed
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- _____ 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 _____

3 Notice of Appeal filed and
bound within same record.

STETSON BENNETT, JR.

CLERK OF SUPERIOR COURT
CLERK OF STATE COURT
CLERK OF JUVENILE COURT
WAYNE COUNTY
P.O. BOX 920
JESUP, GEORGIA 31598

October 2, 2008

Honorable William L. Martin, III
Clerk, Court of Appeals of Georgia
47 Trinity Avenue, Suite 501
Atlanta, Georgia 30334

RE: Brentwood Nursing, LLC
Brentwood Healthcare, LLC
Jesup Healthcare, LLC ETAL

Vs

Henry Drake, Husband and
Mamie Bryant, as Duly
Appointed Administratrix
Of the Estate of Dorothy
Drake, Deceased

Oakum

Jesup

WAYNE COUNTY

Dear Mr. Martin;

I am enclosing the Original Notices of Appeal, the record requested in the Appeal and the Court Reporter's Transcripts in the above case to be filed in Your office. See the Enduracare Therapy Management, Inc. Appeal, Case No. 151-05-CVS-0020 for Record and Transcripts.

With kind regards, I am
Screven

Very truly yours,

Stetson Bennett, Jr.
Stetson Bennett, Jr.

Stetson Bennett, Jr.

*The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

October 23, 2008

Ms. Sherri A. Akins
Clerk, Superior Court
Bulloch County Judicial Annex
Number One North Main Street
Statesboro, Georgia 30458

RE: Your Case Number: 1B06CR048W
State of Georgia v. Adolphous Raymond, Sr.

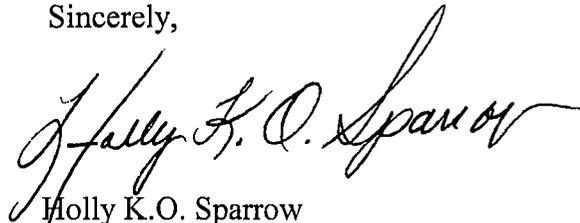
Dear Ms. Akins:

Enclosed please find the record for the above appeal which was transmitted from your office to our office. Please be advised that we are unable to docket this appeal because the sentence form included is not a stamped "filed" copy.

Please substitute a stamped "filed" copy of the sentence form and return the record to this office for docketing.

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

Sincerely,



Holly K.O. Sparrow
Deputy Court Administrator

HKOS/ld
Enclosures

RECORDS RETURN NOTICE

DATE 10/21/08

Style adolphous Raymond, Sr.

Lower Court Bulloch Superior

Lower Court Case NO. 1B06CR1048W

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 sentence sheet (final disposition)
on pg 15+16 are met filed
in clerks office.

DIRECT APPEAL PREPARATION SHEET

DOCKET DATE: _____

CASE NUMBER: _____ JUDGE NO. _____

STYLE: Adolphous Raymond, Sr. v. The State

CLASSIFICATION CODE: 01500

X REFERENCE: -

APPLICATION CASE NO.: -

SUPREME COURT CASE NO.: -

PAUPER -

LOWER COURT JUDGE NO.: Woodrum 18292

LOWER COURT COUNTY: _____ 08 016

LOWER COURT NAME: _____ 07 001

CLERK OF LOWER COURT NO.: 14016

JUDGMENT DATE: 9/25/08

NOTICE OF APPEAL DATE: 9/26/08

LOWER COURT CASE NO.: 1B06 CR48

RECORDS 1

TRANSCRIPTS 2

OTHER DOCUMENTS _____

APPELLANT ATTORNEY BAR NO.

<u>573527</u>				

APPELLEE ATTORNEY BAR NO.

<u>467350</u>				
<u>775059</u>				

OTHER ATTORNEY BAR NO.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

October 23, 2008

Ms. Toni Williamson
Appeals Clerk
Superior Court Cobb County
Post Office Box 3370
Marietta, Georgia 30061

RE: A07A0708. Cardell Washington v. The State
Your Case Number: 02-9-1572-34

Dear Ms. Williamson:

Enclosed please find the transcript of the trial which was transmitted from your office to ours with the above appeal. This case was affirmed by the Court of Appeals of Georgia in its opinion on July 3, 2007 and the remittitur was issued on August 8, 2007. The retention period for this record in the Court of Appeals of Georgia has expired. I am returning the transcript to you at your request.

If I can be of any further assistance to you, please do not hesitate to contact me.

Sincerely,



Holly K.O. Sparrow
Deputy Administrator

HKOS/ld
Enclosures

Jay C. Stephenson
CLERK OF SUPERIOR COURT
COBB JUDICIAL CIRCUIT



Elva P. Dornbusch
CHIEF DEPUTY CLERK

October 23, 2008

Court of Appeals of Georgia
47 Trinity Avenue, Suite 501
Atlanta, Georgia 30334

In Re: State of Georgia vs. Cardell Washington,
Court of Appeals Docket No. A07A0708
Lower Court Case No. 02-9-1572-34

Dear Patti,

I am sending this as a formal request to have original transcript regarding the above styled case.

Please return transcript of trial on July 21-23, 2003 back to our office.

If I can be of any assistance to you, please contact me.

Sincerely,

Toni Williamson
Toni Williamson, Appeals Clerk
770) 528-1338

Web Site: www.cobbsuperiorcourtclerk.com

Court Division
P.O. Box 3370
Marietta, Georgia 30061
770-528-1300

Real Estate Division
P.O. Box 3430
Marietta, Georgia 30061
770-528-1360

UCC Division
P.O. Box 3490
Marietta, Georgia 30061
770-528-1363

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ORIGINAL IN THE SUPERIOR COURT FOR THE COUNTY OF COBB
ONLY STATE OF GEORGIA

STATE OF GEORGIA) CRIMINAL CASE
-vs-) NO. 02-9-1572
CARDELL WASHINGTON)
)
)
)

ORIGINAL

Transcript of trial before the HONORABLE
LARK INGRAM on July 21-23rd, 2003, in
Marietta, Cobb County, Georgia.

Filed In Office Feb-23-2006 10:29:19
ID# 2006-0024994-CR
Page 1

J. C. Stephenson
Jay C. Stephenson
Clerk of Superior Court Cobb County

APPEARANCES OF COUNSEL:

FOR THE STATE:

RATES LOVETT
ASSISTANT DISTRICT ATTORNEY

FOR THE DEFENDANT:

JOHN GRECO, ESQ.

Jay C. Stephenson
CLERK OF SUPERIOR COURT
COBB JUDICIAL CIRCUIT



Elva P. Dornbusch
CHIEF DEPUTY CLERK

FACSIMILE TRANSMITTAL SHEET
FAX NUMBER: 770-528-1382

DATE: 10-23-04

TO FAX NUMBER: 404-651-6187

PLEASE DELIVER THE FOLLOWING TO:

NAME: Patti

DEPT./COMPANY: Court of Appeals

SUBJECT: Transcript

FROM: Toni Williamson

DIVISION: Superior Court

PHONE: 770-528-1338

MESSAGE:

Thankyou for your help. I'm also including
a copy of the first page of the transcript that
is needed hope it helps.

PLEASE CALL SHOULD YOU HAVE ANY QUESTIONS
OR IF TRANSMISSION IS NOT COMPLETE

TOTAL NUMBER OF PAGES 3 INCLUDING COVER SHEET

Web Site: www.cobbgasupctclk.com

Court Division
P.O. Box 3370
Marietta, Georgia 30061
770-528-1300

Real Estate Division
P.O. Box 3430
Marietta, Georgia 30061
770-528-1360

UCC Division
P.O. Box 3490
Marietta, Georgia 30061
770-528-1363

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

October 10, 2008

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

RE: Your Case Number: 08CV4644
William E. Hailey v. William T. Jones

Dear Ms. Carter:

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 because the record does not contain an order on the Motion to Set Aside the order granting defendant's Motion to Dismiss plaintiff's request for trial. When the trial court enters a stamped filed copy of that order in the record, please include it in the record, index same and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 10/9/08

Style William E. Hailey v. William T. Jones

Lower Court DeKalb Superior

Lower Court Case NO. 08CV4644

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 NO ORDER ON MOTION TO SET ASIDE
ORDER GRANTING DEFENDANT'S MOTION TO
DISMISS PLAINTIFF'S REQUEST FOR TRIAL.
FILED 8/11/08.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

October 10, 2008

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

RE: Your Case Number: 08CV4358
Gwendolyn Gassaway v. Bank of America, et al.

Dear Ms. Carter:

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 because the Certificate of Service on the Notice of Appeal does not indicate an individual in the law firm to whom the Docketing Notice should be sent.

When the appellant files an amended Notice of Appeal to include the name of the individual attorney at the law firm, please return the record to this office for docketing.

Sincerely,



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

WLM, III/ld
Enclosures

cc: Ms. Gwendolyn Gassaway
4701 Lost Colony Court
Stone Mountain, Georgia 30088

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

October 10, 2008

Mr. David C. Wall
Clerk, Superior Court Habersham County
555 Monroe Street
Post Office Box 2320
Clarksville, Georgia 30523

RE: Your Case Number: 2007SUCV1091
Marie H. Yarber v. Tony Howerton, Warden

Dear Mr. Wall:

I am in receipt of the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal. The Notice of Appeal does not indicate what order is being appealed. Additionally, the Certificate of Service must show the complete name and mailing address of opposing counsel.

Habeas matters are appealed to the Supreme Court of Georgia not the Court of Appeals. The appellant should file an amended Notice of Appeal to correct the defects and also to show the case will be appealed to the Supreme Court of Georgia not the Court of Appeals.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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. Marie H. Yarber Sparrow
GDC45238



David C. Wall
Clerk of Superior Court

Email: david.wall@gsccca.org

555 Monroe Street • P.O. Box 2320
Clarkesville, Georgia 30523
Phone: 706.754.2923
Fax: 706.839.6351

October 2, 2008

Marie H. Yarber Sparrow
Incarcerated

CASE # 07 SU-CV-1091-W

VS.

Appellant

Tony Howerton
Warden, Lee Arrendale
State Prison

Appellee

RECEIVED

OCT - 7 2008

COURT OF APPEALS
OF GA

CLERK, COURT OF APPEALS OF GEORGIA
47 TRINITY AVE. SW
STE 501
ATLANTA, GEORGIA 30334

Enclosed please find the above referenced appeal to be filed in your court for Marie Yarber Sparrow..

Please let me know if you need anything else to proceed with this appeal.

Sincerely,

David C. Wall rb

David C. Wall
Rita Bryson
Clerk of Superior Court

Enclosures:

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

October 14, 2008

Ms. Gina Mears
Clerk, Juvenile Court of Gordon County
Third Floor • Gordon County Courthouse
Post Office Box 562
Calhoun, Georgia 30703

RE: In the Interest of: H.L.H. Case Number: 06DP-689-1
In the Interest of J.F.M. Case Number 06DP-690-1
Gordon Juvenile Court

Dear Ms. Mears:

Enclosed please find a record in the above appeals which was forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the Certificate of Service on the Notice of Appeal does not contain the complete name and mailing address of the opposing counsel. Without this information, we are unable to send out the appropriate Docketing Notices.

When counsel for the appellant files an amended Notice of Appeal to include the complete name and mailing address of the parties to be served with Docketing Notices, please return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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 R. Thompson, Jr., Esq.
Post Office Box 485
Calhoun, Georgia 30703

RECORDS RETURN NOTICE

DATE 10/10/08

Style In the Interest of: H.L.H. and J.M.,
children

Lower Court Juvenile ^{court} of Gordon County

Lower Court Case NO. 06DP689 06DP690

REASON:

- No/improper certificate of Service *does not list*
- Improper Notice of Appeal *address of*
- Order not stamped filed *parties*
- Transcripts *serve*
- 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 _____

JUVENILE COURT OF GORDON COUNTY

THIRD FLOOR - GORDON COUNTY COURTHOUSE

P.O. Box 562

CALHOUN, GEORGIA 30703

HON. J. LANE BEARDEN
JUDGE

GINA MEARS
CLERK

TERESA RICE
COURT ADMINISTRATOR/
CITIZEN PANEL PREVIEWS

JEFF MCBEE
PROBATION OFFICER

LAURA MCELDRATH
PROBATION OFFICER

ANNE PITTS
CASA COORDINATOR

DANNY WHITE
COMMUNITY SERVICE/
COURT OFFICER

July 25, 2008

Mr. William L. Martin
Clerk, Court of Appeals
Georgia Court of Appeals
47 Trinity Avenue, Suite 501
Atlanta, Georgia 30334

Re: APPEAL IN THE INTEREST OF:

H.L.H., Case No. 06DP-689-1, Gordon County Juvenile Court;
J.F.M., Case No. 06DP-690-1, Gordon County Juvenile Court

Dear Mr. Martin:

Enclosed herewith you will find the original copy of the Transcript of the Termination of Parental Rights Hearing(s) and certified copy of the Record regarding the above referenced Appeal.

Should you require additional information or if this Court can be of assistance, please do not hesitate to call. I am

Very truly yours,



Gina Mears, Clerk
Juvenile Court of Gordon County

GM
Enclosures

RECEIVED
OCT - 9 2008
COURT OF APPEALS
OF GA

TELEPHONE:
(706) 629-4561

FAX:
(706) 602-8187

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

October 17, 2008

Mr. Tom Lawler
Clerk, Superior and State Courts
Gwinnett County Justice Center
Post Office Box 880
Lawrenceville, Georgia 30046-0880

RE: Your Case Number 06-B-2590-3
James John Snelius v. The State

Dear Mr. Lawler:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. We are unable to docket this appeal because the body of the Notice of Appeal indicates that it is the appeal of Jarvis Shermanie Mosley, however, the style of the Notice of Appeal and the balance of the record indicates it is an appeal of James John Snelius.

When the appellant files an amended Notice of Appeal to clarify who is appealing this matter, please include the amended Notice of Appeal in the record, index same and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. James John Snelius, Pro Se
Gwinnett County Comprehensive Correctional Complex
750 Hi Hope Road
Lawrenceville, Georgia 30043

RECORDS RETURN NOTICE

DATE 10/16/08

Style James John Snellius v. The State

Lower Court Gwinnett Superior

Lower Court Case NO. 06B2590-3

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 name given on the
NOA does not match record.

IN THE SUPERIOR COURT OF GWINNETT COUNTY

STATE OF GEORGIA

James John Snelius
PLAINTIFF

Vs.

DOCKET NO: 01-B-2590-3

State of Georgia
DEFENDANT

NOTICE OF APPEAL

Notice is given that Jarvis Shermanie Mosley, the Plaintiff in the above matter hereby appeals to the Court of Appeals of Georgia from the Judgment of the Trial Court Entered on the 7th day of August, 2008

I

The Clerk shall omit nothing from the Records on Appeal.

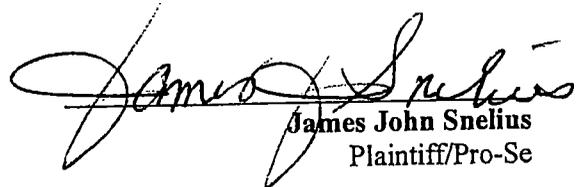
II

A Transcript of Evidence and Proceedings will be filed for inclusion in the Records on appeal.

III

The Honorable Court of Appeals of Georgia, rather than the Supreme Court of Georgia, has jurisdiction of this appeal because the issue involved is a Non-Capital matter and appeals of such cases are not 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.

Respectfully Submitted,


James John Snelius
Plaintiff/Pro-Se

Gwinnett County Comprehensive Correctional Complex
750 Hi Hope Road
Lawrenceville, Georgia 30043

FILED IN OFFICE
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA
2008 SEP 16 PM 4:55
JAMES AWLER, CLERK

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

October 20, 2008

Mr. Marlene Dewell
Clerk, Probate Court
Gwinnett County Courthouse
75 Langley Drive
Lawrenceville, Georgia 30045

RE: Your Case Number: 04C001438
In Re: Estate of Andrea Stephens

Dear Ms. Dewell:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised that we were unable to docket this appeal because the Notice of Appeal indicates a transcript will be filed for inclusion in the record on appeal and no transcript accompanied the record. Additionally, the appellant did not put appellant's mailing address on the Notice of Appeal. Without the appellant's complete mailing address, we are unable to send out the appropriate Docketing Notices.

When the court reporter files the transcript with your office, please attach your Certificate and send the transcript along with the record to this office for docketing. If, in fact, there is no transcript, when the appellant files an amended Notice of Appeal to reflect that fact, please return the record to this office for docketing. Additionally, when the appellant files the amended Notice of Appeal, the appellant should put appellant's complete mailing address so we can send our the appropriate Docketing Notices.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 10/17/08

Style In re: Estate of Andrea Stephens

Lower Court Gwinnett Probate

Lower Court Case NO. 04C001438

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 need address of appellant.

PRO SE INFORMATION SHEET

COURT OF APPEALS CASE: A09A0151

STYLE: ROBERT HENDERSON V. JENNA SARGENT

DATE OF DOCKETING: 2008-09-08

JUDGMENT DATE: 0000-00-00

ASSIGNED JUDGE: PJ. EDWARD H. JOHNSON, (96-009)

LOWER CT#: 2007SV1788

CALENDAR DATE: 0109

REMITTITUR SENT: 0000-00-00

Mr. Ronald L. Hilley

HILLEY & FRIEDER

1979 LAKESIDE PARKWAY

SUITE 990

TUCKER GA 30084

TELEPHONE: 000-000-0000

Signed by express permission

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 5, 2008

State Bar of Georgia
Headquarters
104 Marietta Street, N.W. • Suite 100
Atlanta, Georgia 30303-2743

Dear Sir or Madam:

Enclosed please find correspondence received in the Court of Appeals of Georgia which I believe was intended for your office.

Sincerely,



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

WLM, III/ld
Enclosures

Robin PARDEKOOPER ^{EF#} 341826
Hancock state Prison I-1
P.O. Box 339
Sparta, Georgia 31087

Date: SEPTEMBER 2008

REF: NOTICE OF LETTER SENT TO ATTORNEY FOR
Failure to provide TRIAL TRANSCRIPTS. "Ethics
and canon violation"

To: Georgia Bar Association

SIR,

what follows with the enclosed letter,
is a letter to my attorney in reference
to my trial transcripts and criminal
docket sheet. I have repeatedly tried to
get Mr. Burdges to send me my
above mentioned docket sheet, and trial

Robin Pardekooper

GDC 219975 I-1 EF341826

HAWCOCK STATE PRISON

P.O. Box 339

SPARTA, GA 31087

RECEIVED IN OFFICE

2008 DEC -5 AM 10:50

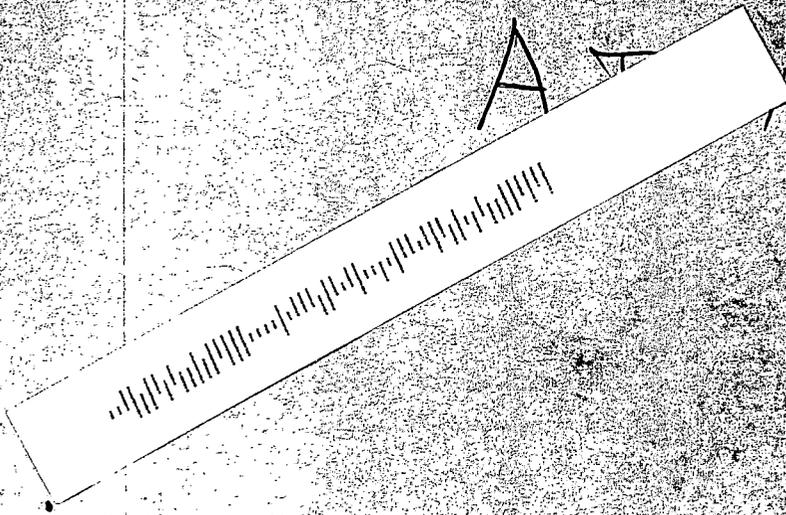
Will L. ...

CLERK / COURT ADMINISTRATOR
COUNTY OF ...

STATE BAR OF

433 STATE JUDIC

ATLANTA, GA



The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gbappeals.us

NOV 20 2008

Ms. Barbara A. Harrison
Clerk, Superior Court
Henry County Courthouse
One Courthouse Square
McDonough, Georgia 30253-3293

RE: A07A0474. John Oliver Johnson, et al. v. Unified Residential
Lower Court Case Number: 05CV0091C

Dear Ms. Hays:

We are returning the enclosed transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 20 2008

Ms. Lynn W. Ham
Clerk, Superior Court
Monroe County Courthouse
Post Office Box 450
Forsyth, Georgia 31029-0450

RE: A07A0674. George Allen Parker v. The State
Lower Court Case Number: 2005CR34

Dear Ms. Ham:

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/ld
Enclosure

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 504
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 20 2008

Mr. Bart W. Jackson
Clerk, Superior Court of Jones County
110 South Jefferson Street
Post Office Box 39
Gray, Georgia 31032-0039

RE: A06A1781. Cleveland Merriweather v. The State
Lower Court Case Numbers: 03CR18872

Dear Mr. Jackson:

We are returning the enclosed original 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 20 2008

Mr. Bart W. Jackson
Clerk, Superior Court of Jones County
110 South Jefferson Street
Post Office Box 39
Gray, Georgia 31032-0039

RE: A06A0227. The State v. Robert Louis Glidewell
Lower Court Case Numbers: 98CR1533-6

Dear Mr. Jackson:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 20 2008

Ms. Dianne Brannen
Clerk, Bibb County Superior Court
Post Office Box 5086
Macon, Georgia 31213-7199

RE: A06A0883. Paul Harrison v. The State
Lower Court Case Number: 04CR 57911

Dear Ms. Brannen:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 21 2008

Mr. Frank Middleton
Clerk, Superior Court
Long County Courthouse
Post Office Box 458
Ludowici, Georgia 31316-0458

RE: A06A2210. Jesus Maldonado v. The State
Lower Court Case Number:: 02R022

Dear Mr. Middleton:

We are returning the enclosed original records with transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 21 2008

Mrs. Alesia Sirmans
Clerk, Juvenile Court
Ware County
801 Grove Avenue
Waycross, Georgia 31501

RE: A06A1471. In Re: H.A.K, a Child
Lower Court Case Number: 14805J520A

Dear Ms. Sirmans:

We are returning the enclosed original trial transcript 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 21 2008

Mrs. Alesia Sirmans
Clerk, Juvenile Court
Ware County
801 Grove Avenue
Waycross, Georgia 31501

RE: A06A0224. In the Interest of: K.B.T., a Child
Lower Court Case Number: 14804J753A

Dear Ms. Sirmans:

We are returning the enclosed one 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 21 2008

Ms. Sara L. Crow
Clerk, Superior Court
Lowndes County Courthouse
Post Office Box 1349
Valdosta, Georgia 31603-1349

RE: A06A1393. Bobby Prather v. The State
Lower Court Case Numbers: 04CR71

Dear Ms. Crow:

We are returning the enclosed videocassettes and mini audiotape 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 21 2008

Ms. Sara L. Crow
Clerk, Superior Court
Lowndes County Courthouse
Post Office Box 1349
Valdosta, Georgia 31603-1349

RE: A07A0374. Shawn Medvar v. The State
Lower Court Case Numbers: 2004CR500C

Dear Ms. Crow:

We are returning the enclosed two (2) DVD's 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 21 2008

Mr. Frank Middleton
Clerk, Superior Court
Long County Courthouse
Post Office Box 458
Ludowici, Georgia 31316-0458

RE: A05A0482. Georgia Forestry Commission v. Tray Eugene Canady
Lower Court Case Number: 2002SUV833

Dear Mr. Middleton:

We are returning the enclosed depositions and 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 7 2005

Ms. Becky V. McCord
Clerk, Superior Court
Dawson County Courthouse
25 Tucker Avenue • Suite 106
Dawsonville, Georgia 30534

RE: A07A0213. Michael Carter v. The State
Lower Court Case Number: 2005CR341

Dear Ms. McCord:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV _ 7 2008

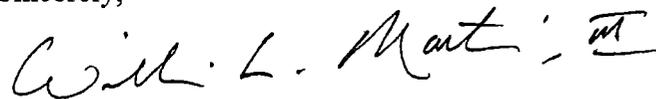
Ms. Becky V. McCord
Clerk, Superior Court
Dawson County Courthouse
25 Tucker Avenue • Suite 106
Dawsonville, Georgia 30534

RE: A07A0405. Michael Waller v. Homeq Services Corporation
Lower Court Case Number: 03CV521C

Dear Ms. McCord:

We are returning the enclosed transcript 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV _ 7 2008

Ms. Glenda Sue Johnson
Clerk, Gilmer County Superior Court
One West Side Square
Ellijay, Georgia 30540

RE: A06A1697. Larry Garland v. The State.
Lower Court Case Number: 2004CR184

Dear Ms. Johnson:

Enclosed please find one videotape and the original exhibits in reference to the above 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

WLM, III/cw
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 7 2008

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

RE: A06A2357. Ricky Dean Lingerfelt v. The State
Lower Court Case Numbers: 01CR0016

Dear Mr. Sorrells:

We are returning the enclosed transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 7 2008

Ms. Patricia Baker
Clerk, State Court
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A0343. William Patterson v. Bristol Timber Corporation
Lower Court Case Number: 04SC21896

Dear Ms. Baker:

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

Sincerely,

William L. Martin, III

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

WLM, III/ld
Enclosures

*The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 7 2008

Ms. Patricia Baker
Clerk, Superior Court
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A1923. Tabatha Mauriello, et al. v. Donald Lee McCroskey, Jr.
Lower Court Case Number: 04CV2739

Dear Ms. Baker:

We are returning the enclosed deposition 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 7 2009

Ms. Patricia Baker
Clerk, Superior Court
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A1568. John T. Longino v. Bettina R. Petereit
Lower Court Case Number: 04CV1110

Dear Ms. Baker:

We are returning the enclosed deposition, brown envelope containing what appears to be a trial notebook and CD 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 7 2008

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

RE: A07A1713. Cleveland Harris v. Hamptons of Olde Towne Association,
Inc.
Lower Court Case Number: 051959534

Dear Mr. Stephenson:

We are returning the enclosed photograph 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 7 2008

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

RE: A07A0609. Morte Millender v. The State
Lower Court Case Number: 029396633

Dear Mr. Stephenson:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 7 2008

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

RE: A07A0353. Jeffrey Duane Creek v. The State
Lower Court Case Number: 019209040

Dear Mr. Stephenson:

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/lld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 7 2000

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

RE: A06A2157. Timothy James Hooper v. The State
Lower Court Case Numbers: 03CR0178

Dear Mr. Sorrells:

We are returning the enclosed two (2) 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/lid
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 686-3450
martinw@gaappeals.us

NOV 7 2009

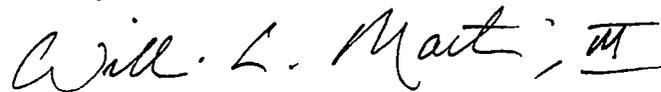
Mr. Douglas Sorrells
Clerk, Superior and State Courts
Forsyth County Courthouse
100 West Courthouse Square
Cumming, Georgia 30040

RE: A06A0367. David Milum v. Rafe Banks, III
Lower Court Case Numbers: 04CV1458

Dear Mr. Sorrells:

We are returning the enclosed transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV _ 7 2008

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

RE: A07A0367. John Benjamin Perry v. John Paul Perry
Lower Court Case Numbers: 05CV0744

Dear Mr. Sorrells:

We are returning the enclosed exhibits (in a brown envelope) and transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 7 2008

Ms. Loreine P. Matthews
Clerk, Superior Court of Murray County
Post Office Box 1000
Chatsworth, Georgia 30705-1000

RE: A06A2093. Gary Morrow v. The State
Lower Court Case Number: 02CR387

Dear Ms. Matthews:

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

Sincerely,

William L. Martin, III

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

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 7 2009

Ms. Debbie Bright
Clerk, Juvenile Court
Polk County Courthouse No. 2
100 Prior Street • Room Office Box 948
Cedartown, Georgia 30125

RE: A06A1811. In the Interest of: J. F., a Child
Lower Court Case Numbers: 11505722

Dear Ms. Bright:

We are returning the enclosed original transcript 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 7 2008

Mr. Bill McDaniel
Clerk, Superior Court
Walker County Courthouse
Post Office Box 448
LaFayette, Georgia 30728-0448

RE: A07A0433. Kenneth Ray Wallin v. The State
Lower Court Case Number: 01CR19839

Dear Mr. McDaniel:

We are returning the enclosed pictures and transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 7 2008

Ms. Patricia Baker
Clerk, State Court
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A1467. Donna Lisa Mabry v. The State
Lower Court Case Number: 05MO796

Dear Ms. Baker:

We are returning the enclosed exhibits and transcripts in the above referenced matter for your files. If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 7 2008

Ms. Vivian G. Wood
Clerk, Juvenile Court Whitfield County
301 West Crawford Street
Dalton, Georgia 30720

RE: A06A1961. In the Interest of: JBM, PIRM and DTC, Children
Your Case Number: 0502109 0502111 0502112

Dear Ms. Wood:

We are returning the enclosed DVD 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

7 7000

Mr. Bill McDaniel
Clerk, Superior Court
Walker County Courthouse
Post Office Box 448
LaFayette, Georgia 30728-0448

RE: A07A0760. Ralph Clay Ward v. The State
Lower Court Case Number: 03CR20771

Dear Mr. McDaniel:

We are returning the enclosed photographs and 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 7 2008

Ms. Debbie Bright
Clerk, Juvenile Court
Polk County Courthouse No. 2
100 Prior Street • Room Office Box 948
Cedartown, Georgia 30125

RE: A06A2261. In the Interest of: A. A., a Child
Lower Court Case Numbers: 1150 6768 11506769 11506770 11506771

Dear Ms. Wells:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 7 2009

Mr. Norman L. Stone
Clerk, Superior Court
Catoosa County Courthouse
875 Lafayette Street
Ringgold, Georgia 30736

RE: A05A2125. Tommy L. Hairston, et al. v. Catoosa Utility District
Lower Court Case Numbers: 03CV00368

Dear Mr. Stone:

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
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 21 2008

Mr. Frank Middleton
Clerk, Superior Court
Long County Courthouse
Post Office Box 458
Ludowici, Georgia 31316-0458

RE: A06A0179. Amanda Stone Hadden, et al. v. ARE Properties, LLC
Lower Court Case Number:: 03V260

Dear Mr. Middleton:

We are returning the enclosed four (4) transcripts 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 , 

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

WLM, III/ld
Enclosures

*The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Frank Middleton
Clerk, Superior Court
Long County Courthouse
Post Office Box 458
Ludowici, Georgia 31316-0458

RE: A06A2210. Jesus Maldonado v. The State
Lower Court Case Number:: 02R022

Dear Mr. Middleton:

We are returning the enclosed original records with transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 21 2008

Mr. Gene Johnson
Clerk, Superior Court
Telfair County Courthouse
128 East Oak Street • Suite 2
McRae, Georgia 31055-1604

RE: A07A0363. In the Interest of: S.V., a Child
Lower Court Case Numbers: 13404JV011

Dear Mr. Johnson:

We are returning the enclosed sealed record 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 21 2008

Ms. Laverne D. Wheeler
Clerk, Superior Court
Ben Hill County Courthouse
Post Office Box 1104
Fitzgerald, Georgia 31750-1104

RE: A06A1311. Jerry Robert Clark v. The State
Lower Court Case Number: 00CR081

Dear Ms. Wheeler:

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
Clerk and Court Administrator
Court of Appeals of Georgia

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 21 2008

Ms. Chlois Lollis
Clerk, Superior Court
Cook County Courthouse
212 North Hutchinson Avenue
Adel, Georgia 31620

RE: A06A0502. Selena Pickle v. The State
Lower Court Case Number: 03CR16083

Dear Ms. Lollis:

We are returning the enclosed exhibits and 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/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

NOV 21 2008

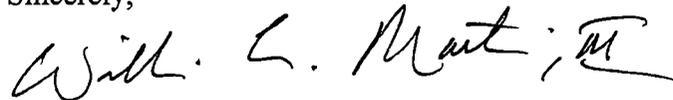
Ms. Chlois Lollis
Clerk, Superior Court
Cook County Courthouse
212 North Hutchinson Avenue
Adel, Georgia 31620

RE: A07A0817. Sunlink Health Systems, Inc. v. Vera Pettigrew
Lower Court Case Number: 200543

Dear Ms. Lollis:

We are returning the enclosed five (5) depositions 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

OCT 1 - 2008

Ms. Myrtle F. Peeples
Clerk, Superior Court
Spalding County Courthouse
Post Office Box 1046
Griffin, Georgia 30224-1046

RE: A04A1305. The State v. Stephen Ralph Bibbins
Lower Court Case Numbers: 03R851

Dear Ms. Peeples:

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

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

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

SEP 26 2008

Ms. Melissa B. Holbrook
Clerk, Superior Court
Franklin County Courthouse
Post Office Box 70
Carnesville, Georgia 30521-0070

RE: A04A1696. Barbara Payne, et al. v. Louise Terrell, et al.
Lower Court Case Number: 99FCV502J

Dear Ms. Holbrook:

We are returning the enclosed two (2) sealed envelopes 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

SEP 26 2008

Mr. Tim A. Harper
Clerk, Superior Court
Banks County Courthouse
144 Yonah Homer Road • Suite 8
Homer, Georgia 30547

RE: A04A1856. Hector Ponce v. The State
Lower Court Case Number: 03CR306B

Dear Mr. Harper:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

OCT 1 - 2008

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

RE: A05A1569. Scott Charbonneau v. The State
Lower Court Case Numbers: 02R0204

Dear Ms. Studdard:

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/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

September 24, 2008

Ms. Diane Webb
Clerk, State Court of Cobb County
12 East Park Square
Marietta, Georgia 30090

RE: A06A0816. Leonard Colp, et al. v. Ford Motor Company
Lower Court Case Number: 96A-002205-5

Dear Ms. Webb:

We are returning the enclosed depositions in the above referenced matter as requested by Ms. Susan Perlin, Esquire. 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

September 23, 2008

Ms. Diane Webb
Clerk, State Court of Cobb County
12 East Park Square
Marietta, Georgia 30090

RE: A06A0816. Leonard Colp, et al. v. Ford Motor Company
Lower Court Case Number: 96A-002205-5

Dear Ms. Webb:

We are returning the enclosed depositions 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

F

1-24-07

HOLD

CASE NO. H06 H0816

- CASE PENDING IN THE SUPREME COURT
- CASE PENDING ON APPLICATION FOR CERTIORARI
- CASE PENDING IN THE COURT OF APPEALS
- REMITTITUR SENT OUT LESS THAN ONE YEAR
- Remittitur Date _____
- CASE COMING BACK TO THE COURT OF APPEALS
- OTHER: _____

CALLING RECORD

(NT) NAME Susan Perlin, Esq. PHONE _____

(EE) NAME _____ PHONE _____

LETTER

DATE(S) OF CALL(S):

INFORMATION:

Ms. Perlin requested depositions be returned.

Will be sending a letter requesting they (depositions)

be returned to the trial court.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 504
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

SEP 26 2008

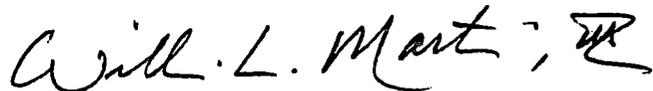
Ms. Camie W. Thomas
Clerk, Superior Court
Jackson County Courthouse
5000 Jackson Parkway • Suite 150
Jefferson, Georgia 30549-0007

RE: A06A1085. Erin Monet Jordan v. The State
Lower Court Case No. 03CR0204

Dear Ms. Thomas:

We are returning photos and original 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

SEP 26 2008

Mr. Pat V. Anderson
Clerk, Superior and State Courts
Elbert County Courthouse
Post Office Box 619
Elberton, Georgia 30635-0619

RE: A06A1096. Richard Obie Christian, et al b/n/f Jeannine Christian v.
Estate of Charles Anthony Bryant, et al.
Lower Court Case Number: 01EV237T

Dear Mr. Anderson:

We are returning the enclosed exhibits and photographs in the above referenced appeal 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martlnw@gaappeals.us

SEP 26 2008

Mr. Pat V. Anderson
Clerk, Superior and State Courts
Elbert County Courthouse
Post Office Box 619
Elberton, Georgia 30635-0619

RE: A06A1234. James Watley, Jr. v. The State
Lower Court Case Number: 04ER0145

Dear Mr. Anderson:

We are returning the enclosed photographs in the above referenced appeal 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

SEP 26 2008

Ms. Gloria M. Wall
Clerk, Superior Court
Barrow County Courthouse
30 North Broad Street • Post Office Box 1280
Winder, Georgia 30680-1280

RE: A06A1453. Charles S. Brady v. The State
Lower Court Case Number:03CR02X

Dear Ms. Wall:

We are returning the enclosed transcripts 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

SEP 26 2008

Ms. Joanne P. Caldwell
Clerk, Superior Court
Rockdale County Courthouse
Post Office Box 937
922 Court Street
Conyers, Georgia 30207-0937

RE: A06A1651. Zantavious Fluellen v. The State
Lower Court Case Numbers: 2002CR14511

Dear Ms. Caldwell:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

SEP 26 2008

Ms. Melissa B. Holbrook
Clerk, Superior Court
Franklin County Courthouse
Post Office Box 70
Carnesville, Georgia 30521-0070

RE: A06A1749. Yvonne M. Williams v. Charles Trammell
Lower Court Case Number: 05FV651J

Dear Ms. Holbrook:

We are returning the enclosed transcript and 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

SEP 26 2008

Ms. Gloria M. Wall
Clerk, Barrow County Superior Court
30 N. Broad Street
P. O. Box 1280
Winder, Georgia 30680-1280

RE: A06A2386. Michael Bruce Ferrell v. The State.
Lower Court Case Number: 04CR961X

Dear Ms. Wall:

Enclosed please find original exhibits made part of the record in reference to the above 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

WLM, III/cw
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

OCT 1 - 2008

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

RE: A07A0123. In the Interest of: M.J. a Child (Mother)
Lower Court Case Number: 04JV02400

Dear Mr. Skinner:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

OCT 1 - 2008

Mr. Robert F. Abbott
Clerk, Lamar County Juvenile Court
Lamar County Courthouse
326 Thomaston Street • Box 7
Barnesville, Georgia 30204-1699

RE: A07A0168. In the Interest of: J.L.P., a Child
Lower Court Case Number: 08505J331

Dear Mr. Abbott:

We are returning the enclosed transcript 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martlnw@gaappeals.us

SEP 26 2008

Ms. Linda D. Hays
Clerk, Newton County Superior Court
1132 Usher Street, Room 338
Covington, Georgia 30014

RE: A07A0179. Terry Paul Duren v. The State.
Lower Court Case Number: 2004CR07801

Dear Ms. Hays:

Enclosed please find one videotape in reference to the above 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

WLM, III/cw
Enclosure

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

SEP 26 2008

Mr. Pat V. Anderson
Clerk, Superior and State Courts
Elbert County Courthouse
Post Office Box 619
Elberton, Georgia 30635-0619

RE: A07A0288. Willie Ralph Maxwell v. The State
Lower Court Case Number: 03ER10T

Dear Mr. Anderson:

We are returning the enclosed exhibits in the above referenced appeal 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

W.L.M., III/ld
Enclosure

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

SEP 26 2008

Ms. Beverly Logan
Clerk, Superior Court
Clarke County Courthouse
325 East Washington Street • Room 450
Post Office Box 1805
Athens, Georgia 30603-1805

RE: A07A0364. Charlie Dorsey v. The State
Lower Court Case Number: SU04CR1784

Dear Ms. Logan:

We are returning the enclosed 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

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

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

OCT 1 - 2008

Ms. Rhonda W. Smith
Clerk, Superior Court
Butts County Courthouse
26 Third Street • Post Office Box 320
Jackson, Georgia 30233

RE: A07A0472. Richard W. Moore v. The State
Lower Court Case Number: 2006R57

Dear Ms. Smith:

We are returning the enclosed transcript in the above referenced matter for your files. If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

OCT 1 - 2008

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

RE: A07A0692. Donnie H. Smith v. The State
Lower Court Case Number: S2002CR631

Dear Mr. Skinner:

We are returning the enclosed transcript 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

OCT 1 - 2008

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

RE: A06A0735. Elrena King, as Surviving Spouse of Douglas Carter King and
as Executrix of the Estate of Douglas Carter King v. M.s.
Zakaria, M.D., et al.
Lower Court Case Number: 2003CV06368C

Dear Ms. Smith:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

OCT 1 - 2008

Ms. Nancy Adams
Clerk, Superior Court Upson County
Post Office Box 469
Thomaston, Georgia 30286-0469

RE: A07A0748. Mary D. Thrash v. Danny Earl Moss, Jr.
Lower Court Case Numbers: 04V459

Dear Ms. Adams:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

OCT 1 - 2008

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

RE: A07A0815. Michael Dixon v. The State
Lower Court Case Numbers: 03R0079

Dear Ms. Studdard:

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/d
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

OCT 1 - 2008

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

RE: A07A1142. Michael Northern v. The State
Lower Court Case Numbers: 2006R0208

Dear Ms. Studdard:

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/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

OCT 1 - 2008

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

RE: A07A1284. In the Interest of: SH, JM, NM and MM, Children
Lower Court Case Numbers: 0600555, 0600556, 0600557 and 066558

Dear Ms. Taylor:

We are returning the enclosed box of 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

SEP 26 2008

Ms. Linda D. Hays
Clerk, Superior Court
Newton County Courthouse
1124 Clark Street
Covington, Georgia 30014

RE: A07A1555. Chacon Dubartus Jackson v. The State
Lower Court Case Number; 2005CR1003

Dear Ms. Hays:

We are returning the enclosed original 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

SEP 26 2008

Ms. Joanne P. Caldwell
Clerk, Rockdale County State Court
Post Office Box 938
Conyers, Georgia 30012

RE: A07A1675. Courtney E. Williams v. Charlotte A. Purdue
Lower Court Case Number: 2005SV1995

Dear Ms. Caldwell:

We are returning the enclosed photographs 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

October 6, 2008

Ms. Tina Lewis
Court Records Technician
DeKalb County Superior Court Clerk's Office
207 DeKalb County Courthouse
556 North McDonough Street
Decatur, Georgia 30030

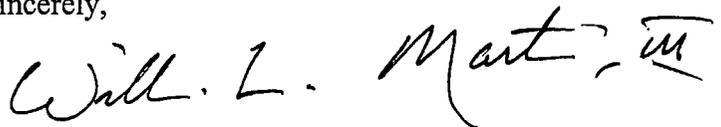
RE: A08A0265. Timothy Grimes v. The State
Your Case Number: 06CR2877

Dear Ms. Lewis:

I am in receipt of your letter of September 29, 2008 requesting a return of State's Exhibits in the above appeal. Enclosed please find the exhibits which were contained in the original envelope which accompanied the supplemental record. Please be advised that the envelope contains State's Exhibits 1 through 8, 11 through 17, 22, 23 and 67. The envelope does not contain exhibits 40, 41 and 42. Those exhibits are contained as copies in the record.

If you have any questions or if I can be of 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: File A08A0265
Edwin Young

bcc: Judge Charles B. Mikell, 92-010



CLERK OF SUPERIOR COURT
207 DEKALB COUNTY COURTHOUSE
556 NORTH MCDONOUGH STREET
DECATUR, GEORGIA 30030

LINDA CARTER
CLERK OF SUPERIOR COURT

404-371-2762

SEPTEMBER 29, 2008

William L. Martin III
Clerk
Georgia Court of Appeals
334 State Judicial Building
40 Capitol Square
Atlanta, Georgia 30334

RECEIVED

OCT - 2 2008

COURT OF APPEALS
OF GA

Attn: Patty Bender

Re: Timothy Grimes v. State
In the Court of Appeals of Georgia
Case No. A08A0265

Dear Mr. Martin:

This is to request that you return to the DeKalb County Superior Court Clerk certain original exhibits that were sent to you at the request of the judges of the Court of Appeals. These would be State's Exhibits 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17, 22, 23, 40, 41, 42 and 67. They are still photographs taken from a videotape. The Court reversed the appellant's conviction, and the exhibits are needed for a retrial.

Thank you for your kind attention to this matter.

Yours truly,

Tina Lewis
Court Records Technician
DeKalb County Superior Court Clerk's office

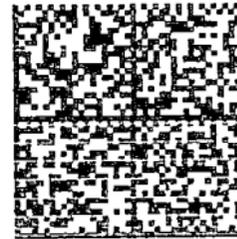
Copies:

Barbara Conroy, ADA

Gerard Kleinrock
Attorney for Appellant



CLERK OF SUPERIOR COURT
556 N. McDONOUGH STREET
DECATUR, GEORGIA 30030



Hasler

016H26508121

\$00.420

10/01/2008

Mailed From 30030
US POSTAGE

RETURN SERVICE REQUESTED

William L. Martin, III
Clerk, Court of Appeals of Georgia
334 State Judicial Building
40 Capitol Square
Atlanta Georgia 30334

Attn: Patty Bender

30334+9057



The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

September 30, 2008

Ms. Louise T. Garrett
Superior Court of Meriwether County
Post Office Box 160
Greenville, Georgia 30222-0160

ATTN: Ms. Sylvia J. Lovett, Deputy Clerk

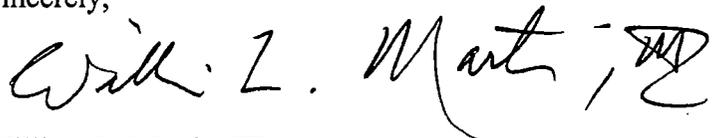
RE: A08A1463. Department of Transportation v. Theodore Baldwin, III, et al.
A08A1464. Theodore Baldwin, III, et al. v. Department of Transportation

Dear Ms. Lovett:

I am in receipt of your letter of September 24, 2008 and the enclosed order of Judge William F. Lee, Jr., dated September 12, 2008 and entered on September 15, 2008, requesting a return of any and all photographs of Latikka Shavette Baldwin which are exhibits and a part of the record in the above appeals. In the attached box please find an audio tape listed as Defendant's Exhibit 6; an envelope marked Defendant's Exhibits 1-12 containing photographs, work reports and a map; an envelope marked Plaintiff's Exhibit 1, 3, 5-42, 45 (no exhibits 2 and 4) (See file for Exhibits 43 and 44); said envelope containing photographs, Marriage Certificate, Death Certificate, Annuity Mortality Table, Foreman's Responsibility, a Resolution from the State Board of Transportation and a log of activity on State Road 109; a notebook marked Plaintiff's Exhibit 44, Part 5 Traffic Control devices for low volume roads, U.S. Department of Transportation Federal Highway Administration Publication and Plaintiff's Exhibit 43, Part 1 General Manual of Uniform of Traffic Control Devices, U.S. Department of Transportation Federal Highway Administration publication.

If there are other exhibits you require from the record or other portions of the record, please do not hesitate to contact me. Additionally, should our office need to put a hold on the balance of this record in case it may be required for future appeals, please notify me of that fact, or have the attorneys notify me of that fact. Otherwise, one year after the remittitur date our copy of the record will be recycled. All original exhibits, if not already returned to you, will be returned to you.

Sincerely,



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

WLM, III/ld
Attachments

cc: William Morgan Akin, Esq.
Robert C. Edwards, Assistant Attorney General



LOUISE T. GARRETT

CLERK MERIWETHER SUPERIOR COURT

P.O. BOX 160

GREENVILLE, GEORGIA 30222

PHONE NO. (706) 672-4416

FAX (706) 672-9465

September 24, 2008

Mr. William L. Martin
Georgia Court of Appeals
47 Trinity Avenue
Suite 501
Atlanta, Ga. 30334

Re: Meriwether Case #2006-CV-0383
DOT v Theodore Baldwin III et al
Exhibits **A03A 1463 & 1464**

Dear Mr. Martin,

Enclosed please find a Consent Order signed by Judge Lee to deliver any and all photographs of Latikka Shavette Baldwin, which are a part of the exhibits in the above referenced case.

I appreciate your assistance in this matter. Your willingness to mail the exhibits to us will not go forgotten.

Sincerely,


Sylvia J. Lovett
Deputy Clerk
Meriwether County Superior Court

RECEIVED

SEP 26 2008

COURT OF APPEALS
OF GA

IN THE SUPERIOR COURT OF MERIWETHER COUNTY
STATE OF GEORGIA

MERIWETHER COUNTY, G.
FILED AND RECORDED

2008 SEP 15 AM 11:48

LOUISE T. GARRETT
CLERK SUPERIOR COURT

THEODORE BALDWIN, III, as Personal *
Representative of the Estate of Latikka *
Shavette Baldwin and THEODORE *
BALDWIN, III, individually, *

CIVIL ACTION

Plaintiffs,

FILE NUMBER: 2006-CV-0383

Vs.

THE GEORGIA DEPARTMENT OF *
TRANSPORTATION, *

Defendant. *

CONSENT ORDER RETURNING CERTAIN EVIDENCE

INTRODUCED AT TRIAL

It appears to the Court that the record in this case will soon be transmitted from the Court of Appeals to the Trial Court. It further appears that the record contains certain original photographs of the deceased, Latikka Shavette Baldwin, which were introduced at trial. Plaintiff wishes to have these photographs returned to him.

Therefore, it is hereby ordered that upon receipt of the record from the Court of Appeals, the Clerk of Superior Court of Meriwether County is directed to deliver any and all photographs of Latikka Shavette Baldwin contained in the record to Plaintiffs' counsel by mailing the photographs to the following address:

Wm. Morgan Akin
Akin & Tate, P.C.
P.O. Box 878
Cartersville, Georgia 30120.



SO ORDERED, this 12th day of Sept, 2008.

Ordered prepared by:

Wm Morgan Akin

Wm. Morgan Akin
Georgia Bar # 006450
Akin & Tate, P.C.
P.O. Box 878
Cartersville, Georgia 30120
(770) 382-0780

William F. Lee, Jr.
Hon. William F. Lee, Jr., Judge
Superior Court of Meriwether County

Consented to by:

Mr. Robert C. Edwards
Assistant Attorney General
40 Capitol Square, SW
Atlanta, Georgia 30334-1300

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

September 12, 2008

Ms. Rebecca G. Crowe
Clerk, Bryan County Superior Court
Post Office Box 670
Pembroke, Georgia 31321

RE: Your Case Number: 2005-SUV-64
Thomas G. Merritt, et al. v. Marlin Outdoor Advertising, Ltd
and vice versa

Dear Ms. Crowe:

I am in receipt of the record for the above appeal forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the record contains a Notice of Appeal and a Notice of Cross Appeal. Please be advised that we cannot docket a record with two Notices of Appeal. Each Notice of Appeal must be docketed as a separate case in our Court.

Please return the record to us with either the Notice of Appeal, or the Notice of Cross Appeal as a separate case, backed and certified by you.

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

Sincerely,



Holly K.O. Sparrow
Deputy Administrator

HKOS/ld
Enclosures

RECORDS RETURN NOTICE

DATE 9/12/08

Style Thomas Merritt et al. Marlin
Bryan County *Outdoors*
& vice
versa

Lower Court Case NO. 2005 SKV 64

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

September 24, 2008

Ms. Glenda Sue Johnson
Clerk, Gilmer County Superior Court
#1 Broad Street • Suite 102
Ellijay, Georgia 30540

RE: Your Case Number: 2006-SU-CR-371
Ron Forrest Mayhew v. The State

Dear Ms. Johnson:

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 unable to docket this appeal because the record does not contain the Motion for New Trial. Without the stamped filed copy of the Motion for New Trial, this Court does not know if the Notice of Appeal has been timely filed.

Please include the Motion for New Trial in the record and index same and return the record to this Court for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of assistance to you in this matter, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

September 29, 2008

Mr. Stetson Bennett, Jr.
Clerk, Superior Court
Wayne County Courthouse
262 East Walnut Street
Post Office Box 920
Jesup, Georgia 31598

RE: Your Case Number: 01CR000153
James Earl Smith v. The State

Dear Mr. Bennett:

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 this appeal because it does not contain an order denying the Motion for New Trial. Without the order denying the Motion for New Trial, this Court does not know if the appeal was timely filed. Additionally, should the trial court grant the Motion for New Trial, it may obviate the need for an appeal.

When the trial court enters the order denying the Motion for New Trial, please include it in the record, index same and 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

RECORDS RETURN NOTICE

DATE 9/26/08

Style James Earl Smith

Lower Court Wayne Superior

Lower Court Case NO. 01CR000153

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

September 29, 2008

Ms. Rebecca G. Crowe
Clerk, Bryan County Superior Court
151 South College Street
Pembroke, Georgia 31321

ATTN: Janice

RE: Your Case Number: 2005-V-064
Thomas G. Merritt, et al. v. Marlin Outdoor Advertising, Ltd

Dear Janice:

I am in receipt of a facsimile transmission dated September 25, 2008, from William G. Maston, Counsel for one of the parties in the above matter which was forwarded from your office to ours. The record was returned to your office under cover of our letter of September 12, 2008 because the record contained multiple Notices of Appeal. It is the policy of this Court, and has always been the policy of this Court, to docket only records containing one Notice of Appeal.

I have enclosed a copy of our Guide to Transmitting Records to the Clerk of the Court of Appeals which was compiled by former deputy, Sheila Collins. As you can see, Paragraph 8 of that Guide shows, in all caps and boldface, that the Court cannot accept records containing multiple Notices of Appeal. That this has always been the policy of the Court is further evidenced by a copy of a letter dated April 3, 2007, returning a record to an unnamed court because it contained two Notices of Appeal. As you can see, this action was taken before the State's current budget crisis.

Since the State of Georgia has taxing powers, I do not think that it will go bankrupt. However, I do know that revenue collections are expected to fall more than 1.6 billion dollars short of what is necessary to operate all State agencies. In that regard, the Court of Appeals has had to reduce in force by eleven positions, five attorneys, two secretaries, two clerk's office personnel, one position in the IT Department a purchasing officer in the Fiscal Office.

The process of requiring a separate Notice of Appeal for each record is not for the purposes of generating revenue. In fact, all filing fees paid to the Court of Appeals of Georgia pass through the General Fund of the State Treasury. The filing fee is set by the Legislature and the Court of Appeals is merely an agent that collects the fee and forwards it to the State Treasury.

Letter to: Janice, Deputy Clerk
Bryan County Superior Court
Date: September 29, 2008
Page: 2

As the clerk's office indicated to Ms. Crowe in our letter to your office of September 12, we do apologize for any inconvenience we may have caused you. However, this docketing process has always been the policy of the Court and is not a reflection of the State's current budget crisis nor the Court's response to the Legislative leadership to cut its budget.

If you have any questions or would like to discuss the matter with me, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Will. L. Martin, III". The signature is written in a cursive style with a large, stylized initial "M" at the end.

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

WLM, III/ld
Enclosures

cc: Thomas G. Merritt, Esq.
Rebecca G. Crowe, Clerk, Bryan County Superior Court
William G. Maston, Esq.

Letter to: Janice, Deputy Clerk
Bryan County Superior Court
Date: September 29, 2008
Page: 2

As the clerk's office indicated to Ms. Crowe in our letter to your office of September 12, we do apologize for any inconvenience we may have caused you. However, this docketing process has always been the policy of the Court and is not a reflection of the State's current budget crisis nor the Court's response to the Legislative leadership to cut its budget.

If you have any questions or would like to discuss the matter with me, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Will. L. Martin, III". The signature is written in a cursive style with a large, stylized "M" at the end.

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

WLM, III/ld
Enclosures

cc: Thomas G. Merritt, Esq.
Rebecca G. Crowe, Clerk, Bryan County Superior Court
William G. Maston, Esq.

bcc: Patty Bender, Deputy Clerk

*The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

COPY

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

April 3, 2007

[REDACTED]
Clerk, State Court of [REDACTED]
[REDACTED]
[REDACTED] 3

RE: Your Case Number: [REDACTED]
[REDACTED] Georgia Power Company, et al.

Dear Mr. [REDACTED]

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised that we were unable to docket the appeal because the record contains two Notices of Appeal. Please remove the Notice of Appeal from the companion case and send it along with your certification as a separate record. It is not necessary to reduplicate the record for the second appeal.

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

I have also enclosed a copy of the Guide to Transmitting Records to the Court of Appeals for the review of your staff.

Sincerely,



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

WLM, III/ld
Enclosure

LAW OFFICE
William G. Maston
116 EAST GASTON STREET
SAVANNAH, GEORGIA 31401

telephone
(912) 238-4489

facsimile
(912) 238-0755

electronic mail
mastonlaw@bigfoot.com

WILLIAM G. MASTON

September 25, 2008

FACSIMILE COVER SHEET

Please deliver the following pages to:

Name: ATTN: Patty/ Docketing
Company: Georgia Court of Appeals
Fax #: 1-404-651-6187
Comments:

Please see correspondence attached.

We are transmitting 3 pages (number includes cover sheet).
If transmission is incomplete, please contact Toni R. Smoker with
the Law Office of William G. Maston at (912) 238-4489.

Confidentiality Notice

This facsimile transmission may contain confidential and/or legally privileged information from The Law Office of William G. Maston intended only for the use of the individual(s) named on this transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, or distribution of this information, or the taking of any action in reliance of the contents of this facsimile transmission, is strictly prohibited. If you have received this transmission in error, please call The Law Office of William G. Maston immediately.

WILLIAM G. MASTON, P.C.

ATTORNEY AT LAW

116 EAST GASTON STREET
SAVANNAH, GEORGIA 31401-5604telephone
(912) 238-4489-----
facsimile
(912) 238-0356-----
electronic mail
lawwgm@aol.com

William G. Maston

September 25, 2008

VIA FACSIMILE (912) 653-5255

Superior Court of Bryan County
c/o Janice, Clerk
151 South College Street
Pembroke, GA 31321Re: Thomas G. Merritt and Waterway on the Ogeechee, Inc. v. Marlin Outdoor
Advertising, Ltd.
Civil Action No. 2005-V-064

Dear Ms. Janice:

We have been made aware that the Notice of Appeal and record transmitted to the Court of Appeals, on behalf of the Plaintiff, has been returned to you. Per my telephone conversation with Patty, Clerk of the Georgia Court of Appeals, said notice was returned because the record index transmitted for the Plaintiff's Notice of Appeal listed the Defendant's Notice of Cross Appeal. Per Rule 11(a) of the Georgia Court of Appeals, each notice of appeal is docketed separately; therefore, our client's notice of appeal can not be accepted by the Court of Appeals when the record accompanying the notice of appeal indicates a notice of cross appeal.

Following my telephone conversation with Patty, I contacted you and questioned why our appeal had been returned and why the record could not be corrected and re-transmitted. You stated "you did not have the authority" to change the record index; that you had contacted opposing counsel for "further instructions"; that you have sent notices of appeal and cross appeals together, without incident, in the past; that Mr. Maston has paid the full amount for the appeal; and that since the state is going "bankrupt", the Court of Appeals is simply trying to collect an additional fee from opposing counsel. Furthermore, you stated you would discuss this matter with the Clerk of Superior Court and that you would contact the Clerk of the Court of Appeals to inquire whether procedures have been changed.

I must say that I am confused as to why our client's appeal is being held, until you have received "further instructions" from the Defendant's counsel. Rule 17 of the Court of Appeals states that the clerk of the trial court has authority to certify and transmit the record and that transmittal by a party or attorney is prohibited. Therefore, Defendant's counsel has no say as to when and how the Plaintiff's record is certified or transmitted. You prepare, certify and transmit the record; therefore, you maintain the authority to correct the record index.

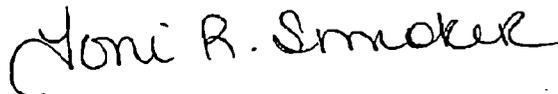
So far, I see nothing that is substantial enough to warrant a delay in our client's appeal. I am under the impression that the Defendant's counsel was never billed for his cross-appeal, nor has he paid for transmittal of the record requested in his cross appeal. Nonetheless, our appeal should not be delayed because opposing counsel has not met their requirements for their appeal.

Janice, Deputy Clerk
September 25, 2008
Page Two

I request you correct the record, per the cover letter sent to you from the Court of Appeals, and retransmit said record to the Clerk of the Court of Appeals. Otherwise, you need to provide me, in writing, a plausible explanation that governs your reasoning for not doing so.

With kind regards, I am

Very truly yours,



Toni R. Smoker
Legal Assistant to William G. Maston, Esq.

cc: Thomas G. Merritt
Rebecca G. Crowe, Clerk of Superior Court of Bryan County
Patty, Clerk of Court of Appeals for Georgia

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

HOLLY K. O. SPARROW
DEPUTY COURT ADMINISTRATOR

(404) 656-3450
sparrowh@gaappeals.us

September 12, 2008

Ms. Rebecca G. Crowe
Clerk, Bryan County Superior Court
Post Office Box 670
Pembroke, Georgia 31321

RE: Your Case Number: 2005-SUV-64
Thomas G. Merritt, et al. v. Marlin Outdoor Advertising, Ltd
and vice versa

Dear Ms. Crowe:

I am in receipt of the record for the above appeal forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the record contains a Notice of Appeal and a Notice of Cross Appeal. Please be advised that we cannot docket a record with two Notices of Appeal. Each Notice of Appeal must be docketed as a separate case in our Court.

Please return the record to us with either the Notice of Appeal, or the Notice of Cross Appeal as a separate case, backed and certified by you.

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

Sincerely,



Holly K.O. Sparrow
Deputy Administrator

HKOS/ld
Enclosures

RECORDS RETURN NOTICE

DATE 9/12/08

Style Thomas Merritt et al. Macchi
Outdoors
& Vice
versa

Lower Court Bryan County

Lower Court Case NO. 2005 SUV 64

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
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- No Motion for New Trial (have order thereon)
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The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 30, 2008

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

RE: A06A0735. Elrena King, as Surviving Spouse of Douglas Carter King
and as Executrix of the Estate of Douglas Carter King v. Ms.
Zakaria, M.D., et al.
Lower Court Case Number: 2003CV06368C

Dear Ms. Smith:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 30, 2008

Ms. Gina Mears
Clerk, Juvenile Court of Gordon County
Third Floor - Gordon County Courthouse
Post Office Box 562
Calhoun, Georgia 30703

RE: Your Case Number: 08DP-248-1 and 08DP-249-1
In the Interest of: DLTC and SFLC, Children

Dear Ms. Mears:

Enclosed please find the record in the above appeals which forwarded from your office to ours. Please be advised that we are unable to docket these appeals because the record contains the Notice of Appeal to the main case and to the companion case. We are unable to docket a record which contains two (2) Notices of Appeal.

Please remove the Notice of Appeal in the companion case and send that along with your certification to the Court of Appeals. It is not necessary to reduplicate the record, since the Court will use the record in the main appeal to determine both appeals.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 12/29/08

Style In The Interest of : D.H. J.C. and S. Y.L.C, Children

Lower Court Juvenile Court of Gordon County

Lower Court Case NO. 08DP -248; 08DP249

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 _____

JUVENILE COURT OF GORDON COUNTY

THIRD FLOOR - GORDON COUNTY COURTHOUSE

P.O. Box 562

CALHOUN, GEORGIA 30703

RECEIVED

DEC 29 2008

COURT OF APPEALS
OF GA

HON. J. LANE BEARDEN
JUDGE

December 17, 2008

GINA MEARS
CLERK

TERESA RICE
COURT ADMINISTRATOR/
CITIZEN PANEL PREVIEWS

JEFF MCBEE
PROBATION OFFICER

LAURA MCEL RATH
PROBATION OFFICER

ANNE PITTS
CASA COORDINATOR

DANNY WHITE
COMMUNITY SERVICE/
COURT OFFICER

Mr. William L. Martin
Clerk, Court of Appeals
Georgia Court of Appeals
47 Trinity Avenue, Suite 501
Atlanta, Georgia 30334

Re: APPEAL IN THE INTEREST OF:
DLTC, Case No. 08DP-248-1
SFLC, Case No. 08DP-249-1
Juvenile Court of Gordon County

Dear Mr. Martin:

Enclosed herewith you will find the original copy of the Transcript of the Termination of Parental Rights Hearing(s) and certified copy of the Record regarding the above referenced Appeal.

Should you require additional information or if this Court can be of assistance, please do not hesitate to call. I am

Very truly yours,



Gina Mears, Clerk
Juvenile Court of Gordon County

GM
Enclosures

TELEPHONE:
(706) 629-4561

FAX:
(706) 602-8187

From: JUVENILE COURT OF GORDON COUNTY

IN THE INTEREST OF:

D.L.T.C.
S.F.L.C.

CASE NO: 08DP-248-1
CASE NO: 08DP-249-1

RECEIVED
DEC 29 2008
COURT OF APPEALS
OF GA

CHILDREN UNDER 18 YEARS OF AGE

I N D E X

PAGES:

(1) AMENDED NOTICE OF APPEAL, , ORDER
GRANTING DISCRETIONARY APPEAL (MOTHER)
AFFIDAVIT OF INDIGENCY & CERTIFICATE
OF SERVICE.....1 THRU 4

(2) NOTICE OF APPEAL, AFFIDAVIT OF INDIGENCY
CERTIFICATE OF SERVICE.....5 THRU 7

(3) NOTICE OF APPEAL, AFFIDAVIT OF INDIGENCY,
CERTIFICATE OF SERVICE, ORDER GRANTING
DISCRETIONARY APPEAL (FATHER).....8 THRU 11

(4) COMPLAINT, DEPRIVATION (DESTINY CLARK &
SAVANNAH CLARK).....12 THRU 14

(5) ORDER FOR SHELTER CARE.....15

(6) CONSENT ORDER OF ADJUDICATION &
DISPOSITION.....16 THRU 19

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 5, 2009

Ms. Cathelene Robinson
Clerk, Superior Court Fulton County
136 Pryor Street, S.W. • 5th Floor
Atlanta, Georgia 30303

ATTN: Ms. Ladisa Robinson

RE: Your Case Numbers: 2007CV135269
Calleb Anam v. Thomas Moore, M.D., et al.

Dear Ms. Robinson:

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 because it does not contain a Certificate of Service showing the complete name and mailing address of opposing counsel. Without this information, we do not know to whom to send the Docketing Notices.

When the appellant files an amended Notice of Appeal to include a Certificate of Service with the complete name and mailing address of opposing counsel, please include that in the record and index same and return it to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

CIVIL ACTION FILE NUMBER: 2007CV135269
FROM FULTON SUPERIOR COURT

CALLEB ANAM, APPELLANT
VS
THOMAS MOORE, M.D. ET AL, APPELLEE

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RECEIVED

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From: "Robinson, Ladisa" <Ladisa.Robinson@fultoncountyga.gov>
To: BenderP@appeals.courts.state.ga.us
Date: 1/2/2009 11:38:18 AM
Subject: RE: Calleb Anam v. Thomas Moore et al

Hi Patty,

Please excuse my error. I will contact the appellant.

② Note: The appellant actually filed an amended notice of appeal which has a certificate of service. However, his amended appeal is directing our office to forward non-existent appeals. Therefore, this amended was not sent to you. We're still trying to obtain more information about the orders being requested.

-----Original Message-----

From: Patty Bender [mailto:BenderP@appeals.courts.state.ga.us]
Sent: Friday, January 02, 2009 11:27 AM
To: Robinson, Ladisa
Subject: Calleb Anam v. Thomas Moore et al

Ladisa,

① I do not have a certificate of service for the Notice of Appeal. Could you check on this for me please. Thanks!

Patty

Bill -
please see me
on this case -
patty

Call me
LWB

From: Patty Bender
To: ladisa.robinson@fultoncountyga.gov
Date: 1/2/2009 11:26:49 AM
Subject: Calleb Anam v. Thomas Moore et al

Ladisa,

I do not have a certificate of service for the Notice of Appeal. Could you check on this for me please.
Thanks!

Patty

DIRECT APPEAL PREPARATION SHEET

DOCKET DATE: _____

CASE NUMBER: _____

JUDGE NO. _____

STYLE: Calley anam v. James Beskin et al

CLASSIFICATION CODE: _____

X REFERENCE: A08A1312

APPLICATION CASE NO.: —

SUPREME COURT CASE NO.: —

PAUPER _____

LOWER COURT JUDGE NO.: Bedford

LOWER COURT COUNTY: _____ 08 060

LOWER COURT NAME: _____ 07 001

CLERK OF LOWER COURT NO.: 14060

JUDGMENT DATE: 9/17/08

NOTICE OF APPEAL DATE: 10/24/08

LOWER COURT CASE NO.: 2007CV135269

RECORDS 1

TRANSCRIPTS _____

OTHER DOCUMENTS _____

APPELLANT ATTORNEY BAR NO.

<u>y</u>	<u>/</u>				

APPELLEE ATTORNEY BAR NO.

OTHER ATTORNEY BAR NO.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 2, 2009

Ms. Barbara A. Harrison
Clerk, Superior Court
Henry County Courthouse
One Courthouse Square
McDonough, Georgia 30253-3293

RE: Your Case Number: 2008-CV-173-A
Stephanie Yvonne Sloan v. Victor Lamar Holmes

Dear Ms. Harrison:

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 this appeal because the Notice of Appeal does not state the case is being appealed to the Court of Appeals of Georgia. The Notice of Appeal indicates the matter is being appealed to the Henry County Court of Appeals and the Clerk of the Superior Court of Henry County.

If the appellant is intending to appeal this matter to the Court of Appeals of Georgia, when she files an amended Notice of Appeal to reflect that fact, please include the amended Notice of Appeal in the record, indexing same, and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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
Enclosure

cc: Ms. Stephanie Y. Sloan
1056 Rowanshyre Circle
McDonough, Georgia 30253



HENRY SUPERIOR COURT
McDonough, Georgia 30253

Barbara A. Harrison
Clerk

Phone
770-288-8022

December 29, 2008

Mr. William L. Martin, III
Clerk and Court Administrator
Court of Appeals of Georgia
47 Trinity Avenue Suite 501
Atlanta, Georgia 30334

In re: Civil case no. 2008-CV-173-A
Stephanie Yvonne Sloan, Appellant
VS
Victor Lamar Holmes, Appellee

Dear Mr. Martin:

Enclosed is the Clerk's record as required by the notice of appeal filed in this office in the above styled case. The appeal costs have been paid. There is no transcript in the case. The appeal has not been transmitted prior to this time due to circumstances beyond my control.

Sincerely,

Barbara A. Harrison
Clerk of Superior Court

Enclosures: 1

Copies of index to:

Stephanie Y. Sloan, Pro-se
Victor Lamar Holmes

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Teresa Harper
Clerk, Superior Court Upson County
Post Office Box 469
Thomaston, Georgia 30286-0469

RE: Your Case Number: 04R380
A07A0893. Ronnie Holloway v. The State

Dear Ms. Harper:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Cinda S. Bright
Clerk, Superior Court
Wilkinson County Courthouse
Post Office Box 250
Irwinton, Georgia 31042-0250

RE: A07A1433. The State v. Troy Lee Gibbs
Lower Court Case Number: 0107CR10023

Dear Ms. Bright:

We are returning the enclosed exhibits in three (3) white envelopes in the above referenced matter for your files. If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

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

RE: A07A1304. Willie Bloodsoe v. Ambrose Simmons, et al.
Your Case Numbers: 2006CV119197

Dear Ms. Robinson:

We are returning the enclosed Evidence envelope 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. F. Barry Wilkes
Clerk, Superior Court
Liberty County Courthouse
Post Office Box 50
Hinesville, Georgia 31310

RE: A06A2448. Susan Todd Norby, et al. v. The Heritage Bank
Lower Court Case Numbers: 04V1681

Dear Mr. Wilkes:

We are returning the enclosed depositions 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Melica Kendrick
Clerk, Superior Court of Whitfield County
300 West Crawford Street
Post Office Box 868
Dalton, Georgia 30720

RE: A07A1263. The State v. Robert Lamb
Lower Court Case Number: 50164

Dear Ms. Kendrick:

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/lld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

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

RE: A07A1247. Cyrus F. Gorham v. The State
Lower Court Case Number:04CR1771

Dear Ms. Carter:

We are returning the enclosed five (5) 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/d
Enclosures

*The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

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

RE: A05A1646. William Earle Bryant v. Antebellum Homes, Inc.
Lower Court Case Numbers: 200V-0996

Dear Ms. Studdard:

We are returning the enclosed transcript and 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

September 30, 2008

Ms. Cathelene Robinson
Clerk, Superior Court of Fulton County
136 Pryor Street, S.W.
1st Floor • Room C155
Atlanta, Georgia 30303

RE: Your Case Number: 2008CV145276
John W. Mrosek v. Georgia Waste Systems, Inc. a/b/a Waste
Management, et al.

Dear Ms. Robinson:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket the appeal because it contains a pending Motion to Dismiss the Notice of Appeal. When the trial court enters an order denying the Motion to Dismiss the Appeal, please include that in the record and return the record to this office for docketing.

Should the trial court grant the Motion to Dismiss the Notice of Appeal, it may obviate the need for an appeal.

I apologize for any inconvenience this may cause you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 9/29/08

Style JOHN W. MROSEK VS. GEORGIA WASTE SYSTEMS, INC., d/b/a WASTE MANAGEMENT, ET AL

Lower Court FULTON SUPERIOR COURT

Lower Court Case NO. 2008 CV 145276

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 pending motion to dismiss NOA

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

September 30, 2008

Mr. Mark Harper
Clerk, State Court of Fulton County
TG800 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

RE: Your Case Number: 07VS118668C
Valerie Underwood v. Georgia Receivables, Inc.

Dear Mr. Harper:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal. The Notice of Appeal states that a Motion for New Trial was filed and granted. There is no Motion for New Trial in the record nor is there an order granting the Motion for New Trial in the record. Additionally, I am not sure that the grant of a Motion for New Trial would be appealable.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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. Valerie Underwood

RECORDS RETURN NOTICE

DATE 9/29/08

Style Valerie Underwood v. GA Receivables Inc.

Lower Court Fulton State Court

Lower Court Case NO. 07VS118668C

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

September 30, 2008

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

RE: Your Case Numbers: 02SC09176
Quinn Ware v. The State

Dear Ms. Robinson:

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 unable to docket this appeal because the record does not contain the Motion for Out-of-Time Appeal.

Please include a copy of the Motion for Out-of-Time Appeal in the record, index same and return the record to this Court for docketing.

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

Sincerely,



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

WLM, III/d
Enclosures

RECORDS RETURN NOTICE

DATE 9/29/08

Style Quinn Ware v. The State

Lower Court Fulton Superior

Lower Court Case NO. 02SC09176

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 *out of time appeal*
- 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

September 19, 2008

Mr. Tom Lawler
Clerk, Superior and State Courts
Gwinnett County Justice Center
Post Office Box 880
Lawrenceville, Georgia 30046-0880

RE: A03A2180. Rebecca Ann Willbanks, et al. v. Sugarloaf Cafe, Inc. d/b/a
Buffalo's Cafe
Lower Court Case Numbers: 01C86444

Dear Mr. Lawler:

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/d
Enclosure

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Myrtle F. Peeples
Clerk, Superior Court
Spalding County Courthouse
Post Office Box 1046
Griffin, Georgia 30224-1046

RE: A04A1305. The State v. Stephen Ralph Bibbins
Lower Court Case Numbers: 03R851

Dear Ms. Peeples:

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

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

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

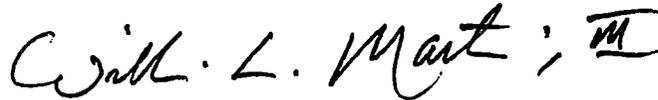
Ms. Melissa B. Holbrook
Clerk, Superior Court
Franklin County Courthouse
Post Office Box 70
Carnesville, Georgia 30521-0070

RE: A04A1696. Barbara Payne, et al. v. Louise Terrell, et al.
Lower Court Case Number: 99FCV502J

Dear Ms. Holbrook:

We are returning the enclosed two (2) sealed envelopes 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,

Handwritten signature of William L. Martin, III in black ink.

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

WLM, III/ld
Enclosure

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Tim A. Harper
Clerk, Superior Court
Banks County Courthouse
144 Yonah Homer Road • Suite 8
Homer, Georgia 30547

RE: A04A1856. Hector Ponce v. The State
Lower Court Case Number: 03CR306B

Dear Mr. Harper:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Frank Middleton
Clerk, Superior Court
Long County Courthouse
Post Office Box 458
Ludowici, Georgia 31316-0458

RE: A05A0482. Georgia Forestry Commission v. Tray Eugene Canady
Lower Court Case Number: 2002SUV833

Dear Mr. Middleton:

We are returning the enclosed depositions and 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

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

RE: A05A1569. Scott Charbonneau v. The State
Lower Court Case Numbers: 02R0204

Dear Ms. Studdard:

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/d
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Gene Johnson
Clerk, Superior Court
Telfair County Courthouse
128 East Oak Street • Suite 2
McRae, Georgia 31055-1604

RE: A07A0363. In the Interest of: S.V., a Child
Lower Court Case Numbers: 13404JV011

Dear Mr. Johnson:

We are returning the enclosed sealed record 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Rhonda W. Smith
Clerk, Superior Court
Butts County Courthouse
26 Third Street • Post Office Box 320
Jackson, Georgia 30233

RE: A07A0472. Richard W. Moore v. The State
Lower Court Case Number: 2006R57

Dear Ms. Smith:

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

Sincerely,

A handwritten signature in black ink that reads "William L. Martin, III". The signature is written in a cursive style with a horizontal line under the "III".

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

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Holly E. Henry-Perry
Clerk, Rabun County Superior Court
25 Courthouse Square • Suite 105
Clayton, Georgia 30525

RE: A07A0688. Larry Southards v. The State
Lower Court Case Numbers: 2005CV408W

Dear Ms. Henry-Perry:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Patricia Baker
Clerk, State Court
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A1467. Donna Lisa Mabry v. The State
Lower Court Case Number: 05MO796

Dear Ms. Baker:

We are returning the enclosed exhibits and transcripts in the above referenced matter for your files. If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

September 19, 2008

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

RE: Your Case Numbers: 06SC41564
Jason Michael Woodward v. The State

Dear Ms. Robinson:

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 because the record does not contain an appealable order. When the trial court files with your office a copy of the order to be appealed, please include a stamped filed copy of that order in the record and return it to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 9/19/08

Style JASON MICHAEL WOODWARD V. THE STATE

Lower Court FULTON SUPERIOR COURT

Lower Court Case NO. 06 SC 41564

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Greg Allen
Clerk, Superior Court
Forsyth County Courthouse
100 Courthouse Square
Cumming, Georgia 30040

RE: A07A1357. Laura Lee Amstead v. Robert P.
McFarland, Sr., et al.
Lower Court Case Number: 05CV2155

Dear Mr. Allen:

We are returning the enclosed depositions 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
Clerk/Administrator

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

June 12, 2009

Ms. Jackie Taylor
Clerk, Superior Court
Troup County Courthouse
100 Ridley Avenue
LaGrange, Georgia 30241-0866

RE: A06A2034. In the Interest of: TWL, JDO, LDO, Minor Children
Lower Court Case Numbers: 0400583 0400584 0400585

Dear Ms. Taylor:

We are returning the enclosed depositions and 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Greg G. Allen
Clerk, Superior and State Courts
Forsyth County Courthouse
100 West Courthouse Square
Cumming, Georgia 30040

RE: A07A0312. Lee Harvey Steinberg v. The State
Lower Court Case Numbers: 04M5436

Dear Mr. Allen:

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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

June 12, 2009

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

RE: A07A0591. Patricia Bolden as Administrator of the Estate of
Willie Bolden v. Robert A. Ruppenthal as Guardian
of Property of Wyona Rhone, et al.
Lower Court Case Number: 2002V0872

Dear Ms. Studdard:

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

Sincerely,

A handwritten signature in black ink that reads "Will. L. Martin, III" followed by a stylized flourish.

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

WLM, III/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Beverly Logan
Clerk, Superior Court
Clarke County Courthouse
325 East Washington Street • Room 450
Post Office Box 1805
Athens, Georgia 30603-1805

RE: A07A0682. Tlisa R. Champion, et al. v. Pilgrim's Pride of
Delaware, Inc.
Lower Court Case Number: SU04CV1354

Dear Ms. Logan:

We are returning the enclosed depositions 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

JUN 12 2009

Ms. Teresa Harper
Clerk, Superior Court Upson County
Post Office Box 469
Thomaston, Georgia 30286-0469

RE: A07A0865. William David Nichols v. The State
Lower Court Case Numbers: 97R534

Dear Ms. Harper:

We are returning the enclosed sealed records 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Linda T. Miller
Clerk, Superior Court
Clayton County
Harold W. Banke Justice Center
9151 Tara Boulevard
Jonesboro, Georgia 30236

RE: A07A1526. Wanda Y. Dockens v. Sunrise Builders, Inc.
Your Case Number: 2005CV34337

Dear Ms. Miller:

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/ld
Enclosure

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Patricia Baker
Clerk, Superior Court
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A07A1661. Steven Edward Jones v. The State
Lower Court Case Number: 02CR0035

Dear Ms. Baker:

We are returning the enclosed photographs, original exhibits and file folders with information in the above referenced matter for your files. If you have any questions, 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Mr. Tom Lawler
Clerk, State Court
Gwinnett County Justice Center
Post Office Box 880
Lawrenceville, Georgia 30046-0880

RE: A07A1756. Keith Maurice Johnson v. The State
Lower Court Case Number: 05B4503

Dear Mr. Lawler:

We are returning the enclosed DVD 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

JUN 12 2009

Ms. Louise T. Garrett
Clerk, Superior Court
Meriwether County Courthouse
Post Office Box 160
Greenville, Georgia 30222-0160

RE: A07A1998. Shawn Patrick Sherrer v. The State
Lower Court Case Number: 2006CR192

Dear Ms. Garrett:

We are returning the enclosed original 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

JUN 12 2009

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

RE: A07A2141. Robert Wright, et al. v. Piedmont Property Owners
Association, Inc.
Lower Court Case Numbers: HS04CV050

Dear Ms. Haralson:

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
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Linda Carter
Clerk, Superior Court
DeKalb County Courthouse
556 North McDonough Street • Room G-146
Decatur, Georgia 30030

RE: A07A2203. Donald Kirk v. The State
Lower Court Case Number: 06C74695

Dear Ms. Carter:

We are returning the enclosed photos in the above 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

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

RE: A07A2376. James Douglas Haines v. The State
Lower Court Case Numbers: 05CR0473

Dear Mr. Sorrells:

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/ld
Enclosures

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Cecilia Willis
Clerk, Superior Court
Decatur County Courthouse
Post Office Box 336
Bainbridge, Georgia 39818-0336

RE: A08A0005 Michael Johnson v. The State
Lower Court Case Number: 07CR025

Dear Ms. Willis:

We are returning the enclosed DVD 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Carolyn Brazel
Clerk, Superior Court
Colquitt County Courthouse
Post Office Box 2827
Moultrie, Georgia 31776-2827

RE: A08A0015 Robert William Lewis v. The State
Lower Court Case Number: 05CR1642

Dear Ms. Brazel:

We are returning two (2) audio cassettes 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

Ms. Betty Sanders
Clerk, State Court
DeKalb County Courthouse
556 North McDonough Street
Decatur, Georgia 30030

RE: A08A0057. Rogelio Daniel Ugarte v. Luc Colbert St Cyr
Lower Court Case Number: 04A17626

Dear Ms. Sanders:

We are returning the enclosed two (2) videocassettes in the above 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
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

May 11, 2009

Mr. Mark Harper
Clerk, State Court of Fulton County
TG800 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

RE: Your Case Number: 04GR018845
Dan Ackorage v. Antonio Silva

Dear Mr. Harper:

The above appeal was docketed in this Court on November 25, 2008. In their Briefs, the parties discussed an Evidentiary Hearing in the trial court, however, no transcript accompanied the record.

I am not certain that a transcript exists, but I would appreciate your checking your records to see if a transcript was filed in this matter. Please call me at your convenience at my direct line at (404) 657-8352.

As always, I want to thank you in advance for your help and cooperation.

Sincerely,



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

WLM, III/ld

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

May 11, 2009

Mr. Mark Harper
Clerk, State Court of Fulton County
TG800 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

RE: Your Case Number: 04GR018845
Dan Ackorage v. Antonio Silva

Dear Mr. Harper:

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As always, I want to thank you in advance for your help and cooperation.

Sincerely,



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

WLM, III/ld

bcc: Kristen Indermark

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

June 8, 2009

Ms. Linda T. Miller
Clerk, Clayton County Superior Court
Harold W. Banke Justice Center
9151 Tara Boulevard
Jonesboro, Georgia 30236

RE: Your Case Number: 2007CV03987
Maurice M. Ukadike, et al. v. Ephraim N. Bassey, MD

Dear Ms. Miller:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the Notice of Appeal indicates that a transcript will be filed for inclusion in the record on appeal, however, no transcript accompanied the record. When the court reporter files a transcript with your office, please attach your certificate and send the transcript along with the record to this office for docketing.

If there is no transcript, when the appellant files an amended Notice of Appeal to reflect that fact, please include the amended Notice of Appeal in the record and the index and return the record to this office for docketing.

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: Roger L. Hicks, Esq.

RECORDS RETURN NOTICE

DATE 6/5/09

Style Maurice Ukadike v. Eprhaim W. Bassey

Lower Court Clayton Superior

Lower Court Case NO. 2007CV 03987

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 _____



GEORGIA COURT OF APPEALS
STATE OF GEORGIA

RECEIVED

MAY 28 2009

COURT OF APPEALS
OF GA

UKADIKE MAURICE M, ET AL
Appellant(s)

2007-CV-03987-05

VS.

APPEAL # 04270

BASSEY EPHRAIM N MD
Appellee(s)

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STATE OF GEORGIA

FILED

EPRHAIM N. BASSEY, M.D.

Plaintiff

vs.

MAURICE M. UKADIKE, GEODERM ENGINEERS & ASSOCIATES, INC, and CHIGI UKADIKE

Defendants

2008 OCT 30 PM 4:26

CLERK SUPERIOR COURT

CASE NO.

2007CV03987-5

appeal # 4270

NOTICE OF APPEAL

Notice, pursuant to O.C.G.A. §§ 5-6-34 and 5-6-37 is hereby given that Maurice Ukadike, Geoderm Engineers and Assoc., Inc and Chigi Ukadike, Defendants, hereby Appeals to the Court of Appeals, Georgia, from the Final Judgment of this Court Entered on the 30th day of September, 2008.

The Defendants seeks appellate review of Final Judgment and Order entered 30th day of September, 2008 in its entirety relative the Judgment Summary Awarding the Plaintiff the total sum of \$847,632.25 and an Equitable Lien in the amount of 170,240.00. The Defendants' Appeal is grounded upon the reasoning that the Judgment of the Court as referenced hereto is unsupported by the facts, whereas such, the lack of facts adduced before the Court during a Hearing for Unliquidated Damages were and are insufficient to authorize the Court's Award as referenced in the Trial Court Judgment entered on September 30, 2008. The Judgment of the Trial Court thus constitutes Harmful and Reversible Error of Law.

Accordingly, this Notice of Appeal, being timely filed within the thirty (30) day statutory period of execution of said Order, under operation of law.

The Clerk of the Court shall delete nothing from the record on appeal.

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

This Court of Appeals, Georgia, rather than the Supreme Court, has jurisdiction of this case on appeal for the reason that the subject matter falls under Ga. Const. Art. VI, § V, Para. III and an Order Granting Summary Judgment is directly appealable and O.C.G.A. § 9-11-56(h).

This 30th day of October, 2008

Respectfully submitted,



Rogers L. Hicks

Attorney for Defendant

GA. Bar No. 351611

1291 Fontaine Avenue SW
Atlanta, Georgia 30311
Ph. 404-245-0115

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

June 9, 2009

Mr. Brian K. Hart
Clerk, State Court of Chatham County
133 Montgomery Street • Suite 308
Savannah, Georgia 31401

ATTN: Larry Perkins M.S.
Judicial Case Manager

RE: Your Case Number: STCV0603640F0
Steven Spiker v. Samuel K. Allen

Dear Mr. Perkins:

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 this appeal because the record contains both the Notice of Appeal and the Notice of Cross Appeal. We are unable to docket a record which contains more than one Notice of Appeal.

It is acceptable to have an amended Notice of Appeal, but we cannot have a Notice of Appeal from one party and a Notice of Appeal from the opposing party in the same record.

Please break out the Notice of Cross-Appeal and Companion Appeal and attach your certificate and send that along as a separate record. It is not necessary to reduplicate the record for the cross appeal or companion appeal.

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
Clerk/Court Administrator
Court of Appeals of Georgia

WLM, III/ld
Enclosures



THE STATE COURT OF CHATHAM COUNTY

133 MONTGOMERY ST. SUITE 308 SAVANNAH, GEORGIA 31401 (912) 652-7224 • FAX: (912) 652-7229
<http://www.chathamcourts.org> stcourt3@bellsouth.net

From the Office of Brian K. Hart
Court Administrator / Clerk of Court

June 3rd, 2009

William L. Martin, III, Clerk
Court of Appeals of Georgia
47 Trinity Avenue, Suite 501
Atlanta, Georgia 30334

RECEIVED

JUN - 8 2009

COURT OF APPEALS
OF GA

Re: Steven Spiker
vs
Samuel K Allen
LCN STCV0603460FO
Transmittal of Record of Appeal

Dear Mr. Martin:

The record and transcript on appeal in the above case is transmitted herewith.

Very truly yours,

Larry Perkins M.S.
Judicial Case Manager

Enclosures

RECORDS RETURN NOTICE

DATE 6/9/09

Style Steven Spiker v. Samuel K Allen

Lower Court Chatham State Court

Lower Court Case NO. STCV0603640 FO

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
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- 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 COURT OF APPEALS FOR THE STATE OF GEORGIA

RECEIVED

FROM THE STATE COURT OF
CHATHAM COUNTY, GEORGIA

JUN - 8 2009

Steven Spiker,

COURT OF APPEALS
OF GA
Plaintiff/Appellee,

vs.

Civil Action No. STCV0603640FO

Samuel K Allen

Defendant/Appellant(s).

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Court of App

Memorandum

To: Presiding Judge ~~C.~~ Alan Blackburn
From: *WLM*
William L. Martin, III
Subject: A09A1751. Baxter v. Bayview Loan Servicing, LL
Date: June 3, 2009

*Bill,
This is the
one I told you
about this morning.*
Yours

Attached please find the Request to Argue. As you can comply with the rules of this Court. However, it may be sent back.

Please let me know how you would like me to handle it.

Thank you.

/ld
Attachments

*Bill, I have denied, but it
might be a good idea to stick
a note on it referring to the appropriate
rule.*
WLM

TIMELY

REQUEST TO ARGUE

JUDGE # 98-082
CALENDAR 09-09
CASE # A09A1751
CC#: _____
CC: REQUEST _____ YES/NO
GRANTED/DENIED/PENDING _____
DOCKETED 5-11-09
REQUEST DUE: 6-1-09
REQUEST BY: NT
PREVIOUS REQUEST: _____ YES/NO
BY: _____ IT WAS GRANTED/DENIED
BRIERS FILED YES/NO
NT: DATE 6-1-09
EE: DATE _____

GRANT	DENY MERITS	DENIED DOESN'T COMPLY
	<i>YAS</i> <i>ALLA</i> <i>200</i>	

98-082

GIBSON, DEAL, FLETCHER and DUNHAM, P.C.

ATTORNEYS AT LAW
SPALDING EXCHANGE
3953 HOLCOMB BRIDGE ROAD, SUITE 200
NORCROSS, GEORGIA 30092

RECEIVED IN OFFICE
2009 JUN -2 PM 2:40

Will. L. Martin
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GEORGIA
TELEPHONE: 770/263-7200
FACSIMILE: 770/448-5395
info@gdfdp.com

JOHN W. GIBSON
JAMES B. DEAL, SR.
WILLIAM A. FLETCHER, JR.
MICHAEL R. DUNHAM

June 1, 2009

Hon. William L. Martin, III
Clerk of the Court of Appeals of Georgia
47 Trinity Avenue, S.W., Suite 501
Atlanta, Georgia 30334

FILED IN OFFICE 6/1/09
BY *Jed Ev*
RSB
CLERK, COURT OF APPEALS OF GEORGIA

Re: Request for Oral Argument
Appeal Case No. A09A1751
Baxter v. Bayview Loan Servicing, LLC

Dear Mr. Martin:

The undersigned represents Ellis Baxter, the Appellant in the above-referenced cross-appeal (Main appeal is Case No. A09A1750).

On behalf of Appellant, Ellis Baxter, I request Oral Argument pursuant to Rule 28 of the Court of Appeals.

I certify opposing counsel has been notified of the request. Opposing counsel desires to argue if this request is granted but will not separately request oral argument. If this request is granted, JOHN W. GIBSON will present argument for Appellant and JOHN PARKER will present argument for Appellee.

Oral Argument should be granted in this appeal because this case involves a complex mixture of legal and equitable principles which could raise question for the panel which were not addressed in the briefs below and could not be fully briefed in the 30-page limitation under the Court's rules. Specifically, whether equitable subrogation can be granted on summary judgment without an evidentiary hearing, and whether a notice of lis pendens is record notice of a claim against real property to an assignee of a lender who first acquires the assignment of a subordinate security deed six months after the notice has been filed.

Argument on these and other issues on this appeal would significantly aid the decisional process.

Very truly yours,
GIBSON, DEAL, FLETCHER AND DUNHAM, P.C.

By: *John W. Gibson*
JOHN W. GIBSON
Attorney for Cross-Appellant, Ellis Baxter

JWG/tas
cc: Stefanie H. Jackman, Esq., Attorney for Appellee

RECEIVED IN OFFICE

2009 JUN -2 AM 10: 52

William L. Meade, III

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA.

1. The Court of Appeals of Georgia is a court of final review for the trial courts of this state. It is the highest court in the state below the United States Supreme Court. The Court of Appeals of Georgia is composed of 12 judges, 6 of whom are elected to 6-year terms and 6 of whom are appointed to 6-year terms. The Court of Appeals of Georgia is organized into three divisions, each of which is headed by a division chief judge. The Court of Appeals of Georgia is organized into three divisions, each of which is headed by a division chief judge. The Court of Appeals of Georgia is organized into three divisions, each of which is headed by a division chief judge.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

June 10, 2009

Ms. Sherri J. Cochran
Clerk, Burke County Superior Court
111 East Sixth Street • Room 107
Post Office Box 803
Waynesboro, Georgia 30830-0803

RE: Your Case Number: 2009-D-0021
A09A1692. Christine Long v. Jeremy Long, et al.

Dear Ms. Cochran:

Enclosed please find the supplemental record which was forwarded from your office to ours. We are returning this supplemental record pursuant to your facsimile transmission of June 9, 2009 and the order of the trial court of June 9, 2009.

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

Sincerely,



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

WLM, III/ld
Enclosures

cc: John Ryd Bush Long, Esq.
Jerry M. Daniel, Esq.
Mr. Thurbert E. Baker, Attorney General
Ashley Wright, Esq.
Kristina Goodman Connell, Esq.



Sherri J. Cochran
Burke County Clerk of Superior Court
111 East Sixth Street, Room 107
P.O. Box 803
Waynesboro, Georgia 30830

706-554-2279

Fax 706-554-7887

June 9, 2009

Mr. William L. Martin III
Court of Appeals Clerk
47 Trinity Ave., Suite 501
Atlanta, GA 30334

Re: Appeal Case No. A09A1692
2009-D-0021 Long vs Long

Dear Mr. Martin,

Pursuant to the attached Order signed by Judge Padgett filed in my office on today's date, please return the Supplemental Index to Record on the above referenced case that was mailed to your office on June 8, 2009.

Should you have any questions, please feel free to call me.

Sincerely,

Sherri J. Cochran
Burke County Clerk of Superior Court

IN THE SUPERIOR COURT OF BURKE COUNTY

STATE OF GEORGIA

CIVIL ACTION FILE NO.: 2009-D-0021

CLERK OF SUPERIOR STATE AND JUVENILE COURT FILED FOR RECORD

2009 JUN -9 PM 1:00

SHERRI J. COCHRAN, CLERK BURKE COUNTY, GA.

CHRISTINE LONG,)
)
 Plaintiff,)
)
 v.)
)
 JEREMY LANE LONG,)
)
 Defendant.)

Filed with the Court, this 9 day of June, 2009.
J. Wade Padgett
J. WADE PADGETT, JUDGE

ORDER IN ABEYANCE AND INSTRUCTIONS TO CLERK OF COURT

This Court entered an Order on or about Friday, June 5, 2009. The Court believed that signing the Order was a ministerial act requested due to the physical absence of the presiding Judge and, entered the Order. Said Order had the affect of adding a report to the record on appeal and instructing the Clerk to transmit said report to the Court of Appeals. This Court was unaware that an objection was filed to the motion filed by the District Attorney which resulted in said June 5, 2009 Order being entered.

On June 9, 2009, the Court became aware that a dispute has arisen as to the propriety of such Order and that there are factual disputes that would be most appropriately addressed to the Presiding Judge for resolution. On June 9, 2009, the Court held a telephone conference with John R.B. Long, Jr. and Kristina G. Connell, who represent the Plaintiff and the District Attorney's Office respectively. As a result of said telephone conference, IT IS HEREBY ORDERED AND ADJUDGED as follows:

1. That this Court's Order of June 5, 2009 is hereby held in abeyance until such time

CERTIFICATE OF SERVICE

This is to certify that I have this date served a copy of the foregoing upon:

Jerry M. Daniel, ESQ.
Attorney for Defendant
303 West Sixth Street
Waynesboro, GA 30830

R. Ashley Wright, Esq.
District Attorney
Augusta Judicial Circuit
501 Greene Street, Suite 401
Augusta, GA 30901

Gary A. Glover, Esq.
Glover & Blount P.C.
429 Walker Street
Augusta, GA 30901

E. John Flythe, Esq.
Attorney at Law
P. O. Box 2292
Augusta, GA 30903

Sam B. Sibley, Jr., Esq.
Office of Public Defender
401 Hale Street
Augusta, GA 30901

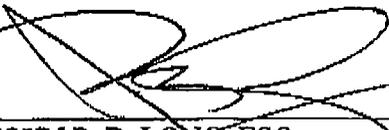
Nancy Minyard
6378 Storey Mill Road
Keysville, Georgia 30816

Julia Bloodworth
752 Tripps Court
Augusta, Georgia 30909

CLERK OF SUPERIOR, STATE
AND JUVENILE COURT
FILED FOR RECORD
2009 JUN -9 PM 1:00
SHERID J COCHRAN-CLERK
BURKE COUNTY, GA.

by depositing a copy of same in the United States mail with adequate postage thereon to assure delivery.

This 9th day of June, 2009.



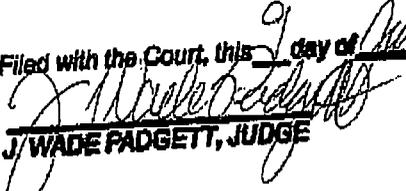
JOHN R. B. LONG, ESQ.
Attorney for Plaintiff

IN THE SUPERIOR COURT OF BURKE COUNTY

STATE OF GEORGIA

CIVIL ACTION FILE NO.: 2009-D-0021

CHRISTINE LONG,)
)
 Plaintiff,)
)
 v.)
)
 JEREMY LANE LONG,)
)
 Defendant.)

Filed with the Court, this 9 day of June, 2009.

 J/WADE PADGETT, JUDGE

ORDER IN ABEYANCE AND INSTRUCTIONS TO CLERK OF COURT

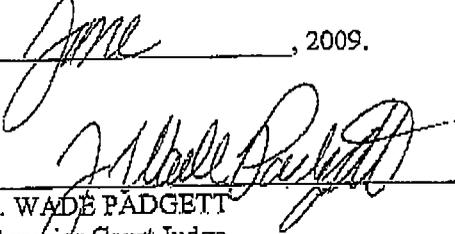
This Court entered an Order on or about Friday, June 5, 2009. The Court believed that signing the Order was a ministerial act requested due to the physical absence of the presiding Judge and, entered the Order. Said Order had the affect of adding a report to the record on appeal and instructing the Clerk to transmit said report to the Court of Appeals. This Court was unaware that an objection was filed to the motion filed by the District Attorney which resulted in said June 5, 2009 Order being entered.

On June 9, 2009, the Court became aware that a dispute has arisen as to the propriety of such Order and that there are factual disputes that would be most appropriately addressed to the Presiding Judge for resolution. On June 9, 2009, the Court held a telephone conference with John R.B. Long, Jr. and Kristina G. Connell, who represent the Plaintiff and the District Attorney's Office respectively. As a result of said telephone conference, IT IS HEREBY ORDERED AND ADJUDGED as follows:

1. That this Court's Order of June 5, 2009 is hereby held in abeyance until such time:

- as the Presiding Judge can be available to rule on said Motion and Objection; and,
2. The Clerk of Court of Burke County, Georgia is hereby instructed not to transmit the document that is referenced in this Court's Order of June 5, 2009 until such time as a further Order is entered by the presiding Judge. The document in question is Dr. Jordan Greenbaum's medical report.

SO ORDERED, this 9 day of June, 2009.



J. WADE PADGETT
Superior Court Judge.
Augusta Judicial Circuit

530 Greene Street, Suite 312
Augusta, GA 30901
Phone: 706-821-2835

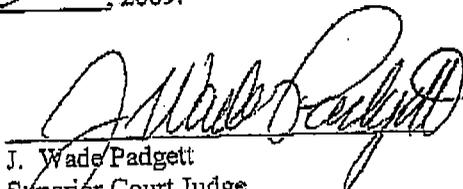
CERTIFICATE OF SERVICE

Prior to filing, the Court has caused copies of the foregoing ORDER IN ABEYANCE AND INSTRUCTIONS TO CLERK OF COURT to be served upon the parties, by depositing the same in the United States Postal Service, sufficient postage affixed, and addressed as follows:

Kristina G. Connell, Esq.
Assistant District Attorney
Augusta Judicial Circuit
501 Greene Street
Augusta, GA 30909

Jack R. B. Long, Esq.
John R.B. Long, PC
Post Office Box 3928
Augusta, GA 30907

This 9 day of June, 2009.



J. Wade Padgett
Superior Court Judge
Augusta Judicial Circuit

530 Greene Street, Suite 312
Augusta, GA 30901
Phone: 706-821-2835

RECEIVED

JUN - 9 2009

COURT OF APPEALS
OF GA

THE COURT OF APPEALS
OF GEORGIA
SUPPLEMENTAL INDEX TO RECORD
IN THE CASE OF
CHRISTINE DENISE LONG
VS.
JEREMY LANE LONG

APPEAL CASE NUMBER A09A1692

CIVIL ACTION NO. 2009-D-0021

FROM THE SUPERIOR COURT

BURKE COUNTY, GEORGIA

Case No. _____

Term, 19 _____

SUPREME COURT OF GEORGIA

VERSUS

**TRANSCRIPT OF RECORD
BY CLERK**

Filed in office _____, 19 _____

C. S. C. Ga.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

June 10, 2009

Mr. F. Barry Wilkes
Clerk, Superior Court
Liberty County Courthouse
Post Office Box 50
Hinesville, Georgia 31310-0050

RE: Your Case Number: 04R10233
Vance S. McKenney v. The State

Dear Mr. Wilkes:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the page numbers on the Index do not correspond to the pages in the record. Please amend the Index so that it corresponds directly to the pages in the record and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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

RECORDS RETURN NOTICE

DATE 6/10/09

Style Vance S. McKenney v. The State

Lower Court Liberty Superior

Lower Court Case NO. 04R10233

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 pages numbers on index do not match record

IN THE GEORGIA COURT OF APPEALS
FROM
SUPERIOR COURT OF LIBERTY COUNTY

VANCE MCKENNEY
APPELLANT

VS.

STATE OF GEORGIA
APPELLEE

RECEIVED

JUN - 9 2009

COURT OF APPEALS
OF GA

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IN THE SUPERIOR COURT OF LIBERTY COUNTY
STATE OF GEORGIA

STATE OF GEORGIA *
vs. * Case No. 04-R-10233
VANCE S. MCKENNEY, *
Defendant. *

FILED
LIBERTY CO. CLERK'S OFFICE
09 MAY - 8 PM 1: 14

NOTICE OF APPEAL

Vance McKenney, by undersigned counsel, hereby gives notice of his appeal from the verdict of guilty and judgment of conviction imposed upon him on June 10, 2004 (with sentencing on June 16, 2004) and from an order of this Court on April 8, 2009 that denied his motion for new trial.

This case is one which is contemplated by the rules of the Court of Appeals pertaining to an appeal that is not within the class of cases reserved to the Supreme Court of Georgia by Constitution, rule or statute. Therefore, appellate jurisdiction resides in the Court of Appeals under the State Constitution, Art. VI, Sect. V, Para. III.

Nothing should be omitted from the record on appeal.

The defendant's affidavit of poverty is attached.

Atlantic Judicial Circuit Public Defender

By: 
CRAIG T. PEARSON
Assistant Public Defender
Georgia Bar. No. 142357

Hinesville Office
P.O. Box 948
Hinesville, GA 31310
(912) 369-6338

*The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

June 5, 2009

Mr. Wilson Paulk
Clerk, Atkinson County Superior Court
305 South Main Street
Pearson, Georgia 31642

RE: Your Case Number: 2006C66
Leon Spivey v. Charles Smith, et al.

Dear Mr. Paulk:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this record because the record contains a Notice of Appeal and a Notice of Cross Appeal. We cannot docket an appeal which contains two Notices of Appeal in the record.

Please remove the Notice of Cross-Appeal from the record and return that with your certificate along with the Notice of Appeal and record in the main case. It is not necessary to re-duplicate the record for the Notice of Cross-Appeal.

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

Sincerely,



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

WLM, III/d
Enclosures

RECORDS RETURN NOTICE

DATE 6/4/09

Style Leon Spivey v. Charles Smith et al

Lower Court Atkinson Superior Ct.

Lower Court Case NO. 2006066

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 ATKINSON COUNTY
STATE OF GEORGIA

Charles Smith, Jesse E. Morris,
Roger Smith, Quill James, Jimmy
Mullis, as Trustees of Red Bluff
Church,

Plaintiffs

vs.

Leon Spivey,

Defendant.

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Civil Action No. 2006-C-66

RECEIVED

JUN - 3 2009

COURT OF APPEALS
OF GA

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VOLUME I**

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IN THE SUPERIOR COURT FOR THE COUNTY OF ATKINSON

STATE OF GEORGIA

CHARLES SMITH, JESSE E. §
MORRIS, ROGER SMITH, §
QUILL JAMES, JIMMY MULLIS §
AS TRUSTEES OF §
RED BLUFF CHURCH, §
§
Plaintiff, §
§
vs. §
§
LEON SPIVEY, §
§
Defendant. §

Civil Action No.:2006-C-66

NOTICE OF CROSS APPEAL

Notice is hereby given that Charles Smith, Jesse E. Morris, Roger Smith, Quill James and Jimmy Mullis, as Trustees of Red Bluff Church, Plaintiff in the above-named, hereby cross appeals to the Court of Appeals from the Order and Judgment entered in this action on June 25, 2008 by the trial court denying the claims of Plaintiff for damages and attorneys fees.

Notice of Appeal was heretofore filed on July 8, 2008.

The Clerk will please omit nothing from the record on appeal.

Transcript of evidence and proceedings will be filed, as the same has already been designated to be filed by Appellant (Defendant), for inclusion in the record on appeal.

FILED IN OFFICE

21st DAY OF *July* 20 *08*

James D. Hudson, P.C.
C. S. C. ATKINSON COUNTY, GA

JAMES D. HUDSON, P.C.

ATTORNEY AT LAW 918 N. MADISON AVENUE P. O. BOX 868 DOUGLAS, GA 31534-0868 (912) 384-0956

000003

ALAPAHA JUDICIAL CIRCUIT

CHARLES SMITH, JESSE E.
MORRIS, QUILL JAMES, JIMMY
MULLIS, and ROGER SMITH, as
Trustees of Red Bluff Church,
Plaintiffs,

Civil Action File # 2006-C-66

v.

LEON SPIVEY,
Defendant.

*
*
*
*
*
*
*
*
*
*

NOTICE OF APPEAL

Notice is hereby given that the Defendant, LEON SPIVEY, hereby appeals to the Court of Appeals of Georgia from the "Order and Judgment" entered on June 25, 2008, by the trial court granting Plaintiffs' Motion for Directed Verdict;

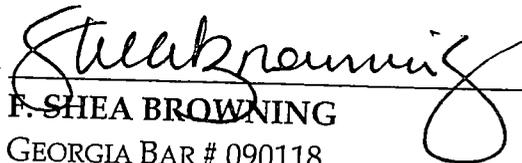
The Clerk will please omit nothing from the record on appeal;

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

The Court of Appeals has jurisdiction of this appeal as it involves a subject upon which jurisdiction is not conferred upon the Supreme Court of Georgia by the 1982 Constitution of Georgia, Article VI, Section VI, Paragraphs II and III, and involves the correction of errors of law.

FILED/SERVED ON JULY 8, 2008.

By:



F. SHEA BROWNING
GEORGIA BAR # 090118
Attorney for Defendant

F. Shea Browning, P.C.
244 East Austin Avenue
Post Office Box 417
Pearson, GA 31642
Phone (912) 422-3886
Fax (912) 422-3576
sheabrowning@alltel.net

FILED IN OFFICE

8th DAY OF July 2008
S.C. ATKINSON COUNTY


The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

June 5, 2009

Mr. Mark Harper
Clerk, State Court of Fulton County
TG800 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

ATTN: Ms. Nikki M. Askew, Appeals Division

RE: Your Case Number: 08DD003078
Otis L. Johnson v. Deutsche Bank National Trust Company

Dear Ms. Askew:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we were unable to docket this appeal because there is no appealable order contained in the record. Additionally, items in the index are not listed in the chronological date order as they should be.

The case is styled incorrectly in the index. Also, in order to docket this appeal, we will need a Certificate of Service showing the complete name and mailing address of opposing counsel. The name of the attorney is not listed on the Certificate of Service, but only the Firm name. When the appellant files an amended Notice of Appeal to include the complete name and mailing address of opposing counsel, please include that in the record and index and return the record to this office for docketing after the trial court has entered an appealable order which you should also include in the record and index.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Otis L. Johnson, Pro Se

RECORDS RETURN NOTICE

DATE 6/4/09

Style Otis L. Johnson v. Deutsche
Bank National Trust Co

Lower Court Fulton State

Lower Court Case NO. 08DD003078

REASON:

~~No~~/improper certificate of Service (name of attorney not listed only firm)
Improper Notice of Appeal
Order not stamped filed
Transcripts
Notice of Appeal not stamped filed

~~No Index~~/Improper Index - has case styled incorrectly
Not properly assembled
Main/Cross/Companion in same record

Pages not numbered
No appealable order in record of 10/16/08
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 items on index are not in
chronological order v
date

TO: GEORGIA COURT OF APPEALS

DEUTSCHE BANK NATIONAL TRUST CO.

Defendant, Appellant

*FROM: MAGISTRATE COURT OF FULTON CO.

VS.

OTIS L. JOHNSON

Plaintiff, Appellee

*CIVIL ACTION FILE NO. 08DD003078

*

RECEIVED

JUN 3 2009

COURT OF APPEALS
OF GA

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ATTORNEY FOR DEFENDANT, APPELLANT

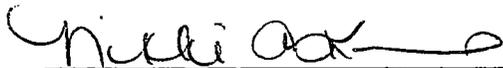
Otis L. Johnson, Pro Se
3194 Kingston Rd. NW
Atlanta, Georgia 30318

ATTORNEY FOR PLAINTIFF, APPELLEE

Cecilly C. Clark
1349 W. Peachtree Street Ste 1500
Atlanta, GA. 30309

I hereby certify that this index represents the originals of the entire file
maintained in the State Court of Fulton County under Case Number 08DD003078

This 19th day of February, 2009.



Nikki M. Askew, Court Clerk
State Court of Fulton County-Appeals Division

IN THE STATE COURT OF FULTON COUNTY
COURT OF APPEAL OF THE STATE OF GEORGIA

CLERK OF SUPERIOR COURT
FULTON COUNTY, GEORGIA
NOV 16 2008 11:53

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE, IN TRUST
FOR THE REGISTERED HOLDERS OF
THE AMERIQUEST MORTGAGE
SECURITIES, INC., ASSET-BACKED
PASS- THROUGH CERTIFICATES,
SERISES 2005-R3 INC

Plaintiff,

V.

OTIS L. JOHNSON

Defendant,

CASE No. 08DD003078
Judgment No. 08DD003078

DEFENDANT NOTICE OF APPEAL

COMES NOW, the DEFENDANT ("OTIS L. JOHNSON pro se"), in the above-styled action and move the Court as follows;

COMES NOW OTIS L. JOHNSON pro se, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE: IN TRUST AMERIQUEST MORTGAGE SECURITIES, ASSET-BACKED PASS- THROUGH CERTIFICATES, SERISES 2005-R3 INC (hereinafter "Plaintiff's") moves the Court pursuant to O.C.G.A. § 5-6-34 (d) (Section 60 (b) of the Civil Practice Act) to Appeal Judgment Order entered in the above-styled action on 10-16-2008 on that a nonamendabale defect appears upon the face of the record [pleading] in that there existed fraud, accident, or mistake] [due to the adverse party unmixed with the negligence or fault of the movant], as appears more fully from the affidavit attached hereto the grounds for this Motion are as follows:

POINT (1)

STATEMENT OF FACTS

This Court of Appeals has jurisdiction The Plaintiff's are residents of this State and County and subject to the jurisdiction of this Court

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

June 4, 2009

Ms. Joy H. Conner
Clerk, Washington County Superior Court
Post Office Box 231
Sandersville, Georgia 31082

RE: Your Case Number: 08CV750
Darrell E. Brown v. The State

Dear Ms. Conner:

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 this record because it contains more than one Notice of Appeal. We can only docket one Notice of Appeal per case.

If you will remove the Notices of Appeal for the companion cases from the record and return those to this Court along with your certification, we will be able to docket the appeals. It is not necessary to reduplicate the record for the companion appeals.

The Notice of Appeal filed on May 6, 2009, directs that the Court of Appeals shall transfer jurisdiction to the Supreme Court of Georgia. This may or may not be the case. That will be a judicial determination for the Court.

The Notice of Appeal filed April 23, 2009, directs that appeal to the Supreme Court of Georgia. This office cannot accept an appeal when the Notice of Appeal directs the appeal to the Supreme Court of Georgia.

Pursuant to the Prisoner Litigation Reform Act of 1996 (OCGA §42-12-1, et seq.), either appellate court may not have jurisdiction to address the concerns of the appellant because OCGA §42-12-1 requires persons who are incarcerated in this State and are filing civil actions to first proceed by Discretionary Application.

At any rate, I am returning these documents to you. I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Darrell E. Brown
GDC1165484

RECORDS RETURN NOTICE

DATE 6/3/09

Style Darrell E. Brown v. Steven Roberts

Lower Court Washington Superior

Lower Court Case NO. 08 CV 750

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 _____

Appeal dated 5/6/09 directed to COA, however, states COA shall transfer jurisdiction to Supreme court.

Appeal dated 4/23/09 directed to Supreme Ct.

appeal dated 2/6/09 directed to COA.

IN THE SUPERIOR COURT FOR THE COUNTY OF
WASHINGTON, STATE OF GEORGIA

DARRELL E. BROWN
GDC #1165484

CASE FILE NO.: 08CV750

APPELLANT

STEPHEN ROBERTS, WARDEN
WASHINGTON STATE PRISON

APPELLEE

RECEIVED
JUN - 2 2009
COURT OF APPEALS
OF GA

APPEARANCES

FOR THE APPELLANT

DARRELL E. BROWN
GDC 1165484
PRO SE
WASHINGTON STATE PRISON
P. O. BOX 206
DAVISBORO, GA 31018

FOR THE APPELLEE

LAURA L. LONES
ASSISTANT ATTORNEY GENERAL
GEORGIA DEPARTMENT OF LAW
40 CAPITOL SQUARE, SW
ATLANTA, GA 30334-1300

IN THE SUPERIOR COURT FOR THE COUNTY OF
WASHINGTON, STATE OF GEORGIA

DARRELL E. BROWN
GDC #1165484

CASE FILE NO.: 08CV750

APPELLANT

STEPHEN ROBERTS, WARDEN
WASHINGTON STATE PRISON

APPELLEE

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DARRELL E. BROWN

VS. PLAINTIFF,

STEVEN ROBERTS, w/arrow

WASHINGTON STATE PRISON
RESPONDANT.

*
*
*
*
*

CIVIL NO. 08-CV-750

INDICTMENT NO. 03-B-2008-03

FILED IN OFFICE

MAY 06 2009

Jay J. Conner
CLERK

NOTICE OF APPEAL

NOTICE IS HERE-BY GIVEN THAT DARRELL E. BROWN PLAINTIFF, PRO-SE NOW SUBMITS THIS HIS APPEAL TO NOTIFY THE ABOVE-NAMED RESPONDANT. PLAINTIFF HERE-BY DECLARES HIS APPEAL INTENT, ALSO TO THE COURT OF APPEALS OF GEORGIA FROM THE ORDER^S ENTERED ON THE DATE(S) OF JAN. 30TH, 2009 AND 4-14-09 FROM THE SUPERIOR COURT OF WASHINGTON COUNTY RELEVANT TO THE FOLLOWING ISSUE:

"SPECIAL CIRCUMSTANCES" UNDER O.C.G.A. § 5-6-41(j)

PFEIFFER V. GEORGIA DEPT. OF TRANSPORTATION, 275 GA. 827, 573 S.E.2D. 389 (2002).

JURISDICTION OF THIS APPEAL IS VESTED IN THE COURT OF APPEALS OF GEORGIA PURSUANT TO ART. VI, SECT. V, PAR. III OF THE GA. CONST. 1983.

FURTHERMORE, PURSUANT TO RULE 11(b) THE COURT OF APPEALS SHALL TRANSFER JURISDICTION TO THE SUPREME COURT OF GEORGIA ON CORRECTED JUDGMENT AND DECISION. IF QUESTIONS (CERTIFIED) REMAIN PAST-CONEY, (2008)

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

May 28, 2009

Ms. Elaine C. Johnson
Clerk, Richmond County State Court
530 Greene Street • Post Office Box 2046
Augusta, Georgia 30903-2046

RE: Your Case Number: 2008RCSC1343
Cavalry Portfolio Services v. James W. Young, Sr., et al.

Dear Ms. Johnson:

Enclosed please find the record in the above appeal which forwarded from your office to ours. Please be advised that we are unable to docket this appeal because the Notice of Appeal indicates that a transcript will be filed for inclusion in the record on appeal however, no transcript accompanied the record.

When the court reporter files the transcript with your office, please attach your certificate and send the transcript along with the copy of the record to this office for docketing.

If there is, in fact, no transcript, when the appellant files the amended Notice of Appeal to reflect that fact, please include the amended Notice of Appeal in the record and index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Sherwin P. Robin, Esq.

RECORDS RETURN NOTICE

DATE 5/27/09

Style Cavalry portfolio services, LLC as assignee
of Cavalry SPV I, LLC as assignee of GMAC v.
James W. Young Sr. et al

Lower Court Richmond State
Lower Court Case NO. 2008RCSC1343

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
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- Pages copied front/back
- Only one side printed of duplex document
- Other _____

CLERK OF SUPERIOR
AND JUVENILE COURTS
FILED FOR PUBLIC

IN THE STATE COURT OF RICHMOND COUNTY

STATE OF GEORGIA

2009 APR 28 PM 1:34

ELAINE C. JOHNSON, CLERK
RICHMOND COUNTY, GA

Cavalry Portfolio Services, LLC as assignee of
Cavalry SPV I, LLC as assignee of GMAC,

Plaintiff,

v.

James W. Young, Sr. and
Rebecca Y. Burgess,

Defendants.

CIVIL ACTION NO.
2008RCSC1343

NOTICE OF APPEAL TO GEORGIA COURT OF APPEALS

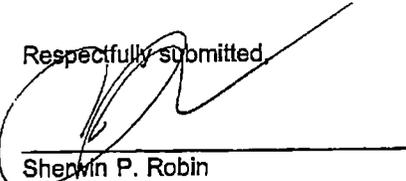
COMES NOW Cavalry Portfolio Services, LLC as assignee of Cavalry SPV I, LLC as assignee of GMAC, Appellant in the above captioned case, and files this Appeal to the Georgia Court of Appeals, from the Order and Judgment entered March 30, 2009 in the above captioned case.

The Court shall forward all transcripts of evidence and proceedings to the Georgia Court of Appeals.

The Georgia Court of Appeals has jurisdiction of this matter pursuant to Ga. Const. Art. VI, §V, Paragraph III.

This 27th day of April, 2009.

Respectfully submitted,



Sherwin P. Robin
GA Bar No. 609875
Attorney for Plaintiff/Appellant

Post Office Box 9541
Savannah, Georgia 31412
(912) 236-9271
08-1766

IN THE STATE COURT OF RICHMOND COUNTY

STATE OF GEORGIA

Cavalry Portfolio Services, LLC as assignee of)
Cavalry SPV I, LLC as assignee of GMAC,)
)
Plaintiff,)
)
v.)
)
James W. Young, Sr. and)
Rebecca Y. Burgess,)
)
Defendants.)

CIVIL ACTION NO.
2008RCSC1343

CERTIFICATE OF SERVICE

This is to certify that I have this day served the following parties with a copy of the foregoing Plaintiff's Notice of Appeal placing a copy of same in a properly addressed stamped envelope with adequate postage affixed thereon and being placed in the United States Mail for regular mail delivery:

James W. Ellison, Esq.
Burnside Wall, LLP
P.O. Box 2125
Augusta, GA 30903

This 27th day of April, 2009.


Sherwin P. Robin
GA Bar No. 609875
Attorney for Defendant

P. O. Box 9541
Savannah, Georgia 31412
(912) 236-9271
08-1766

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

May 29, 2009

Ms. Betty Lynn Johnson
Clerk, Ben Hill Superior and Juvenile Courts
115 South Sheridan Street
Post Office Box 1104
Fitzgerald, Georgia 31750-1104

RE: Your Case Number: 09CV-253
Walter M. Malabuyoc v. Dorminy Medical Center

Dear Ms. Johnson:

Enclosed please find documents sent from your office to ours regarding the above matter. I am not sure exactly what this is intended to be. If the appellant is seeking to appeal the superior court's order upholding the decision of the Administrative Hearing Officer of the Board of Review of the Georgia Department of Labor, I believe he will need to file a Discretionary Application pursuant to OCGA §5-6-35 and the rules of this Court. I am returning your documents to you.

Sincerely,



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

WLM, III/ld
Enclosures

cc: Mr. Walter M. Malabuyoc

Betty Lynn Johnson
CLERK OF SUPERIOR & JUVENILE COURTS
BEN HILL COUNTY, GEORGIA

Phone (229) 426-5135
Fax (229) 426-5487

115 South Sheridan Street
Post Office Box 1104
Fitzgerald, Georgia 31750-1104

IN THE SUPERIOR COURT OF BEN HILL COUNTY
STATE OF GEORGIA

WALTER M. MALABUYOC
APPELLANT

VS

CASE NO. 09CV-253

DORMINY MEDICAL CENTER
APPELLEE

CERTIFICATE OF SERVICE

I hereby certify that I have enclosed, directed, stamped and mailed a copy of the above stated case filed May 26, 2009 with a true and complete copy of the record.

Witness my signature and the seal of Court affixed

This the 26th day May 2009

Betty Lynn Johnson

Betty Lynn Johnson

Clerk of Superior Court, Ben Hill County, Georgia

Betty Lynn Johnson
CLERK OF SUPERIOR & JUVENILE COURTS
BEN HILL COUNTY, GEORGIA

Phone (229) 426-5135
Fax (229) 426-5487

115 South Sheridan Street
Post Office Box 1104
Fitzgerald, Georgia 31750-1104

May 26, 2009

WALTER M. MALABUYOC
Appellant

VS

DORMINY MEDICAL CENTER
Appellee

IN RE: Case No: 09CV-253

Dear Sir:

Enclosed please find a true and complete copy of the transcript for the above stated case.
Thank you.

Yours truly,


Betty Lynn Johnson
Clerk of Superior Court
Ben Hill County, Georgia

**THE SUPREME COURT
OF GEORGIA
THE COURT OF APPEALS
OF GEORGIA**

INDEX TO RECORD

**IN THE CASE OF
WALTER M MALABUYOC, Plaintiff
VS.
DOEMINY MEDICAL CENTER, Defendant
09CV-253**

RECEIVED

MAY 28 2009

COURT OF APPEALS
OF GA

RECEIVED

MAY 28 2009

COURT OF APPEALS
OF GA

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

June 1, 2009

Ms. Linda D. Hays
Clerk, Superior Court
Newton County Courthouse
1124 Clark Street
Covington, Georgia 30014

ATTN: Ms. Rebecca J. White, Deputy Clerk

RE: 2009SUCV232. Gerald K. Williams. v. Wells Fargo Bank, N.A.

Dear Ms. White:

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 this appeal because the Notice of Appeal indicates the appellant is appealing to the Superior Court of Newton County, not the Court of Appeals.

If the appellant is intending to appeal to the Court of Appeals of Georgia, when he files an amended Notice of Appeal to reflect that fact, please include the amended Notice of Appeal in the record and the Index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Gerald K. Williams
60 Jericho Drive
Covington, Georgia 30016

RECORDS RETURN NOTICE

DATE 5/29/09

Style Gerald K. Williams v. Wells Fargo Bank
NA

Lower Court Newton Superior

Lower Court Case NO. 2009SUCV 232

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
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- Notice of Appeal does not state to which Court
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- Pages copied front/back
- Only one side printed of duplex document
- Other NOA to Superior Court



IN THE GEORGIA COURT OF APPEALS
 FROM
 NEWTON COUNTY SUPERIOR COURT

WELLS FARGO BANK NA
 PLAINTIFFS

VS.

GERALD K WILLIAMS
 DEFENDANTS

RECEIVED

MAY 29 2009

COURT OF APPEALS
 OF GA

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WELLS FARGO BANK NA
PLAINTIFFS

VS.

GERLAD K WILLIAMS
DEFENDANTS

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IN THE MAGISTRATE COURT OF NEWTON COUNTY
STATE OF GEORGIA



Wells Fargo Bank, NA
PLAINTIFF(s)

VS.

CASE NO. 0912266
2009-232-4

Gerald K Williams
DEFENDANT(s)

APPEAL TO SUPERIOR COURT

Comes now Gerald K. Williams, Plaintiff/Defendant in the above stated case, and being dissatisfied with the judgment of the judge of the Magistrate Court rendered on the 2nd day of January, 2009, which was adverse to him/her, and within 30 days from the rendition of said judgment and within the time prescribed by law, enters this his/her appeal to the Superior Court of said county.

This 4th day of January, 2009.

Gerald Williams
Appellant

FILED IN OFFICE
CLERK SUPERIOR COURT
NEWTON COUNTY GEORGIA
2009 JAN 14 PM 2:54
PAGE # _____
DATE _____
LINDA DAVIS, CLERK

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gappeals.us

6
May 22, 2009

Mr. Allan B. Lee
Clerk, Carroll County Superior Court
Post Office Box 1620
Carrollton, Georgia 30112

RE: Lower Court Case Number: 01CR491
Noe Cruz v. The State

Dear Mr. Lee:

I am in receipt of the record in the above appeal sent from your office to our office. Please be advised that we are unable to docket this appeal because the Notice of Appeal says the transcript of the Motion for New Trial Hearing will be included in the record on appeal and no transcript accompanied the record.

When the court reporter files the transcript (s) with your office, please attach your certificate and return the record along with the transcript(s) to this office for docketing. If there is no transcript(s) to be filed in this matter, when the appellant's counsel files an amended Notice of Appeal to reflect that fact, please include the amended Notice of Appeal in the record and index and return the record to this office for docketing.

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

Sincerely,



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

WLM, III/ld
Enclosures
cc: Sheueli Cindy Wang, Esq.

RECORDS RETURN NOTICE

DATE 5/22/09

Style Noe Cruz v. The State

Lower Court Superior Court of Carroll County

Lower Court Case NO. 01CR491

REASON:

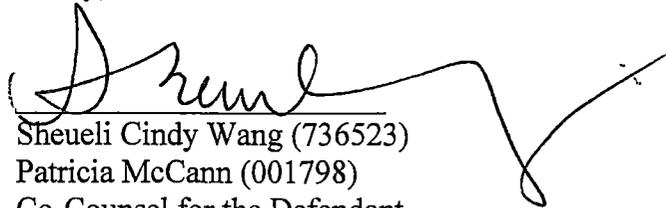
- No/improper certificate of Service
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- Other _____

under Article VI, Section VI, Paragraph III of the Georgia Constitution of 1983.
Jurisdiction of this category of appeal is conferred upon this Court under the provisions
of Article VI, Section V, Paragraph III of the Georgia Constitution of 1983.

Nothing should be omitted from the record on appeal including the transcript of
the Motion for New Trial hearing held on December 15, 2008.

His affidavit of poverty is attached.

Respectfully submitted this 14th day of May, 2009.



Sheuei Cindy Wang (736523)
Patricia McCann (001798)
Co-Counsel for the Defendant
GPDSC Appellate Division
225 Peachtree Street, NE
Suite 900
South Tower
Atlanta, GA 30303
404.739.5034

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 504
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

May 6, 2009

Ms. Patricia A. Glover
Clerk, Superior Court
Johnson County
Post Office Box 321
Wrightsville, Georgia 31096-0321

RE: Your Case Number: 2006CV379-S
Michael Patrick King v. Wayne Adrian. King, et al.

Dear Ms. Glover:

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 this appeal because the Notice of Appeal does not contain a Certificate of Service showing the complete name and mailing address of opposing counsel. Without this information, we do not know to whom to send the appropriate Docketing Notices.

When the appellant files an amended Notice of Appeal to include a Certificate of Service showing the complete name and mailing address of opposing counsel, please return the record to this Court for docketing. I apologize for any inconvenience this may have caused you.

If you have any questions or if I can be of 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: Mr. Michael P. King
830 West Gordon Avenue
Albany, Georgia 31701

RECORDS RETURN NOTICE

DATE 5/6/09

Style Michael Patrick King v. Wayne Adrian King
et al

Lower Court Johnson Superior

Lower Court Case NO. 2006CV3798

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

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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 _____

Patricia Glover

Clerk of Superior Court • Clerk of Magistrate Court • Clerk of Juvenile Court
of Johnson County

P.O. Box 321 • Wrightsville, Georgia 31096-0321
(478) 864-3484 • Fax: (478) 864-1343

April 23, 2009

Mr. William L. Martin, III, Clerk
Court of Appeals of Georgia
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

IN RE: MICHAEL PATRICK KING, DEFENDANT/APPELLANT VS.
WAYNE A. KING AND CINDY ANITA WILLIAMS, PLAINTIFFS/APPELLEES

Dear Mr. Martin:

Enclosed please find an appeal on the above styled action, Civil
Action File No. 2006-CV-379, as filed in the Johnson County Superior
Court.

This appeal is being transmitted to you late due to the recent
increased workload and shortage of personnel in this office.
Please accept this with my deepest apologies.

Thank you for your assistance in this matter, and if you have any
questions, please feel free to call me at the above number.

Respectfully submitted,



Patricia Glover, Clerk
Johnson County Superior Court

IN THE SUPERIOR COURT OF JOHNSON COUNTY

STATE OF GEORGIA

Wayne Adrian King and
Cindy Anita Williams,

Plaintiffs,

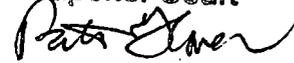
v.

Civil Action No. 2006-CV-379-S

Michael Patrick King,

Defendant,

FILED IN OFFICE
Johnson County, GA
Date 2-20-2009
Patricia Glover, Clerk
Superior Court



NOTICE OF APPEAL

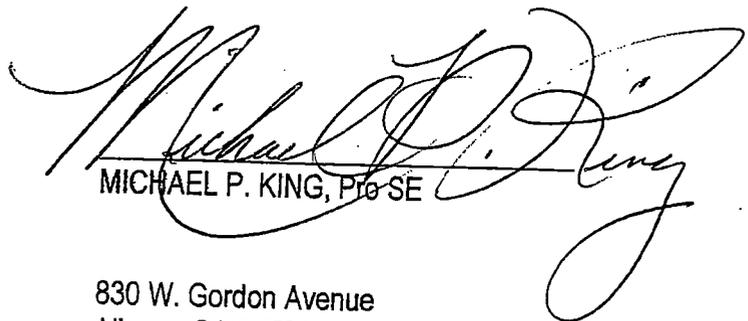
Notice is hereby given that Michael Patrick King, Defendant above-named, hereby appeal to just and proper Court of Appeals from the Order Of The Court entered in this action on the 16th day of January, 2009.

Defendant's Motion for Continuance was denied. The Order granting The Plaintiff's Motion To Dismiss Appeal and To Establish Terms of Sale and Award Attorney's Fees was signed by the Judge on the 16th day of January and the Judgment entered on the 20th day of January, 2009

Briefs, affidavits in support of a Motion to dismiss this Order of the Court and file a Motion for Reconsideration may be filed for inclusion in the record.

COMES NOW, MICHAEL P. KING, petitioner herein and hereby files this his Appeal from the Superior Court's Order Discharging in the above captioned action.

Dated: This 20th day of February, 2009.



MICHAEL P. KING, Pro SE

830 W. Gordon Avenue
Albany, GA 31701
Address

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

May 21, 2009

Ms. Evonne S. Mull
Clerk, Superior Court of Dougherty County
Post Office Box 1827
Albany, Georgia 31702-1827

RE: Your Case Number: 03R397
Reginald Bernard Ingram v. The State

Dear Ms. Mull:

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 this appeal because the record contains two Notices of Appeal.

Please remove the second Notice of Appeal found at page 197 of the record and send that to this Court as a separate record. It is not necessary to reduplicate the record for the second appeal, but you may merely send a copy of the Notice of Appeal along with your certificate.

Additionally, when you send the record for the second Notice of Appeal, please include a copy of the trial court's order of November 24, 2008, when that order is filed with your office. Without the order describing the Notice of Appeal in the record, we are also unable to docket the appeal.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Reginald B. Ingram
GDC975770 EF527996 D-1-116

RECORDS RETURN NOTICE

DATE 5/20/09

Style Reginald Bernard Ingram v. The State

Lower Court Dougherty Superior

Lower Court Case NO. 03R-397

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 of 11/24/08
- 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 DOUGHERTY COUNTY
STATE OF GEORGIA

REGINALD B. INGRAM

NO. 03R0397

APPELLANT

VS

STATE OF GEORGIA,
APPELLEE

RECEIVED
MAY 18 2009
COURT OF APPEALS
OF GA

ATTORNEY FOR APPELLANT
PRO SE
REGINALD INGRAM
GDC NO. 975990
MACON STATE PRISON
P.O. BOX 426
OGLETHORPE, GA. 31013

ATTORNEY FOR THE STATE:
GREGORY W. EDWARDS
ASSISTANT DISTRICT ATTORNEY
DOUGHERTY JUDICIAL CIRCUIT
P.O. BOX 1827
ALBANY, GEORGIA 31703
(229) 431-3233
STATE BAR NO. 240650

W.E. LOCKETTE
JUDGE SUPERIOR COURT
DOUGHERTY JUDICIAL CIRCUIT
P.O. BOX 1827
ALBANY, GEORGIA 31702
229-431-2186

IN THE SUPERIOR COURT OF DOUGHERTY COUNTY
STATE OF GEORGIA

REGINALD B. INGRAM

NO. 03R0397

APPELLANT

VS

STATE OF GEORGIA,
APPELLEE

RECEIVED
MAY 18 2009
COURT OF APPEALS
OF GA

ATTORNEY FOR APPELLANT
PRO SE
REGINALD INGRAM
GDC NO. 975990
MACON STATE PRISON
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OGLETHORPE, GA. 31013

ATTORNEY FOR THE STATE:
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DOUGHERTY JUDICIAL CIRCUIT
P.O. BOX 1827
ALBANY, GEORGIA 31703
(229) 431-3233
STATE BAR NO. 240650

W.E. LOCKETTE
JUDGE SUPERIOR COURT
DOUGHERTY JUDICIAL CIRCUIT
P.O. BOX 1827
ALBANY, GEORGIA 31702
229-431-2186

IN THE SUPERIOR COURT OF Douherty
STATE OF GEORGIA

FILED
2008 DEC -8 AM 9:12
EYONNE S. MULL
DOUGHERTY COUNTY
CLERK OF COURTS

STATE OF GEORGIA

-VS-

Rejinald Ingram

CRIMINAL ACTION

INDICTMENT NO. 03-A-397

NOTICE OF APPEAL TO COURT OF APPEALS OF GEORGIA

TO: HONORABLE Ken Hodges, DISTRICT ATTORNEY,
Douherty COUNTY, GEORGIA:

Take notice that Rejinald Ingram above named hereby appeals to Court of Appeals of Georgia from the Order of the court rendered November 24th 20 08 by Honorable Loring Gray Jr., Judge of said Court, denying the Out Of Time Motion For New Trial.

No portion of the record is to be omitted on appeal.

The Clerk will kindly take note that a transcript of evidence is to included with the record on appeal.

This 2nd day of December, 2008.

Pro Se

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing Party in the foregoing matter with a copy of the foregoing document by depositing said copy in the United States Mail in a properly addressed envelope with postage thereon.

This the 2nd day of December, 2008.

cc. Correct Copy
Filed with District Attorney

[Signature]
Macon State Prison

GDC# 975770

Room L-1

P.O. Box 426

Wetherpe, GA. 31068
Page 197 of 216

IN THE SUPERIOR COURT OF Douherty
STATE OF GEORGIA

FILED
2008 DEC -8 AM 9:12
EYONNE S. MULL
DOUGHERTY COUNTY
CLERK OF COURTS

STATE OF GEORGIA

-VS-

Rejinald Ingram

CRIMINAL ACTION

INDICTMENT NO. 03-R-397

NOTICE OF APPEAL TO COURT OF APPEALS OF GEORGIA

TO: HONORABLE Ken Hodges, DISTRICT ATTORNEY,
Douherty COUNTY, GEORGIA:

Take notice that Rejinald Ingram above named hereby appeals to Court of Appeals of Georgia from the Order of the court rendered November 24th 2008 by Honorable Loring Gray Jr., Judge of said Court, denying the Out of Time Motion For New Trial.

No portion of the record is to be omitted on appeal.

The Clerk will kindly take note that a transcript of evidence is to included with the record on appeal.

This 2nd day of December, 2008.

Pro Se

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing Party in the foregoing matter with a copy of the foregoing document by depositing said copy in the United States Mail in a properly addressed envelope with postage thereon.

This the 2nd day of December, 2008.

cc. Correct Copy
Filed with District Attorney

[Signature]
Macon State Prison
GDC# 975770
Dorm L-1
P.O. Box 426

Page 197 of 219 Stethorpe, GA. 31068

IN THE SUPERIOR COURT OF DOUGHERTY COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,
Plaintiff,

v.

REGINALD B. INGRAM,
Defendant.

INDICTMENT

No. 03-R-397

FILED
2008 DEC 31 AM 8:38
EVONNE S. HULL
DOUGHERTY COUNTY
CLERK OF COURTS

NOTICE OF APPEAL

Comes now Reginald Bernard Ingram, the defendant in the above-styled action, and hereby gives notice of his appeal to the Court of Appeals of Georgia. The defendant appeals assistant D.A. Brumby D. Montgerard's ORDER DENYING MOTION TO FILE OUT OF TIME MOTION FOR NEW TRIAL AND PURSUE AN OUT OF TIME APPEAL. Said ORDER of denial was filed in this Court on the 11 day of December, 2008. The Clerk will please include the entire record on appeal, including the November 24, 2008, motion.

IN THE SUPERIOR COURT OF DOUGHERTY COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,
Plaintiff,

v.

REGINALD B. INGRAM,
Defendant.

INDICTMENT

No. 03-R-397

FILED
2008 DEC 31 AM 8:38
EVONNE S. HULL
DOUGHERTY COUNTY
CLERK OF COURTS

NOTICE OF APPEAL

Comes now Reginald Bernard Ingram, the defendant in the above-styled action, and hereby gives notice of his appeal to the Court of Appeals of Georgia. The defendant appeals assistant D.A. Brumby D. Montgerard's ORDER DENYING MOTION TO FILE OUT OF TIME MOTION FOR NEW TRIAL AND PURSUE AN OUT OF TIME APPEAL. Said ORDER of denial was filed in this Court on the 11 day of December, 2008. The Clerk will please include the entire record on appeal, including the November 24, 2008, motion.

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

May 21, 2009

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

RE: Your Case Number: 07CV9061
Wanda Broner v. Mamadou Sylla

Dear Ms. Carter:

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 this appeal because the Notice of Appeal does not contain a Certificate of Service showing the complete name and mailing address of opposing counsel. Without the complete name and mailing address of opposing counsel, we do not know to whom to send the appropriate Docketing Notices.

When the appellant files an amended Notice of Appeal to include this information, please include the amended Notice of Appeal in the record and index and return the record to this office for docketing.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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. Wanda Broner

RECORDS RETURN NOTICE

DATE 5/21/09

Style Wanda Broner v. Mamadou Sylla

Lower Court DeKalb Superior

Lower Court Case NO. 07CV 9061

REASON:

No/improper certificate of Service

need address of appellee

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 _____

Wanda Broner : No.

RECEIVED

Appellant :

Term, 2009

MAY 19 2009

Vs :

COURT OF APPEALS
OF GA

Mamadou Sylla :

Appellee : Court of Appeals of Georgia

Index

- 1. Notice of Appeal, filed 2/4/09-----1.
- 2. Original Complaint, filed 8/27/09-----3.
- 3. Motion to Stay the Writ of Possession, with attachments filed
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- 4. Letter, from Wanda Broner, filed 8/27/07-----47.
- 5. Notice of Hearing, filed 8/30/07-----48.
- 6. Order, Denying Motion, filed 9/6/07-----49.
- 7. Emergency Motion for A Temporary Restraining Order, filed
11/26/07-----50.
- 8. Memorandum of Law, with attachments, filed 11/26/07-----51.
- 9. Order Denying Emergency Motion, filed 11/30/07-----57.
- 10. Order to Magistrate Court of Decatur to Release Funds, with
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- 11. Order to Magistrate Court of Decatur to Release Funds, with
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- 12. Notice, (2) filed 3/21/08-----64.

FORM 1 - NOTICE OF APPEAL (CIVIL or CRIMINAL CASE)

NOTICE OF APPEAL

IN THE (SUPERIOR, STATE, ETC.) COURT
OF DeKalb COUNTY

STATE OF GEORGIA

PLAINTIFF

Mamadou Sylla

*

CASE NUMBER

07-CV-9061-7

*

vs.

DEFENDANT

Wanda Broner

*

*

678-266-2341 POB 131 Redan Ga 30074

NOTICE OF APPEAL

Notice is given that Wanda Broner (Plaintiff/Defendant) in the above matter hereby appeals to the Court of Appeals of Georgia from the judgment of the trial court entered on the 9th day of January, 2009

The clerk shall (omit nothing from the record on appeal/will omit from the record on appeal the following:)

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 OCGA 5-6-35 and appeals of such cases are not 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.

Reversible error appears to exist in that appellant was denied due process.

CERTIFICATE OF SERVICE

I certify that I have this day served Mamadou Sylla (opposing party or attorney) with a copy of this Notice of Appeal by (hand delivery) (mailing a copy first class mail postage prepaid) to him/her at: (complete address of party served).

This the 10th day of January, 2009
Wanda Broner (Sign your name.)

Wanda Broner
6/16/09

Filed 4th Day of Feb., 2009
Linda Carter
Clerk of Superior Court

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

(404) 656-3450
martinw@gaappeals.us

May 22, 2009

Mr. Allan Lee
Clerk, Carroll County Superior Court
Post Office Box 1620
Carrollton, Georgia 30112

RE: Lower Court Case Number: 07CR379
George Hunter v. The State

Dear Mr. Lee:

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 this appeal because the order denying the Motion to Suppress Evidence is not contained in the record. When the trial court files the order denying the Motion to Suppress Evidence, please include that in the record and index and return the record to this office for docketing.

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

Sincerely,



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

WLM, III/ld
Enclosures

RECORDS RETURN NOTICE

DATE 5/21/89

Style George Hunter v. The State

Lower Court Carroll Superior

Lower Court Case NO. 07CR379

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 missing order on motion
to suppress.

RECORDS RETURN NOTICE

DATE 5/21/89

Style George Hunter v. The State

Lower Court Carroll Superior

Lower Court Case NO. 07CR379

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 Missing order on motion to suppress.

IN THE COURT OF APPEALS OF GEORGIA

STATE OF GEORGIA

VS.

GEORGE HUNTER

COURT OF APPEALS
CASE NO.

~~RECEIVED~~

~~MAY 20 2009~~

~~COURT OF APPEALS
OF GA~~

I N D E X

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18. ORDER DENYING MOTION FOR NEW TRIAL	10-24-07	49
19. FINAL DISPOSITION	10-24-07	50
20. PRISONER'S PERSONAL HISTORY SHEET- WRONG GEORGE HUNTER	10-26-07	51
21. LETTER FROM GEORGIA DEPT. OF CORRECTIONS	11-19-07	52
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23. PRISONER'S PERSONAL HISTORY SHEET	5-29-08	54
24. STATE'S EXHIBITS		55-74

*The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

May 14, 2009

Ms. Wanda F. Hawkins
Clerk, Superior Court
Wilcox County Courthouse
103 Broad Street, North
Abbeville, Georgia 31001-1066

RE: Your Case Number: 92-CRW-084
Timothy Burns v. The State

Dear Ms. Hawkins:

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 unable to docket this appeal because the appellant's Notice of Appeal does not describe an order to be appealed. If the appellant is attempting to appeal the trial court's order of April 17, 2009, the appellant must file an amended Notice of Appeal to reflect that fact. Additionally, if the appellant is attempting to appeal a denial on an Application for Writ of Habeas Corpus, the appellant should direct that appeal to the Supreme Court of Georgia, and not the Court of Appeals. At any rate, the appellant must designate an appellate court to which he wishes his appeal directed.

I apologize for any inconvenience this may have caused you. If you have any questions or if I can be of 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: Mr. Timothy Burns
GDC740945 F2

RECORDS RETURN NOTICE

DATE 5/13/09

Style Timothy Burns v. The State

Lower Court Superior court of Wilcox County

Lower Court Case NO. 92 CR W 084

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 "forward all records to Calhoun County Superior Court"

RECEIVED

MAY 12 2009

COURT OF APPEALS
OF GA

**THE COURT OF APPEALS
OF GEORGIA**

INDEX TO RECORD

**IN THE CASE OF
STATE OF GEORGIA**

VS.

TIMOTHY BURNS

92-CRW-084

IN THE SUPERIOR COURT OF WILCOX COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

vs.

*
INDICTMENT NO. 92-CAW-084
*
* HON. ROBERT W. CHASTEEN, JR.
JUDGE, SUPERIOR COURTS OF
* CORDELE JUDICIAL CIRCUIT

TIMOTHY BURNS, #740945
DEFENDANT.

* MOTION

*
NOTICE OF APPEAL

FILED IN OFFICE

MAY 5 - 2009

CLERK OF SUPERIOR COURT
WILCOX COUNTY, GEORGIA

COMES NOW, before this Court, defendant proceeding Pro-Se who files this ["H"] is motion, NOTICE OF APPEAL, and hereby, this Court forward all records to Calhoun County Superior Court for Habeas Corpus Evidentiary.

Defendant, whose serving a sentence of 25 years, after serving 16 years, now makes his appeal to establish constitutionally the inadequate performance of appointed counsel based on his failure to investigate this case.

Defendant is entitled to withdraw his guilty plea if a later clarification of the law reveals that conduct to which defendant pleaded guilty was not a crime. *Bowley v. U.S.*, 614, 619-20 (1998). defendant is entitled to withdraw his guilty plea due to lack of understanding of the law that is essential to value a guilty plea. *Woodruff v. U.S.*, 131 F.3d 1238, 1243 (7th Cir. 1997).

Respectfully submitted, April this 28 day of 2009

1/ Timothy Burns
TIMOTHY BURNS, PRO-SE

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IN THE SUPERIOR COURT OF WILCOX COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

]

VS.

]

CASE NO. 92CRW-84

TIMOTHY BURNS,

]

Defendant

]

HEARD BEFORE THE HONORABLE WHITFIELD R. FORRESTER
JUDGE, SUPERIOR COURTS, CORDELE JUDICIAL CIRCUIT

Wilcox County Courthouse

Abbeville, Georgia

March 15, 1993

APPEARANCES OF COUNSEL:

For the State MR. JOHN C. PRIDGEN, District Attorney
MS. DENISE FACHINI, Assistant District Attorney
Cordele Judicial Circuit
Cordele, Georgia 31015

For Defendant MR. DAVID E. MORGAN, III, Attorney at Law
Abbeville, Georgia 31001

State of Georgia
Wilcox Co. Superior Court
Received and Filed in Office

this 4 day of May 1993

James W. Hamilton Clerk

The Court of Appeals
Office of the Clerk
47 Trinity Avenue
Suite 501
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

May 14, 2009

Ms. Rita Harkins
Clerk, Superior Court
Lumpkin County Courthouse
99 Courthouse Hill, Suite D
Dahlonega, Georgia 30533-0541

RE: Your Case Number: 01-CR-252
Charles Edward Berry v. The State
A09D0333. Charles Edward Berry v. The State

Dear Ms. Harkins:

Enclosed please find a copy of this Court's order denying the Discretionary Application in the above matter. Please be advised that the original order stays with the Court of Appeals. Copies of the orders are sent to the parties, the trial judge and the trial court clerk.

Any questions or if you would like to discuss this matter with me, please do not hesitate to contact me.

Sincerely,



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

WLM, III/ld
Enclosures

Bill,

Patty called Superior Court about the attached request. Patty explained that the COA does not send originals on orders to the trial clerk. Melissa in the clerk's office of Lumpkin County said that her clerk Rita Harkins requests a seal on documents. Patty told her that there was a stamped seal on the order that was returned.

We are forwarding this to you to advise.

Thanks - Marti



Rita Harkins

Clerk of Courts
Superior, Juvenile & Magistrate
99 Courthouse Hill, Suite D
Dahlonega, GA 30533-0541
706-864-3736 office 706-864-5298 fax

May 12, 2009

TO: COURT OF APPEALS OF GEORGIA
47 TRINITY AVENUE, SUITE 501
ATLANTA GA 30334

FROM: SUPERIOR COURT OF LUMPKIN COUNTY

RE: CHARLES EDWARD BERRY-DENIAL OF APPLICATION FOR
DISCRETIONARY APPEAL

XXX The following documents have been presented to the Clerk's office for
filing and after review are returned without being filed for the reason(s)
indicated below:

OR

_____ This office has received your correspondence but we need the following
information to complete processing:

The above named document is not the original. Please forward the original to this
office for filing.

MS. RITA HARKINS
CLERK, LUMPKIN SUPERIOR COURT
99 COURTHOUSE HILL SUITE D
DAHLONEGA GA 30533

A09D0333

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 07, 2009

The Court of Appeals hereby passes the following order:

APPLICATION NO. A09D0333
CHARLES EDWARD BERRY V. THE STATE

Upon consideration of the Application for Discretionary Appeal, it is ordered that it be hereby DENIED.

71028

01CR252



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 07 2009

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

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

Clerk.

Willie L. Martin

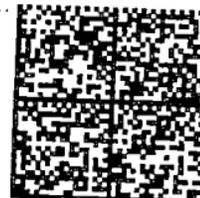
Rita Harkins

Clerk of Courts – Lumpkin County

Superior, Juvenile & Magistrate

99 Courthouse Hill, Suite D

Dahlonega, GA 30533-0541



02 1P

\$ 000.44⁰

0004412181 MAY 12 2009

MAILED FROM ZIP CODE 30533

COURT OF APPEALS OF GEORGIA
47 TRINITY AVENUE, SUITE 501
ATLANTA GA 30334

30334+9006



