

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

December 6, 2005

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

RE: A97A0801. Gary Zielinski v. Clorox Company, et al.
Lower Court Case Number: D92607

Dear Ms. Hicks:

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
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

December 6, 2005

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

RE: A95A0513. Mark Ewers v. Jeffrey B. Cooper, et al.
Lower Court Case Number: E-15618

Dear Ms. Hicks:

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
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

December 6, 2005

Mr. Joe E. Johnston
Clerk, Superior Court
Floyd County Courthouse
Post Office Box 1110
Rome, Georgia 30162-1110

RE: A95A2347. Anne Clay Otwell v. The State
Lower Court Case Numbers: 95M237981

Dear Mr. Johnston:

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

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

(404) 656-3450
martinw@gaappeals.us

January 30, 2006

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

RE: A02A1653. ISS International Service Systems, Inc. v. Jerald N.
Widmer
Lower Court Case Number: 96VS0114316

Dear Mr. Harper:

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
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 19, 2006

Ms. Pamela Smith
Appeals Clerk
Superior Court of Cobb County
Court Division
Post Office Box 3370
Marietta, Georgia 30061

RE: A03A1422. Barbara L. Harkins v. Atlanta Humane Society, et al.
Your Case Number: 01-1-10321-35

Dear Ms. Smith:

Thank you for your letter of January 9, 2006. Enclosed please find the record for the above appeal which you requested. I apologize for my delay in returning this to you, however, our off-site record storage facility has moved across town and it took me a little while to locate this record.

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
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

Jay C. Stephenson
CLERK OF SUPERIOR COURT
COBB JUDICIAL CIRCUIT



Elva P. Dornbusch
CHIEF DEPUTY CLERK

January 9, 2006

Court of Appeals of Georgia
334 State Judicial Building
Atlanta, Georgia 30334

In Re: Barbara L. Harkins vs. Atlanta Humane Society, et al,
Lower Court Case No. 01-1-10321-35.
Court of Appeals Docket No. A03A1422.

Dear Clerk,

This is to request that the original evidence transmitted to your court in the above styled case on March 17, 2003 be returned to the trial court. The remittitur was sent to our court on November 29, 2005. For your convenience I am enclosing a copy of the evidence received by your court. We would appreciate your returning this by mail as soon as possible. Please address to the attention of Pam Smith, Appeals Clerk.

Thank you in advance for your assistance in this matter.

Sincerely,

Pamela Smith, Appeals Clerk
770) 528-1338

[Faint, illegible text, possibly a stamp or bleed-through from the reverse side of the page.]

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

J.C. Stephenson P.S.

Jay L. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

BARBARA L. HARKINS	*	COBB SUPERIOR COURT
APPELLANT	*	
	*	
VS	*	
	*	
ATLANTA HUMANE SOCIETY and SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS, INC. and BILL GARRETT	*	
	*	
APPELLEE	*	CIVIL ACTION NO. 01-1-10321-35

Please acknowledge receipt of the following:

Original Video Tape..... 1
Original Transcripts..... 3

Shanta Collins

Court of Appeals of Georgia

3/17/03

Date

JAY C. STEPHENSON, CLERK

Cobb Superior Court
Court Division
P.O. Box 3370
Marietta, Georgia 30061

*Return
Service
Requested*

PRESORTED
FIRST CLASS



U.S. POSTAGE

00,308

H METERS 590800

Court of Appeals of Georgia
334 State Judicial Building
Atlanta, Georgia 30334

KJENAN3





Court of Appeals

Memorandum

To: Holly Sparrow and Marti Head

From: 
William L. Martin, III

Subject: A03A1422. Barbara L. Harkins v. Atlanta Humane Society, et al.

Date: January 13, 2006

Please let me know if you have the record to the above appeal. I need to return something to Cobb County, although, I do not know what it is at this time.

Thank you.

/ld

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 5, 2006

Ms. Roxanne Blake
Clerk, Probate Court
Fulton County
185 Central Avenue, S.W.
Atlanta, Georgia 30303

RE: A03A1794. In Re: Estate of Natividad Jimenez Del Rey (Ambrosio
Aznar Alba)
Lower Court Case Number: 185213

Dear Ms. Blake:

We are returning the enclosed six (6) 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
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

November 16, 2005

Ms. Cindy Chaffin
Clerk, Superior Court
Douglas County Courthouse
8700 Hospital Drive
Douglasville, Georgia 30134-2264

RE: A03A1797. Thaddeus Rucker v. The State
Lower Court Case Number: 02CR196A

Dear Ms. Chaffin:

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
Enclosure

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

December 6, 2005

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

RE: A03A1842. Helen Brown, et al. v. All-Tech Investment Group, Inc., et
al.
Lower Court Case Number: 00VS005554

Dear Mr. Harper:

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
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

JAN 30 2006

Ms. Marian Bradberry
Clerk, State Court of Henry County
40 Atlanta Street • Suite 100
McDonough, Georgia 30253

RE: A03A2303. Matthew w. Daniel v. Malcolm Smith
Lower Court Case Numbers: 01SY00898

Dear Ms. Bradberry:

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

Sincerely,



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

WLM, III/ld
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

December 6, 2005

Mr. Dwight S. Wood
Clerk, Superior and State Courts
Hall County Courthouse
Post Office Box 1336
Gainesville, Georgia 30503-1336

RE: A03A2462. Ronald Cleveland Mooney v. The State
Lower Court Case Number: 02CR77A

Dear Mr. Wood:

We are returning the enclosed two videocassette tapes 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/lb
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 19, 2006

Ms. Dena M. Adams
Clerk, Superior Court
White County Courthouse
59 South Main Street, Suite B
Cleveland, Georgia 30528

RE: A06A0263. LaQuincy Nicely v. The State
Your Case Number: 2003CR353

Dear Ms. Adams:

I am in receipt of your letter of January 11, 2006 which was received in this office on January 17, 2006 regarding the above appeal. Please be advised that the remittitur has not yet issued from this Court. Therefore, I cannot release the record since the parties may file a Motion for Reconsideration or apply for certiorari with the Supreme Court of Georgia.

Once the remittitur issues, which should be on or about January 24, 2006, I shall return to your office the original sealed documents which you requested. 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
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/ld
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 19, 2006

Ms. Dena M. Adams
Clerk, Superior Court
White County Courthouse
59 South Main Street, Suite B
Cleveland, Georgia 30528

RE: A06A0263. LaQuincy Nicely v. The State
Your Case Number: 2003CR353

Dear Ms. Adams:

I am in receipt of your letter of January 11, 2006 which was received in this office on January 17, 2006 regarding the above appeal. Please be advised that the remittitur has not yet issued from this Court. Therefore, I cannot release the record since the parties may file a Motion for Reconsideration or apply for certiorari with the Supreme Court of Georgia.

Once the remittitur issues, which should be on or about January 24, 2006, I shall return to your office the original sealed documents which you requested. 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
Administrator/Clerk
Court of Appeals of Georgia

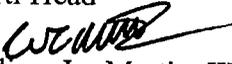
WLM, III/ld
Enclosures

bcc: Marti Head



Court of Appeals

Memorandum

To: Marti Head
From: 
William L. Martin, III
Subject: A06A0263. LaQuincy Nicely v. The State
Date: January 19, 2006

Please let me know when the remittitur issues in the above matter so I can return the sealed portion of the record to the trial court.

Thank you.

/ld

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

January 24, 2006

Ms. Dena M. Adams
Clerk, Superior Court
White County Courthouse
59 South Main Street, Suite B
Cleveland, Georgia 30528

RE: A06A0263. LaQuincy Nicely v. The State
Your Case Number: 2003CR353

Dear Ms. Adams:

Enclosed please find Part 1 of the record for the above appeal which contains the sealed items which you requested in your letter of January 11, 2006. If this is not the information you requested 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

1074

70-010c

CASE NO. A06A0263 DATE OF DOCKETING: SEPTEMBER 22, 2005
STYLE: LAQUINCY NICELY V. THE STATE

LOWER COURT SUMMARY INFORMATION:
WHITE County SUPERIOR COURT
TRIAL JUDGE: HONORABLE DAVID E. BARRETT

RECORDS	DESCRIPTION:	PARTS:
092205	LOWERCOURT RECORDS.	01
092205	TRANSCRIPTS.	03

**FOURTH DIVISION
Smith.PJ
Ruffin,, CJ, Phipps,J**

JUDGMENT:
CASE NO. A06A0263 DATE OF DOCKETING: SEPTEMBER 22, 2005
STYLE: LAQUINCY NICELY V. THE STATE

THIS CASE CAME BEFORE THE COURT ON AN APPEAL FROM THE SUPERIOR COURT
OF WHITE County(2003CR353DB); it is considered and adjudged that
the judgment of the court below be affirmed.

TRANS. 10/10/06

STATE OF GEORGIA

VS

CRIMINAL ACTION

FILE NO. 2003-CR-353-DB

LAQUINCY DIMERA NICELY
Defendant

RECEIVED

SEP 22 2005

COURT OF APPEALS
OF GA

INDEX

1. 08/01/05 NOTICE OF APPEAL 1-2

2. 10/07/03 INDICTMENT 3-5

3. 06/02/03 ARREST WARRANTS 6-11

4. 06/02/03 APPOINTMENT OF COUNSEL 12

5. 06/02/03 BOND ORDER WITHOUT HEARING 13

6. 06/06/03 ENTRY OF APPEARANCE, CERTIFICATE OF SERVICE 14-15

7. 06/06/03 MOTION FOR BOND WITHOUT WAIVER OF PRELIMINARY
HEARING, CERTIFICATE OF SERVICE 16-18

8. 06/11/03 ORDER ON DEFENDANT'S MOTION FOR BOND WITHOUT WAIVER
OF PRELIMINARY HEARING 19

9. 06/20/03 COMMITMENT HEARING ORDER 20

10. 10/20/03 CERTIFICATE OF SERVICE OF MULTIPLE MOTIONS 21

11. 10/20/03 MOTION FOR DISCOVERY OF SCIENTIFIC REPORTS 22

12. 10/20/03 MOTION FOR COPY OF DEFENDANT'S STATEMENTS 23

13. 10/20/03 MOTION FOR DISCOVERY 24-26

14. 10/20/03 DEMAND TO INSPECT, COPY, PHOTOGRAPH OR TEST EVIDENCE 27

15. 10/20/03 DEFENDANT'S REQUEST AND DEMAND FOR NON-STATUTORY
DISCOVERY 28-30

16. 10/20/03 MOTION FOR DISCLOSURE OF IMPEACHING INFORMATION 31-32

17. 10/20/03 DEFENDANT'S REQUEST FOR A COPY OF DEFENDANT'S
CRIMINAL HISTORY, IF ANY, PURSUANT TO
O.C.G.A. 17-16-4 (A) (2) AND GEORGIA'S DISCOVERY
STATUTES 33

18. 10/20/03 DEMAND FOR COPY OF ACCUSATION AND/OR INDICTMENT AND
LIST OF WITNESSES 34

19. 10/20/03 MOTION TO REQUIRE THE PROSECUTION TO DISCLOSE

	EVIDENCE FAVORABLE TO DEFENDANT UNDER BRADY V MARYLAND	35-38
20.	10/28/03 CERTIFICATE OF SERVICE	39
21.	10/28/03 AMENDED WITNESS LIST	40
22.	10/31/03 WAIVER OF FORMAL ARRAIGNMENT AND PLEA OF NOT GUILTY, CERTIFICATE OF SERVICE	41-42
23.	11/05/03 ACKNOWLEDGMENT OF FILE REVIEW PURSUANT TO O.C.G.A. 17-16-1 ET SEQ AND BRADY V MARYLAND	43
24.	01/07/04 MOTION FOR BOND, CERTIFICATE OF SERVICE	44-46
25.	01/09/04 RULE NISI, CERTIFICATE OF SERVICE	47-48
26.	01/26/04 ORDER ON DEFENDANT'S RENEWED BOND MOTION	49
27.	04/05/04 CERTIFICATE OF SERVICE	50
28.	06/29/04 DEFENDANT'S WITNESS LIST, CERTIFICATE OF SERVICE	51-52
29.	06/29/04 DEFENDANT'S AMENDED WITNESS LIST, CERTIFICATE OF SERVICE	53-54
30.	07/01/04 AMENDED WITNESS LIST	55
31.	07/02/04 DEFENDANT'S AMENDED WITNESS LIST, CERTIFICATE OF SERVICE	56-57
32.	07/07/04 DEFENDANT'S AMENDED WITNESS LIST, CERTIFICATE OF SERVICE	58-59
33.	07/13/04 DEFENDANT'S REQUEST TO CHARGE, CERTIFICATE OF SERVICE ...	60-84
34.	07/13/04 VERDICT	85
35.	07/20/04 MOTION FOR SUBSTITUTION OF COUNSEL	86-87
36.	07/20/04 DEFENDANT'S MOTION FOR NEW TRIAL	88-90
37.	07/20/04 CERTIFICATE OF SERVICE OF MULTIPLE MOTIONS	91
38.	08/06/04 NOTICE OF HEARING	92
39.	08/26/04 MOTION PURSUANT TO O.C.G.A. 17-16-4	93-94
40.	08/26/04 MOTION PURSUANT TO O.C.G.A. 17-16-3	95
41.	08/26/04 MOTION PURSUANT TO O.C.G.A. 17-16-7	96
42.	08/26/04 MOTION PURSUANT TO O.C.G.A. 17-16-8	97
43.	08/26/04 MOTION TO REQUIRE THE DISCLOSURE OF EVIDENCE FAVORABLE TO THE DEFENDANT UNDER BRADY	98-99

44.	09/03/04	AMENDMENT TO MOTION FOR NEW TRIAL	100-101
45.	09/07/04	SENTENCE	102-103
46.	09/07/04	SPECIAL CONDITIONS OF INTENSIVE PROBATION SUPERVISION .	104-105
47.	09/08/04	ORDER SEALING RECORDS (ORIGINAL SEALED DOCUMENTS TO BE RETURNED TO TRIAL COURT)	106
48.	10/07/04	APPLICATION FOR REVIEW OF SENTENCE	107
49.	10/26/04	ORDER UNSEALING RECORDS	108
50.	11/10/04	REQUEST FOR RULE NISI HEARING	109
51.	11/10/04	RULE NISI; CERTIFICATE OF SERVICE	110-111
52.	12/02/04	RULE NISI	112
53.	12/09/04	AMENDED APPLICATION FOR ISSUANCE OF THE WRIT OF HABEAS CORPUS AD TESTIFICANDUM	113-114
54.	12/10/04	APPLICATION FOR ISSUANCE OF THE WRIT OF HABEAS CORPUS AD TESTIFICANDUM	115-116
55.	12/20/04	WRIT OF HABEAS CORPUS AD PROSEQUENDUM	117
56.	12/20/04	RULE NISI	118
57.	01/26/05	ORDER FOR PAYMENT	119-130
58.	01/28/05	NOTICE OF HEARING	131
59.	02/09/05	WRIT OF HABEAS COPRUS AD PROSEQUENDUM	132
60.	03/23/05	ORDER TO DELIVER DEFENDANT	133
61.	04/25/05	AMENDED MOTION FOR NEW TRIAL	134-135
62.	07/22/05	ORDER ON DEFENDANT'S MOTION FOR NEW TRIAL	136-138

IN THE SUPERIOR COURT OF WHITE COUNTY

11/12/17

STATE OF GEORGIA

BOOK PAGE
DEBRA R. ADAMS, CLERK
WHITE COUNTY, GA

STATE OF GEORGIA

§
§
§
§
§
§
§

CASE NUMBER:2003-CR-353-DB

VS.

LAQUINCY NICELY

OFFENSES: BURGLARY,
CRUELTY TO CHILDREN,
ROBBERY

NOTICE OF APPEAL

Notice is hereby given that Laquincy Nicely, defendant above named, hereby appeals to the Georgia Court of Appeals from the judgment and conviction on July 12, 2004 and sentence on September 7, 2004.

The offense for which the defendant was convicted is Burglary, Cruelty to Children, and Robbery.

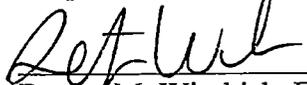
A motion for new trial was filed and overruled on July 21, 2005.

No portion of the record is to be omitted on appeal.

Transcript of evidence and proceeding will be filed for inclusion in the record on appeal.

The Court of Appeals has jurisdiction of this case.

Respectfully submitted,


Dexter M. Wimbish, Esq.
Attorney for Defendant
GA Bar#769908
130 Foxlair Drive
College Park, GA 30349
(770) 861-7054



Court of Appeals

Memorandum

To: Marti Head
From: *W. L. Martin, III*
William L. Martin, III
Subject: A06A0263. LaQuincy Ni
Date: January 19, 2006

*Remittitur is
ready to mail
tomorrow 1-24-06.*

Marti

Please let me know when the
of the record to the trial court.

return the sealed portion

Thank you.

/ld

REMITTITUR

Court of Appeals of the State of Georgia

ATLANTA, JANUARY 04, 2006

The Court of Appeals having met, the following judgment was rendered:

COURT OF APPEALS CASE NO. A06A0263
LAQUINCY NICELY V. THE STATE

This case came before this court on appeal from the SUPERIOR Court of WHITE County; it is considered and adjudged that

THE JUDGMENT OF THE COURT BELOW BE AFFIRMED.

RUFFIN, C.J., SMITH, P.J., AND PHIPPS, J., CONCUR.

LC NUMBERS: 2003CR353DB

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, JAN 24, 2006

*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.*

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 19, 2006

Ms. Dena M. Adams
Clerk, Superior Court
White County Courthouse
59 South Main Street, Suite B
Cleveland, Georgia 30528

RE: A06A0263. LaQuincy Nicely v. The State
Your Case Number: 2003CR353

Dear Ms. Adams:

I am in receipt of your letter of January 11, 2006 which was received in this office on January 17, 2006 regarding the above appeal. Please be advised that the remittitur has not yet issued from this Court. Therefore, I cannot release the record since the parties may file a Motion for Reconsideration or apply for certiorari with the Supreme Court of Georgia.

Once the remittitur issues, which should be on or about January 24, 2006, I shall return to your office the original sealed documents which you requested. 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
Administrator/Clerk
Court of Appeals of Georgia

WLM, III/lid
Enclosures

bcc: 

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

December 20, 2005

Ms. Cindy Chaffin
Clerk, Superior Court
Douglas County Courthouse
8700 Hospital Drive
Douglasville, Georgia 30134

RE: A06A0737. Christopher James Pollio v. The State
Your Case Number: 01CR00616

Dear Ms. Chaffin:

I am in receipt of your letter of December 16, 2005 requesting the return of a videotape. Enclosed herewith, please find the videotape which you requested labeled 11/12/02 Aloui McAfee, 02-0013118 (Copy).

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
Enclosure

CINDY W. CHAFFIN
CLERK SUPERIOR COURT
8700 HOSPITAL DRIVE
DOUGALSVILLE, GA 30134

DECEMBER 16, 2005

FILED IN OFFICE
DEC 20 2005
CLERK COURT OF APPEALS OF GA

WILLIAM L. MARTIN, III, CLERK
COURT OF APPEALS OF GEORGIA
334 STATE JUDICIAL BLDG.
ATLANTA, GA 30334

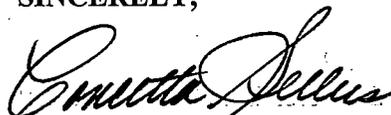
RE: TAPE INCORRECTLY MAILED TO
COURT OF APPEALS IN APPEAL
RECORD A06A0737

DEAR BILL:

I SUPPLEMENTED A RECORD IN CASE A06A0737 TO INCLUDE VIDEO TAPES THAT THE COURT REPORTER HAD COPIED FOR OUR CASE NO. 01CR00616, STATE VS. CHRISTOPHER JAMES POLLIO. WHEN SHE LEFT THEM ON MY DESK, SHE NEVER INDICATED THAT THE VIDEO TAPES WERE FOR ANYONE ELSE OTHER THAN DEFENDANT POLLIO, SO I SENT ALL OF THE TAPES TO THE COURT OF APPEALS. TODAY I FIND OUT THAT THERE WAS ONE OTHER VIDEO TAPE ON "MCAFFEE" THAT IS TO ACCOMPANY ANOTHER APPEAL AT A LATER TIME.

I AM REQUESTING THE RETURN OF THAT ONE VIDEO TAPE WHICH IS LABELED "11/12/02 ALOUI MCAFFEE 02-0013118". I APPRECIATE YOUR TIME IN THIS MATTER AND APPOLIGIZE FOR THE INCONVENIENCE THIS MAY HAVE MADE.

SINCERELY,



CONCETTA SELLERS,
DEPUTY CLERK

70

RECEIVED IN OFFICE
2005 DEC 20 AM 9:58

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

[Faint, illegible text]

9
6

GLASVILLE

DEC 16 '05

QA

PB
METER
7118965

0.37

U.S. POSTAGE



12/16/09

Consetta from Douglas
County to request this
tape back as it was
sent in the wrong
case

Shelton

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 1, 2006

Mr. Mark Harper
Clerk, Magistrate and State Courts
TG800 Justice Center Tower
185 Central Avenue, S.W.
Atlanta, Georgia 30303

RE: A06A1290. James Franklin v. Residential Funding
Your Case Number: 05ED260641
Fulton Magistrate Court

Dear Mr. Harper:

Under separate cover you received this Court's order of March 1, 2006 transferring the above appeal to the State Court of Fulton County. Also, under cover of that mailing is the copy of the record which was supplied to this Court.

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

cc: Mr. James Franklin, Pro Se
Tamara S. Lester, Esq.

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 20, 2006

Ms. Fannie Dee Gardner
Custody Investigator
Juvenile Court of Columbus, Georgia
Consolidated Government Center
Post Office Box 1340
Columbus, Georgia 31902-1340

RE: A06A1615. In the Interest of: W.J.M., III, a Child
Your Case Number: 1106906

Dear Ms. Gardner:

I am in receipt of your letter of March 15, 2006 requesting the return of the original transcripts in the above case which was submitted on or about October 20, 2005. Pursuant to our telephone conversation of this date, there are no transcripts in the above appeal with this Court which are dated on or about October 20, 2005, or which were received by this on or about October 20, 2005.

As we discussed, I am returning to you four volumes of transcripts identified as Parts 2 of 5, 3 of 5, 4 of 5 and 5 of 5 of our record.

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

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 6, 2006

Ms. Joanne P. Caldwell
Clerk, Superior Court
Rockdale County Courthouse
Post Office Box 937
922 Court Street
Conyers, Georgia 30207-0937

RE: A05A0118. Phillip J. Carpentier v. The State
Lower Court Case Number: 2003SR3739

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
Enclosure

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 15, 2006

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

RE: Your Case Number: 02CV90655
A05A0245. New Birth Missionary Baptist Church v. Richard M. Ladzinske

Dear Ms. Carter:

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

Sincerely,



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

WLM, III/ld
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 3, 2006

Ms. Anne M. Reneau, Clerk
Cherokee County Superior and State Courts
Cherokee County Justice Center
90 North Street, Suite G170
Canton, Georgia 30114

RE: A05A0363. Shay Lee Boling v. The State
Lower Court Case Numbers: 03T6246

Dear Ms. Reneau:

We are returning the enclosed videocassettes 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
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 6, 2006

Ms. Aneatha DeLoach
Appeals Division
DeKalb County Superior Court
556 North McDonough Street
Decatur, Georgia 30030

RE: A05A0446. Randall Parker v. The State
Your Case Number: 00CR3988

Dear Ms. DeLoach:

I received on January 5, 2006 your letter of December 30, 2005 requesting the return of all volumes of the transcripts in the above appeal. Enclosed please find the requested transcripts.

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

COPY

.....
Dekalb Co. Superior Court

December 30, 2005

Court of Appeals of Georgia

To Clerk of Court of Appeals of Georgia

I am requesting transcripts back that was sent up on appeals in case #00CR3988
your case # A05A0446, Volumes 1-10. If you have any questions please call 404-
687-3870

Thank You

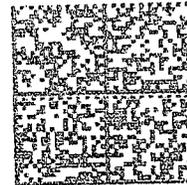


Aneatha DeLoach
Appeals Division

RECEIVED IN OFFICE
2006 JAN -5 AM 10:23
Clerk/Court Administrator
Court of Appeals of Georgia



CLERK OF SUPERIOR COURT
556 N. McDONOUGH STREET
DECATUR, GEORGIA 30030



Master

016H16501853
\$00.370
01/04/2006
Mailed From 30030
US POSTAGE

RETURN SERVICE REQUESTED

CLERK, COURT OF APPEALS OF GEORGIA
334 State Judicial Bldg.
Atlanta, Georgia 30334

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 6, 2006

Ms. Aneatha DeLoach
Appeals Division
DeKalb County Superior Court
556 North McDonough Street
Decatur, Georgia 30030

RE: A05A0446. Randall Parker v. The State
Your Case Number: 00CR3988

Dear Ms. DeLoach:

I received on January 5, 2006 your letter of December 30, 2005 requesting the return of Volumes 1-10 of the transcripts in the above appeal. Enclosed please find the requested transcripts.

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

.....

Dekalb Co. Superior Court

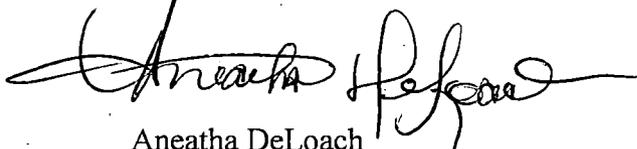
December 30, 2005

Court of Appeals of Georgia

To Clerk of Court of Appeals of Georgia

I am requesting transcripts back that was sent up on appeals in case #00CR3988
your case # A05A0446, Volumes 1-10. If you have any questions please call 404-
687-3870

Thank You

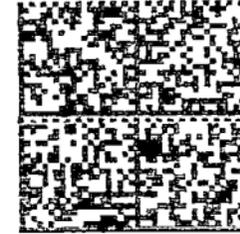


Aneatha DeLoach
Appeals Division

RECEIVED IN OFFICE
2006 JAN -5 AM 10:23
J.M. Mc...
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF GA.



CLERK OF SUPERIOR COURT
556 N. McDONOUGH STREET
DECATUR, GEORGIA 30030



Haster

016H16501853

\$00.370

01/04/2006

Mailed From 30030

US POSTAGE

RETURN SERVICE REQUESTED

CLERK, COURT OF APPEALS OF GEORGIA
334 State Judicial Bldg.
Atlanta, Georgia 30334

.....

Dekalb Co. Superior Court

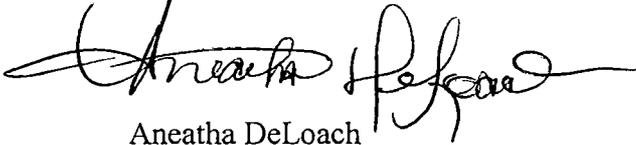
December 30, 2005

Court of Appeals of Georgia

To Clerk of Court of Appeals of Georgia

I am requesting transcripts back that was sent up on appeals in case #00CR3988
your case # A05A0446, Volumes 1-10. If you have any questions please call 404-
687-3870

Thank You



Aneatha DeLoach
Appeals Division

RECEIVED IN OFFICE
2006 JAN -5 AM 10:23
Clerk of Superior Court
Clerk/Deputy Clerk
Court of Appeals

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 23, 2006

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

RE: A05A0732. Paul T. M. Cochran v. Michael Thurmond, et al.
Lower Court Case Numbers: 2003CV71063

Dear Ms. Hicks:

We are returning the enclosed 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
Enclosure

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 14, 2006

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

ATTN: Ms. Pamela Smith
Appeals Clerk

RE: A05A0776. Nan Marie McCollum v. Jerry Dow Jones, et al.
Your Case Number: 02-A-253-33

Dear Ms. Smith:

I received your letter of March 8, 2006 on March 13, 2006 requesting the return of Exhibit R-5 filed in the above case. Enclosed please find that exhibit which you requested.

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

Sincerely,



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

WLM, III/ld
Enclosure

Certified Mail Number: 7001 1140 0000 0878 9299

Jay C. Stephenson
CLERK OF SUPERIOR COURT
COBB JUDICIAL CIRCUIT



Elva P. Dornbusch
CHIEF DEPUTY CLERK

March 8, 2006

Court of Appeals of Georgia
334 State Judicial Building
Atlanta, Georgia 30334

FILED IN OFFICE
MAR 13 2006
pb
CLERK COURT OF APPEALS OF GA

In Re: Nan Marie McCollum vs. Jerry Dow Jones, et al,
Trial Court Adoption Filed No. 02-A-253-33.
~~Court of Appeals Docket No. A05A0776.~~

Dear Ms. Collins,

This is to request that the original evidence transmitted to your court on July 7, 2005 in the above styled case be returned to the trial court. For your convenience I am enclosing a copy of the receipt letter of the evidence. We would appreciate your returning this by mail as soon as possible. Please address to the attention of Pamela Smith, Appeals Clerk.

Thank you for your assistance in this matter. If you have any questions please contact me.

Sincerely,

Pamela Smith
Pamela Smith, Appeals Clerk
770) 528-1338

[Faint, illegible text, possibly bleed-through from the reverse side of the page]

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

COBB COUNTY, GA.
FILED IN OFFICE

2005 JUL 12 AM 9:27

J. C. [Signature]
COBB SUPERIOR COURT CLERK

NAN MARIE MCCOLLUM

*

COBB SUPERIOR COURT

APPELLANT

*

*

VS

*

JERRY DOW JONES, and
FREDDIE EUGENIA JONES

*

*

APPELLEE

ADOPTION FILE:02-A-253-33

Please acknowledge receipt of the following:

Original evidence marked R-5

Michael J. Bellini

Court of Appeals

7-7-05

Date

2006 MAR 13 10:35 AM

CLERK'S OFFICE

RECEIVED IN OFFICE

2006 MAR 13 AM 10:35

William J. ...

CLERK/COURT ADMINISTRATOR
HOURS OF OFFICE: 9:00 AM - 5:00 PM

JAY C. STEPHENSON, CLERK

Cobb Superior Court
Court Division
P.O. Box 3370
Marietta, Georgia 30061

*Return
Service
Requested*

PRESORTED
FIRST CLASS



U.S. POSTAGE

00,308

11 METERS 90800

Court of Appeals of Georgia
334 State Judicial Building
Atlanta, Ga. 30334

AJENANS



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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 6, 2006

Ms. Beverly Logan
Clerk, State Court of Clarke County
Post Office Box 1805
Athens, Georgia 30603-1805

RE: A05A0934. Mark Staiano v. The State
Lower Court Case Number: ST04CR0128

Dear Ms. Logan,

We have any questions

ed matter for your files. If you contact this office.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage	\$ 3.27
Certified Fee	2.40
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.52

CAPITOL HILL STA. 30334
MAR 16 2006
Here
USPS

Sent To Jay C. Stephenson, Clerk, Cobb Sup
Street, Apt. No.; or PO Box No. Post Office Box 3370
City, State, ZIP+4 Marietta, Georgia 30061-3370

PS Form 3800, January 2001 See Reverse for Instructions

WLM, III/ld
Enclosures

7001 1140 0000 0878 9299

[Handwritten signature]

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

November 18, 2005

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

RE: Lower Court Case Number: 2003CV67850
A05A0979. Atomic Fusion, Inc. v. BRIGHTLANE.COM, Inc.

Dear Jeannette:

It is my understanding that the above appeal will be coming back to the Court of Appeals of Georgia. As you may know, the case was initially docketed under the above Court of Appeals Docketing Number. This Court dismissed the appeal by our order of January 27, 2005. The remittitur issued from our office on March 15, 2005, and as such, we still have the first copy of the record which was transmitted from your office to ours.

It is not necessary that you retransmit the record in its entirety. Only so much of the record which has been created after the case was docketed in this Court on January 19, 2005, should accompany the new appeal.

Any questions, please do not hesitate to contact me.

Sincerely,



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

WLM, III/ld



Court of Appeals

Memorandum

To: BILL MARTIN
From: SHEILA COLLINS *sc*
Subject: A05A0979. ATOMIC FUSION, INC. v. BRIGHTLANE.COM. INC.
Date: November 17, 2005

The remittitur on the above captioned case is dated March 15, 2005. There were seven records and one transcript.

They have now filed a new appeal on the same case. The new supervisor over Appeals in Fulton County, Jeannett Rozier, is insisting that they send up the entire record again. Ledisa Robinson has tried to explain to Ms. Rozier that we do not need or want anything we already have on hand due to space overload.

Ledisa is asking that we submit to them in writing that we do not need duplications on anything that we still have on hand.

General Docket

General Docket | Lower Court | Appellant | Appellee | Other Parties | Filings | Motions | Judgment | Remit Text | New Caselt



Case Num: TIME: 2:19:28 PM

DOC. DATE:

Classif. Code and Description Suffix:

REF TYPE: SUP CASE:

Cal M/Y: Term Code: Reg Ind: Assg Ind: Argu Date:

COST: DATE: RECEIPT #: BY:

Status Judge/Trans to Div: Judge: Type Assg: Cite ID:

CA Disposition: DATE:

Cert: NOI: NOA: SC #: DISP: DATE: Remit Date:

REMIT DATE: Appl NUM:

Buttons: OK, Cancel, Help

- Orders and Notices
- Application
- Direct
- ATTORNEY NOTICE-200
- Docket N
- APPLICATION DUE-330
- SUM PG DG
- APPLIC. NO
- MAILING LA
- MISC. FC
- ATTY LOC
- CERTS. IR
- JUDGMENT
- MAILING LA
- PRO SE
- System Msg

REVIEW MESSAGE INSTRUCTIONS

Case ID: Judge ID:

Parameters- Parm1, Parm2, Parm3:

Spec. Code:

Buttons: PROCESS, QUIT

MESSAGE

ENTER CASE NUMBER IN CASE ID:

CA CrossRef.-75 LC_Xref.-55 Attorney.-16

Supervisor.-98 System Codes.-50 Attorney.-80 Delete.-02

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 17, 2006

Ms. Sharron C. Speck
Deputy Clerk, Superior Court
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114

RE: A05A1157. Charles B. Maskivish v. The State
Your Case Number: 00-CR-1006

Dear Ms. Speck:

Thank you for your letter of January 12, 2006. Please be advised that ordinarily we will hold the record and transcripts for the above appeal until such time as the Supreme Court of Georgia directs us to deliver them to them. It is not necessary for us to return the transcripts to your office for you to in turn file them with the Supreme Court.

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



**PATTY BAKER
CLERK SUPERIOR COURT**

Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114
678-493-6511

January 12, 2006

FILED IN OFFICE
JAN 13 2006
CLERK COURT OF APPEALS OF GA

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

Re: Criminal Case No. 00-CR-1006
Appeal Case No. A05A1157
Charles B Maskivish Vs. The State of Georgia

Dear Mr. Martin:

Your court denied the appeal referenced above, also overruled the Motion for Reconsideration in December of 2005. The defendant has filed an appeal to the Supreme Court of Georgia. This letter is to request that the transcripts sent to your court be returned to us so that we may file them with his second appeal.

If you should have questions regarding this matter, please contact this office.

I thank you all for your courtesy and assistance each time I've dealt with your office.

Sincerely,

Sharron C. Speck
Deputy Clerk Superior Court
Cherokee County

RECEIVED IN OFFICE

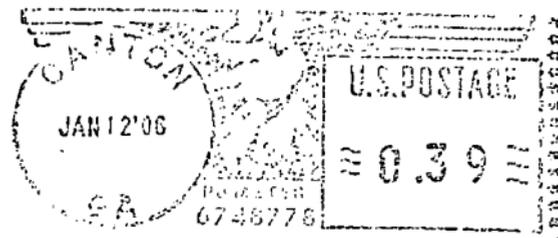
2006 JAN 13 AM 9:56

E. Jill K. MacIntyre

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS

Patty Baker

Clerk Superior, State & Juvenile Courts
Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114



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

30334+9003-34 0001



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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

March 21, 2006

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

RE: A05A1670. Darrell Stroud v. The State
Your Case Number: 02SC07774

Dear Ms. Hicks:

Enclosed please find a copy of the Court's order of February 22, 2006 regarding the above appeal. This order had directed the trial court to supplement the record on appeal with the original tape admitted into evidence as the State's Exhibit 7 at Page 266 of the transcript of the jury trial in this case.

To date, we have not received this exhibit. I would appreciate any efforts on your part to hasten the receipt of the above exhibit. This is a "distress case", and the Court must decide it by the end of this month.

I have tried to call your number but I cannot get anyone to answer. If there is anything I can do to hasten the acquisition of this exhibit, please let me know. As always, I want to thank you in advance for your anticipated cooperation.

Sincerely,



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

WLM, III/lid

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

March 21, 2006

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

RE: A05A1670. Darrell Stroud v. The State
Your Case Number: 02SC07774

Dear Ms. Hicks:

Enclosed please find a copy of the Court's order of February 22, 2006 regarding the above appeal. This order had directed the trial court to supplement the record on appeal with the original tape admitted into evidence as the State's Exhibit 7 at Page 266 of the transcript of the jury trial in this case.

To date, we have not received this exhibit. I would appreciate any efforts on your part to hasten the receipt of the above exhibit. This is a "distress case", and the Court must decide it by the end of this month.

I have tried to call your number but I cannot get anyone to answer. If there is anything I can do to hasten the acquisition of this exhibit, please let me know. As always, I want to thank you in advance for your anticipated cooperation.

Sincerely,



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

WLM, III/ld

bcc: Ms. Valeri McBride
File



Court of Appeals

Memorandum

To: Valeri McBride
From: *William L. Martin, III*
Subject: A05A1670. Darrell Stroud v. The State
Date: March 21, 2006

On Monday, March 20, 2006, I tried to call Juanita Hicks' office. The phone rang and rang but no answer nor any voicemail. Therefore, I sent the attached letter.

Thank you.

/ld

Attachment

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 21, 2006

Ms. Juanita Hicks
Clerk, Superior Court
Fulton County Courthouse
136 Pryor Street, S.W.
Criminal Division, Room C515
Atlanta, Georgia 30303

ATTN: Ms. Ladisia Robinson

RE: A05A1751. BTL COM LTD., CO. v. I. Vachon, et al.

Dear Ms. Robinson:

Enclosed please find a copy of the Court's order directing the clerk of the Superior Court of Fulton County to reproduce the record in A04A1577. BTL COM LTD., Company v. John H. Gipson. As you can see from the Court's order, the Georgia Building Authority lost or misplaced several boxes of our records which were on hold.

Thank you in advance for your help and cooperation in this matter.

Sincerely,



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

WLM, III/ld
Enclosure

Court of Appeals of the State of Georgia

ATLANTA, FEBRUARY 21, 2006

The Court of Appeals hereby passes the following order:

A05A1751. BTL COM LTD., CO. v. I. VACHON, ET AL.

The above appeal was docketed in this Court on May 17, 2005, and is presently pending before the Court after having been fully briefed. The case was previously before the Court as A04A1577. BTL COM LTD., Company v. John H. Gipson wherein this Court affirmed the judgment of the trial court in a non-published opinion dated August 13, 2004.

The parties have requested a hold on the record in A04A1577 since they anticipated the case would return this Court.

Pursuant to the requested hold, the record was filed in the Court's off-site record storage facility in the archived record section. However, due to construction by the Georgia Building Authority, the Court had to move the records to a new offsite record storage facility. During the move by the Georgia Building Authority movers, the record in A04A1577 has been lost or misplaced.

In order to complete the work on the above appeal this Court is required to review the previous record. Therefore, the clerk of the trial court is hereby directed to make a copy of the record and transcript in A04A1577 and to transmit that to this Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 21 2006

*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.*

P. Vill. Clerk, Mat. [Signature]

Court of Appeals of the State of Georgia

ATLANTA, FEBRUARY 21, 2006

The Court of Appeals hereby passes the following order:

A05A1751. BTL COM LTD., CO. v. I. VACHON, ET AL.

The above appeal was docketed in this Court on May 17, 2005, and is presently pending before the Court after having been fully briefed. The case was previously before the Court as A04A1577. BTL COM LTD., Company v. John H. Gipson wherein this Court affirmed the judgment of the trial court in a non-published opinion dated August 13, 2004.

The parties have requested a hold on the record in A04A1577 since they anticipated the case would return this Court.

Pursuant to the requested hold, the record was filed in the Court's off-site record storage facility in the archived record section. However, due to construction by the Georgia Building Authority, the Court had to move the records to a new offsite record storage facility. During the move by the Georgia Building Authority movers, the record in A04A1577 has been lost or misplaced.

In order to complete the work on the above appeal this Court is required to review the previous record. Therefore, the clerk of the trial court is hereby directed to make a copy of the record and transcript in A04A1577 and to transmit that to this Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 21 2006

*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.*

A. Vill. Clerk, Mat. i.e.

Court of Appeals of the State of Georgia

ATLANTA,

The Court of Appeals hereby passes the following order:

A05A1751. BTL COM LTD., CO. v. I. VACHON, ET AL.

The above appeal was docketed in this Court on May 17, 2005, and is presently pending before the Court after having been fully briefed. The case was previously before the Court as A04A1577. BTL COM LTD., Company v. John H. Gipson wherein this Court affirmed the judgment of the trial court in a non-published opinion dated August 13, 2004.

The parties have requested a hold on the record in A04A1577 since they anticipated the case would return this Court.

Pursuant to the requested hold, the record was filed in the Court's off-site record storage facility in the archived record section. However, due to construction by the Georgia Building Authority, the Court had to move the records to a new offsite record storage facility. During the move by the Georgia Building Authority movers, the record in A04A1577 has been lost or misplaced.

In order to complete the work on the above appeal this Court is required to review the previous record. Therefore, the clerk of the trial court is hereby directed to make a copy of the record and transcript in A04A1577 and to transmit that to this Court.

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.

Case ID: A04A1577 | Case Name: BTL COM LTD V. JOHN H. GIPSON

Judge: 18202 | HON. ELIZABETH LONG | County: 08060 | Fulton

Court: 07001 | SUPERIOR COURT | Clerk: 14060 | MS. LADISIA ROBINSON

Judgment Date: 01/12/04 | NDA Date: 01/21/04

Lower Court Case Numbers

2002CV57117			

Lower Court Records: Date Received - Description - Parts

Date Received	Description	Parts	Date Received	Description	Parts
04/13/04	LOWERCOURT RECORDS.	03	04/13/04	TRANSCRIPTS.	01

Buttons: OK, Cancel, Help

Orders and Notices

Application | Direct

ATTORNEY NOTICE-200 | Docket N

APPLICATION DUE-330 | SUM PG DC

APPLIC. MO.

MAILING L
MISC. F

ATTY LOG

CERTS. IF

JUDGMENT

MAILING L

PRO SE

System Msg

REVIEW MES
INSTRUCTION

Case ID: A04A1577 | Judge ID:

Parameters- Parm1, Parm2, Parm3

Spec. Code:

Buttons: PROCESS, QUIT

MESSAGE:

ENTER CASE NUMBER IN CASE ID:

Buttons: System Codes-.50, Attorney-.60, Delete-.02

*Lectra will go ahead
+ copy. She needs an
Order for a paper trail +
A justify expense*

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3480
martinw@gaappeals.us

March 1, 2006

Ms. Sharron C. Speck
Deputy Clerk, Cherokee County Superior Court
Cherokee County Justice Center
90 North Street • Suite G-170
Canton, Georgia 30114

RE: A05A1945. James D. Thomason, et al v. Billy Eugene Lee
Your Case Number: 04-SC-1139

Dear Ms. Speck:

Thank you for your letter of February 28, 2006, wherein you requested the return of depositions filed in the above appeal. I have enclosed the following depositions:

Deposition of Billy E. Lee
Deposition of Alysia Renee Shands
Deposition of Christopher Browning
Deposition of Reta Thomason
Deposition of James D. Thomason

If you have any questions regarding the matter, please do not hesitate to contact me.

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
February 28, 2006

FILED IN OFFICE

MAR 01 2006

COURT CLERK
CLERK COURT OF APPEALS OF GA

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

Re: Case No. 04-SC-1139
James D. Thomason and
Reta Thomason
Vs.
Billy Eugene Lee

Appeal Case No. A05A1945

Dear Sir:

This is a request that the depositions, included in the above referenced appeal to your court, be returned to us:

- Deposition of Belly E. Lee
- Deposition of Alysia Renee Shands
- Deposition of Christopher Browning
- Deposition of Reta Thomason
- Deposition of James D. Thomason

Thank you for your attention to this request.

Sincerely

Sharron C. Speck
Deputy Clerk Superior Court
Cherokee County

RECEIVED IN OFFICE
2006 MAR - 1 AM 10:45
OFFICE OF THE CLERK
COURT OF APPEALS OF GEORGIA



**PATTY BAKER
CLERK SUPERIOR COURT**

Cherokee County Justice Center
90 North Street, Suite G-170
Canton, Georgia 30114
678-493-6511
February 28, 2006

FILED IN OFFICE

MAR 01 2006

**COURT CLERK
CLERK COURT OF APPEALS OF GA**

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

Re: Case No. 04-SC-1139
James D. Thomason and
Reta Thomason
Vs.
Billy Eugene Lee

Appeal Case No. A05A1945

Dear Sir:

This is a request that the depositions, included in the above referenced appeal to your court, be returned to us:

- Deposition of Belly E. Lee
- Deposition of Alysia Renee Shands
- Deposition of Christopher Browning
- Deposition of Reta Thomason
- Deposition of James D. Thomason

Thank you for your attention to this request.

Sincerely

Sharron C. Speck
Deputy Clerk Superior Court
Cherokee County

RECEIVED IN OFFICE
2006 MAR -1 AM 10:45
CLERK COURT OF APPEALS OF GA
CANTON, GA

RECEIVED IN OFFICE

2006 MAR -1 AM 10:43

Will L. Mount

CLERK/COURT ADMINISTRATOR
COURT OF APPEALS OF AL.

Patty Baker

Clerk Superior, State & Juvenile Courts

Cherokee County Justice Center

90 North Street, Suite G-170

Canton, Georgia 30114



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

William L. Martin, III
CLERK/COURT ADMINISTRATOR
COURT

2006 MAR -1 AM 10:42

RECEIVED IN OFFICE

30334X5003 0001



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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

November 14, 2005

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

RE: A04A0270. Christopher Tyler v. The State
Lower Court Case Number: 029117442

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
Enclosure

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

NOV 17 2005

Mr. Sam L. Cordle, Jr.
Clerk, Superior Court
Chattooga County Courthouse
Post Office Box 159
Summerville, Georgia 30747-0159

RE: A04A0309. Demascus M. Etchison v. The State
Lower Court Case Number: 02CR15613

Dear Mr. Cordle:

We are returning the enclosed 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/lid
Enclosure

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

MAR 3 2006

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

RE: A04A0980. Nicole Evans v. The State
Forsyth State Court Case Number: 02M2551
and
A04A0324. Daniel S. Deigert, et al. v. Cedar Brook Homes, Inc.
Forsyth Superior Court Case Number: 96CV027758

Dear Mr. Sorrells:

We are returning the videocassette in A04A0980 and the original exhibits in A04A0324.
Daniel S. Deigert, et al. v. Cedar Brook Homes, Inc. for your files. If you have any questions
regarding this matter, please do not hesitate to contact this office.

Sincerely,



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

WLM, III/ld
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

January 23, 2006

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

RE: A04A0478. R. W. Holdco, Inc. V. Alan e. Johnson, et al.
Lower Court Case Number: 99VS0157561

Dear Mr. Harper:

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
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 30, 2006

Ms. Judith A. Lewis
Clerk, Superior Court
Henry County Courthouse
One Courthouse Square
McDonough, Georgia 30253

RE: A04A0616. Sammy Joe Garmon, Jr. v. The State
Lower Court Case Number: 00CR0600C

Dear Ms. Lewis:

We are returning the enclosed audio cassette in the above referenced appeal for your files.
If you have any questions regarding the 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
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

December 6, 2005

Ms. Cindy G. Brown
Clerk, Superior Court
Coweta County Courthouse
200 Court Square
Post Office Box 943
Newnan, Georgia 30264

RE: A04A0755. Oliver Donald Cole v. Robert F. Webb
Lower Court Case Number: 01V296

Dear Ms. Brown:

We are returning the enclosed videocassette and 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
Court Administrator/Clerk
Court of Appeals of Georgia

WLM, III/lid
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 3, 2006

Ms. Diane Webb
Clerk, Cobb County State Court
12 East Park Square
Marietta, Georgia 30090

RE: A04A0937. U.S. Food Service of Atlanta, Inc. V. The Kroger Company
Lower Court Case Numbers: 97T19807

Dear Ms. Webb:

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
Box

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

NOV 17 2005

Ms. Loreine P. Matthews
Clerk, Superior and Juvenile Courts
Murray County Courthouse
Post Office Box 1000
Chatsworth, Georgia 30705-1000

RE: A04A1080. Ricky Eugene Patterson v. The State
Lower Court Case Number: 02CR177

Dear Ms. Matthews:

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
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 20, 2006

Mr. Tom Lawler
Clerk, Superior Court
Gwinnett County Courthouse
Post Office Box 880
Lawrenceville, Georgia 30046-0880

RE: A04A1184. Terrence O'Keith Simpson v. The State
Lower Court Case Numbers: 01B30288

Dear Mr. Lawler:

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
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

NOV 17 2005

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

RE: A04A1206. George W. Kahl v. The State
Lower Court Case Number: 02T41653

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
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

NOV 17 2005

Ms. Loreine P. Matthews
Clerk, Superior and Juvenile Courts
Murray County Courthouse
Post Office Box 1000
Chatsworth, Georgia 30705-1000

RE: A04A1356. In the Interest of: D.W.P., J.B.P., and J.E.P., Children
Lower Court Case Number: 0300808 0300809 0300810

Dear Ms. Matthews:

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/lid
Enclosure

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

FEB 13 2006

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

RE: A04A1484. Jimmy Carter v. The State
Lower Court Case Numbers: SU2003CR240

Dear Ms. Pierce:

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

Sincerely,



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

WLM, III/ld
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

NOV 17 2005

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

RE: A04A1541. Timothy Lee Richards v. The State
Lower Court Case Number: 46213J

Dear Ms. Nelson:

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

Sincerely,



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

WLM, III/ld
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

FEB 18 2006

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

RE: A04A1546. Fredinand Woodruff v. The State
Lower Court Case Number: 2001C27775

Dear Ms. Sullivan:

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

Sincerely,



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

WLM, III/ld
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

JAN 30 2006

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

RE: A04A1576. Henry County Water and Sewerage Authority v.
Latrelle Brewster Adelson
Lower Court Case Nos. 02CV1492M
Parts 1, 2, 3 and 6

Dear Ms. Lewis:

We are returning the enclosed depositions above referenced matter for your files. Part 1, 2 and 3 have depositions which are being returned and Part 6 contains exhibits. If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,



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

WLM, III/ld
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

MAR 3 2006

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

RE: A04A1780. William C. Riding v. The State
Lower Court Case Number: 03T4274

Dear Ms. Baker:

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

Sincerely,



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

WLM, III/ld
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

MAR 3 2006

Ms. Diane Webb
Clerk, State Court of Cobb County
12 East Park Square
Marietta, Georgia 30090

RE: A04A1877. The State v. Caressa Gillaspay
Lower Court Case Numbers: 03M4940

Dear Ms. Webb:

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

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

(404) 655-
martinw@gaappi

February 3, 2006

Ms. Vera L. Butler
Clerk, Richmond County
Civil Court
530 Greene Street • Room 706
Augusta, Georgia 30911-0706

RE: A04A1991. Roger Gray v. Hardy King, et al.
Lower Court Case Numbers: 287559

Dear Ms. Butler:

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

Sincerely,



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

WLM, III/ld
Enclosure

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

December 16, 2005

Ms. Joyce Smith
Clerk of Superior Court
Marion County
P. O. Box 41
Buena Vista, GA 31803

Re: A04A2026 Sam Rigdon v. The State

Dear Ms. Smith:

I am in receipt of your facsimile transmission dated December 16, 2005, regarding the videotape, State's Exhibit 1, in the above appeal. As per your request, I am returning the videotape to you. Additionally, I have enclosed a copy of your facsimile transmission.

If I may be of further assistance to you or should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,



William L. Martin, III
Clerk/Court Administrator

WLM, III/hkos

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

MAR 3 2006

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

RE: A04A2032. Donald Clay DeLong v. The State
Lower Court Case Number: 03CR0319

Dear Mr. Sorrells:

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

Sincerely,



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

WLM, III/ld
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

MAR 3 2006

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

RE: A04A2159. Tyler Bragg v. The State
Lower Court Case Number: 03CR0295

Dear Ms. Baker:

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

Sincerely,



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

WLM, III/ld
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 18, 2006

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

RE: Lower Court Case Number: 96CR0110
A04A2161. Joshua Lewis v. The State

Dear Ms. Baker:

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

Sincerely,



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

WLM, III/ld
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 3, 2006

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

RE: A04A2218. Jan Everett Porter v. The State
Lower Court Case Number: 2992CR25

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
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 10, 2006

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

RE: A04A2226. Edward Dewitt Zorn, et al. v. John Doe
Lower Court Case Number: 2002RCCV1040

Dear Ms. Johnson:

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

Sincerely,



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

WLM, III/ld
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 6, 2006

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

RE: A04A2258. Patricia Bonner v. Southern Restaurant Group, Inc., et al.
Lower Court Case Number: 2003RCCV1140

Dear Ms. Johnson:

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

Sincerely,



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

WLM, III/ld
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

January 23, 2006

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

RE: A04A2271. Walter Schmidt v. The State
Lower Court Case Number: 0345431

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,



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

WLM, III/ld
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 6, 2006

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

RE: A04A2330. Jimmy Brown v. The State
Lower Court Case Number: 2002CR02543

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
334 State Judicial Building
Atlanta, Georgia 30334*

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

MAR 3 2006

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

RE: A04A2332. Shawn Harbin v. The State
Lower Court Case Number: 00M2734
Forsyth County State Court

Dear Mr. Sorrells:

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
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 3, 2006

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

RE: A04A0174. James Edward Van Alstine v. The State
Lower Court Case Number: 01CR0841

Dear Ms. Baker:

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
334 State Judicial Building
Atlanta, Georgia 30334

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 5, 2006

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

RE: Your Case Number: 03SC01637
Melvin Murden v. The State

Dear Ms. Hicks:

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 record contains more than one Notice of Appeal.

Please remove the extra Notice of Appeal and submit it as your certified record and we will be able to docket both cases.

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

RECORDS RETURN NOTICE

DATE 1/4/06

Style Melvin Murder v. The State

Lower Court Fulton Superior Court

Lower Court Case NO. 03SC 01637

REASON:

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

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 5, 2006

Ms. Cindy Mason
Clerk, Superior Court
Columbia County
640 Ronald Reagan Drive
Post Office Box 2930
Evans, Georgia 30809

ATTN: Donna C. Rourke
Deputy Clerk

RE: Your Case Number: 2000CR0986
Mark Glover v. The State

Dear Ms. Rourke:

I am in receipt of the record in the above appeal which was forwarded from your office to our office. Please be advised that we are unable to docket the record as submitted.

The record contains two Notices of Appeal, possibly duplicates. We are only able to docket one Notice of Appeal per record.

If you wish to remove the second Notice of Appeal and send that as a separate certified record, please feel free to do so.

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 1-4-06

Style Mark Glover v. The State

Lower Court Superior Court of Columbia County

Lower Court Case NO. 2000CR 0986

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 - filed
- 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 Hc
clerk - 2nd
is a duplicate

↓

2/16/05
12/28/05 +
4/24/03

Cindy Mason
CLERK OF SUPERIOR & JUVENILE COURTS
COLUMBIA COUNTY

P.O. Box 2930
Evans, Georgia 30809

Telephone (706) 312-7139
Fax (706) 312-7152

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

December 29, 2005

Honorable William L. Martin, III, Clerk
Court of Appeals of Georgia
433 State Judicial Building
40 Mitchell Street
Atlanta, Georgia 30334

FILED IN OFFICE

IN RE: Mark Glover
2000CR0986, September Term, 2000

JAN - 3 2006

CLERK COURT OF APPEALS OF GA

Dear Mr. Martin,

Please find enclosed herewith the Original Notice of Appeals with a Certified Copy of the Transcript of Record and Motion for New Trial Transcript held April 15, 2003 in the above captioned case.

With kindest regards, I am

Sincerely,

Donna C. Rourke

Donna C. Rourke
Deputy Clerk/Criminal Division

Encl.

cc: Daniel J. Craig
District Attorney
Augusta Judicial Circuit
Augusta, Georgia 30911

Susan A.
Attorney
354 College
Millen, GA

*per clerk's office -
this is a duplicate
appeal -*

*attorney mailed in
one by certified mail
& hand carried the
other.*

1/4/06

IN THE SUPERIOR COURT OF COLUMBIA COUNTY

STATE OF GEORGIA

STATE OF GEORGIA
APPELLANT

VS

MARK GLOVER
APPELLEE

COURT OF APPEALS NO.

LOWER COURT CASE NO. 2000CR0986

FILED IN OFFICE

JAN - 3 2006

ATTORNEY FOR STATE

DANIEL J. CRAIG
DISTRICT ATTORNEY
AUGUSTA JUDICIAL DISTRICT
551 GREENE STREET
AUGUSTA, GEORGIA 30901

ATTORNEY FOR DEFENDANT CLERK COURT OF APPEALS OF GA

SUSAN A. WELCH, GSB#747265
ATTORNEY FOR APPELLEE
354 COLLEGE AVENUE
MILLEN, GEORGIA 30442

ALBERT M. PICKETT
SENIOR JUDGE SUPERIOR COURT
640 RONALD REAGAN DRIVE
EVANS, GEORGIA 30809

Index of Record of Appeal

Notice of Appeal – Affidavit – December 28, 2005	Page 1
Notice of Appeal – Affidavit – December 16, 2005	Page 4
Indictment No. 50, 2000CR0986, September Term, 2000 – October 31, 2000	Page 7
Court Production Order – November 8, 2000	Page 11
State’s Demand for Discovery – November 21, 2003	Page 12
Notice of Defendant’s Intention to Proceed – November 27, 2000	Page 14
Demand for Copy of Indictment and List of Witnesses – November 27, 2000	Page 16
Demand for List of Names and Other Information Concerning Witnesses November 27, 2000	Page 18
Demand for Prosecution to Furnish Copy of Defendant’s GCIC Report November 27, 2000	Page 20
Motion for Discovery of Statements of the Defendant – November 27, 2000	Page 22
Motion for Discovery of Statements Made by Witnesses for the State November 27, 2000	Page 26
Motion to Preserve, Inspect, Examine, and Independently Test All Physical Evidence and Notice to Produce – November 2000	Page 31
Motion Reserving the Right to File Additional Motions – November 27, 2000	Page 36
Preliminary Motion to Suppress and Authority Thereof – November 27, 2000	Page 38
Court Production Order – November 29, 2000	Page 41
Court Production Order – November 29, 2000	Page 42
Court Production Order – November 29, 2000	Page 43
Court Production Order – November 29, 2000	Page 44
Court Production Order – November 29, 2000	Page 45
Court Production Order – November 29, 2000	Page 46

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 9, 2006

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

ATTN: Ms. Wendy Brewster

RE: Your Case Number: 2001SC06450
Robert Johnson v. The State

Dear Ms. Brewster:

Enclosed please find the record in the above appeal which was forwarded from your office to our office. Please be advised that the record contains no order denying the Motion for New Trial. Until such time as the trial court enters an order denying the Motion for New Trial, this appeal is premature.

When the trial court enters an order denying the Motion for New Trial, please index it and include it in the certified record and return the record to this office for docketing. Obviously, if the trial court grants the Motion for a 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 an 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 4/5/06

Style Robert Johnson v. The State

Lower Court Fulton Superior

Lower Court Case NO. 2001SC06450

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 COURT OF APPEALS OF GEORGIA

ROBERT JOHNSON)
APPELLANT)
-VS-)
)
)
)
)
STATE OF GEORGIA)
APPELLEE)
)
)

INDICTMENT #
2001SC06450

FROM
FULTON COUNTY
SUPERIOR COURT

RECEIVED
JAN - 3 2006
COURT OF APPEALS
OF GA

INDEX

	<u>PAGE</u>
1. NOTICE OF APPEAL, FILED NOVEMBER 29, 2004	0001
2. INDICTMENT #2001SC06450 CHARGING ROBERT JOHNSON WITH ARMED ROBBERY O.C.G.A. §16-8-41, TRUE BILL DATED MAY 27, 2001	0004
3. ORDER TO TRANSFER CRIMINAL CASE, FILED JUNE 12, 2001	0006
4. CASE MANAGEMENT HEARING NOTICE, FILED JUNE 22, 2001	0007
5. STANDING CASE MANAGEMENT ORDER, FILED JUNE 22, 2001	0008
6. ENTRY OF APPEARANCE, FILED JUNE 26, 2001	0010
7. CONSOLIDATED MOTIONS AND DEMANDS FOR DISCOVERY; NOTICE OF DEFENDANT'S ELECTION TO PROCEED UNDER O.C.G.A SEC 17-16-1 ET SEQ., FILED JUNE 29, 2001	0011
8. CASE MANAGEMENT HEARING NOTICE, FILED JULY 26, 2001	0029
9. FINAL PLEA AND TRIAL NOTICE, FILED AUGUST 31, 2001	0031
10. CERTIFICATE OF DISCOVERY AND STATE'S DEMAND FOR DISCOVERY UNDER O.C.G.A §17-16-1 ET SEQ., FILED AUGUST 31, 2001	0032

APPEALS

11.	STATE'S UPDATED LIST OF WITNESSES, FILED NOVEMBER 16, 2001	0066
12.	ORDER, FILED NOVEMBER 21, 2001	0068
13.	MOTION FOR TRANSCRIPT, FILED NOVEMBER 27, 2001	0069
14.	ORDER, FILED NOVEMBER 28, 2001	0071
15.	DEFENDANT'S WITNESS LIST, FILED JANUARY 10, 2002	0072
16.	NOTICE OF PROSECUTION'S INTENT TO PRESENT EVIDENCE OF SIMILAR TRANSACTION, FILED FEBRUARY 15, 2002	0073
17.	NOTICE OF AGGRAVATION AND STATE'S INTENT TO SEEK RECIDIVIST PUNISHMENT, FILED MARCH 11, 2002	0077
18.	FINAL DISPOSITION, FILED MAY 3, 2002	0079
19.	MOTION FOR NEW TRIAL, FILED MAY 21, 2002	0080
20.	AFFIDAVIT OF CUSTODIAN, FILED JULY 22, 2002	0082
21.	MOTION FOR DISMISSAL OF MR. GREENBERG AS APPELLATE COUNSEL, FILED JULY 7, 2003	0083
22.	MOTION FOR APPOINTMENT OF NEW APPELLATE COUNSEL, FILED JULY 7, 2003	0085
23.	LETTER FROM CLERK OF SUPERIOR COURT TO DEFENDANT, FILED JULY 11, 2003	0089
24.	ORDER FOR THE PRODUCTION OF THE TRIAL TRANSCRIPT TO APPELLATE COUNSEL, FILED MAY 18, 2004	0090
25.	DEFENDANT'S MOTION FOR AN OUT OF TIME APPEAL, FILED NOVEMBER 17, 2004	0091
26.	ORDER, FILED NOVEMBER 17, 2004	0094

- | | | |
|-----|---|------|
| 27. | PETITION FOR COMPENSATION OF APPOINTED COUNSEL,
FILED JANUARY 25, 2005 | 0095 |
| 28. | LETTER FROM DEFENDANT TO THE CLERK OF SUPERIOR
COURT, FILED AUGUST 26, 2005 | 0099 |
| 29. | LETTER FROM ATTORNEY CYNTHIA WRIGHT HARRISON TO
THE CLERK OF SUPERIOR COURT REGARDING THE STATUS
OF THE NOTICE OF APPEAL, FILED SEPTEMBER 7, 2005 | 0100 |
| 30. | RULE NISI HEARING, FILED NOVEMBER 4, 2005 | 0102 |

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 9, 2006

Mr. Gary M. Bell
Clerk, Superior Court
Bartow County Courthouse
135 West Cherokee Avenue, Suite 233
Cartersville, Georgia 30120

ATTN: Ms. Melissa Knight
Deputy

RE: Your Case Number: 05-CV-1590
Samuel P. Delaney v. Dennis Burbank, et al.

Dear Ms. Knight:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised that the Notice of Appeal indicates a transcript will be filed for inclusion in the record on appeal. However, no transcript accompanied the record.

As long as the Notice of Appeals calls for a transcript, we may not docket the appeal until such time as the transcript is filed.

When the court reporter files the certified transcript with your office, please attach your certificate and return it along with the record to this Court for filing. If, in fact, there is no transcript for this matter, please have counsel for appellant file an amended Notice of Appeal to reflect that fact.

Sincerely,



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

WLM, III/ld
Enclosures

IN THE SUPERIOR COURT OF BARTOW COUNTY
STATE OF GEORGIA

SAMUEL P DELANEY
PLAINTIFF

CASE NO. 05-CV-1590

VS

DENNIS BURBANK AND
SHANNON BURBANK
DEFENDANTS

RECEIVED

JAN - 5 2006

APPEARANCES

COURT OF APPEALS
OF GA

FOR THE PLAINTIFF

CHARLES T ROBINSON
805 BERMUDA RUN
WOODSTOCK GA 30189

FOR THE DEFENDANT

TIMOTHY G COOK
1820 THE EXCHANGE
SUITE 150
ATLANTA GA 30339

INDEX

DATE			PAGE
12-21-05	NOTICE OF APPEAL	1	- 2
06-03-05	TRANSFER FROM MAGISTRATE COURT INCLUDING ALL DOCUMENTS TRANSFERRED TO SUPERIOR COURT FROM MAGISTRATE COURT	3	- 35
08-11-05	LETTER REQUESTING SUBPEONA	36	
08-23-05	LETTER PLACING CASE ON SUPERIOR CALENDAR FOR 09-15-05	37	
09-06-05	FIRST AMENDED PLEADINGS	38	- 42
09-06-05	ENTRY OF APPEARANCE	43	- 44
10-25-05	ORDER	45	- 47
12-12-05	COURT OF APPEALS GRANTING APPLICATION	48	- 49

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 17, 2006

Mr. Thomas K. Kahn
Clerk, Eleventh Circuit Court of Appeals
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

RE: Your Case Number: 05-13279-EE
British Dewan Moss v. James V. Crosby, Jr., Secretary, Florida
Department of Corrections

Dear Mr. Kahn:

Enclosed please find the Appellant Reply to Appellee's Response in the above appeal which I suspect was intended for your Court and not the Court of Appeals of Georgia.

Sincerely,



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

WLM, III/ld
Enclosure

cc: Mr. British D. Moss
Jail #04-0024017 SMU-147
Metro West Detention Center
13850 N.W. 41st Street
Miami, Florida 33178

In The United States Court of Appeals
For The Eleventh Circuit

British Dewan Moss,
Appellant

Case No. 05-13279-EE

vs.

Dist. Ct. No. 03-21051-CV-AJ

James v. Crosby, Jr., Sec. Fla. Dept. of Corrections
Appellee

on Appeal From The United States District
Court For The Southern District of Florida

Appellant's Response To Appellee's
Brief

British Dewan Moss
Jail# 04-0024017 SMU-147
Metro West Detention Center
13850 NW 41~~st~~
Miami, Florida 33178

RESPONSE

Comes now the appellant British Dewan Moss, Pro se and submits the instant response and I state as follows:

Appellee's "Statement of the Case, section (i)" is inaccurate as it fails to state that I had filed a 3.800 motion to correct Illegal Sentence in early 2005 in the trial court challenging the illegal sentence that was imposed upon me, specifically that I was sentenced to Life in prison for a 2nd degree felony conviction, i.e. sexual battery without a firearm, because even though "The Court entered an order of departure from the sentencing guidelines stating the aggravating circumstances that justified the departure and announced the reasons in open court", as appellee stated in the brief, the Court departed from the statutory maximum of 15 years, but the trial Court denied my 3.800 motion on September 1, 2005 and I appealed to the 3rd DCA in a timely manner because I was told I had 30 days to appeal, and on November 29, 2005 the 3rd District Court of Appeal ordered the State of Florida "to file a response within twenty (20) days from the date of this order as to why the relief sought by appellant should not be granted," (Case No: 3D05-2285, Lower Tribunal No. 98-37639) and on December 16th, 2005 the state requested an "extension of time to serve response," so this 3.800 motion to correct illegal sentence is still pending and although my pending appeal of the summary denial of my 3.800 motion may not be relevant to the instant appeal, I have brought it to the attention of this Court due to the fact that appellee forgot to mention it in appellee's "Statement of the Case (i) Course of Proceedings and Disposition in Courts Below," and it is only proper that this Court know the truth.

Furthermore, Contrary to appellee's position that my argument is without merit, my argument is meritorious because as I stated in my brief, it was Judge Jordan's misleading statement that my case was closed that lulled me into inaction and also the fact that he did not advise me of my right to appeal and when considering the unique circumstances of this case, which may be one of first impression, this Court should reverse my case and order that the procedures set out in this Court's decision in United States v. Phillips 225 F.3d 1198 (11 Cir. 2000) be followed and/or the procedures set out in Federal Rule of Civil Procedure 60(b) (1) (3) and (6) as my failure to appeal to this Court meets the excusable neglect doctrine, and my Rule 4(a) motion to Re-open Time to File Appeal could be treated as a Rule 60(b) motion for relief of Judgment because it was filed within 1 year of Judge Jordan's order denying my Habeas Corpus and closing my case.

Wherefore, for the reasons stated in my brief and in this response and any other pleading I have submitted, I pray that this Court grant my appeal, more so since I am serving a life sentence for a second degree felony which constitutes manifest injustice.

Respectfully Submitted
British Moss
British Dewan Moss
Jail# 04-0024017 5114-147
Metro West Detention Center
13850 NW 41 St
Miami, Florida

Certificate of Service

I Hereby certify that a true and correct copy of the foregoing response was mailed to the Attorney General's Office at 444 Brickell Avenue, Miami, Florida 33131 on this 10th day of January 2006 via U.S. mail.

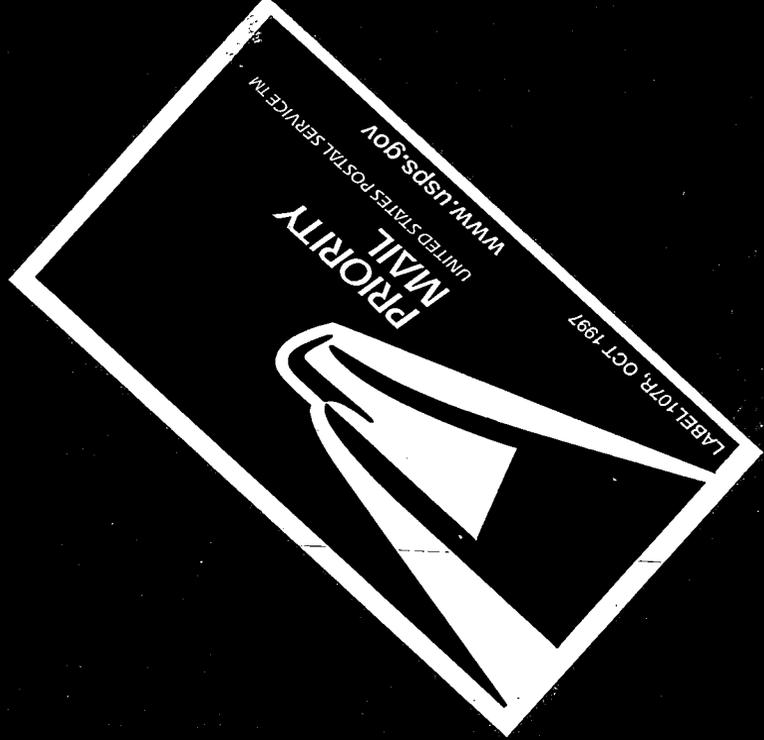
Respectfully submitted
British Moss Pro Se
Britisk Dewan Moss
Jail # 04-0024017 SUU-147
Metro West Detention Center
13850 NW 41 ~~st~~,
Miami, Florida

33178

BRITISH AMCS-040024017
13850 N.W. 41 Street #747-
MIAMI FL. 33178



Court
334
140
A+C



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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

January 20, 2006

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

RE: Your Case Number: 2005CV103053
Peachtree-Stratford, L.P. v. Grove Street Partners, LLC, et al.

Dear Ms. Hicks:

Enclosed please find the record in the above appeal which was forwarded from your office to the Office of the Clerk of Supreme Court of Georgia and from that office to ours. Please be advised that we are unable to docket this appeal and are therefore returning the record to you. The Notice of Appeal in the record states it is appealed to the Supreme Court of Georgia, not the Court of Appeals. The Supreme Court of Georgia transferred to the Court of Appeals, a companion case, S06A0666. Peachtree-Stratford, L.P. v. Grove Street Partners, LLC, et al. by that Court's order of January 17, 2006. However, the enclosed appeal was not transferred by an order of the Supreme Court of Georgia, and since the Notice of Appeal indicates it is to the Supreme Court of Georgia, we cannot docket same.

When we offered to return this record to the Supreme Court of Georgia it was refused. As I said earlier, we cannot docket an appeal which indicates it is to the Supreme Court of Georgia.

Additionally, this Court will require a stamped filed copy of the trial court's order which is being appealed. It is not sufficient that the trial court make an oral recitation in open court. When the trial court reduces its order to writing and enters the order, that is, files it with your office, and when counsel for the appellant amends the Notice of Appeal to reflect the appeal is to the Court of Appeals of Georgia, not the Supreme Court, please return the case to this Court for docketing.

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

Sincerely,



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

WLM, III/ld
Enclosures

cc: Frank X. Moore, Esq.
Frank X. Moore & Associates

Kenneth L. Millwood, Esq.
S. Wade Malone, Esq.
Nelson • Mullins • Riley & Scarborough, LLP

Daniel A. Angelo, Esq.
Greene • Buckley • Jones & McQueen

Susan E. Edlein, Esq.
Holland & Knight, LLP

Peter V. Hasbrouck, Esq.
Martenson • Hasbrouck & Simon, LLP

H. Sanders Carter, Jr., Esq.
Robert A. Barnaby, II, Esq.
Carter & Ansley, LLP

Jill Warner, Esq.
Kilpatrick & Stockton, LLP

Steven A. Miller, Esq.
Drew • Eckl & Farnham, LLP

Fred M. Vatz, III, Esq.
Meg T. Blackwood, Esq.
Carlock • Copeland • Semler & Stair

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

January 20, 2006

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

RE: Your Case Number: 2005CV103053
Peachtree-Stratford, L.P. v. Grove Street Partners, LLC, et al.

Dear Ms. Hicks:

Enclosed please find the record in the above appeal which was forwarded from your office to the Office of the Clerk of Supreme Court of Georgia and from that office to ours. Please be advised that we are unable to docket this appeal and are therefore returning the record to you. The Notice of Appeal in the record states it is appealed to the Supreme Court of Georgia, not the Court of Appeals. The Supreme Court of Georgia transferred to the Court of Appeals, a companion case, S06A0666. Peachtree-Stratford, L.P. v. Grove Street Partners, LLC, et al. by that Court's order of January 17, 2006. However, the enclosed appeal was not transferred by an order of the Supreme Court of Georgia, and since the Notice of Appeal indicates it is to the Supreme Court of Georgia, we cannot docket same.

When we offered to return this record to the Supreme Court of Georgia it was refused. As I said earlier, we cannot docket an appeal which indicates it is to the Supreme Court of Georgia.

Additionally, this Court will require a stamped filed copy of the trial court's order which is being appealed. It is not sufficient that the trial court make an oral recitation in open court. When the trial court reduces its order to writing and enters the order, that is, files it with your office, and when counsel for the appellant amends the Notice of Appeal to reflect the appeal is to the Court of Appeals of Georgia, not the Supreme Court, please return the case to this Court for docketing.

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

Sincerely,



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

WLM, III/ld
Enclosures

bcc: Judge Anne Elizabeth Barnes

cc: Frank X. Moore, Esq.
Frank X. Moore & Associates

Kenneth L. Millwood, Esq.
S. Wade Malone, Esq.
Nelson • Mullins • Riley & Scarborough, LLP

Daniel A. Angelo, Esq.
Greene • Buckley • Jones & McQueen

Susan E. Edlein, Esq.
Holland & Knight, LLP

Peter V. Hasbrouck, Esq.
Martenson • Hasbrouck & Simon, LLP

H. Sanders Carter, Jr., Esq.
Robert A. Barnaby, II, Esq.
Carter & Ansley, LLP

Jill Warner, Esq.
Kilpatrick & Stockton, LLP

Steven A. Miller, Esq.
Drew • Eckl & Farnham, LLP

Fred M. Vatz, III, Esq.
Meg T. Blackwood, Esq.
Carlock • Copeland • Semler & Stair



SUPREME COURT OF GEORGIA
Case No. S06A0666.

Atlanta January 17, 2006

The Honorable Supreme Court met pursuant to adjournment.
The following order was passed.

PEACHTREE/STRATFORD, L.P. v. GROVE STREET PARTNERS, LLC., et al.

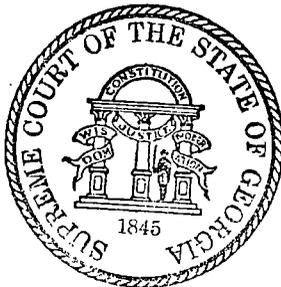
From the Superior Court of Fulton County.

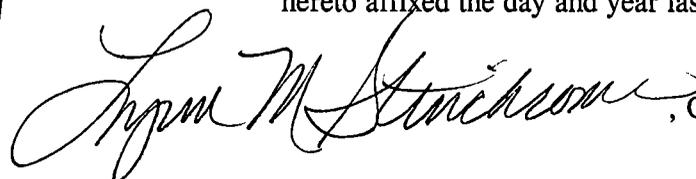
Appellant seeks review of the superior court's November 17, 2005 order granting Appellees' motions for partial summary judgment on Appellant's claims for ejectment, trespass, and wrongful foreclosure. Appellant filed the instant direct appeal seeking to invoke this Court's title to land jurisdiction, asserting that the appeal involves an action at law such as ejectment in which Appellant alleges title to the land and seeks possession of the land from Appellees. In spite of Appellant's assertions that it has alleged title in the land, Appellant is not asserting a presently enforceable legal title in the land, but instead seeks to set aside the foreclosure on the basis of fraud, breach of contract, and other legal claims. Accordingly, the appeal does not invoke this Court's title to land jurisdiction as the action is not a quiet title action and does not constitute an action at law in which the plaintiff asserts a presently enforceable legal title against the possession of the defendant for the purpose of recovering the land. Graham v. Tallent, 235 Ga. 47 (218 SE2d 799) (1975). The appeal also does not invoke this Court's equity jurisdiction as the underlying issues raised on appeal present questions of law, not equity, and the grant or denial of any equitable relief would depend on the resolution of those legal questions. Redfearn v. Huntcliff Homes Assn., 271 Ga. 745 (524 SE2d 464) (1999). Accordingly, as this appeal does not present any basis for invoking this Court's jurisdiction, the appeal must be and hereby is 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

PEACHTREE/STRATFORD, L.P.,)

Plaintiff,)

CIVIL ACTION)

v.)

FILE NO. 2005CV103053)

GROVE STREET PARTNERS, LLC, et al.,)

Defendants.)

**NOTICE OF APPEAL TO SUPREME COURT OF GEORGIA
FROM ORAL RULINGS**

Notice is hereby given that Plaintiff, Peachtree/Stratford, L.P., by and through its undersigned attorney, hereby appeals to the Supreme Court of Georgia from the oral rulings made on October 26, 2005 and October 27, 2005 as set out below granting portions of the motions for partial summary judgment filed by Stratford Grove, LLC, Grove Street Partner's LLC, and Kevin Kern (collectively the "Kern Defendants") on Plaintiff's claims for ejectment, trespass and wrongful foreclosure (Counts I, II and VII of the Complaint). The oral rulings from which appeal is taken are as follows:

- (1) Oral rulings announced in the hearing on October 26, 2005, including but not limited to, the following:

THE COURT: Anything else? And then I'll tell you what I think about this. I do think-- I know that this unpublished opinion, Barnes, and that International case and some other stuff that I read says that the order of a judge, whether verbal or written, ought to mean something, and I agree with that. I think that the court had it right when the bankruptcy judge says this matter is dismissed that at that moment the judge has through inherent and apparent powers, lifted bankruptcy protection by that verbal order such that the advertisement, the initial advertisement in this foreclosure, was not in violation of the stay. That's what I find.¹;

¹Transcript of Motion for Summary Judgment Hearing Before the Honorable Gino Brogdon, October 26, 2005, Pgs. 77-78.

11/18/05
4:58pm
An

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

January 20, 2006

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

RE: Your Case Number: 2005CV103053
Peachtree-Stratford, L.P. v. Grove Street Partners, LLC, et al.

Dear Ms. Hicks:

Enclosed please find the record in the above appeal which was forwarded from your office to the Office of the Clerk of Supreme Court of Georgia and from that office to ours. Please be advised that we are unable to docket this appeal and are therefore returning the record to you. The Notice of Appeal in the record states it is appealed to the Supreme Court of Georgia, not the Court of Appeals. The Supreme Court of Georgia transferred to the Court of Appeals, a companion case, S06A0666. Peachtree-Stratford, L.P. v. Grove Street Partners, LLC, et al. by that Court's order of January 17, 2006. However, the enclosed appeal was not transferred by an order of the Supreme Court of Georgia, and since the Notice of Appeal indicates it is to the Supreme Court of Georgia, we cannot docket same.

When we offered to return this record to the Supreme Court of Georgia it was refused. As I said earlier, we cannot docket an appeal which indicates it is to the Supreme Court of Georgia.

Additionally, this Court will require a stamped filed copy of the trial court's order which is being appealed. It is not sufficient that the trial court make an oral recitation in open court. When the trial court reduces its order to writing and enters the order, that is, files it with your office, and when counsel for the appellant amends the Notice of Appeal to reflect the appeal is to the Court of Appeals of Georgia, not the Supreme Court, please return the case to this Court for docketing.

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

Sincerely,



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

WLM, III/ld
Enclosures

cc: Frank X. Moore, Esq.
Frank X. Moore & Associates

Kenneth L. Millwood, Esq.
S. Wade Malone, Esq.
Nelson • Mullins • Riley & Scarborough, LLP

Daniel A. Angelo, Esq.
Greene • Buckley • Jones & McQueen

Susan E. Edlein, Esq.
Holland & Knight, LLP

Peter V. Hasbrouck, Esq.
Martenson • Hasbrouck & Simon, LLP

H. Sanders Carter, Jr., Esq.
Robert A. Barnaby, II, Esq.
Carter & Ansley, LLP

Jill Warner, Esq.
Kilpatrick & Stockton, LLP

Steven A. Miller, Esq.
Drew • Eckl & Farnham, LLP

Fred M. Vatz, III, Esq.
Meg T. Blackwood, Esq.
Carlock • Copeland • Semler & Stair

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 20, 2006

Mr. Daniel Massey
Clerk, Superior Court
Chatham County
304 Chatham County Courthouse
133 Montgomery Street • Post Office Box 10227
Savannah, Georgia 31401-0427

RE: Your Case Number: CV04-0888-KA
Ramone M. Almonte, et al. V. West Ashley Toyota, Inc.

Dear Mr. Massey:

Enclosed please find the record in the above appeal which was forwarded from your office to our office. Please be advised that we are unable to docket this appeal because the Notice of Appeal indicates that a transcript would 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 send the transcript along with your certification. 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, please feel free to contact me.

Sincerely,



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

WLM, III/ld
Enclosures

cc: Mr. Ramone M. Almonte
Mr. Chauncey G. Amonte
Robert Lewallen, Jr., Esq.

RECORDS RETURN NOTICE

DATE 1/19/04

Style Ramon Atmante et al v. West Oakley Loyato, Inc.

Lower Court Chatham Superior

Lower Court Case NO. CV 040888

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 second Notice of Appeal is still in Chatham County

Pro se called 1/19/04 and said she would not file an amended notice of appeal stating "No transcripts" until next week.

SC

SUPERIOR COURT-CHATHAM COUNTY, GEORGIA-EASTERN JUDICIAL CIRCUIT

DANIEL W. MASSEY - CLERK

TELEPHONE NUMBER (912) 652-7200

CASE NUMBER: CV04-0888-KA

RAMONE M. ALMONTE AND
CHAUNCEY G. ALMONTE,
APPELLANT

PRO-SE

Attorney

POST OFFICE BOX 29925

HILTON HEAD ISLAND, SC 29925

Address

(912) 220-5270

Telephone

VS

WEST ASHLEY TOYOTA, INC.,
APPELLEE

ROBERT A. LEWALLEN, JR.

Attorney

POST OFFICE BOX 9848

SAVANNAH, GEORGIA 31412

Address

(912) 236-0261

Telephone

HON. MICHAEL KARPF

Judge

133 MONTGOMERY STREET

ROOM 212

SAVANNAH, GEORGIA 31401

Address

(912) 652-7460

Telephone

RECEIVED

JAN 17 2006

COURT OF APPEALS
OF GA

STATE OF GEORGIA
COUNTY OF CHATHAM

)(WRIT OF ERROR FROM CHATHAM SUPERIOR COURT
)(TO THE COURT OF APPEALS OF GEORGIA

RAMONE M. ALMONTE AND
CHAUNCEY G. ALMONTE,
APPELLANT

VS

CIVIL ACTION NUMBER: CV04-0888-KA

WEST ASHLEY TOYOTA, INC.,
APPELLEE

INDEX

NOTICE OF APPEAL, FILED OCTOBER 31, 2005	1
NOTICE OF APPEAL, FILED NOVEMBER 2, 2005	2
AMENDMENT TO NOTICE OF APPEAL, FILED DECEMBER 2, 2005	3
DESIGNATION OF ADDENDUM TO APPEAL RECORD, FILED DECEMBER 8, 2005	7
COMPLAINT, FILED JUNE 10, 2004	10
SHERIFF'S ENTRY OF SERVICE TO CHAUNCEY G. ALMONTE, SERVED JUNE 29, 2004	22
SHERIFF'S ENTRY OF SERVICE TO RAMON M. ALMONTE, SERVED JUNE 29, 2004	23
ANSWER TO COMPLAINT, FILED JULY 2, 2004	24
RULE 5.2 CERTIFICATE, PLAINTIFF'S FIRST REQUEST FOR THE PRODUCTION OF DOCUMENTS, FIRST INTERROGATORIES TO PLAINTIFF, AND FIRST REQUESTS FOR ADMISSION TO DEFENDANTS, FILED AUGUST 13, 2004	35
MOTION FOR SUMMARY JUDGMENT OF PLAINTIFF WEST ASHLEY TOYOTA, FILED JUNE 27, 2005	36
BRIEF IN SUPPORT OF PLAINTIFF WEST ASHLEY TOYOTA'S MOTION FOR SUMMARY JUDGMENT, FILED JUNE 27, 2005	37

STATEMENT OF EACH THEORY OF RECOVERY AND EACH MATERIAL FACT AS TO WHICH THERE IS NO GENUINE ISSUE TO BE TRIED, FILED JUNE 27, 2005	102
STATEMENT AS TO WHY WEST ASHLEY TOYOTA, INC. IS NOT ENTITLED TO JUDGMENT OR RECOVERY OF COMPENSATION, AS A MATTER OF LAW, FILED JULY 25, 2005	108
PLAINTIFF'S REPLY BRIEF IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT, FILED AUGUST 26, 2005	115
DEFENDANTS REPLY BRIEF ON WHY PLAINTIFFS' SUPPORT OF MOTION FOR SUMMARY JUDGMENT SHOULD BE DENIED, FILED SEPTEMBER 26, 2005	121
ORDER AND JUDGMENT, FILED OCTOBER 10, 2005	124
CLERK'S CERTIFICATION	128

IN THE SUPERIOR COURT OF CHATHAM COUNTY FILED IN OFFICE

STATE OF GEORGIA

2005 OCT 31 PM 12:04

Valerie E. Dunchosa
DEP. CLK. SUPERIOR CT.
CHATHAM COUNTY, GA.

WEST Ashley Toyota, Inc;

Plaintiff,

v.

Civil Action No. CV04-0888-KA

Ramone M. Almonte and Chauncey Almonte G.
Almonte

Defendants.

NOTICE OF APPEAL

Complaint Counsel hereby gives notice that it will appeal, against Ramon and Chauncey Almonte, the entirety of the Initial Decision, and the Order entered by the Administrative Law Judge, as well as certain related procedural and evidentiary rulings, in the above captioned proceeding. *Appealing to the Appeals Court in Atlanta.*

Respectfully submitted this 01 day of Nov. 2005

Ramon Almonte

x

Chauncey Almonte

contact ph # - 912-220-5270

1

✓

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

January 26, 2006

Ms. Marian Bradberry
Clerk, State Court of Henry County
40 Atlanta Street • Suite 100
McDonough, Georgia 30253

RE: Your Case Number: 05SR08055
Alexander Wright Mims v. The State

Dear Ms. Bradberry:

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 calls for transcripts and no transcripts were included with the record.

When the court reporter files the transcripts with your office, please certify them and send them along with this record to our office for docketing. If, in fact, there are no transcripts, when counsel for the appellant files an amended Notice of Appeal to reflect that fact, please return the record to our office for docketing.

I apologize for the 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.

STATE COURT OF HENRY COUNTY

40 ATLANTA STREET - SUITE 100
McDONOUGH, GEORGIA 30253

MARIAN BRADBERRY
CLERK

OFF: 770-898-7600
FAX: 770-898-7607

FILED IN OFFICE

JAN 24 2006

COURT CLERK
CLERK COURT OF APPEALS OF GA

Thursday, January 19, 2006

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

RE: Alexander Wright Mims, Appellant
State Court Criminal Case # 05SR08055
VS.
State of Georgia, Appellee

Dear Mr. Martin:

Enclosed you will find the Index and copies of the Clerk's record for the proceedings held before the Honorable Ben W. Studdard III, Judge on the 22nd day of September, 2005.

Sincerely,


Marian Bradberry
Clerk of State Court

CC: Stanley W Schoolcraft, III, Counsel for Appellant
Chief Judge Ben W. Studdard III
Charles (Chuck) Spahos, Solicitor General

ALEXANDER WRIGHT MIMS
APPELLANT

VS.

STATE OF GEORGIA
APPELLEE

FROM: STATE COURT OF HENRY COUNTY
40 ATLANTA STREET
MCDONOUGH, GA. 30253

CRIMINAL CASE # 05SR08055

INDEX

ITEM #	RECORD DESCRIPTION	PAGE #
1	NOTICE OF APPEAL W/CERTIFICATE OF SERVICE, FILED 10/12/2005	1-3
2	CRIMINAL WARRANT DATED 04/06/2005, W/APPLICATION FOR COUNSEL APPOINTMENT	4-6
3	WAIVER OF COMMITTAL HEARING, DATED 04/13/2005	7
4	ACCUSATION FILED 06/10/2005, W/CASE WITNESS LIST	8-12
5	RESPONSE TO DISCOVERY W/CERTIFICATE OF SERVICE, FILED 09/01/2005	14-15
6	DEFENDANT'S REQUEST TO CHARGE, FILED 09/22/2005	16-28
7	CHARGE TO THE JURY FILED 09/22/2005	29-46
8	VERDICT, FILED 09/22/2005	47
9	SENTENCE AND PROBATION ORDER, FILED 09/22/2005	48-49
10	SENTENCE ADDENDUM, FILED 09/22/2005	50
11	NOLLE PROS ORDER AS TO COUNT 3, FILED 09/2/2005	51

ALEXANDER WRIGHT MIMS, APPELLANT
540 PLEASANT GROVE ROAD
McDonough, GA 30252

STANLEY W SCHOOLCRAFT, III, COUNSEL FOR APPELLANT
245 COUNTRY CLUB DR
BUILDING 300, SUITE D
STOCKBRIDGE, GA, 30281

CHUCK SPAHOS, SOLICITOR GENERAL
STATE COURT OF HENRY COUNTY
40 ATLANTA ST., SUITE 400
MCDONOUGH, GA. 30253

BEN W. STUDDARD, III, CHIEF JUDGE
40 ATLANTA ST.-SUITE 200
MCDONOUGH, GA. 30253

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 30, 2006

Ms. Marian Bradberry
Clerk, State Court of Henry County
40 Atlanta Street • Suite 100
McDonough, Georgia 30253

RE: Your Case Number: 04SV00529
Terrence Van Heflin v. Brenda Goodman, et al.

Dear Ms. Bradberry:

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 transcripts as indicated by the Notice of Appeal .

When the certified transcripts are filed with your office, please forward them to this Court with your certification. If there are, in fact, no transcripts, please return the record to us after counsel for the appellant has filed an amended Notice of Appeal to reflect the absence of transcripts.

I apologize for the 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: Bruce R. Millar, Esq.
Millar & Mixon, LLC

RECORDS RETURN NOTICE

DATE 1/26/06

Style Terrence Van Heflin v. Brenda Goodman et al

Lower Court Henry State

Lower Court Case NO. 04SV00529

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

40 ATLANTA STREET - SUITE 100
MCDONOUGH, GEORGIA 30253

MARIAN BRADBERRY
CLERK

OFF: 770-898-7600
FAX: 770-898-7607

January 19, 2006

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 # 04SV00529

Terrence Van Heflin,
Appellant

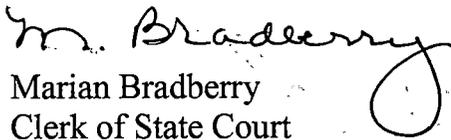
VS.

Brenda Goodman and Charity Adams, Individually and as Employees of
Automation USA Corporation D/B/A Team Toyota of Lithia Springs, and
Automation Motors of Lithia Springs, Inc., D/B/A/ Team Toyota of Lithia Springs, GA.,
Appellee

Dear Mr. Martin:

Enclosed you will find the Index and copies of the Clerk's record for the
proceedings, held before the Honorable Ben, regarding Civil Action Case #
04SV00529.

Sincerely,


Marian Bradberry
Clerk of State Court

CC: Miller & Mixon, LLC, Attorney For Plaintiff/Appellant
Jennifer R Bradford, John M Hawkins, Attorneys For Defendant/Appellee
Ben W. Studdard, III, Chief Judge

TERRENCE VAN HEFLIN,
APPELLANT

VS.

BRENDA GOODMAN AND CHARITY ADAMS,
INDIVIDUALLY AND AS EMPLOYEES OF
AUTOMATION USA CORPORATION D/B/A
TEAM TOYOTA OF LITHIA SPRINGS, AND
AUTOMATION MOTORS OF LITHIA
SPRINGS, INC., D/B/A/ TEAM TOYOTA OF
LITHIA SPRINGS, GA.,
APPELLEE

STATE COURT OF HENRY COUNTY
40 ATLANTA STREET
MCDONOUGH, GA. 30253

CIVIL ACTION CASE NO. 04SV00529

INDEX OF RECORDS (GROUP # 1)

ITEM #	DESCRIPTION	PAGE #	
1	PLAINTIFF'S MOTION FOR OUT-OF-TIME APPEAL W/CERTIFICATE OF SERVICE, FILED 09/21/2005	1-7	INDEX RECORD GROUP # 1
2	NOTICE OF APPEAL W/CERTIFICATE OF SERVICE, FILED 10/13/2005	8-10	
3	GENERAL CASE FILING INFORMATION FORM W/SUMMONS, COMPLAINT FOR DAMAGES AND STANDING ORDER FOR ALTERNATIVE DISPUTE RESOLUTION, FILED 05/19/2004	11-25	
4	MARSHAL/SHERIFF'S ENTRY OF SERVICE, FILED 05/28/2004 AND 06/13/2004	26-27	
5	ANSWER OF DEFENDANT, FILED 06/28/2004	28-38	
6	NOTICE OF FILING ORIGINAL PROOF OF SERVICE W/COPY OF ENTRY OF SERVICE ATTACHED, FILED 07/02/2004	39-40	
7	ANSWER OF DEFENDANT BRENDA GOODMAN W/CERTIFICATE OF SERVICE, FILED 07/02/2004	41-51	
8	CERTIFICATE OF SERVICE OF DISCOVERY, FILED 07/07/2005	52-54	

9	CERTIFICATE OF SERVICE FOR: PLAINTIFF'S FIRST INTERROGATORIES TO DEFENDANT CHARITY ADAMS, PLAINTIFF'S FIRST INTERROGATORIES TO DEFENDANT TEAM TOYOTA, PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANT TEAM TOYOTA, PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANT BRENDA GOODMAN, PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANT CHARITY ADAMS, FILED ON 07/12/2004	55-59.	GROUP # 1 (Cont.)
10	<u>ANSWER OF DEFENDANT CHARITY ADAMS W/CERTIFICATE OF SERVICE</u> , FILED 07/13/2004	60-71	
11	CERTIFICATE OF SERVICE OF "PLAINTIFF'S RESPONSE TO DEFENDANT AUTOMATION MOTORS OF LITHIA SPRINGS, INC. d/b/a TEAM TOYOTA OF LITHIA SPRINGS, <u>GEORGIA'S REQUEST FOR PRODUCTION OF DOCUMENTS</u> ", FILED 08/05/2004	72-73	INDEX GROUP # 2
12	CERTIFICATE OF SERVICE OF "PLAINTIFF'S RESPONSE TO DEFENDANT AUTOMATION MOTORS OF LITHIA SPRINGS, INC. d/b/a TEAM TOYOTA OF LITHIA SPRINGS, <u>GEORGIA'S FIRST INTERROGATORIES</u> ", FILED 08/05/2004	74-75	
13	CERTIFICATE OF SERVICE OF DISCOVERY, FILED 08/11/2004	76-78	
14	CERTIFICATE OF SERVICE OF DISCOVERY, FILED 08/17/2004	79-81	
15	NOTICE OF APPEARANCE, FILED 08/25/2004	82-83	
16	CERTIFICATE OF SERVICE OF " <u>DEPOSITION OF BRENDA GOODMAN</u> " FILED 08/25/2004	84	
17	CERTIFICATE OF SERVICE OF " <u>DEPOSITION OF CHARITY ADAMS</u> ", FILED 08/25/2004	85	
18	NOTICE OF LEAVE OF ABSENCE W/CERTIFICATE OF SERVICE, FILED 08/26/2004	86-88	
19	CERTIFICATE OF SERVICE OF DISCOVERY, FILED 09/08/2004	89-90	
20	CERTIFICATE OF SERVICE OF DISCOVERY, FILED 09/09/2004	91-93	
21	CERTIFICATE OF SERVICE OF DISCOVERY, FILED 09/13/2004	94-95	
22	CERTIFICATE OF SERVICE OF DISCOVERY, FILED 10/01/2004	96-97	
23	DEFENDANTS REQUEST FOR ORAL ARGUMENT, FILED 01/05/2005	98-100	
24	<u>AMENDED ANSWER OF DEFENDANT</u> , AUTOMATION IMPORTS OF LITHIA SPRINGS, INC, FILED 01/05/2005	101-102	

25	DEFENDANTS BRENDA GOODMAN, CHARITY ADAMS AND AUTONATION IMPORTS OF LITHIA SPRINGS, INC. d/b/a TEAM TOYOTA OF LITHIA SPRINGS <u>GEORGIA'S NOTICE OF FILING ORIGINAL DISCOVERY</u> W/ CERTIFICATE OF SERVICE, FILED 01/06/2005	103-105	
26	DEFENDANTS BRENDA GOODMAN, CHARITY ADAMS AND AUTONATION IMPORTS OF LITHIA SPRINGS, INC. d/b/a TEAM TOYOTA OF LITHIA SPRINGS <u>GEORGIA'S MOTION FOR SUMMARY JUDGMENT</u> W/CERTIFICATE OF SERVICE, FILED 01/06/2005	106-155	
27	DEFENDANTS BRENDA GOODMAN, CHARITY ADAMS AND AUTONATION IMPORTS OF LITHIA SPRINGS, INC. d/b/a TEAM TOYOTA OF LITHIA SPRINGS <u>GEORGIA'S BRIEF IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT</u> W/CERTIFICATE OF SERVICE, FILED 01/06/2005	156-182	
28	DEFENDANTS BRENDA GOODMAN, CHARITY ADAMS AND AUTONATION IMPORTS OF LITHIA SPRINGS, INC. d/b/a TEAM TOYOTA OF LITHIA SPRINGS <u>GEORGIA'S STATEMENT OF MATERIAL FACTS AND PLAINTIFF'S THEORY OF RECOVERY</u> W/CERTIFICATE OF SERVICE, FILED 01/06/2005	183-189	INDEX GROUP # 3
29	DEFENDANTS BRENDA GOODMAN, CHARITY ADAMS AND AUTONATION IMPORTS OF LITHIA SPRINGS, INC. d/b/a TEAM TOYOTA OF LITHIA SPRINGS <u>GEORGIA'S REQUEST THAT PLAINTIFF FILE ORIGINAL DISCOVERY</u> W/CERTIFICATE OF SERVICE, FILED 01/06/2005	190-192	
30	DEPOSITION OF TERENCE VAN HEFLIN W/DEFENDANT'S EXHIBITS & COURT REPORTER'S CERTIFICATE, FILED 01/06/2005	193-282	INDEX GROUP # 4
		283-360	

31	DEPOSITION OF DEBORAH ANNE HEFLIN W/DEFENDANT'S EXHIBITS & COURT REPORTER'S CERTIFICATE, FILED 01/06/2005	361-437	INDEX GROUP # 5
32	SCHEDULING ORDER PERTAINING TO ALTERNATIVE DISPUTE RESOLUTION STANDING ORDER, FILED 01/12/2005	438	INDEX GROUP # 6
33	DEPOSITION OF BRENDA GOODMAN W/PLAINTIFF'S EXHIBITS & COURT REPORTER'S CERTIFICATE, FILED 01/21/2005	439-519	
34	DEPOSITION OF CHARITY ADAMS W/PLAINTIFF'S EXHIBITS, COURT REPORTER'S CERTIFICATE & NOTICE OF FILING, FILED 01/21/2005	520-623	
35	PLAINTIFF'S EXHIBITS IN SUPPORT OF BRIEF IN OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT, W/CERTIFICATE OF SERVICE, FILED 02/04/2005	624-663	INDEX GROUP # 7
36	PLAINTIFF'S STATEMENT OF FACTS DEMONSTRATING MATERIAL ISSUES TO BE HEARD AND DECIDED BY A JURY W/CERTIFICATE OF SERVICE, FILED 02/04/2005	664-674	
37	PLAINTIFF'S RESPONSE TO DEFENDANTS' STATEMENT OF UNDISPUTED FACT W/CERTIFICATE OF SERVICE, FILED 02/04/2005	675-687	
38	PLAINTIFF'S RESPONSE TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT, W/CERTIFICATE OF SERVICE, FILED 02/04/2005	688-716	
39	ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS MOTION FOR SUMMARY JUDGMENT, W/CERTIFICATE OF SERVICE, FILED 03/10/2005	717-731	
40	DEFENDANT'S <u>OFFER OF SETTLEMENT</u> W/CERTIFICATE OF SERVICE, FILED 03/11/2005	732-735	
41	ALTERNATIVE DISPUTE RESOLUTIONS <u>RELEASE FOR HEARING</u> W/CERTIFICATE OF SERVICE, FILED 03/17/2005	736-737	
42	CONSENT MOTION FOR CONTINUANCE, FILED 03/17/2005	738-739	
43	NOTICE OF LEAVE OF ABSENCE & AMENDED SCHEDULING ORDER, FILED 03/30/2005	740-742	INDEX GROUP # 8
44	CERTIFICATE OF SERVICE OF DISCOVERY, FILED 04/08/2005	743-744	

45	CERTIFICATE OF SERVICE OF DISCOVERY, FILED 04/28/2005	745-746
46	JOINT CONSOLIDATED PROPOSED PRE-TRIAL ORDER, FILED 05/31/2005	747-761
47	ORDER OF CONTINUANCE, FILED 06/06/2005	762
48	CERTIFICATE OF SERVICE OF DISCOVERY, FILED 06/15/2005	763-764
49	DEFENDANTS BRENDA GOODMAN, CHARITY ADAMS AND AUTONATION IMPORTS OF LITHIA SPRINGS, INC. d/b/a TEAM TOYOTA OF LITHIA SPRINGS GEORGIA'S <u>PLAINTIFF'S THEORY OF RECOVERY</u> , W/CERTIFICATE OF SERVICE FILED 07/13/2005	765-769
50	DEFENDANTS BRENDA GOODMAN, CHARITY ADAMS AND AUTONATION IMPORTS OF LITHIA SPRINGS, INC. d/b/a TEAM TOYOTA OF LITHIA SPRINGS GEORGIA'S <u>MOTION FOR PARTIAL SUMMARY JUDGMENT</u> W/EXHIBITS & CERTIFICATE OF SERVICE, FILED 07/13/2005	770-778
51	DEFENDANTS BRENDA GOODMAN, CHARITY ADAMS AND AUTONATION IMPORTS OF LITHIA SPRINGS, INC. d/b/a TEAM TOYOTA OF LITHIA SPRINGS GEORGIA'S <u>BRIEF IN SUPPORT OF THEIR MOTION FOR PARTIAL SUMMARY JUDGMENT</u> W/ CERTIFICATE OF SERVICE, FILED 07/13/2005	779-786
52	CERTIFICATE OF SERVICE OF DISCOVERY, FILED 07/19/2005	787-788
53	ORDER DENYING DEFENDANT'S MOTION FOR PARTIAL SUMMARY JUDGMENT, FILED 07/20/2005	789-790
54	PLAINTIFF'S MOTION FOR PROTECTIVE ORDER AND TO EXCLUDE TESTIMONY OF DAN HIGGINS, W/ CERTIFICATE OF SERVICE, FILED 07/28/2005	791-797
55	CERTIFICATE OF SERVICE OF DISCOVERY, FILED 08/01/2005	798-799
56	DEFENDANTS' REPLY TO PLAINTIFF'S MOTION FOR PROTECTIVE ORDER AND TO EXCLUDE TESTIMONY OF DAN HIGGINS, W/EXHIBIT & CERTIFICATE OF SERVICE, FILED 08/02/2005	800-808
57	ORDER GRANTING PLAINTIFF'S MOTION FOR PROTECTIVE ORDER AND TO EXCLUDE TESTIMONY OF DAN HIGGINS, FILED 08/04/2005	809-811
58	ORAL DEPOSITION OF WILLIAM JAMES TENNANT, W/SHORTHAND REPORTER'S CERTIFICATE, FILED 08/15/2005	812-827
59	PLAINTIFF'S REQUEST TO CHARGE, FILED 08/15/2005	828-842
60	PLAINTIFF'S TRIAL BRIEF, FILED 08/15/2005	843-848

61	PLAINTIFF'S SUPPLEMENTAL TRIAL BRIEF, FILED 08/15/2005	849-850	INDEX BINDER # 9
62	PLAINTIFF'S SECOND SUPPLEMENTAL TRIAL BRIEF, FILED 08/15/2005	851-856	
63	DEFENDANT'S REQUEST TO CHARGE, FILED 08/15/2005	857-875	
64	PLAINTIFF'S MOTION IN LIMINE, FILED 08/15/2005	876-882	
65	DEFENDANT'S MOTIONS IN LIMINE AND SUPPORTING BRIEF, FILED 08/15/2005	883-897	
66	NOTICE OF APPEARANCE, FILED 08/15/2005	898-899	
67	ORDER GRANTING DEFENDANTS' MOTION FOR DIRECTED VERDICT, FILED 08/19/2005	900	
68	DEFENDANTS BRENDA GOODMAN, CHARITY ADAMS AND AUTONATION IMPORTS OF LITHIA SPRINGS, INC. d/b/a TEAM TOYOTA OF LITHIA SPRINGS, <u>GEORGIA'S MOTION FOR ATTORNEY'S FEES AND COSTS, W/SUPPORTING EXHIBITS & CERTIFICATE OF SERVICE</u> , FILED 09/15/2005	901-966	INDEX BINDER # 10
69	DEFENDANTS BRENDA GOODMAN, CHARITY ADAMS AND AUTONATION IMPORTS OF LITHIA SPRINGS, INC. d/b/a TEAM TOYOTA OF LITHIA SPRINGS, <u>GEORGIA'S BRIEF IN SUPPORT OF MOTION FOR ATTORNEY'S FEES AND COSTS W/CERTIFICATE OF SERVICE</u> , FILED 09/15/2005	967-972	
70	PLAINTIFF'S MOTION TO SET ASIDE JUDGMENT, W/CERTIFICATE OF SERVICE, FILED 09/28/2005	973-976	
71	ORDER GRANTING DEFENDANTS' MOTION FOR DIRECTED VERDICT, FILED 10/03/2005	977	
72	ORDER GRANTING PLAINTIFF'S MOTION TO SET ASIDE JUDGMENT, FILED 10/03/2005	978-979	
73	PLAINTIFF'S MOTION TO STAY AND BRIEF IN OPPOSITION TO DEFENDANTS CHARITY ADAMS AND AUTONATION IMPORTS OF LITHIA SPRINGS, INC. d/b/a TEAM TOYOTA OF LITHIA SPRINGS, <u>GEORGIA'S MOTION FOR ATTORNEY'S FEES AND COSTS W/EXHIBIT</u> , FILED 10/14/2005	980-992	
74	NOTICE OF HEARING, FILED 10/17/2005	993	
75	DEFENDANTS BRENDA GOODMAN, CHARITY ADAMS AND AUTONATION IMPORTS OF LITHIA SPRINGS, INC. d/b/a TEAM TOYOTA OF LITHIA SPRINGS, <u>GEORGIA'S RENEWED MOTION FOR ATTORNEY'S FEES AND COST</u> , FILED 10/25/2005	994-996	

76	DEFENDANTS BRENDA GOODMAN, CHARITY ADAMS AND AUTONATION IMPORTS OF LITHIA SPRINGS, INC. d/b/a TEAM TOYOTA OF LITHIA SPRINGS, <u>GEORGIA'S COMBINED RESPONSE</u> <u>TO PLAINTIFF'S MOTION TO STAY AND REPLY BRIEF IN SUPPORT</u> <u>OF RENEWED MOTION FOR ATTORNEY'S FEES AND COST, FILED</u> 11/08/2005	997-1007	
----	--	----------	--

MILLER & MIXON, LLC, ATTORNEY FOR PLAINTIFF/APPELLANT
 108 WILLIAMSON MILL ROAD
 JONESBORO, GEORGIA 30236

JENNIFER R BRADFORD, JOHN M HAWKINS, ATTORNEYS FOR
 DEFENDANT/APPELLEE
 SUITE 3000
 950 EAST PACES FERRY ROAD
 ATLANTA, GEORGIA 30326

BEN W. STUDDARD, III, CHIEF JUDGE
 40 ATLANTA ST.-SUITE 200
 MCDONOUGH, GA. 30253

ENCLOSURES: CERTIFICATION OF RECORD

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

January 31, 2006

Mr. Allen Conley
Clerk, Superior Court
Union County Courthouse
114 Courthouse Street • Suite 5
Blairsville, Georgia 30512

RE: Your Case Number: 00-CR-5-DB
Richard Fields v. The State

Dear Mr. Conley:

I am in receipt of 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 since it does not contain a Notice of Appeal subsequent to the amended order granting an out-of-time appeal. Additionally, there is no order entered on the Motion for New Trial. Obviously, should the trial court grant the Motion for New Trial, it would obviate the need for an appeal.

When the trial court enters an order denying the Motion for New Trial, please attach it to the record and return it to this Court when an appropriate Notice of Appeal has been filed.

I apologize for any inconvenience. 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

RECORDS RETURN NOTICE

DATE 1/31/06

Style Richard Fields v. The State

Lower Court Union Superior

Lower Court Case NO. 00CR5DB

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal *after Order granting out of time 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 for New Trial

Called Allan Conley & he said attorney said he must send this or she was going to take action against him

*Sc
1/31/06*

STATE OF GEORGIA
VS
RICHARD E FIELDS

00-CR-5-DB

INDEX

<u>PROCEEDINGS</u>	<u>DATE FILED</u>	<u>PAGE</u>
<i>Amended Order Granting An Out-Of-Time Appeal</i>	05-05-2005	1-2
<i>Defendant's Motion For New Trial</i>	05-09-2005	3-5
<i>Defendant's Brief In Support Of Motion For New Trial</i>	05-09-2005	6-40
<i>Defendant's Waiver Of Appearance At Motion For New Trial</i>	05-09-2005	41-43
<i>Notice of Leave of Absence</i>	08-19-2005	44

RECEIVED
JAN 31 2006
COURT OF APPEALS
OF GA

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 1, 2006

Ms. Joanne P. Caldwell
Clerk, Rockdale County State Court
Post Office Box 938
Conyers, Georgia 30012

ATTN: Lorraine G. Sturgeon
Deputy Clerk

RE: Your Case Number: 05-25873
Elijah Grant v. The State

Dear Ms. Sturgeon:

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 Notice of Appeal, or if the Notice of Filing is deemed to be a Notice of Appeal, it is insufficient. Additionally, there is no appealable order in the record. As such, we are unable to docket the matter.

If Mr. Grant is intending to file a Discretionary Application, that would be filed directly with this office and must contain a stamped filed copy of the order he is appealing along with the required filing fee.

At any rate, I am returning this record to you. I apologize for any inconvenience. 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. Elijah Grant

RECORDS RETURN NOTICE

DATE 1/31/06

Style Elijah Grant v. The State

Lower Court Rockdale State

Lower Court Case NO. 0525873

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 Seems to be an application

Joanne P. Caldwell

Clerk of Rockdale County State Court
Post Office Box 938
Conyers, GA 30012
(770) 929-4019

January 30, 2006

William L. Martin, III, Clerk
Court of Appeals of Georgia
433 State Judicial Bldg.
Atlanta, Ga. 30034

Re: Elijah Grant - Citation No. 05-25873

Dear Mr. Martin:

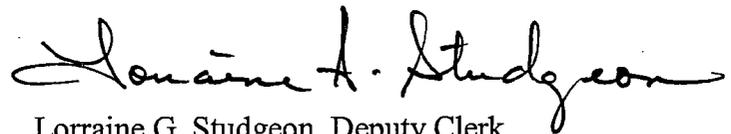
Enclosed herewith is an Appeal that has been filed in the above case.

The address of the defendant is as follows:

Elijah Grant
2436 Brynlyn Woods Drive
Conyers, GA. 30013

If you have any questions regarding the above, feel free to contact me at (770) 918-6589.

Sincerely,



Lorraine G. Sturgeon, Deputy Clerk
Rockdale State Court

Enclosures

IN THE STATE COURT OF ROCKDALE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

**CRIMINAL ACTION NO:
CITATION NO: 05-25873**

VS.

ELIJAH GRANT

I N D E X

1. Notice of Filing.....	1
2. Application for Appellate Review.....	2
3. Uniform Traffic Citation/Final Disposition No. 25873.....	4
4. Plea of Not Guilty Form.....	5
5. Verdict Form.....	6
6. Notice of Filing	7
7. First Amended Application for Appellate Review.....	8
8. Order dated 12/12/05 Transferring Case to Superior Court.....	10
9. Order dated 1/23/06 Vacating Order Transferring Case to Sup. Ct.....	11

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 7, 2006

Ms. Gail Brown
Clerk, Superior Court
Pickens County Courthouse
52 North Main Street • Suite 102
Jasper, Georgia 30143

RE: Your Case Number: 2004 SU CV 906
Hudson Bookkeeping & Tax Service, LLC v. Bob Bell & Associates, LLC

Dear Ms. Brown:

I am in receipt of the Supplement to the Record in the above appeal which was forwarded from your office to ours. Please be advised that we do not have on hand the original copy of the record that was sent to this Court from your office. As you can see from my letter of December 7, 2005, that record was returned to your office.

Please combine the supplemental record and the original record and return it to this office for docketing.

Sincerely,



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

WLM, III/ld
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

4041 656 3490
MartinW@gappeals.us

December 7, 2005

Ms. Gail Brown
Clerk, Superior Court
Pickens County Courthouse
52 North Main Street • Suite 102
Jasper, Georgia 30143

FILED IN OFFICE

On 8 day of Dec. 2005

at 1:00 PM

Pickens Senior Court Clerk

Dep. Ky. Barton

RE: Your Case Number: 2004 SU CV 906
Hudson Bookkeeping & Tax Services, LLC v. Bob Bell & Associates, LLC

Dear Ms. 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 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 attach a stamped filed copy to the record and return the certified record to this office for docketing.

Of course, should the trial court grant the Motion for New Trial, it may obviate the need for 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/d
Enclosures

IN THE SUPERIOR COURT FOR THE COUNTY
OF PICKENS AND STATE OF GEORGIA

HUDSON BOOKKEEPING &
TAX SERVICES, LLC,

CIVIL ACTION #
2004 SU CV 906

VS

BOB BELL & ASSOCIATES, LLC.

IN THE COURT OF APPEALS
OF THE STATE OF GEORGIA

SUPPLEMENT TO THE RECORD

ORDER DENYING MOTION FOR NEW TRIAL, CERTIFICATE OF SERVICE
February 1, 2006-----

1-3

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 8, 2006

Ms. Terri D. Garcia
Investigation Clerk
Hall County Probate Court
Hall County Courthouse
235 Green Street
Gainesville, Georgia 30501

RE: Your Case Docket Number: GA-05-002
Guardianship of Hamp Myers, Incapacitated Adult

Dear Ms. Garcia:

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 as presented because it has not been properly assembled by you.

It will be necessary for you to bind this record at the top with roundhead fasteners or an ACCO clamp. We cannot receive the record as bound by a pressure clamp.

Since we can only receive the record as certified by your office, it must be securely bound so that portions of the record do not become lost, misplaced or out of order.

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



DAWN FAULKNER
770-533-7828

PAM ELLIOTT
770-531-6924

TYESHE BROWN
770-533-7827

Hall County Probate Court
Patti H. Cornett, Judge
Hall County Courthouse
225 Green Street
Gainesville, Georgia 30501

LISA MILLWOOD
CHIEF CLERK
770-533-7829

DENISE GARCIA
INVESTIGATION CLERK
770-531-6925

February 2, 2006

Clerk of Court
Court of Appeals of Georgia
334 State Judicial Building
40 Mitchell Street
Atlanta, Georgia 30334

RE: Hamp Myers
Incapacitated Adult

To the Clerk:

Enclosed please find the aforementioned Appeal. If you have any questions or concerns, please feel free to contact me at the above address or telephone number.

Sincerely,

Terri D. Garcia
Investigation Clerk

RECORDS RETURN NOTICE

DATE 2/7/06

Style In Re: Hans Myers

Lower Court Hull Probate

Lower Court Case NO. 2001 CR 1714C

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 COURT OF APPEALS OF THE STATE OF GEORGIA

FROM

THE PROBATE COURT OF HALL COUNTY, GEORGIA

.....
Gregory A. Myers, Appellant
.....

Guardianship of Hamp Myers, Incapacitated Adult

Docket No: GA-05-002

Before
The Honorable Patti P. Cornett, Judge
Probate Court of Hall County, Georgia
.....

David A. Fox
P.O. Box 2515
Gainesville, Georgia 30503
(770) 534-7386
State Bar No. 272450
.....

Terri D. Garcia, Investigation Clerk, Probate Court of Hall County, Georgia
Hall County Courthouse, 225 Green Street
Gainesville, Georgia 30501 (770) 531-6925

IN THE COURT OF APPEALS OF THE STATE OF GEORGIA

FROM

THE PROBATE COURT OF HALL COUNTY, GEORGIA

Gregory A. Myers, Appellant

Docket No: GA-05-002

INDEX TO RECORD

1.	Index of Record.....	1
2.	Apellant's Notice of Appeal filed January 27, 2005	3
3.	Amendment Notice of Appeal filed February 1, 2006	4
4.	Petition of Gregory A. Myers and Earl Daniel Myers Petition for The appointment of an Emergency Guardian for an Alleged Incapacitated Adult	5
5.	Final Order, Oath, and Emergency Letters of Guardianship issued...9 To Gregory A. Myers and Earl Daniel Myers	9
6.	Guardians Bond.....	13
7.	Inventory.....	17
8.	Petition for the Appointment of a Guardian for an Alleged Incapacitated Adult, Petitioners Gregory A. Myers and Earl Daniel Myers	18
9.	Final Order, Oath and Letters of Guardianship of the Person and .22 Property issued to Gregory A. Myers and Earl Daniel Myers	.22
10.	Order Approving Authority to Compromise.....	26
11.	Personal Status Report.....	27
12.	Adult Conservatorship Inventory and Asset Management Plan.....	31
13.	Request for Removal from Guardianship by Earl Daniel Myers...37	37
14.	Bond Rider Increase from \$50,000.00 to \$75,000.00.....	38

15.	Bond Rider Increase from \$75,000.00 to \$275,000.00.....	40
16.	Subpoenas for the Production of Evidence(2).....	42
17.	Order dated November 2, 2005.....	44
18.	Conservators Oath for Jack Dodd and Lisa Maniscalco	47
19.	Rule Nisi(Not signed)	49
20.	Motion for Rehearing	50
21.	Order dated December 30, 2005	51
22.	Financial Records of Guardians Gregory A. Myers and Earl Daniel Myers	54

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 14, 2006

Ms. Diane Webb
Clerk, State Court of Cobb County
12 East Park Square
Marietta, Georgia 30090

RE: Your Case Numbers: 96-A-6688-4
Richard Maloney v. Lawrence Weintraub, et al.

Dear Ms. Webb:

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 states a transcript will be filed for inclusion with the record on appeal. There is a deposition attached, but no transcript.

When the court reporter certifies and files with you a transcript, please attach your certification and forward that to this Court. If there is no transcript, the appellant will need to file an amended Notice of Appeal stating that fact.

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: Jeffrey A. Bashuk, Esq.

RECORDS RETURN NOTICE

DATE 2/10/06

Style Richard Maloney v. Lawrence Weintraub et al

Lower Court Cobb State

Lower Court Case NO. 96 A 6688-4

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 COBB COUNTY
MARIETTA, GEORGIA**

LAWRENCE WEINTRAUB AND
INSURANCE SYSTEMS CORP.

APPELLANT(S)

**CASE NUMBER:
96-A-6688-4**

VS

RICHARD MALONEY

APPELLEE(S)

INDEX

1. Notice of Appeal filed December 27, 2005	1-3
2. Summons.....	4
3. Complaint.....	5-12
4. Sheriff's Entry of Service	13
5. Sheriff's Entry of Service	14
6. Answer and Defenses of Appellee Lawrence H. Weintraub	15-18
7. Leave of Absence.....	19-21
8. First Interrogatories.....	22-26
9. Notice to Produce and Request for Production of Documents	27-31
10. Certificate of Service	32
11. Leave of Absence.....	33-35
12. Consent Order filed July 2, 1997 Extending Discovery	36-38
13. Consent Order filed November 26, 1997 Extending Discovery	39

STATE COURT OF COBB COUNTY
MARIETTA, GEORGIA

LAWRENCE WEINTRAUB AND
INSURANCE SYSTEMS CORP.

APPELLANT(S)

VS

CASE NUMBER:

96-A-6688-4

RICHARD MALONEY

APPELLEE(S)

INDEX

1. Deposition of Richard Hampton

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 20, 2006

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

RE: Your Case Number: 03SC06370
Fulton County Superior Court
Lamont Johnson v. The State

Dear Ms. Hicks:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. We are unable to docket this appeal since the Notice of Appeal does not contain a Certificate of Service showing the complete name and address of opposing counsel. Also, the Notice of Appeal does not contain the address of the appellant. Without the addresses, we are unable to send the Docketing Notices.

When Mr. Johnson files an amended Notice of Appeal to include the name and address of the prosecuting attorney as well as his own address, 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 2/17/06

Style Lamont Johnson v. The State

Lower Court Fulton Superior

Lower Court Case NO. 03SC06370

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

TO THE GEORGIA COURT OF APPEALS

LAMONT JOHNSON)	INDICTMENT NUMBER
APPELLANT)	03SC06370
)	
)	
-VS-)	FROM
)	FULTON COUNTY
STATE OF GEORGIA)	SUPERIOR COURT
)	
APPELLEE)	

<u>INDEX</u>	<u>PAGE</u>
1. NOTICE OF APPEAL, FILED NOVEMBER 25, 2003	1
2. ACCUSATION, FILED JULY 16, 2003	2
3. APPLICATION FOR APPOINTMENT OF COUNSEL, FILED JULY 19, 2003	5
4. FIRST APPEARANCE COURT ACTION, FILED JULY 9, 2003	8
5. PRETRIAL SERVICES SHEET, FILED JULY 9, 2003	23
6. ORDER FOR BOND, FILED JULY 9, 2003	25
7. COMPLAINT ROOM HEARING ORDER, FILED JULY 9, 2003	26

RECEIVED

FEB 16 2006

COURT OF APPEALS
OF GA

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 20, 2006

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

RE: Your Case Number: Y10487
Fulton County Superior Court
Calvin McClure v. The State

Dear Ms. Hicks:

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 to opposing counsel. It is necessary that we have the complete name and address of opposing counsel in order to docket the appeal.

Additionally, the Notice of Appeal indicates the case will be appealed to the Court of Appeals of Georgia and also the Supreme Court. The appellant must designate either the Supreme Court or the Court of Appeals. If the designation is wrong, the Courts will transfer the appeal to the Court which has jurisdiction. However, neither the Court of Appeals nor Supreme Court can docket an appeal which indicates that it should be to the other Court.

When the appellant files an amended Notice of Appeal to state the full name and address of the prosecuting officer who should receive the Docketing Notice and designates which Court will get the appeal record, please return the record to this Court for docketing.

Sincerely,



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

WLM, III/ld
Enclosures

RECORDS RETURN NOTICE

DATE 2/17/06

Style Calvin McClure v. The State

Lower Court Fulton Superior

Lower Court Case NO. Y10487

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 contradictory as to which court
being appealed to.

8. APPLICATION FOR BOND, FILED OCTOBER 23, 1998	12
9. MOTION FOR BOND, FILED NOVEMBER 24, 1998	13
10. ORDER FOR BOND, FILED DECEMBER 9, 1998	14
11. CONSOLIDATED MOTIONS, FILED DECEMBER 9, 1998	15
12. CERTIFICATE OF DISCOVERY, FILED DECEMBER 31, 1998	25
13. STATE'S DEMAND FOR DISCOVERY UNDER O.C.G.A. 17-16-1 ET SEQ. AND NOTICE UNDER O.C.G.A 35-3-16, FILED DECEMBER 31, 1998	26
14. FINAL DISPOSITION, FILED MARCH 5, 1999	83
15. AFFIDAVIT AND WARRANT FOR ARREST OF PROBATIONER FILED JUNE 25, 1999	84
16. SUPERIOR COURT BOND, FILED APRIL 5, 2000	85
17. WARRANT CANCELLATION NOTICE, FILED OCTOBER 1, 2001	87
18. ORDER OF REVOCATION, FILED JANUARY 8, 2002	88
19. AFFIDAVIT OF CUSTODIAN, FILED FEBRUARY 8, 2002	89
20. AFFIDAVIT AND WARRANT FOR ARREST OF PROBATIONER FILED JULY 2, 2002	90
21. WARRANT CANCELLATION NOTICE, FILED JANUARY 21, 2004	91
22. ORDER REVOKING OR REGARDING PROBATION, FILED JANUARY 27, 2004	92
23. COVER LETTER, FILED MARCH 2, 2004	93

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 20, 2006

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

RE: Your Case Number: 05CV1705
Thankful Missionary Baptist Church, et al. v. Arthur Lewis Rogers, et al.

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. The Notice of Appeal indicates that a transcript will be filed for inclusion with the record on appeal. However, no transcript was received from your office.

When the court reporter files the certified transcripts, please attach your certification and send it along with the record to this Court for docketing. If there is no transcript, when counsel for the appellant files an amended Notice of Appeal to reflect that fact, please send the record back 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: Bobby L. Giddens, Esq.

RECORDS RETURN NOTICE

DATE 2/17/06

Style Thankful Missionary Baptist et al
v. Arthur Lewis Rogers et al

Lower Court DeKalb Superior Court

Lower Court Case NO. 05cv1705

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 _____

Thankful Missionary Baptist : No.

Church, Inc. and Rev. Jack :

Marks :

Appellant : Term, 2006

VS :

Arthur Lewis Rogers, and :

Joseph Clopton :

Appellee : of Georgia

RECEIVED

FEB 10 2006

COURT OF APPEALS OF GA

1. Notice of	-----	1.
2. Original Co	-----	3.
3. Plaintiff's M	-----	placement and
Consolidatio	-----	20.
4. Marshal/Sher	-----	28.
5. Plaintiff's Mot	-----	Rev. Jack
Marks, Certific	-----	30.
6. Notice of Heari	-----	37.
7. Answer of Defen	-----	on, filed
2/1/05-----	-----	38.
8. Consent Tempora	-----	42.
9. Notice of Leave of absence, filed 2/22/05	-----	44.
10. Request for Oral Argument, filed 3/2/05	-----	65.

*Need
Transcript
Another 2/10/06
404 687-3471*

*Send
back on
4/12/04
of No
Transcript*

Index Continued

11. Defendants' Motion for Summary Judgment and for Temporary Restraining Order, filed 3/2/05-----68.
12. Defendants' Brief in Support of their Motion for Summary Judgment and for Temporary Restraining Order, with attachments, filed 2/2/25----70.
13. Defendants' Theory of Recovery and Statement of Uncontroverted facts as to Which there is no Genuine Issue, Affidavit with attachments filed 3/2/05-----86.
14. Plaintiff's First Amendment to Complaint, filed 3/16/05-----102.
15. Order Denying Motion " For Summary Judgment and for Temporary Restraining Order, filed 3/23/05----- 105.
16. Request for Oral Argument, filed 4/7/05-----107.
17. Defendants' Motion for Summary Judgment and for Temporary Restraining Order, with attachments, filed 4/7/05----- 110.
18. Letter, from Bobby Giddens, with attachments, filed 5/3/05-----145.
19. Notice of Hearing, filed 5/3/05----- 152.
20. Plaintiffs' Cross Motion for Summary Motion, filed 5/18/05-----153.
21. Plaintiff's Theory of Recovery and Statements of Material Facts as to Which there are no Genuine Issue to be Tried, filed 5/18/05-----155.
22. Plaintiffs' Brief in Support of Their Cross Motion for Summary Judgment, with attachments filed 5/18/05----- 162.
23. Plaintiffs' Second Amendment to Complaint, filed 5/25/05-----264.
24. Order on Cross-Motions for Summary Judgment, filed 6/9/05----- 269.

Index Continued

25. Plaintiff's Motion for Injunctive Relief Pending Appeal, Brief in Support of Plaintiff's Motion for Injunctive Relief Pending Appeal, filed 6/21/05-----	278.
26. Plaintiffs Objection to Defendants Purposed Order, with attachments, filed 6/24/05-----	287.
27. Letter, from Bobby L. Giddens, filed 6/28/05-----	290.
28. Order Denying Plaintiffs' "Motion for Injunctive Relief Pending Appeal", filed 6/28/05-----	291.
29. Letter, from William D. Stickland, filed 7/7/05-----	292.
30. Letter, from Bobby L. Giddens, filed 7/7/05-----	293.
31. Letter, from Lisa Bounds, filed 7/7/05-----	294.
32. Brief in Support of Plaintiff's Motion for Injunctive Relief Pending Appeal, with attachments, filed 7/14/05-----	295.
33. Defendants' Motion for Injunctive Relief, filed 7/22/05-----	305.
34. Affidavit of A.L. Rogers, with attachments, filed 7/22/05-----	307.
35. Order and Permanent Injunction, filed 8/1/05-----	315.
36. Order on Cross-Motions for Injunctive Relief Pending Appeal, filed 8/1/05-----	318.
37. Plaintiff's Response to Defendant's Motion for Injunctive Relief, filed 8/2/05-----	321.
38. Affidavit of Omer Rogers, with attachments, filed 8/2/05-----	329.
39. Affidavit of Mary Nettles, filed 8/2/05-----	343.

Index Continued

40. Affidavit of Charles Rogers, with attachments filed 8/2/05-----	346.
41. Defendant's Motion to Hold Jack Marks in Contempt, filed 10/11/05-----	381.
42. Affidavit of A.L. Rogers, with attachments, filed 10/11/05-----	385.
43. Notice of Hearing, filed 10/19/05-----	410.
44. Answer of Reverend Jack Marks to Defendants Motion for Contempt, Verification, filed 10/26/06-----	411.
45. Entry of Appearance, filed 10/26/05-----	418.
46. Order to Submit Mediation Summaries, filed 11/22/05-----	419.
47. Summary of Issues, filed 11/28/05-----	423.
48. Summary of Issues, filed 11/29/05-----	426.
49. Amended Complaint, filed 12/28/05-----	430.
50. Defendants' Motion to Order Election, with attachments filed -----	438.
51. Letter, from William D. Strickland, filed 1/3/06-----	446.

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

February 27, 2006

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

RE: Your Case Number: 2001CV32417
Angela E. Bolden v. Lawrence Bolden

Dear Ms. Hicks:

Enclosed please find the record from 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 Certificate of Service. Additionally, there is an incomplete address for the pro se appellant.

Without the complete address of the parties, we are unable to send out Docketing Notices. If we cannot send out Docketing Notices, we cannot docket the appeal.

When Ms. Bolden files an amended Notice of Appeal to include her complete name and mailing address and the complete name and mailing address of the opposing counsel or party, 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

RECORDS RETURN NOTICE

DATE 2/24/06

Style Angela Bolton v. Lawrence Bolton

Lower Court Fulton Superior

Lower Court Case NO. 2001LV32417

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 current address of Pro Se NT

TO THE COURT OF APPEALS OF GEORGIA

RECEIVED

ANGELA E. BOLDEN,

APPELLANT

vs.

LAWRENCE BOLDEN,

APPELLEE

CIVIL ACTION NUMBER
2001CV32417

FEB 24 2006

COURT OF APPEALS
OF GA

FROM FULTON COUNTY
SUPERIOR COURT

INDEX

PAGE

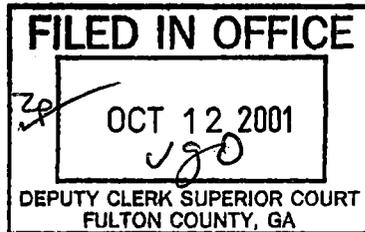
1.	NOTICE OF APPEAL, FILED OCTOBER 12, 2001.....	1
2.	PLAINTIFF'S ORIGINAL PETITION FOR SEPARATE MAINTENANCE, FILED JANUARY 3, 2001.....	2
3.	DOMESTIC RELATIONS CASE FILING INFORMATION FORM, FILED JANUARY 3, 2001.....	10
4.	POVERTY AFFIDAVIT, FILED JANUARY 3, 2001.....	11
5.	ORDER GRANTING PETITIONER'S REQUEST IN FORMA PAUPERIS, FILED JANUARY 3, 2001.....	12
6.	SHERIFF'S ENTRY OF SERVICE, FILED JANUARY 10, 2001.....	13

INDEX CONTINUED

INDEX	PAGE
7. ANSWER AND CROSS-CLAIM, FILED FEBRUARY 13, 2001.....	14
8. ORDER REFERRING CUSTODY PORTION OF CASE TO JUVENILE COURT COURT FOR REPORT, FILED FEBRUARY 16, 2001.....	20
9. TEMPORARY ORDER, FILED JUNE 6, 2001.....	21
10. ORDER, FILED JULY 9, 2004.....	22
11. ORDER, FILED JULY 26, 2001.....	23
12. ORDER OF SEPARATE MAINTENANCE, FILED SEPTEMBER 7, 2001.....	24
13. FINAL ORDER CLOSING CASE, FILED SEPTEMBER 13, 2001.....	29
14. INCOME DEDUCTION ORDER, FILED NOVEMBER 26, 2001.....	30
15. CERTIFICATE OF SERVICE, FILED DECEMBER 10, 2001.....	33

Fulton County
State of Georgia

Angela Bell
Appellant



Case NO
2001 CV 32417

Notice of Appeal

Lawrence Bolden v Angela (Bell) Bolden
Comes now the Defendant / Appeal
in the above styled case and files
this her notice of appeal to the
Court of Appeal of Georgia the
Judgement of entered herein Sep 13
2001. I am asking the Court of
Appeals to please review and reverse
the decision.

The Court of Appeals rather than
the Supreme Court has Jurisdiction
of this case as an appeal from the
final judgement of the Superior Court.
The Clerk will please omit nothing
from the record and transcript on the
appeal.

Angela E Bell
PAGE

770-484-8339

1262

Douglasville Ga

30134 0000011

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 2, 2006

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

RE: Your Case Number: 05-A-01029-2
Terry Redd v. Parisian, Randy Samuels

Dear Mr. Lawler:

I am in receipt of the record in the above case which was transferred 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 showing the complete name and address of opposing parties or counsel for the opposing parties. Without such, we are unable to send out the appropriate Docketing Notices. If we cannot send out Docketing Notices, we cannot docket the appeal.

When the defendant files the amended Notice of Appeal to include a Certificate of Service showing the complete name and mailing address of appellees, please resubmit this 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 any service 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 3/1/06

Style Jerry Redd v. Parison (Randy Samuel)

Lower Court Gwinnett Superior

Lower Court Case NO. 054 01029-2

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 Randy Samuel is the Security

Guard who arrested Redd. Samuel is now serving in the military in Iraq. There is no attorney listed nor an address for Mr. Samuel.

RECEIVED

MAR - 1 2006

TERRY REDD

COURT OF APPEALS
OF GA

§ CIVIL ACTION NO. 05-A-01029-2

VS

§ FROM GWINNETT SUPERIOR COURT

PARISIAN, RANDY SAMUELS

§ TO THE COURT OF APPEALS OF GEORGIA

INDEX

1. Notice of Appeal filed February 3, 2006 1
2. Motion to Proceed In Forma Pauperis and Motion for Counsel,
enter twined filed February 3, 2006 2 - 7
3. Brief in Support of Motion to Proceed In Forma Pauperis and
counsel appt filed February 3, 2006 8 - 19
4. Amended Notice of Appeal filed February 23, 2006 20 - 22

TERRY REDD
v.
PARISIAN,
RAYMOND SAMUELS

*
* RECD
*
*
*

Superior Court case No.
05-A-01029-2

FILED IN OFFICE
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA
06 FEB -3 PM 12:35
TOM LAMLER, CLERK

NOTICE OF APPEAL

COMES NOW, PLAINTIFF PRO SE, AND STATES:

THAT PLAINTIFF WAS IN FACT INJURED BY DEFENDANTS.

THAT GWINNETT SUPERIOR COURT ATTEMPTED PLAINTIFF TO ENFORCE PAPERS AND ALLOWED CIVIL ACTION TO PROCEED.

THAT CASE WAS DISMISSED BY SUPERIOR COURT JUDGE ON OR ABOUT NOVEMBER 8TH, 2005.

THAT THIS COURT HAS JURISDICTION.

PLEASE SUBPOENA THE RECORD OF SAID CASE.

WHEREFORE, IT'S FOR ALL ABOUT PLAINTIFF USES TO APPEAL.

RESPECTFULLY,
TERRY REDD
TERRY REDD, PRO SE
MONTGOMERY STATE PRISON
P.O. BOX 256
MT. VERNON, GA 30445
PH 5577.50

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 2, 2006

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

RE: Your Case Number: Z 84044
Patrick Howard v. The State

Dear Ms. Hicks:

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 the address of the defendant. Without the complete name and mailing address we are unable to docket the appeal since we do not know to whom and to where to send the Docketing Notice.

When the defendant amends the Notice of Appeal to include the complete name and mailing address, please return it 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 3/2/06

Style Patrick Howard v. The State

Lower Court Fulton Superior

Lower Court Case NO. 2-84044

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 address of RW Se +

No info to be table & secure address

DOB
EF
SS #

TO THE GEORGIA COURT OF APPEALS

RECEIVED

PATRICK HOWARD
APPELLANT

)
)
)
)
)
)
)
)
)
)
)

INDICTMENT NUMBER MAR - 1 2006

Z84044

COURT OF APPEALS
OF GA

-VS-

FROM
FULTON COUNTY
SUPERIOR COURT

STATE OF GEORGIA

APPELLEE

INDEX

	<u>PAGE</u>
1. NOTICE OF APPEAL, FILED JUNE 14, 2004	1
2. INDICTMENT, DATED NOVEMBER 8, 1996	3
3. APPLICATION FOR BOND, FILED JANUARY 3, 1997	7
4. MOTION FOR DISCOVERY, FILED JANUARY 17, 1997	8
5. ORDER FOR BOND, FILED JANUARY 29, 1997	11
6. CONSOLIDATED MOTIONS AND DEMANDS FOR DISCOVERY FILED MARCH 21, 1997	12
7. ORDER, FILED MAY 16, 1997	27

~~IN THE SUPERIOR COURT OF FULTON COUNTY~~
STATE OF GEORGIA

THE STATE
vs.
Patrick Howard

INDICTMENT NO.
Z-84044

NOTICE OF APPEAL

Notice is hereby given that Patrick Howard, defendant above named hereby appeals to the Court of appeal from the judgement of conviction and sentence entered herein on 6-8- 2004, and it appearing further to the court that the said Patrick Howard is desirous of appealing his conviction to _____ or _____ and it appearing that the said, Patrick Howard is indigent and because of his poverty unable to obtain an attorney to prosecute his appeal;

Whereupon, the Court does hereby authorize _____

Attorney AT LAW, to prosecute the appeal of _____ the Supreme Court of Georgia pursuant to O.C.G.A. § 17-12-6

So ORDERED, THIS _____ day of _____ 20__

Patrick Howard
Defendant

6/9/04
Melvin S. Hill

Notary Public, Clayton County, Georgia
My Commission Expires _____ 2006

Superior Court of Fulton County
State of Georgia

JUN 14 2004
Mizell
DEPUTY CLERK SUPERIOR COURT
FULTON COUNTY, GA
6-15-04

State of Georgia
vs.
Patrick Howard
Defendant

Criminal Action
Indictment No. Z-84044

Notice of Appeal to Court of Appeal in Georgia to Honorable
AUL Howard District Attorney, Fulton Co. Georgia.

I hereby give notice that defendant above named hereby appeal to the
Court of Appeals of Georgia from the order of the court rendered
5-8-2004, by Honorable Walter Lovett Jr. judge of said Court
denying the defendant's motion to suppress evidence.

No portion of evidence is to be omitted on appeal.

The Clerk will kindly take note that a transcript of evidence
to be included with the record on appeal.

This _____ day of _____ 20

Patrick Howard
Defendant

Melvic E. ...
6/9/04

745
60109
1

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 7, 2006

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

ATTN: Ms. Tamika Adams
Deputy Clerk

RE: Your Case Number: 05CV378
Rowena Baker v. Gregory Frank d/b/a Frank Masonry Construction

Dear Ms. Adams:

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, we are unable to docket the appeal since we do not know to whom to send Docketing Notices.

When the attorney for the appellant files an amended Notice of Appeal to include a Certificate of Service with the complete name and mailing address of the opposing party or counsel, 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: Alfonza Whitaker, Esq.

RECORDS RETURN NOTICE

DATE 3/3/06

Style Rosena Baker v. Gregory Frank

Lower Court Harris Superior

Lower Court Case NO. 05CV 378

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 _____



HARRIS COUNTY SUPERIOR COURT
STATE OF GEORGIA

ROWENA BAKER
PLAINTIFF

CIVIL ACTION # 05-CA-378

VS.

GREGORY FRANK d/b/a
FRANK MASONRY CONSTRUCTION
DEFENDANT

RECEIVED
MAR - 3 2006
COURT OF APPEALS
OF GA

INDEX

NOTICE OF APPEAL - FILED 1/20/2006.....1

ORDER- FILED 10/19/20052

APPEAL TO SUPERIOR COURT, CERTIFICATE OF SERVICE
FILED 10/19/2005 3-4

ANSWER FILED 10/19/2005.....5

STATEMENT OF CLAIM FILED 10/19/2005 6

RESPONSE TO CLAIM FILED 10/19/20057-8

SHERIFF'S ENTRY OF SERVICE FILED 10/19/2005..... 9

DEFENDANT'S MOTION FOR LEAVE TO FILE COUNTER-
CLAIM FILED 11/18/2005 10

COUNTER-CLAIM, EXHIBITS FILED 11/18/2005.....11-15

RECUSAL FILED 12/14/2005 16

DEFAULT JUDGMENT FILED 12/28/200517-18

NOTICE OF APPEAL FILED 12/22/2005 19

CLERK'S CERTIFICATE20

IN THE SUPERIOR COURT OF HARRIS COUNTY
STATE OF GEORGIA

ROWENA BAKER
PLAINTIFF

VS.

GREGORY FRANK DBA
FRANK MASONRY CONSTRUCTION
DEFENDANT

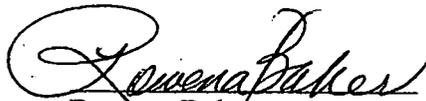
*
* **CIVIL ACTION NO.: 05-CV-378** *
*
*
*
*
*

FILED AND RECORDED
OFFICE OF SUPERIOR COURT
HARRIS COUNTY, GEORGIA
2006 JAN 20 AM 10:31
STACY K. HARALSON, CLERK

NOTICE OF APPEAL

Notice is hereby given that Rowena Baker, Appellant herein, and Defendant, above-named, hereby appeals to the Court of Appeals, from the judgment entered herein on December 21, 2005.

This 21st day of December, 2005



Rowena Baker
Plaintiff

By: 

Alfonza Whitaker
Attorney for Defendant/ Appellant
GA. Stat Bar No. 141906
909 Third Avenue
Columbus, GA 31901

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 10, 2006

Mrs. Alesia Sirmans
Clerk, Juvenile Court
Ware County
801 Grove Avenue
Waycross, Georgia 31501

RE: Your Case Number: 148-05J-520A
In the Interest of: H.A.K., a Child

Dear Ms. Sirmans:

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 to opposing counsel. Without a Certificate of Service to opposing counsel, we do not know to whom to send the appropriate Docketing Notices.

When the appellant files the amended Notice of Appeal to include a Certificate of Service with the complete name and mailing address of opposing counsel, please return this record to this Court for docketing.

Sincerely,



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

WLM, III/ld
Enclosures

cc: Teresa G. Bowen, Esq.

JUVENILE COURT OF WARE COUNTY

M. C. PRITCHARD, JUDGE
801 GROVE AVENUE
WAYCROSS, GEORGIA 31501

(912) 287-4345
FAX 287-4347

Alesia Sirmans - Clerk

March 7th , 2006

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

Dear Mr. Martin:

Enclosed please find the supplemental record in the case of
H.A.K. and the Case Number 148-05J-520A , together with the
Original Notice of Appeal and the Original copy of the
Transcripts of the Court Reporter.

If you need any additional information or if this Court can be of
assistance, please do not hesitate to call.

Sincerely,



Alesia Sirmans
Clerk of Juvenile Court

IN THE JUVENILE COURT OF WARE COUNTY

STATE OF GEORGIA

IN THE INTEREST OF:

RECEIVED

MAR 1 0 2006

COURT OF APPEALS
OF GA

* FROM THE JUVENILE COURT OF
* WARE COUNTY TO THE COURT OF
* APPEALS OF GEORGIA
* CASE NO. 148-05J-520A

INDEX

	PAGE
1. Notice of Appeal filed January 30, 2006	1
2. Complaint and Petition to Terminate Parental Rights filed October 3, 2005	2-7
3. Appointment of Guardian Ad Litem filed October 5, 2005	8
4. Notice of Hearing filed October 5, 2005	9
5. Summons and Process to Thomas J. King and Chatham County Sheriff's Department Affidavit Of Service dated October 21, 2005.	10-11
6. Motion for Appointment of Counsel filed November 8, 2005	12
7. Petition for Legitimation filed November 8, 2005	13-15
8. Appointment of Father's attorney dated dated November 9, 2005	16
9. Order Ex Parte for Producing Inmate dated November 9, 2005	17

10. Defendant's Exhibits 1 and 2 filed November 17, 2005	18-19
11. Findings of Fact, Conclusions of Law, and Order Terminating Parental Rights filed November 29, 2005	20-24
12. Motion for Appeal, Motion to Modify or Vacate filed December 9, 2005	25-27
13. Order Appointing Father New Attorney and Relieving Present Attorney of Appointment, Certificate of Service and Motion to Withdraw As Counsel Filed January 3, 2006	28-30

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 10, 2006

Mrs. Alesia Sirmans
Clerk, Juvenile Court
Ware County
801 Grove Avenue
Waycross, Georgia 31501

RE: Your Case Number: 148-05J-520A
In the Interest of: H.A.K., a Child

Dear Ms. Sirmans:

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 to opposing counsel. Without a Certificate of Service to opposing counsel, we do not know to whom to send the appropriate Docketing Notices.

When the appellant files the amended Notice of Appeal to include a Certificate of Service with the complete name and mailing address of opposing counsel, please return this record to this Court for docketing.

Sincerely,



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

WLM, III/ld
Enclosures

cc: Teresa G. Bowen, Esq.

RECORDS RETURN NOTICE

DATE 3/10/06

Style In the interest of H.A.K.; a child

Lower Court Ware Juvenile

Lower Court Case NO. 148055520A

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 JUVENILE COURT OF WARE COUNTY

STATE OF GEORGIA

IN THE INTEREST OF:

RECEIVED

MAR 1 0 2006

COURT OF APPEALS
OF GA

* FROM THE JUVENILE COURT OF
* WARE COUNTY TO THE COURT OF
* APPEALS OF GEORGIA
* CASE NO. 148-05J-520A

INDEX

	PAGE
1. Notice of Appeal filed January 30, 2006	1
2. Complaint and Petition to Terminate Parental Rights filed October 3, 2005	2-7
3. Appointment of Guardian Ad Litem filed October 5, 2005	8
4. Notice of Hearing filed October 5, 2005	9
5. Summons and Process to Thomas J. King and Chatham County Sheriff's Department Affidavit Of Service dated October 21, 2005.	10-11
6. Motion for Appointment of Counsel filed November 8, 2005	12
7. Petition for Legitimation filed November 8, 2005	13-15
8. Appointment of Father's attorney dated dated November 9, 2005	16
9. Order Ex Parte for Producing Inmate dated November 9, 2005	17

10. Defendant's Exhibits 1 and 2 filed November 17, 2005	18-19
11. Findings of Fact, Conclusions of Law, and Order Terminating Parental Rights filed November 29, 2005	20-24
12. Motion for Appeal, Motion to Modify or Vacate filed December 9, 2005	25-27
13. Order Appointing Father New Attorney and Relieving Present Attorney of Appointment, Certificate of Service and Motion to Withdraw As Counsel Filed January 3, 2006	28-30

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 14, 2006

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

RE: Your Case Number: 05-CR-124-C
Douglas Lamar Ingram v. The State

Dear Ms. McCord:

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 interlocutory application A06I0192. Douglas Lamar Ingram v. The State was dismissed by this Court's order of March 9, 2006. I have enclosed a copy of the Court's order for your review. Since the application was dismissed, there was no right of appeal in this matter on an interlocutory basis. Additionally, the record does not contain a Notice of Appeal.

Should the matter go to trial and the defendant be convicted by a jury, or the judge sitting without a jury, the appellant will have the right to file an appropriate Notice of Appeal at that time.

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 my office.

Sincerely,



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

WLM, III/ld
Enclosures

cc: David Burroughs, Esq.

RECORDS RETURN NOTICE

DATE 3/14/06

Style Douglas Lamar Ingram v The State

Lower Court 9 Dawson Superior

Lower Court Case NO. 05CR124C

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

*Application A06T0192 Damaged
3/9/06. They have not filed a
Notice of Appeal*

Becky McCord

Clerk of Superior Court

25 Tucker Avenue
Suite 106
Dawsonville, GA 30534

Phone: (706) 344-3510
Fax: (706) 344-3511

March 9, 2006

VIA CERTIFIED MAIL (7005 1160 0000 0431 3160)

RETURN RECEIPT REQUESTED

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

Re: State of Georgia vs. Douglas Lamar Ingram
Criminal Case No: 05-CR-124-C

Dear Clerk:

Enclosed please find a copy of the record on appeal and one copy of transcript in the above-mentioned case.

Should you have any questions or need further assistance, please contact our office.

Sincerely,



Becky McCord
Clerk of Superior Court
Dawson County, Georgia

BM/nh
Enclosures

STATE OF GEORGIA

STATE OF GEORGIA,

Plaintiff,

vs.

DOUGLAS LAMAR INGRAM,

Defendant.

*
*
*
*
*
*

CRIMINAL CASE NO
2005-CR-124-C

RECEIVED

MAR 14 2006

COURT OF APPEALS
OF GA

INDEX

<u>Date Filed</u>		<u>Page No.</u>
01-05-06	Certificate of Immediate Review; Certificate of Service	1-2
02-03-05	Accusation and List of Witnesses	3-5
02-03-05	Citations	6-7
02-03-05	Bond	8
02-03-05	Explanation of Rights to An Attorney	9
04-08-05	Arraignment Advisement of Rights	10
04-08-05	State's Certificate of Service	11
04-12-05	Appointment of Attorney-David Burroughs	12
04-27-05	Cover Letter from David Burroughs	13-14
04-27-05	Entry of Appearance; Certificate of Service	15-16
04-27-05	Requests of Defendant for Production of Discoverable Material; Certificate of Service	17-18
04-27-05	Notice of Defendant's Election to Proceed Under O.C.G.A. § 17-16-20 Et. Seq.; Certificate of Service	19-20
04-27-05	Waiver of Formal Arraignment, Entry of Plea of Not Guilty and Demand for Trial By Jury; Certificate of Service	21-22
04-27-05	Motion Reserving the Right to File Additional Motions; Certificate of Service	23-24
05-04-05	State's Certificate of Service	25
05-06-05	Rule Nisi on Defendant's Motion Reserving the Right to File Additional Motions	26
09-12-05	Cover Letter from David Burroughs	27
09-12-05	Preliminary Motion to Suppress; Certificate of Service	28-31
09-19-05	Cover Letter from David Burroughs	32
09-19-05	Rule Nisi on Defendant's Preliminary Motion to Suppress; Certificate of Service	33-34
09-23-05	Letter to David Burroughs from Judge Fuller	35
09-27-05	Cover Letter from David Burroughs	36
09-27-05	Amended Motion to Suppress; Certificate of Service	37-40
10-26-05	Rule Nisi on Defendant's Amended Motion to Suppress; Certificate of Service	41-42

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 14, 2006

Ms. Jean H. Rogers
Clerk, Superior Court
Crisp County Courthouse
Post Office Box 747
Cordele, Georgia 31010-0747

RE: Your Case Number: 00R-320
Christopher Brown v. The State

Dear Ms. Rogers:

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 stamped filed copy of an appealable order.

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. Christopher Brown, GDC917418
Ms. Denise Fachini, District Attorney

RECORDS RETURN NOTICE

DATE 3/14/06

Style Christopher Brown

Lower Court ~~##~~ Crisp County Superior

Lower Court Case NO. DDR 320

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, CRISP COUNTY

CHRISTOPHER BROWN
DEFENDANT-APPELLANT:

VS.:

STATE OF GEORGIA
APPELLEE

CASE NO. 00R-320

IN CRISP SUPERIOR COURT

MOTION FOR OUT OF TIME
APPEAL

I N D E X

PAGE NUMBER

INSTRUMENT

1 - 4

- ORIGINAL NOTICE OF APPEAL,
TOGETHER WITH CERTIFICATE OF
SERVICE AND INMATE'S ACCOUNT
REPORT; THEREON FILED IN THIS OFFICE ON
MARCH 8, 2006.

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 14, 2006

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

RE: Your Case Number: 05-CR-124-C
Douglas Lamar Ingram v. The State

Dear Ms. McCord:

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 interlocutory application A06I0192. Douglas Lamar Ingram v. The State was dismissed by this Court's order of March 9, 2006. I have enclosed a copy of the Court's order for your review. Since the application was dismissed, there was no right of appeal in this matter on an interlocutory basis. Additionally, the record does not contain a Notice of Appeal.

Should the matter go to trial and the defendant be convicted by a jury, or the judge sitting without a jury, the appellant will have the right to file an appropriate Notice of Appeal at that time.

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 my office.

Sincerely,



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

WLM, III/ld
Enclosures

cc: David Burroughs, Esq.

RECORDS RETURN NOTICE

DATE 3/14/06

Style Douglas Lamar Ingram v The State

Lower Court 9 Dawson Superior

Lower Court Case NO. 05CR124C

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 Appellate 0670192 Dismissed
3/9/06 They have not filed a
Notice of Appeal

STATE OF GEORGIA

STATE OF GEORGIA,

Plaintiff,

vs.

DOUGLAS LAMAR INGRAM,

Defendant.

*
*
*
*
*
*

CRIMINAL CASE NO
2005-CR-124-C

RECEIVED

MAR 14 2006

COURT OF APPEALS
OF GA

INDEX

<u>Date Filed</u>		<u>Page No.</u>
01-05-06	Certificate of Immediate Review; Certificate of Service	1-2
02-03-05	Accusation and List of Witnesses	3-5
02-03-05	Citations	6-7
02-03-05	Bond	8
02-03-05	Explanation of Rights to An Attorney	9
04-08-05	Arraignment Advisement of Rights	10
04-08-05	State's Certificate of Service	11
04-12-05	Appointment of Attorney-David Burroughs	12
04-27-05	Cover Letter from David Burroughs	13-14
04-27-05	Entry of Appearance; Certificate of Service	15-16
04-27-05	Requests of Defendant for Production of Discoverable Material; Certificate of Service	17-18
04-27-05	Notice of Defendant's Election to Proceed Under O.C.G.A. § 17-16-20 Et. Seq.; Certificate of Service	19-20
04-27-05	Waiver of Formal Arraignment, Entry of Plea of Not Guilty and Demand for Trial By Jury; Certificate of Service	21-22
04-27-05	Motion Reserving the Right to File Additional Motions; Certificate of Service	23-24
05-04-05	State's Certificate of Service	25
05-06-05	Rule Nisi on Defendant's Motion Reserving the Right to File Additional Motions	26
09-12-05	Cover Letter from David Burroughs	27
09-12-05	Preliminary Motion to Suppress; Certificate of Service	28-31
09-19-05	Cover Letter from David Burroughs	32
09-19-05	Rule Nisi on Defendant's Preliminary Motion to Suppress; Certificate of Service	33-34
09-23-05	Letter to David Burroughs from Judge Fuller	35
09-27-05	Cover Letter from David Burroughs	36
09-27-05	Amended Motion to Suppress; Certificate of Service	37-40
10-26-05	Rule Nisi on Defendant's Amended Motion to Suppress; Certificate of Service	41-42

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 14, 2006

Ms. Jean H. Rogers
Clerk, Superior Court
Crisp County Courthouse
Post Office Box 747
Cordele, Georgia 31010-0747

RE: Your Case Number: 00R-320
Christopher Brown v. The State

Dear Ms. Rogers:

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 stamped filed copy of an appealable order.

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. Christopher Brown, GDC917418
Ms. Denise Fachini, District Attorney

RECORDS RETURN NOTICE

DATE 3/14/06

Style CHRISTOPHER BROWN

Lower Court ~~##~~ CRISP COUNTY SUPERIOR

Lower Court Case NO. DDR 320

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, CRISP COUNTY

CHRISTOPHER BROWN
DEFENDANT-APPELLANT:

VS.:

STATE OF GEORGIA
APPELLEE

CASE NO. 00R-320

IN CRISP SUPERIOR COURT

MOTION FOR OUT OF TIME
APPEAL

I N D E X

PAGE NUMBER

INSTRUMENT

1 - 4

ORIGINAL NOTICE OF APPEAL,
TOGETHER WITH CERTIFICATE OF
SERVICE AND INMATE'S ACCOUNT
REPORT; THEREON FILED IN THIS OFFICE ON
MARCH 8, 2006.

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 20, 2006

Ms. Sherri A. Akins
Clerk, Superior Court
Bullock County Courthouse
20 Ziebold Street
Statesboro, Georgia 30458

RE: Your Case Number: 2B05CV271
Corey Grundstein, et al. v. Carol Morelli

Dear Ms. Akins:

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 directs it to a Federal Circuit Court of Appeals, not the Court of Appeals of Georgia.

If the appellants intends for this case to be appealed to the Court of Appeals of Georgia, they will have to amend the Notice of Appeal to reflect 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 my office.

Sincerely,



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

WLM, III/ld
Enclosures

cc: Mr. Corey Grundstein
Ms. Carol Morelli

RECORDS RETURN NOTICE

DATE 3/20/06

Style Corey Grundstein et al v. Carol Morelli

Lower Court Bulloch Superior

Lower Court Case NO. 2 B05CV271

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 appealed to United States
Court of Appeals

Bulloch Superior Court
Case #2B05CV271
Carol Morelli vs Corey and Rhonda Grundstein

Index

Appeal	1		
Complaint	2	-	16
Order and Writ of Possession	17	-	19
Order and Writ of Possession	20	-	23

RECEIVED

MAR 20 2006

COURT OF APPEALS
OF GA

Notice of Appeal to a Court of Appeals From A Judgment or Order of a District Court

United States District Court
For the _____ District of _____

File Number _____
23056001

CLERK OF COURT
2005-12-07 PM 11:55
SHEILA A. AKINS
CLERK OF COURT

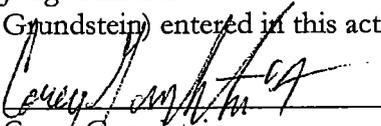
Carol Morelli, Plaintiff
Grady Saunders Road
Portal, GA 30450

v.

Corey and Rhonda Grundstein, Defendants
2024 Grady Saunders Road
Portal, GA 30450

Notice of Appeal

Notice is hereby given that Corey and Rhonda Grundstein (~~DEFENDANTS~~ **PLANTIFFS**) v. Carol Morelli (~~PLANTIFFS~~ **DEFENDANTS**) in the above named case, hereby appeal to the United States Court of Appeals for the _____ Circuit (from the final judgment) (from an order given by Judge Mikell in favor of Carol Morelli in the Eviction proceedings of Corey and Rhonda Grundstein) entered in this action on the 7th day of December, 2005.


Corey Grundstein
2024 Grady Saunders Road
Portal, GA 30450

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 20, 2006

Ms. Sherri A. Akins
Clerk, Superior Court
Bullock County Courthouse
20 Ziebold Street
Statesboro, Georgia 30458

RE: Your Case Number: 2B05CV271
Corey Grundstein, et al. v. Carol Morelli

Dear Ms. Akins:

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 directs it to a Federal Circuit Court of Appeals, not the Court of Appeals of Georgia.

If the appellants intends for this case to be appealed to the Court of Appeals of Georgia, they will have to amend the Notice of Appeal to reflect 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 my office.

Sincerely,



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

WLM, III/ld
Enclosures

cc: Mr. Corey Grundstein
Ms. Carol Morelli

RECORDS RETURN NOTICE

DATE 3/20/06

Style Corey Grundstein et al v. Carol Morelli

Lower Court Bulloch Superior

Lower Court Case NO. 2B05CV271

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 appealed to United States
Court of Appeals

Bulloch Superior Court
Case #2B05CV271
Carol Morelli vs Corey and Rhonda Grundstein

Index

Appeal	1	
Complaint	2	- 16
Order and Writ of Possession	17	- 19
Order and Writ of Possession	20	- 23

RECEIVED

MAR 20 2006

COURT OF APPEALS
OF GA

Notice of Appeal to a Court of Appeals From A Judgment or Order of a District Court

CLERK
RECEIVED - 7 PM 12:55
SHEILA A. AKINS
CLERK OF COURT

United States District Court
For the _____ District of _____

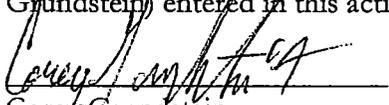
File Number _____
2805 CV 071

Carol Morelli, Plaintiff
Grady Saunders Road
Portal, GA 30450

v.
Corey and Rhonda Grundstein, Defendants
2024 Grady Saunders Road
Portal, GA 30450

Notice of Appeal

Notice is hereby given that Corey and Rhonda Grundstein (**DEFENDANTS**) v. Carol Morelli (**PLAINTIFFS**) in the above named case, hereby appeal to the United States Court of Appeals for the _____ Circuit (from the final judgment) (from an order given by Judge Mikell in favor of Carol Morelli in the Eviction proceedings of Corey and Rhonda Grundstein) entered in this action on the 7th day of December, 2005.


Corey Grundstein
2024 Grady Saunders Road
Portal, GA 30450

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

March 21, 2006

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

RE: Your Case Number: Y 15805
Dontrell Eldridge 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 it contains no Certificate of Service on the Notice of Appeal and it does not contain an address for the pro se appellant. Without the complete name and address of the parties, we are unable to send out the appropriate Docketing Notices. As such, we cannot docket the appeal.

Additionally, the record does not contain a stamped filed copy of the order denying the Motion to Suppress.

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 3/21/06

Style Dontrell Eldridge v The State

Lower Court Fulton Superior

Lower Court Case NO. Y 15805

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 on Motion to Suppress
- 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 address of Pro Se

8. FINAL DISPOSITION, FILED JULY 5, 2000	13
9. SUPERIOR COURT BOND, FILED MAY 18, 2001	14
10. PETITION TO REVOKE PROBATION, FILED OCTOBER 25, 2001	16
11. AFFIDAVIT AND WARRANT FOR ARREST OF PROBATIONER, FILED OCTOBER 25, 2001	17
12. PETITION TO REVOKE PROBATION, FILED NOVEMBER 9, 2001	19
13. PETITION TO REVOKE PROBATION, FILED DECEMBER 18, 2001	22
14. WARRANT CANCELLATION NOTICE, FILED JANUARY 7, 2002	25
15. LETTER TO DEFENDANT FROM THE CLERK OF SUPERIOR COURT, FILED MARCH 24, 2002	26

FEB 26 2002

CRIMINAL TRIAL PRACTICE FORMS

DEPUTY CLERK SUPERIOR COURT
FULTON COUNTY, GEORGIA

28-18

Notice of appeal to Court appeals of Ga.

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

-VS-

DONTRELL ELDRI DGE

CRIMINAL ACTION

INDICTMENT NO. Y15905

etc.

NOTICE OF APPEAL TO COURT OF APPEALS OF GEORGIA

TO: HONORABLE HICKS, DISTRICT ATTORNEY, FULTON
COUNTY, GEORGIA:

Take notice that defendant above named hereby appeals to the Court of appeals of Georgia from the order of the Court rendered 12-26-01 by Honorable Hicks judge of said court, denying the defendant's motion to suppress evidence. No portion of the record is to be omitted on appeal. The Clerk will kindly take note that a transcript of evidence is to be included with the record on appeal.

This 20th day of February 2002.

K Wain

Henry Plunk, Clayton County Georgia
By Commission Expires 12/31/02

COURT OF APPEALS OF GEORGIA

334 STATE JUDICIAL BUILDING

ATLANTA, GEORGIA 30334

(404) 656-3450

JOHN H. RUFFIN, JR., CHIEF JUDGE
GARY B. ANDREWS, PRESIDING JUDGE
EDWARD H. JOHNSON, PRESIDING JUDGE
G. ALAN BLACKBURN, PRESIDING JUDGE
J.D. SMITH, PRESIDING JUDGE
ANNE ELIZABETH BARNES, JUDGE
M. YVETTE MILLER, JUDGE
JOHN J. ELLINGTON, JUDGE
HERBERT E. PHIPPS, JUDGE
CHARLES B. MIKELL, JUDGE
A. HARRIS ADAMS, JUDGE
DEBRA BERNES, JUDGE

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

HOLLY K.O. SPARROW
DEPUTY ADMINISTRATOR

SHEILA COLLINS
DEPUTY CLERK

March 28, 2006

Mr. Carlton W. Blair, Jr.
Clerk, State Court
Chatham County
133 Montgomery Street • Suite 308
Savannah, Georgia 31401

ATTN: Ms. Louise Clark, Judicial Case Manager

RE: Your Case Number: R03F024
Susan Mary Renkiewick v. The State

Dear Ms. Clark:

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 as presented.

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. Additionally, the record does not contain a proper Index and there are pages in the record which are out of order and/or turned backwards.

I apologize for any inconvenience this may have caused you in returning this record. 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: Gary M. Newberry, Esq.

RECORDS RETURN NOTICE

DATE 3/28/06

Style Susan Mary Renkiewicz v. The State

Lower Court Chatham State

Lower Court Case NO. R03F024

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 were out of Order, turned backward

held since 3/2/06

January 23, 2006

William L. Martain, III, Clerk
Court of Appeals of Georgia
334 State Judicial Building
Atlanta, Ga 30334

RE: Susan Mary Renkiewick-Appellant (R03F024)

Vs

The State of Georgia- Appellee

Dear Mr. Martain:

The appeal is late at no fault of the defendant nor any attorney involved in this case.

Sincerely,

Louise Clark
Judicial Case Manager

Enclosed: 1 (Appeal Record)
1 (Transcript)

SUSAN MARY RENKIEWICK
APPELLANT

FROM THE STATE COURT
CHATHAM COUNTY, GEORGIA

RECEIVED

MAR 2 2006
COURT OF APPEALS
OF GA

VS

STATE OF GEORGIA,
APPELLEE

ACCUSATION R03F024

INDEX TO RECORD ON APPEAL

	PAGES
1. NOTICE OF APPEAL FILED ON SEPTEMBER 12, 2005	01
2 OBTS	03
3. CRIMINAL WARRANT FILED ON MARCH 06, 2003	05
4. INTOXILYZER ALCOHOL ANALYZER FILED ON MARCH 06, 2003	06
5. UNIFORM TRAFFIC CITATION(147685) FILED ON JUNE 03, 2003	07
6. UNIFORM TRAFFIC CITATION (147686) FILED ON JUNE 03, 2003	08
4. CRIMINAL BOND FILED ON MAY 19, 2003	09
5. ACCUSATION FILED ON OCTOBER 01, 2003	11
6. ARRAIGNMENT ELECTIONS/WAIVER FILED ON NOVEMBER 10, 2003	12
7. AMENDED ACCUSATION FILED ON MARCH 12, 2004	14
8. CRIMINAL SUBPOENA FILED ON MARCH 26, 2004	15

9. MOTION TO SUPPRESS-MOTION IN LIMINE FILED ON MARCH 12, 2004	25
10. EASTERN JUDICIAL CIRCUIT APPOINTMENT TO REPRESENT INDIGENT DEFENDANT FILED ON MARCH 16, 2004	26
11. SUBPOENA FOR THE PRODUCTION OF EVIDENCE FILED ON MARCH 25, 2004	27
12. DISPOSITION FILED ON MARCH 26, 2004	28
13. EASTERN JUDICIAL CIRCUIT APPOINTMENT TO REPRESENT INDIGENT DEFENDANT FILED ON APRIL 12, 2004	29
14. LETTER TO CARLTON W. BLAIR FILED ON APRIL 21, 2004	30
15. MOTION FOR NEW TRIAL FILED ON APRIL 23, 2004	32
16. EASTERN JUDICIAL CIRCUIT APPOINTMENT REPRESENT INDIGENT DEFENDANT FILED ON APRIL 29, 2004	33
17. LETTER TO MR. BILL DELOACH FILED ON SEPTEMBER 14, 2004	34
18. LETTER TO MR. D BROWN FILED ON OCTOBER 04, 2004	35
19. EASTERN JUDICIAL CIRCUIT REQUEST FOR TRANSCRIPT FILED ON OCTOBER 04, 2004	36
20. MOTION FOR CONTINUANCE IN A CRIMINAL CASE FILED ON OCTOBER 16, 2004	38
21. EASTERN JUDICIAL CIRCUIT APPOINTMENT TO REPRESENT INDIGENT DEFENDANT FILED ON DECEMBER 15, 2004	39
22. WAIVER OF APPEARANCE AFFIDAVIT FILED ON AUGUST 05, 2005	40
23. ORDER ON MOTION FOR NEW TRIAL	42
24. MOTION FOR CONTINUANCE FILED ON OCTOBER 05, 2005	43

31. DEFENDANT'S EXHIBIT #1

47

32. DEFENDANT'S EXHIBIT A-# 1

48

33. DEFENDANT'S EXHIBIT A-# 2

49

IN THE STATE COURT OF CHAHTAM COUNTY

RECEIVED FOR FILING
CLERK

STATE OF GEORGIA

SEP 12 AM 10:23

STATE OF GEORGIA)

)
)
)
)
)
)
)

V

ACCUSATION #R03F024

Carsten W. Blair, Jr.

SUSAN MARY RENKIEWICZ)

NOTICE OF APPEAL

Notice is hereby given that SUSAN MARY RENKIEWICZ, Defendant above-named, hereby appeals to the Georgia Court of Appeals from the March 26, 2004, conviction and sentence, and the August 25, 2005, denial of her Motion for New Trial.

Appellant was convicted of DUI, receiving the standard sentence as prescribed by law.

The Clerk will please omit nothing from the record on appeal; and the transcript of the hearing on the Motion for New Trial was ordered with a request to expedite on August 30, 2005.

The Court of Appeals has jurisdiction to hear this appeal as it involves a subject upon which jurisdiction is not conferred on the Supreme Court of Georgia by the 1983 Constitution of Georgia, Article VI, Section VI, Paragraph III.

Gary Michael Newberry
GARY MICHAEL NEWBERRY
ATTORNEY FOR APPELLANT
State Bar #541085

9 Pensyre Retreat
Savannah, Georgia 31411
(912)598-4235

STATE OF GEORGIA :

V :

ACCUSATION #R03F024

SUSAN RENKIEWICZ :

CERTIFICATE OF SERVICE

This is to certify that I have, this day, served opposing counsel with an exact copy of the foregoing Notice of Appeal by Hand Delivery.

This 12th day of September, 2005.


GARY MICHAEL NEWBERRY
ATTORNEY AT LAW
State Bar #541085

9 Pensyre Retreat
Savannah, Georgia 31411
(912)598-4235

COURT OF APPEALS OF GEORGIA

334 STATE JUDICIAL BUILDING

ATLANTA, GEORGIA 30334

(404) 656-3450

JOHN H. RUFFIN, JR., CHIEF JUDGE
GARY B. ANDREWS, PRESIDING JUDGE
EDWARD H. JOHNSON, PRESIDING JUDGE
G. ALAN BLACKBURN, PRESIDING JUDGE
J.D. SMITH, PRESIDING JUDGE
ANNE ELIZABETH BARNES, JUDGE
M. YVETTE MILLER, JUDGE
JOHN J. ELLINGTON, JUDGE
HERBERT E. PHIPPS, JUDGE
CHARLES B. MIKELL, JUDGE
A. HARRIS ADAMS, JUDGE
DEBRA BERNES, JUDGE

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

HOLLY K.O. SPARROW
DEPUTY ADMINISTRATOR

SHEILA COLLINS
DEPUTY CLERK

March 30, 2006

Ms. Mary L. Green
Clerk, State Court of Turner County
Post Office Box 532
Ashburn, Georgia 31714

RE: Your Case Number: 095CR15075
Timothy A. Johnson v. The State

Dear Ms. Green:

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 must have a Certificate of Service with the complete name and mailing address of opposing counsel. Without this, we are unable to send the appropriate Docketing Notices to the opposing counsel. The record must be assembled as follows: the complete Index, the Notice of Appeal and the Record in chronological order. Also, the transcript should be assembled separately from the record and identified as a transcript.

The Notice of Appeal as prepared by the appellant and does not meet the statutory provisions as set out in OCGA §5-6-37. Also, the appellant must include his address on the Notice of Appeal.

When the record is properly corrected as indicated, please return it to this office for docketing. I have included a "Guide to Transmitting Records to the Court of Appeals for Trial Court Clerks" which you may find helpful in preparing 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 3/29/06

Style Timothy Johnson v. The State

Lower Court Turner State

Lower Court Case NO. 05CR15075

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal
- Order not stamped filed
- Transcripts ? *should be separated out*
- Notice of Appeal not stamped filed
- No Index/Improper Index *should be on top*
- 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 _____

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.
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.

Case No. _____

Court of Appeals of Georgia

Term, 19____

State of Georgia

VERSUS

Timothy Johnson

Record

Filed in office _____ 19____

C. C. A. GA.

NOTICE OF APPEAL

FEB 23. 2006

case # OSCRI 5075

TO: Mary Lee Green
Clerk of State Court
Turner County

FROM: Timothy A Johnson
305 HANCOCK RD
REBECCA GA 31783

PLEASE BE ADVISED THAT I REQUEST
TO APPEAL THE ABOVE CASE TO THE
GEORGIA COURT OF APPEALS.

Timothy A Johnson, pro se

Received 02-27-06
by: J-L Piggins

State Court
Turner County, Georgia

Filed 27th day of Feb, 2006.

Mary Lee Green
Mary Lee Green, Clerk

BOND FOR APPEARANCE

State of Georgia, _____ County. Know all men by these presentments that we, _____ as principal and _____ Security agree jointly and severally to pay _____ Governor of Georgia and his successors in office _____

Dollars and for the true payment of which we bind ourselves by these presentments. The condition of the above obligation is such that the above principal shall personally appear at the _____ Court holden in and for said county on the _____ day of _____ at _____ o'clock _____ M., and from day to day and term to term thereof until discharged by law to answer the offense of _____

as charged in the affidavit of _____, then the obligation to be null and void, else in full force and effect. In addition to all other requirements of the foregoing, we, principal and security agree that the above bond and recognizance is conditioned also upon the appearance of the principal before the court at the time fixed for his arraignment. And as to this obligation, we severally waive our rights to the benefits of Homestead Exemption laws of this State and of the United States as fully as we are authorized to do by the Constitution and laws of this State and the United States.

Signed with our hands and sealed with our seals this _____ day of _____

Attested by:

Approved by:

(L.S.)

(L.S.)

(L.S.)

(L.S.)

05-CR-15175

102
CASE NO. 05-MW-463

STATE WARRANT
TURNER COUNTY, GEORGIA
BOND \$1,500.00

THE STATE
VS.

JOHNSON, TIMOTHY
305 HANCOCK RD.
REBECCA, GA. 31783
W/M DOB 01/18/57
SS# 551-02-7944

CHARGED

CRUELTY TO ANIMALS
MISD. O.C.G.A. §16-12-4

TAYLOR, JOHN M.

PROSECUTOR

RESIDENCE TURNER CO. S. O.
ASHBURN, GA. 31714
PHONE (229) 567-2401

WARRANT EXECUTED ON THE 17TH
DAY OF NOVEMBER 2005
AT 3:15 O'CLOCK P.M.: BY
[Signature]

WITNESSES

Vertical lines for witness signatures.

STATE WARRANT AND MITTIMUS

Georgia, Turner County:

Personally came JOHN M. TAYLOR, who on oath says that, to the best of his knowledge and belief TIMOTHY JOHNSON did, in the County aforesaid, commit the offense of, TO-WIT CRUELTY TO ANIMALS (MISD.) #16-12-4 between the hours of 11:00 A M. and 3:00 P M. on the 1ST day of NOVEMBER 2005. The place of occurrence of said offense being 305 HANCOCK ROAD REBECCA, TURNER COUNTY, GEORGIA

and against THE LAWS OF THE STATE OF GEORGIA Said offense being described as CRUELTY TO ANIMALS - IN THAT SAID TIMOTHY JOHNSON DID CAUSE UNJUSTIFIABLE PHYSICAL PAIN OR SUFFERING TO AN ANIMAL, TO-WIT, (1) WHITE WITH BROWN SPOTS BULLDOG MIX DOG BY FAILING TO PROVIDE SUFFICIENT FOOD, WATER AND MEDICAL CARE FOR SAID ANIMAL, BY AN ACT, OMISSION OR WILLFUL NEGLECT. CAUSING AN ORDER FOR EUTHANASIA FROM SUPERIOR COURT CHIEF JUDGE GARY C. MCCORVEY AS THE ONLY HUMANE TREATMENT FOR SAID ANIMAL.

and thus deponent makes this affidavit that a warrant may issue for his arrest.

[Signature]

Affiant.

Sworn to and subscribed before me this 4TH day of NOVEMBER 2005

[Signature]

Judge

Magistrate

Georgia, Turner County:

To any Sheriff or his deputy, Coroner, Constable, or Marshal of said State, GREETING:

For sufficient causes made known to me in the above affidavit, you are hereby commanded to arrest TIMOTHY JOHNSON the defendant named in the foregoing affidavit charged by the prosecutor therein with the offense against the laws of this State as enunciated in said affidavit and bring him before me, or some other Judicial Officer of this State to be dealt with as the law directs.

Herein fail not. This 4TH day of NOVEMBER 2005

[Signature]

Judge

Magistrate

Georgia, Turner County:

After hearing the evidence in the above case it is ordered that said defendant be bound in a bond of _____ Dollars for his appearance on the first day of the next term or session next after this day of the _____ Court of _____ to be held in and for said County to answer the charge of _____

In default thereof that he be committed to the common jail of said County, there to be safely kept until thence delivered by due course of law.

Given under my hand and seal this _____ day of _____

Judge (L.S.)
Magistrate

BOND FOR APPEARANCE

State of Georgia, _____ County. Know all men by these presentments that we, _____ as principal and _____ Security agree jointly and severally to pay _____ Governor of Georgia and his successors in office _____

Dollars and for the true payment of which we bind ourselves by these presentments. The condition of the above obligation is such that the above principal shall personally appear at the _____ Court holden in and for said county on the _____ day of _____ at _____ o'clock _____ M., and from day to day and term to term thereof until discharged by law to answer the offense of _____

as charged in the affidavit of _____, then the obligation to be null and void, else in full force and effect. In addition to all other requirements of the foregoing, we, principal and security agree that the above bond and recognizance is conditioned also upon the appearance of the principal before the court at the time fixed for his arraignment. And as to this obligation, we severally waive our rights to the benefits of Homestead Exemption laws of this State and of the United States as fully as we are authorized to do by the Constitution and laws of this State and the United States.

Signed with our hands and sealed with our seals this _____ day of _____

Attested by:

(L.S.)

(L.S.)

Approved by:

(L.S.)

(L.S.)

05-CR-15075

292
CASE NO. 05-MW-464

STATE WARRANT
TURNER COUNTY, GEORGIA
BOND \$1,500.00

THE STATE
VS.

JOHNSON, TIMOTHY
305 HANCOCK RD.
REBECCA, GA. 31783
W/M DOB 01/18/57
SS# 551-02-7944

CHARGED

CRUELTY TO ANIMALS
MISD. O.C.G.A. §16-12-4

TAYLOR, JOHN M.

PROSECUTOR

RESIDENCE TURNER CO. S. O.
ASHBURN, GA. 31714
PHONE (229) 567-2401

WARRANT EXECUTED ON THE 17TH
DAY OF NOVEMBER 2005
AT 3:15 O'CLOCK P.M.: BY
T-8

WITNESSES

Vertical lines for witness signatures and names.

STATE WARRANT AND MITTIMUS

Georgia, Turner County:

Personally came JOHN M. TAYLOR, who on oath says that, to the best of his knowledge and belief TIMOTHY JOHNSON did, in the County aforesaid, commit the offense of, TO-WIT CRUELTY TO ANIMALS (MISD.) # 16-12-4 in said County, between the hours of 11:00 A M. and 3:00 P M., on the 1ST day of NOVEMBER 2005. The place of occurrence of said offense being 305 HANCOCK ROAD REBECCA, TURNER COUNTY, GEORGIA and against THE LAWS OF THE STATE OF GEORGIA

Said offense being described as CRUELTY TO ANIMALS - IN THAT SAID TIMOTHY JOHNSON DID CAUSE UNJUSTIFIABLE PHYSICAL PAIN OR SUFFERING TO AN ANIMAL, TO-WIT, (1) BROWN BRINDLE TERRIER MIX DOG BY FAILING TO PROVIDE SUFFICIENT FOOD, WATER AND MEDICAL CARE FOR SAID ANIMAL, BY AN ACT, OMISSION OR WILLFUL NEGLECT. CAUSING AN ORDER FOR EUTHANASIA FROM SUPERIOR COURT CHIEF JUDGE GARY C. MCCORVEY AS THE ONLY HUMANE TREATMENT FOR SAID ANIMAL.

and thus deponent makes this affidavit that a warrant may issue for his arrest.

[Signature]

Affiant.

Sworn to and subscribed before me this 4TH day of NOVEMBER 2005

[Signature]

Judge

Magistrate

Georgia, Turner County:

To any Sheriff or his deputy, Coroner, Constable, or Marshal of said State, GREETING:

For sufficient causes made known to me in the above affidavit, you are hereby commanded to arrest TIMOTHY JOHNSON the defendant named in the foregoing affidavit charged by the prosecutor therein with the offense against the laws of this State as enunciated in said affidavit and bring him before me, or some other Judicial Officer of this State to be dealt with as the law directs.

Herein fail not. This 4TH day of NOVEMBER 2005

[Signature]

Judge

Magistrate

Georgia, Turner County:

After hearing the evidence in the above case it is ordered that said defendant be bound in a bond of _____ Dollars for his appearance on the first day of the next term or session next after this day of the _____ Court of _____ to be held in and for said County to answer the charge of _____

In default thereof that he be committed to the common jail of said County, there to be safely kept until thence delivered by due course of law.

Given under my hand and seal this _____ day of _____,

Judge

Magistrate

(L.S.)

IN THE STATE COURT OF TURNER COUNTY GEORGIA

STATE OF GEORGIA

#

CRIMINAL ACCUSATION NO. 05-CR-15075

VS.

Timothy Johnson
DEFENDANT

ACCUSATION

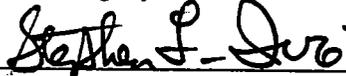
The Solicitor General of the State Court of Turner County, in the name and behalf of the citizens of Georgia charges and accuses

Timothy Johnson

with the offense of a MISDEMEANOR for the said accused on the 1st day of **November** year **2005**, in the County aforesaid, did then and there, unlawfully and with force and arms committed the offense of:

CRUELTY TO ANIMALS (2 CTS.)

contrary to the laws of said State, the good order, peace and dignity thereof.



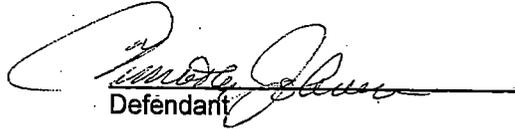
Stephen L. Ivie, Solicitor General

PLEA

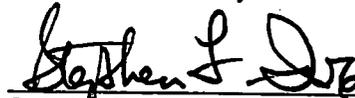
Now comes the above named Defendant, **Timothy Johnson**, waives formal arraignment and enters a plea of X ~~not~~ NO LO not guilty.

NO LO CONTENDERE

This 26th day of January, 2006.


Defendant

Defendant's Attorney


Solicitor General

IN THE STATE COURT OF TURNER COUNTY

RECORD OF THE COURT

I have been provided a copy of the accusation(s) filed against me. I now enter the plea shown below. In doing so, I am fully aware that upon a not guilty plea, I have the right to trial, either before a jury or before the Court, at which trial I would enjoy the presumption of innocence and the State would be required to prove my guilt beyond a reasonable doubt. The State would seek to do this by calling witnesses to testify against me, and I would have the right to confront and cross-examine those witnesses. I would have the right to present evidence in my own behalf at my trial by calling witnesses and the Court will issue subpoenas to those witnesses if I need help getting them to come to court. I have the right to testify on my own behalf, in which case the prosecutor can cross-examine me, but I also have the right NOT to testify or incriminate myself in any way. I understand that if I plead guilty, I will give up these rights to trial. If I am not a citizen of the United States, I understand that a conviction may affect my immigrations status. I also understand that a conviction on certain offenses may affect my driver's license or right to possess a firearm.

(X) ~~GUILTY PLEA~~ (plea of NOLO CONTENDERE) I knowingly and voluntarily give up my right to a trial and plead GUILTY (NOLO CONTENDERE). I fully understand my rights, the charge(s) against me, and the consequences of my plea, including the maximum possible penalty which could be imposed of up to twelve (12) months in jail and a fine of \$1000.00 or (\$5000.00 for a "high and aggravated misdemeanor"), as well as any mandatory minimum sentences which may apply to me. I did what I am charged with doing in the Accusation(s). No promises or threats have been made by anyone in order to get me to enter this plea of ~~guilty~~ NOLO. Other than a possible recommendation for a sentence by the State, which I understand is not binding on the Court, I have not been informed of what sentence will be imposed. I understand I must follow the conditions of any probated or suspended sentence imposed on me or I may be required to spend time in jail for failure to comply.

() NOT GUILTY PLEA: I plead NOT GUILTY to the charge(s) against me and request a non jury trial. I knowingly and voluntarily give up my right to trial before a jury of six persons chosen from citizens of Turner County called for jury duty, who would hear the evidence and law and decide if I am guilty or not guilty. I want my case to be heard and decided by the Judge acting without a jury.

This 26 day of January, 2006.

Stephen P. [Signature]
State Court Solicitor

[Signature]
Defendant

[Signature]
Defendant's Attorney

Upon inquiry in this case as required by law, the Court finds that the plea of the Defendant is freely and voluntarily entered and any waiver of rights is done with a full understanding of those rights and with an understanding of the charges against the Defendant. If a guilty plea, the Court further finds there to be a factual basis for the plea.

SO ORDERED, the date referenced.

[Signature]
Judge, State Court of Turner County

JANUARY TERM 2006

THE STATE OF GEORGIA vs. Timothy Johnson CRIMINAL ACTION NO. 05 CR 15075

CITATION #	OFFENSE(S)	PLEA			FOUND		OTHER DISP.	FINES
		G	NG	NOL	G	NG		
COUNT 1	<u>Cruelty to Animals</u>			<input checked="" type="checkbox"/>				<u>200.00</u>
COUNT 2		<u>Cruelty to Animals</u>			<input checked="" type="checkbox"/>			
COUNT 3								
COUNT 4								
COUNT 5								
COUNT 6								
COUNT 7								
COUNT 8								
COUNT 9								
COUNT 10								

SENTENCE

TOTAL FINE 400.00

Whereas the above named Defendant has (pled / been found) guilty of the above-stated offense(s), it is ordered and adjudged by the court that:
 The said defendant is hereby sentenced to confinement in the County Jail or such other institution as the Court may direct for a period of 12 mos months/days, to be computed as provided by law on Ch 1 CS 12 mos Ct 2
 Upon service of _____ months/days above sentence, the remainder may be served on probation.
 _____ may/ _____ may not serve weekends
 Defendant is sentenced to serve above sentence on probation.
 Probation to be suspended upon payment in full. T.O.C. 6 mos.

CONDITIONS OF PROBATION

1. Pay a fine and court costs in the amount of \$ 400.00
2. Do not violate the criminal laws of any governmental unit.
3. Do not change present residence or leave the jurisdiction of the Court without permission.
4. Report to the Probation Officer weekly in person and pay \$30.00 per month supervision fees.
5. Pay all fines, program, and restitution fees within the time specified by the Probation Officer.
6. Must maintain suitable employment.
7. Perform _____ hours/days of Community Service Work at the time specified by the Probation officer and complete within _____ day/mon.
8. Avoid alcoholic intoxication, narcotics, other dangerous drugs unless prescribed lawfully. Do not visit places where prohibited or controlled substances are unlawfully sold, dispensed or used.
9. Register for and pay the cost of the Personal Awareness Class.
10. Pay restitution in the amount \$ 2500.00 to 1100.00 to TURNER County 1400.00
11. Pay \$25 Publication Fee to Court Instanter / Surrender license plate(s) as required by law for _____ # of days.
12. Surrender driver's license for revocation/suspension as required by law for _____ # of days.
13. Pay \$9 per month for the Georgia Crime Victims Emergency Fund.
14. Must pay restitution and court fines within first _____ months of probation.
15. Special drug conditions apply. (See attached)
16. Install ignition interlock device & maintain for _____ months.
17. Complete evaluation & treatment _____ # of days.
18. Other Return 8 dogs of defendant's Chasing! Can not have more than 8 dogs, 1 cow and 3 fowl during term of probation 60 days to comp

State of Georgia
 Turner County, Georgia
 Filed 26 day of Jan, 2006
 Mary Lee Green
 Clerk
 From TIF Co. Animal Shelter
 TIF County Animal Shelter

DATE 1-26-2006 PRESIDING JUDGE X John R. ...
 This is to certify that a true and correct copy of this sentence has been delivered in person to the Defendant who has been duly instructed regarding the conditions of probation, probation conditions must be completed 60 days prior to the probation ending date.
 DATE 1-26-06 DEFENDANT [Signature] PROBATION OFFICER [Signature]

REPORT OF CHARGES FOLLOWING ARREST

REPORT OF FINAL DISPOSITION OF CHARGES

- (1) Arresting/Booking Agency: Complete left side of report.
- (2) Place Offender Tracking Number in state usage block of each fingerprint card.
- (3) Place top copy of this form between two completed fingerprint cards and submit to GCIC - Box 370748, Decatur, Ga. 30037-0748 within 24 hours of arrest/booking.
- (4) Forward bottom copy to prosecutor/court.

- (1) Prosecutors: Enter disposition of all charges not referred to the courts.
- (2) Courts: Enter disposition of all charges. Resubmit disposition reports whenever previously reported dispositions are modified.
- (3) Indicate any revisions to charges made at time of arrest and any charges made subsequently.
- (4) Forward reports within 30 days of disposition decision to GCIC - Box 370748, Decatur, Ga. 30037-0748.

Offender's Name (Last,First,Middle)

Johnson Timothy Andrew

Enter Final Disposition and Date in same order as Charges-- If Additional Space is Needed, Check Here and Continue on Reverse Side.

05CR15075

Sex	Race	Date of Birth (DOB)	Social Security No. (SOC)
M	W	1-18-57	551-02-1944

01-26-06 pled nolo to both counts of cruelty to animals

Offender Tracking No. (OTN)	State ID No. (SID)
128671782	3350215 P

\$400.00 fine

FBI No.	Date Arrested or Received
	11-17-05

Case Number 03-11-006

12 mos prob. on each count to run concurrent

Charges - If Additional Space is Needed, Check Here and Continue on Reverse Side.

\$1100.00 restitution to Turner County
\$1400.00 restitution to Tift County animal shelter

(1) Cruelty TO Animals

(2) 2- Counts

IF REPORTING ANY FELONY CONVICTION(S) CHECK THIS BOX

(4)

Agency Making Final Disposition Decision (Include Complete Name, ORI Number and Location of Agency)

(5)

STATE COURT OF TURNER COUNTY
223-A MONROE AVE.
P.O. BOX 532
ASHBURN, GA 31714

(6)

(7)

Contributor of Fingerprints (Include Name, ORI Number and Location of Agency)

TURNER COUNTY SHERIFF'S DEPT.
GA 1420000
1301 INDUSTRIAL DRIVE
ASHBURN, GA 31714

Signature	Date
Mary Lee Green	01-27-06
Title	
Clerk	

10

Tifton - Tift County Animal Shelter

Tifton — Tift County — Ty Ty — Omega
278 GA Hwy 125 S. Tifton, Georgia 31794
Telephone: (229) 382-7387 Fax: (229) 382-2795
Regenia Wells — Director / Chief ACO
r wells@tiftcounty.org

TURNER COUNTY DOG SEIGE

5 Animal Control Officers @ \$12.00 per hour x 8 hours	\$ 480.00
3 Animal Control Vehicles 72 miles @ \$.45 per mile x 3	\$ 97.20
27 Pictures printed on Kodak paper x 3 sets x \$1.00	\$ 81.00

11/03/2005
Euthanizing 2 Dogs @ \$20.00 per dog = \$ 40.00

11/7/2005
Vet Evaluations of 22 dogs = \$ 98.00

LAB FEES

11/03/2005
Lab Fees for Autopsy @ \$31.00 per dog x 2 = \$ 62.00

11/18/05
Lab Fees for Autopsy @ \$31.00 = \$ 31.00

12/12/2005
Lab Fees for Autopsy @ \$31.00 = \$ 31.00

12/18/2005
Lab Fees for Autopsy @ \$31.00 = \$ 31.00

12/29.2005
Lab Fees for Autopsy @ \$31.00 = \$ 31.00

WORMING OF DOGS

\$ 5.00 per dog x 18 x 2 = \$ 180.00

BOARDING OF REMAINING ANIMALS

12 dogs @ \$20.00 = \$ 240.00

TOTAL

State Court Turner County, Georgia	\$ 1402.00
---------------------------------------	------------

Filed 26th day of Jan 06.

Mary Lee Green
Mary Lee Green, Clerk

2-1-06

Greetings-

This is a request under the Georgia Open Records Act; would you kindly send me any court records you have dealing with Anthony Nelson and/or Melissa Douglass, who lived on Hancock Rd in Rebecca — they were in your court I believe 2-3 years back. If there are any costs please bill me.

Thank you for your assistance -

Timothy Johnson

305 Hancock Rd

Rebecca GA 31783

State Court
Turner County, Georgia

Filed 2nd day of Feb, 06.

Mary Lee Green
Mary Lee Green, Clerk.

**CLERK OF STATE COURT
TURNER COUNTY
P.O. Box 532
Ashburn, Georgia 31714**

Mary Lee Green
Clerk

Telephone
(229) 567-0490
Fax
(229) 567-0496

February 13, 2006

Mr. Timothy Johnson
305 Hancock Rd.
Rebecca, Ga. 31783

RE: REQUEST FOR RECORDS UNDER GA. OPEN RECORDS ACT

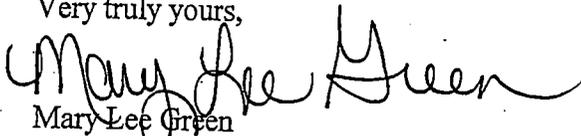
Dear Mr. Johnson:

I am in receipt of your request.

Please be advised I do not do record searches. The information is of public record. You can come into the office and do the search.

My office is located at 223A Monroe Ave., Ashburn, Georgia in the Piggly Wiggly Shopping Plaza. My office hours are from 8:00 a.m. to 12:00 noon and from 1:00 p.m. to 5:00 p.m.

Very truly yours,



Mary Lee Green
Clerk of State Court
Turner County, Ga.

/MLJG

Cc: File

I was in court 1-26-06

229 643 7757

REBECCA GA 31783

305 HANCOCK RD

Timothy A Johnson

Sincerely

Thank you very much for your assistance.

of my recent case NO: 05-10-072 on OSER-15075

Would you very kindly send me a transcript

Greetings-

2-1-06

State Court
 Turner County Georgia
 Filed REB
 day of Feb, 26
 Mary Lee Y. Ben, Clerk
 Mary Lee Y. Ben, Clerk

**CLERK OF STATE COURT
TURNER COUNTY
P.O. Box 532
Ashburn, Georgia 31714**

Mary Lee Green
Clerk

Telephone
(229) 567-0490
Fax
(229) 567-0496

February 20, 2006

Timothy A. Johnson
305 Hancock Rd.
Rebecca, Ga. 31783

Copy

RE: REQUEST FOR TRANSCRIPT

Dear Mr. Johnson:

I am in receipt of your request for your court case transcript. I do not have the transcript.

Please notify the court reporter's office at:

**LOUNELL JENSEN & ASSOCIATES
COURT REPORTER SERVICES
P.O. BOX 1276
TIFTON, GA. 31793
(229) 386-7881**

Very truly yours,

Mary Lee Green

Mary Lee Green
Clerk of State Court
Turner County, Ga.

/MLJG

Cc: File

CASE NOTES:

Defendant's Name: Johnson, Timothy Case # 05CR15075

Ⓢ

1-26-06

1. fine \$400

2. 24 mon. prob if makes
restitution & pays fine
prob. terminates

3. \$2500 restitution

4. return 8 Boston Terriers ~~or~~
or of Δ's choosing immediately

5. conditions of probation
no more than 8 dogs
1 cow

remove all animals within
60 days

if cow is not fenced
cow will be taken into
custody - can be violation
of probation

no more than 8 chickens or
geese in yard

IN THE STATE COURT OF TURNER COUNTY

STATE OF GEORGIA

STATE OF GEORGIA :
vs. :
TIMOTHY JOHNSON, : CASE NO.: 05CR15075
Defendant. :

PROCEEDINGS: PLEA
BEFORE: HONORABLE JOHN H. HOLLAND
DATE: JANUARY 26, 2006
LOCATION: TURNER COUNTY COURTHOUSE
ASHBURN, GEORGIA
APPEARANCES OF COUNSEL:
On Behalf of the State: STEPHEN L. IVIE, SOLICITOR
Tift Judicial Circuit
335 McLendon Street
Post Office Box 825
Ashburn, Georgia 31714-0825
On Behalf of the Defendant: MATTHEW GILL BRADY, Esq.
Jay, Sherrell, Smith & Braddy
101 East Pine Street
Post Office Box 308
Fitzgerald, Georgia 31750-0308

COPY

ADVANCED REPORTING SERVICES
Post Office Box 70535
Albany, Georgia 31708
(229) 431-0064

State Court
Turner County, Georgia
Filed 2/1st day of Feb., 2006
Mary Lee Greer, Clerk

P R O C E E D I N G S

1
2 THE COURT: Let's hear case number 05CR15075,
3 State of Georgia versus Timothy Johnson. You're
4 Mr. Johnson?

5 DEFENDANT: Yes, sir.

6 (Witness Sworn)

7 THE COURT: Why don't you announce that you're
8 representing him.

9 MR. BRADDY: Your Honor, my name is Gill
10 Braddy, State Bar Number 074338, and I represent
11 Mr. Johnson in this matter.

12 THE COURT: Now, Mr. Johnson, I understand
13 that you and your attorney have had an opportunity
14 to speak with the Solicitor, and you're asking the
15 Court to accept a nolo contendere plea to two
16 charges of cruelty to animals. Is that right?

17 DEFENDANT: Yes, sir.

18 THE COURT: Is that right, Mr. Braddy?

19 MR. BRADDY: Yes, sir.

20 THE COURT: Okay. Now, do you understand what
21 those charges are about?

22 DEFENDANT: Yes.

23 THE COURT: You understand those are
24 misdemeanors. In Georgia, a misdemeanor is
25 punishable up to a thousand dollar fine and twelve

1 months in jail. I don't believe on these charges
2 there's any minimum fine or minimum jail time. Do
3 you agree, Mr. Braddy?

4 MR. BRADDY: Yes, sir.

5 THE COURT: Okay. Do you understand that,
6 Mr. Johnson?

7 DEFENDANT: Yes, Your Honor.

8 THE COURT: All right. Now, let me ask you
9 this: Have you changed your mind and want to plead
10 not guilty or do you want to continue with the nolo
11 contendere pleas?

12 DEFENDANT: I'll continue.

13 THE COURT: All right. I want to explain that
14 by entering these pleas, you're giving up the right
15 to a trial by jury. You're giving up the right to
16 the presumption of innocence, which means you would
17 be considered innocent at a trial unless or until
18 the State comes forth with sufficient evidence to
19 prove you guilty beyond a reasonable doubt. You're
20 giving up the right to confront and cross-examine
21 the witnesses against you. You're giving up the
22 right to subpoena witnesses. You're giving up the
23 right to testify and offer other evidence in your
24 defense as well as the right not to testify or say
25 anything that might incriminate you. You're also

1 DEFENDANT: Yes, sir.
2 THE COURT: How old are you, Mr. Johnson?
3 DEFENDANT: Forty-nine, sir.
4 THE COURT: Are you a United States citizen?
5 DEFENDANT: Yes, sir.
6 THE COURT: Are you under the influence of
7 alcohol or any drug today?
8 DEFENDANT: No, sir.
9 THE COURT: Has anyone threatened you or in
10 any way forced you to enter this plea against your
11 will?
12 DEFENDANT: No, sir.
13 THE COURT: Do you understand if you plead
14 nolo contendere to these charges, there will be no
15 trial or hearing, and a fine or a sentence or both
16 may be imposed today?
17 DEFENDANT: Yes, sir.
18 THE COURT: Has any promise or threat been
19 made to you by any prosecutor, lawyer, police
20 officer, or other person to induce you to enter
21 this plea?
22 DEFENDANT: No, sir.
23 THE COURT: I can have the Solicitor read into
24 the record a factual basis for the charges or I'll
25 allow Mr. Braddy to do that, if you so desire.

1 MR. BRADDY: Your Honor, it makes no
2 difference to me, Your Honor. We can waive the
3 factual basis if you want us to.

4 THE COURT: Well, I want something to some
5 degree set out.

6 MR. BRADDY: Your Honor, I'll be glad to state
7 our position, if that's okay with Mr. Ivie. Your
8 Honor, he is charged with two counts of cruelty to
9 animals. Mr. Johnson lives here in Turner County
10 and he had a number of animals out on his property
11 where he and his wife at one time resided. His
12 wife left him, and he is also disabled because of
13 degenerative joint disease and diabetes. When his
14 wife left him, in his condition, he was unable to
15 care for all of these animals. And he did have a
16 number of animals out there at his place, and it
17 basically is a crime of an omission. He did not
18 ask for any assistance out there and he basically
19 had more than he could handle.

20 THE COURT: All right. Is that what happened,
21 Mr. Johnson?

22 DEFENDANT: Yes, sir.

23 THE COURT: And that's why you want to enter a
24 nolo contendere plea? Is that right?

25 DEFENDANT: Yes, Your Honor.

On

no

1 THE COURT: You've been represented by
2 Mr. Gill Braddy. Are you satisfied with the advise and
3 representation he's given you?
4 DEFENDANT: Oh, yes, sir.
5 THE COURT: Have you told him all of the facts
6 and circumstances you know about the charges
7 against you?
8 DEFENDANT: Yes, sir.
9 THE COURT: Understanding the possible
10 sentence and rights you're giving up by entering
11 this plea, do you still want to plead nolo
12 contendere?
13 DEFENDANT: Yes, Your Honor.
14 THE COURT: And you've entered your plea with
15 the solicitor; is that right?
16 DEFENDANT: Yes, sir.
17 THE COURT: I find your plea is freely,
18 knowingly and intelligently entered, and I will
19 accept your plea. Is there anything else you want
20 to say?
21 DEFENDANT: No, sir.
22 THE COURT: Anything else, Mr. Braddy?
23 MR. BRADDY: No, sir.
24 THE COURT: Do you have any legal cause or
25 reason, Mr. Braddy, why sentence should not be

7

On

no

1 imposed at this time?

2 MR. BRADDY: No, sir.

3 THE COURT: Mr. Johnson, do you understand
4 after the Court pronounces sentence, you're not
5 permitted to withdraw your plea?

6 DEFENDANT: Yes, sir.

7 THE COURT: Before I pronounce sentence, do
8 you wish to withdraw your plea?

9 DEFENDANT: No, sir.

10 THE COURT: I've determined the defendant
11 understands the nature of the charges and there has
12 been a factual basis for the charges given to the
13 Court. There's been no legal cause shown why
14 judgment should not be pronounced and sentence
15 entered at this time. I will accept your nolo
16 contendere plea on both charges.

17 On the first count, I sentence you to twelve
18 months in jail, which you may serve on probation,
19 and a fine, including surcharges, of two hundred
20 dollars.

21 On the second count, I sentence you to twelve
22 months in jail, which you may serve on probation,
23 and a fine, including surcharges, of two hundred
24 dollars.

25 The counts are run consecutively. Also, your

00 00

1 probation may be suspended upon payment in full
2 after six months. Must serve at least six months
3 on probation. Also, on both counts, I have some
4 special conditions of probation: That you pay
5 restitution in the amount of twenty-five hundred
6 dollars. That's one thousand, one hundred dollars
7 to Turner County -- I see that's through the
8 Sheriff's Department -- and fourteen hundred
9 dollars to Tift County Animal Shelter. Is that
10 what you were expecting, Mr. Braddy --

11 MR. BRADDY: Yes, Your Honor.

12 THE COURT: -- and discussed with your client?

13 MR. BRADDY: Yes, Your Honor. A total
14 restitution of twenty-five hundred dollars --

15 THE COURT: Correct.

16 MR. BRADDY: -- with eleven hundred being owed
17 to Turner County and fourteen hundred being owed to
18 the Tift County Animal Shelter. It was our
19 understanding we're to pay it through the probation
20 officer; is that correct?

21 THE COURT: Yes.

22 MR. BRADDY: Okay.

23 THE COURT: Also must return eight dogs of
24 defendant's choosing. Cannot have more than eight
25 dogs at any one time; no more than one cow; and no

1 more than eight fowl during the term of probation.
2 Is that what you understood, also?

3 MR. BRADDY: Excuse me, Your Honor. The
4 return of the eight dogs -- the Tift County Animal
5 Shelter is currently holding several dogs that
6 formerly belonged to Mr. Johnson, and we were to
7 get eight of those dogs of his choosing returned to
8 him immediately from the Tift County Animal
9 Shelter.

10 THE COURT: Oh, that's what that means?

11 MR. BRADDY: Yes.

12 THE COURT: Okay. When it said -- I was
13 reading the note, so I guess it said return of
14 eight dogs of your choosing. So you've explained
15 that they're at the animal shelter and he gets --

16 MR. BRADDY: Yes, sir.

17 THE COURT: -- eight dogs of his choosing
18 returned back to him; right?

19 MR. BRADDY: Right. That's a little bit
20 confusing.

21 THE COURT: Right.

22 MR. BRADDY: But he is allowed --

23 MR. IVIE: He is to pick them up. He is to
24 pick them up anytime after --

25 THE COURT: Okay.

1 MR. IVIE: -- we are out of this court.

2 THE COURT: And that coincides with the having
3 no more than eight dogs?

4 MR. BRADDY: Yes, sir.

5 THE COURT: Okay. Well, that's the order of
6 the Court as far as that goes. Again, also, with
7 the maximum of the one cow and the eight fowl,
8 also. Is that what you expected to hear?

9 MR. BRADDY: Yes, sir.

10 MR. IVIE: There's another issue. If the cow
11 gets out, the County can go pick it up.

12 THE COURT: All right.

13 MR. BRADDY: Your Honor, he does have a couple
14 of more animals than that, and I believe he was
15 going to be given sixty days --

16 MR. IVIE: Sixty days. Sixty days --

17 MR. BRADDY: -- from today to get rid of those
18 animals in excess of what he's allowed.

19 MR. IVIE: -- any other animals.

20 THE COURT: Okay. That will be part of the
21 Court's order, also.

22 DEFENDANT: Thank you, Your Honor.

23 THE COURT: Thank you. That's the sentence of
24 the Court.

25 (Proceedings concluded.)

C E R T I F I C A T E

STATE OF GEORGIA)

COUNTY OF GEORGIA)

I, RENEE TOMLINSON, Certified Court Reporter and Notary Public in and for the State of Georgia at Large, hereby certify that the foregoing transcript, consisting of 11 pages is a true and accurate record of the proceedings held in the aforesaid matter on the date and time specified; that I am neither a relative nor employee nor attorney nor counsel of any of the parties, nor a relative nor employee of such attorney or counsel, nor financially interested in the action.

WITNESS my hand and seal at Albany, Dougherty County, Georgia, this 18th day of March, 2006.



RENEE TOMLINSON, CCR
Certificate No. B-2323

STATE OF GEORGIA

VS.

TIMOTHY JOHNSON

* # _____
*
* IN THE COURT OF APPEALS
* OF GEORGIA
* TURNER STATE COURT
* CIVIL ACTION: 05CR15075

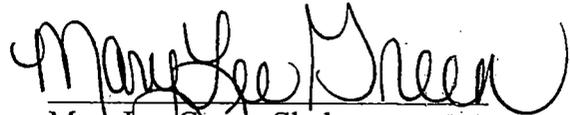
GEORGIA, TURNER COUNTY

CLERK'S CERTIFICATE

I, Mary Lee Green, Clerk of State Court of said State and County do hereby certify the within and foregoing is a true and correct copy of the record in the above-styled case including the Notice of Appeal filed February 27, 2006 numbered 1 (one) thru 17 (seventeen) as appears of record in this office.

Also enclosed is the transcript of the Defendant's Plea on January 26, 2006.

Any delay in filing this appeal with the Court of Appeals is due to the heavy workload in this office. Given under my hand and seal of this Court this the 21st day of March, 2006.


Mary Lee Green, Clerk
State Court of Turner County

STATE OF GEORGIA

VS.

TIMOTHY JOHNSON

* # _____
*
* IN THE COURT OF APPEALS
* OF GEORGIA
* TURNER STATE COURT
* CIVIL ACTION: 05CR15075

I N D E X

1. Notice of Appeal, filed February 27, 2006.....1
2. State Warrant #05-MW-463 executed November 17, 2005.....2
3. State Warrant #05-MW-464 executed November 17, 2005.....4
4. Property Bond executed November 17, 2005.....6
5. Accusation filed on January 26, 2006.....7
6. Defendant's Nolo Contendere signed January 26, 2006.....8
7. Defendant's State Sentence filed January 26, 2006.....9
8. GCIC OTBS Form executed on January 27, 2006.....10
9. Invoice from Tifton-Tift County Animal Shelter.....11
10. Letter from Timothy Johnson filed February 2, 2006.....12
11. Letter from Clerk of State Court to Timothy Johnson dated February 13, 2006...13
12. Letter from Timothy Johnson filed February 7, 2006.....14
13. Letter to Defendant Timothy Johnson dated February 20, 2006.....15
14. Solicitor's Notes.....16
15. Court's Transcript.....17-28
16. Clerk's Certificate.....29

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

November 18, 2005

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

RE: Your Case Numbers: 2005CV102981 and 2004CV87357
Londzell Hardy v. Washington Mutual Bank, F.A.

Dear Ms. Hicks:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. Please be advised that we cannot docket this record as presented.

We cannot docket a record which contains two Notices of Appeal. Please remove the Notice of Appeal of the companion case and send it to this office with your certification along with 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 11/17/05

Style Londzell Hardy v. Washington Mutual

Lower Court Fulton Superior

Lower Court Case NO. 2005 CV 02981 2004 CV 87357

REASON:

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

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

November 21, 2005

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

RE: Your Case Number: 1B03CV338
Satisfaction and Service Housing, Inc. v. Randy Morris, et al.

Dear Ms. Akins:

Enclosed please find the record for the above appeal which was transferred from your office to ours. Please be advised that we cannot docket this record as presented.

It is necessary for you to bind the record securely at the top before we can docket same.

I am returning the record to you. If you have any questions please feel free 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



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 in tact 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 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

Superior Court of Bulloch County

Case #1B03CV338

Satisfaction and Service Housing Inc. vs Randy Morris, Linda Morris and
Southtrust Bank Inc.

Index

Notice of Appeal	1	-	3
Complaint for Declaratory Judgment	5	-	25
Plaintiffs First Interrogatories to Defendant Southtrust Bank Inc.	26	-	33
Plaintiffs First Request for Production of Documents and Notice to Produce to Defendants Singularly and Collectively	34	-	40
Plaintiffs First Request for Admissions to Defendant Southtrust Bank Inc.	41	-	55
Acknowledgment of Service of Randy Morris			56
Acknowledgment of Service of Linda Morris			57
Stipulation and Extension of Time			58
Stipulation and Extension of Time			59
Stipulation and Extension of Time			60
Answer and Defenses	61	-	67
Stipulation for Extension of Time			68
Certificate of Service of Discovery			69
Certificate of Service of Discovery			70
Certificate of Discovery Pursuant to Uniform Superior Court			71
Defendant Southtrust Bank's Statement of Undisputed Material Facts as to Which There is no Genuine Issue of Fact for Trial and Statement of the Theories of Defense	72	-	76
Certificate of Discovery Pursuant to Uniform Superior Court Rule			77
Statement of Filing Original Discovery Filing	78	-	79

Plaintiffs Response to Defendant Southtrust Bank Inc's First Interrogatories to Plaintiff	80	-	171
Satisfaction and Service Housing Inc Response to Defendant Southtrust Bank Inc.'s First Request For Production of Documents to Plaintiff	172	-	291
Request for Oral Hearing.	292	-	293
Defendant Southtrust Bank's Motion for Summary Judgment	294	-	295
Brief In Support of Defendant Southtrust Bank's Motion For Summary Judgment	296	-	405
Notice of Leave of Absence	406	-	416
Order of Defendant Southtrust Bank Inc's Motion for Summary Judgment.	417	-	420

IN THE SUPERIOR COURT OF BULLOCH COUNTY
STATE OF GEORGIA

2005 JUL 10 AM 11:13

SATISFACTION AND SERVICE)
HOUSING, INC.,)

Plaintiffs,)

v.)

Civil Action No.: 1B03CV338T

RANDY MORRIS, LINDA MORRIS,)
and SOUTHTRUST BANK, INC.,)

Defendants.)

CLERK OF COURT

NOTICE OF APPEAL

COMES NOW, Plaintiff Satisfaction and Service Housing, Inc. and files Notice of Appeal to the Court of Appeals of Georgia from the Order of this Court Dismissing Defendant Southtrust Bank, Inc. dated April 26, 2005.

As previously requested, the Clerk of this Court shall certify and transmit to the Clerk of the Court of Appeals of Georgia the original Transcript and copies of all records as required within the time prescribed by statute. The Clerk will please omit nothing from the record on appeal.

The Order granting Plaintiff's Application for appeal is attached to this Notice of Appeal. It is requested that the Court please include and attached this Notice and the attached Order and part of the Transcript and Record to be transmitted.

The Court of Appeals has proper jurisdiction over this appeal, rather than the Supreme Court as jurisdiction has not been reserved to the Supreme Court as noted in Article IV, V, Paragraph III of the Constitution of the State of Georgia.

Submitted this 9th day of June.

LLOYD D. MURRAY & ASSOCIATES
Attorneys for Plaintiff

BY:

Lloyd D. Murray Sr. by permission
Lloyd D. Murray, Sr. Esq.
Georgia Bar No. 531955 *Chris Roll Ball*

RECORDS RETURN NOTICE

DATE 11/21/05

Style Satisfactori and Service Housing Inc
v. Randy Morris et al

Lower Court Bulloch Superior

Lower Court Case NO. 1B03CV338

REASON:

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

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

November 21, 2005

Ms. Deanna Bertrand
Clerk, Superior Court
Clay County Courthouse
210 Washington Street
Post Office Box 550
Fort Gaines, Georgia 39851

Dear Ms. Bertrand:

Thank you for your letter of postmark date November 18, 2005 regarding the appeal of Gary Sampson, your case number 04CR23. Please be advised that it is not necessary for you to request an extension of time to file the appeal of Mr. Sampson. As long as he has filed a Notice of Appeal within statutory time, his rights should be protected.

Sincerely,



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

WLM, III/ld

**CLAY COUNTY SUPERIOR COURT
DEANNA BERTRAND, SUPERIOR COURT CLERK
210 WASHINGTON STREET
P O BOX 550
FORT GAINES, GEORGIA 39851
229-768-2631 FAX: 229-768-3047
email: deanna.bertrand@clay.gsccca.org**

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

Dear Clerk:

I have an appeal that was filed September 30, 2005. I am waiting for the transcript. Please allow an extension of time to file on the Appeal of Gary Sampson, 04CR23.

Thank you.

Sincerely,

CLAY SUPERIOR COURT


Deanna Bertrand, Superior Court Clerk

DB

This is not necessary


RECEIVED IN OFFICE

2005 NOV 21 AM 10:24

Willie M. Mack
CLERK/COURT ADMINISTRATOR
COURT OF APPEALS, CA

Willie M. Mack

Deanna Bertrand, Clerk
Superior & Juvenile Courts
Clay County
Post Office Box 550
Fort Gaines, Georgia 39851



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

30334+9002





**THIS ENVELOPE IS RECYCLABLE AND MADE
WITH 30% POST CONSUMER CONTENT.**

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

November 22, 2005

Ms. Sheila Wells
Clerk, Superior Court
Polk County Courthouse
Post Office Box 948
Cedartown, Georgia 30125-0948

RE: Your Case Number: 2003CR-232
Shuney Dewayne Wooten v. The State

Dear Ms. Wells:

Enclosed please find the record for the above appeal which was forwarded from your office to ours. I am totally confused. In April we returned a portion of the record for an Index. I was just about to return the record to you when the Index arrived this week. In the meantime, however, there is a subsequent, I believe, Notice of Appeal filed in this matter. The record for that Notice of Appeal does not contain an Index, nor is there a stamped filed copy of the Court's order denying the Motion for New Trial.

I do not know if the second Notice of Appeal is supposed to be an amended Notice of Appeal or if there are two separate Notices of Appeal filed on the same case.

Please the record or records appropriately and return them to this office for docketing.

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

Sincerely,



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

WLM, III/ld
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

November 21, 2005

Ms. Sheila Wells
Clerk, Superior Court
Polk County Courthouse
Post Office Box 948
Cedartown, Georgia 30125-0948

RE: Your Case Number: 2003CR-232
Shuney Dewayne Wooten v. The State

Dear Ms. Wells:

Enclosed please find the record for the above appeal which
to ours. Please be adv
appeal.

Please prepare

I apologize for
if I may be of assistanc

*No Order on
Motion for a New
trial*

WLM, III/l
Enclosures

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

November 21, 2005

Ms. Sheila Wells
Clerk, Superior Court
Polk County Courthouse
Post Office Box 948
Cedartown, Georgia 30125-0948

RE: Your Case Number: 2003CR-232
Shuney Dewayne Wooten v. The State

Dear Ms. Wells:

Enclosed please find the record for the above appeal which was transferred from your office to ours. Please be advised that the record does not contain an Index, as such, we cannot docket the appeal.

Please prepare an Index for the record and retransmit it to this office for docketing.

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

7/26 6/21/05

spoke to Nancy -
we have not received
record back!
she will check
call back -

sent out
portion back
on 4/15/05
for index

11/8/0

Jalhe
Gund
state M

50

I know
or not
how

low check
back as to what to do
with case

6/21/05 per bills
MNT pending
4C to have hearing
asap on MNT -

if denied
4C will add order to
record, add index +
return
if granted - we will
return those

again 11/8/05 - It is still
wrong - Please send entire
Record back!

Sheila

hereon)
ing Out of Time
ch Court
iction to other
ent

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

December 6, 2005

Ms. Shonell M. Sfredo
Clerk, Juvenile Court
Cobb County
1738 County Services Parkway, S.W.
Marietta, Georgia 30008-4028

RE: Your Case Number: 04-CR-6879-02 04-CR-7342-02 05-CR-5354-05
In the Interest of: J.L.B.

Dear Ms. Sfredo:

Enclosed please find the record for the above appeal which was forwarded from your office to ours. We are unable to docket this appeal because the Notice of Appeal does not contain a Certificate of Service nor the address of the person filing the Notice of Appeal. Without a Certificate of Service showing the complete name and mailing address of opposing counsel, and without the address of the person filing the Notice of Appeal on the Notice of Appeal, we are unable to docket the appeal since we do not know to whom to send the Docketing Notices.

Please have the person filing the Notice of Appeal file an amended Notice of Appeal to contain a Certificate of Service to opposing counsel and also the complete name and mailing address of the person filing 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 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

Attn: Juvenile Justice Court of Cobb County

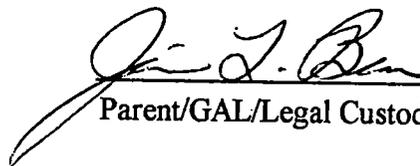
From: The Parents of Jacory Brinson

Male, Age 14
Dob: 6-05-90
04-cr-6879-02,
05-cr-5354, and
04-cr-7342-02

Notice of Appeal

This is an official appeal to the juvenile court system for the case of Jacory Brinson; on Sept. 23 2005 a decision was made by Judge Whitfield against Jacory by sentencing him with a punishment of twenty four months of probation. The said child was represented by court appointed attorney John Nichols. Jacory was also order to attend counseling sessions, submit to screen/assessment. Pass a psychiatric examination, attend Narcotics anonymous and AA. Due to this decision made by the Judge we as the parents of Jacory Brinson request an appeal to his decision.


Parent/GAL/Legal Custodian


Parent/GAL/Legal Custodian

Pro-Se

2005 OCT 21 PM 4:00
CLERK'S OFFICE
JUVENILE COURT
COBB CO., GA

FILED

RECORDS RETURN NOTICE

DATE 12/6/05

Style In the interest of: J. B. Acheta

Lower Court Cobb Juvenile

Lower Court Case NO. 04CR 687902 04CR 734202
05CR 535405

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

Shonell Spredde, Clerk of Juvenile Court cannot get Mr. Brown to supply a certificate of service. He has now filed a Motion in limine

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN THE JUVENILE COURT OF COBB COUNTY
STATE OF GEORGIA

IN THE INTEREST OF)
JACORY BRINSON,) CASE NOS. 04-CR-7342-02, 05-CR-5354-02
) & 04-CR-6879-02

PROCEEDINGS COMMENCING ON
SEPTEMBER 23, 2005
COBB COUNTY JUVENILE COURTHOUSE
HONORABLE JAMES. R. WHITFIELD, PRESIDING

FILED
2005 NOV - 7 AM 11:33
CLERK'S OFFICE
JUVENILE COURT
COBB CO., GA.

ORIGINAL

APPEARANCES:
ON BEHALF OF THE STATE: STEVE DELANEY, A.D.A.
ON BEHALF OF THE CHILD: JOHN WESLEY NICHOLS, ESQ.

IN THE JUVENILE COURT OF COBB COUNTY, GEORGIA

In the Interest of

J.L.B.

: Case Numbers: 04-CR-6879-02
04-CR-7342-02
05-CR-5354-05

INDEX

	Page
1. Notice of Appeal Filed October 21, 2005	1
2. Marietta Police Department Offense Report Dated July 12, 2004	2 - 6
3. Juvenile Data Sheet Form Dated September 14, 2004	7
4. Juvenile Victim Impact Statement Form Dated September 26, 2004	8 - 9
5. Juvenile Complaint Form Filed November 4, 2004	10 - 11
6. Marietta Police Department Offense Report Dated November 5, 2004	12 - 19
7. Juvenile Petition Form Filed November 9, 2004	20 - 21
8. Summons and Process to Jim Brown Date Issued November 10, 2004	22
9. Summons and Process to Jacory Brinson Date Issued November 10, 2004	23
10. Juvenile Data Sheet Form Dated November 18, 2004	24

RECEIVED
NOV 15 2005
COURT OF APPEALS
OF GA

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

December 7, 2005

Ms. Gail Brown
Clerk, Superior Court
Pickens County Courthouse
52 North Main Street • Suite 102
Jasper, Georgia 30143

RE: Your Case Number: 2004 SU CV 906
Hudson Bookkeeping & Tax Services, LLC v. Bob Bell & Associates, LLC

Dear Ms. 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 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 attach a stamped filed copy to the record and return the certified record to this office for docketing.

Of course, should the trial court grant the Motion for New Trial, it may obviate the need for 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

RECORDS RETURN NOTICE

DATE 12/6/05

Style Bob Bell & Assoc v. Hudson Bookkeeping & Inf Services

Lower Court Pickens Superior

Lower Court Case NO. 2004 SU CV 906

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 PICKENS COUNTY
STATE OF GEORGIA

HUDSON BOOKKEEPING & TAX SERVICES, LLC. CIVIL ACTION

VS.

2004 SU CV 906

BOB BELL & ASSOCIATES, LLC

INDEX TO THE RECORD

Notice of Appeal And Certificate Of Service 11-29-2005	1-3
Judgment 8-15-2005	4-5
Transfer Order 12-31-2004	6
Consent Order Rescheduling Hearing Date 12-31-2004	7-8
Consent Order Rescheduling Hearing Date 12-31-2004	9
Consent Order Rescheduling Trial Date 2-24-2005	10-11
Notice Of Hearing 12-28-2004	12
Receipt 12-31-2004.....	13
Statement Of Claim, Notice, and Summons 12-31-2004	14
Sheriff's Entry Of Service 12-31-2004.....	15
Answer And Counterclaim, Verification, And Certificate Of Service 12-31-2004 .	16-19
Amended Complaint And Certificate Of Service 12-31-2004	20-25
Notice Of Change Of Hearing 12-31-2004.....	26

Notice Of Change Of Hearing 12-31-2004.....	27
Notice Of Change Of Hearing 12-31-2004.....	28
Third Amended Complaint Certificate Of Service 12-31-2004	29-35
Motion To Transfer To The Superior Court Of Pickens County, Certificate Of Service 12-31-2004.....	36-37
Rule Nisi Order 1-10-2005	38
Motion For Continuance, Certificate Of Service 2-4-2005	39-40
Rule 5.2 Certificate, Certificate Of Service 2-10-2005	41-42
Notice Of Taking Deposition Of Plaintiff, Certificate Of Service 2-11-2005.....	43-44
Rule Nisi Order And Certificate Of Service 5-9-2005	45-46
Rule Nisi Order And Certificate Of Service 7-8-2005	47-48
Motion For New Trial, Certificate Of Service 8-23-2005	49-50
Rule Nisi Order 8-23-2005	51
Brief In Opposition To Defendant's Motion For New Trial, Certificate Of Service 9-27-2005.....	52-54

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

December 15, 2005

Mr. Thomas Lawler
Clerk, Superior, State and Magistrate Courts
Gwinnett County Courthouse
Post Office Box 880
Lawrenceville, Georgia 30045-0880

ATTN: Ms. Carol G. McDaniel, Deputy Clerk

RE: Your Case Number: 03-B-01374-8
Kevin Lee Davis v. The State

Dear Ms. McDaniel:

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 record as presented.

The Notice of Appeal indicates that the record shall include a transcript of the Hearing of July 25, 2003 and a Hearing of November 6, 2003. The only transcript included is that of the Hearing of November 6, 2003.

When the court reporter files the transcript of the July 24, 2003 Hearing, please certify it and forward it to this office along with the rest of the record. Otherwise, it would be necessary for counsel for appellant to file an amended Notice of Appeal regarding the missing transcript.

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 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 12/14/05

Style Kevin Lee Davis v. The State

Lower Court Gwinnett Superior

Lower Court Case NO. 03B 13 748

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 _____

* all transcripts as noted in Notice of Appeal did not come. See letter from Clerk. We need either the transcript as requested or an amended Notice of Appeal

Sheph

Lawrenceville, GA 30046-0880

Tom Lawler
Clerk of Court

DECEMBER 13, 2005

COURT OF APPEALS OF GA.
334 STATE JUDICIAL BLDG.
ATLANTA, GA. 30334

RE: KEVIN LEE DAVIS
CASE #03-B-01374-8

THE ABOVE DEFENDANT'S NOTICE OF APPEAL WAS FILED ON DECEMBER 2, 2003. THE NOTICE STATED THAT ONLY THOSE ITEMS RELATING TO RESTITUTION SHALL BE INCLUDED IN THE RECORD, TRANSCRIPTS OF THE HEARINGS OF JULY 25, 2003 AND NOVEMBER 6, 2003. AS OF THIS DATE, WE HAVE NOT RECEIVED THE RESTITUTION TRANSCRIPTS, THEREFORE WE ARE FORWARDING THE RECORD TO YOU.

IF I MAY BE OF ANY FURTHER ASSISTANCE, PLEASE DO NOT HESITATE TO CONTACT ME, OR YOU MAY CONTACT STEFANI SCHIFFMANN AT 770-822-8112.



CAROL G. MCDANIEL, DEPUTY CLERK
GWINNETT COUNTY SUPERIOR COURT
770-822-8133

THE STATE OF GEORGIA

§ BILL OF INDICTMENT 03-B-01374-8

VS

§ FROM GWINNETT SUPERIOR COURT

KEVIN LEE DAVIS

§ TO THE COURT OF APPEALS OF GEORGIA

INDEX

1.	Notice of Appeal filed December 2, 2003	1 - 2
2.	Bill of Indictment filed February 26, 2003	3 - 5
3.	Warrants filed March 3, 2003	6 - 7
4.	Defendant's consolidated motion for discovery filed April 14, 2003	8 - 10
5.	Defendants plea statement filed April 25, 2003	11 - 13
6.	Sentence filed April 25, 2003	14

INDEX CONTINUED

7.	Motion and order for Nolle Prosequi filed April 25, 2003	15
8.	Prisoners personal history and affidavit of custodian dated May 15, 2003	16
9.	Order for restitution filed July 25, 2003	17
10.	Motion for reconsideration filed July 29, 2003	18
11.	Rule nisi filed October 6, 2003	19
12.	Order denying motion filed November 6, 2003	20

INDEX CONTINUED

ALSO FORWARDED TO THE COURT OF APPEALS IS THE FOLLOWING

TRANSCRIPT:

Transcript of proceedings held November 6, 2003 filed November 10, 2003

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

December 15, 2005

Ms. Nancy C. Smith
Clerk, Superior Court
Sumter County Courthouse
Post Office Box 333
Americus, Georgia 31709

RE: Your Case Number: 86R-88, 91R-376, 92R-376, 96R-471 and 94R-460
Sammie Joe Haynes and Jimmy Lee Solomon v. The State

Dear Ms. Smith:

Enclosed please find the record in the above appeal which was forwarded from your office to ours. The Notice of Appeal states Mr. Haynes is attempting to appeal the trial court's order dismissing the Petition for Writ of Mandamus. I did not find an order in the trial court dismissing the Petition for Writ of Mandamus. Without a stamped filed copy of the trial court's order, we are unable to docket the appeal.

In fact, Mr. Haynes should be filing an appeal to the Supreme Court of Georgia. The Supreme Court, not the Court of Appeals, has appellate jurisdiction over habeas corpus matters.

Sincerely,



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

WLM, III/ld
Enclosures

cc: Mr. Sammie J. Haynes
GDC100068 Q1-10B

THE STATE
V
SAMMY JOE HAYNES

96CR-471

DEFENDANT'S ATTORNEY

William H. Dudley
410 West Lamar Street
Americus, Georgia 31709
State Bar Number: 231782

FOR THE STATE

Henry O. Jones, III
416 West Lamar Street
Americus, Georgia 31709
State Bar Number: 400650

SUPERIOR COURT JUDGE

R. Rucker Smith
P.O. Box 784
Americus, Georgia 31709
State Bar Number: 662662

CLERK OF COURT

Betty S. Shattles
P.O. Box 333
Americus, Georgia 31709

92CR376

DEFENDANT'S ATTORNEY

W. McCall Calhoun, Jr.
P.O. Box 1522
Americus, Georgia 31709
State Bar Number: 13915

FOR THE STATE

Henry O. Jones, III
416 West Lamar Street
Americus, Georgia 31709
State Bar Number: 400650

SUPERIOR COURT JUDGE

W.F. Blanks
P.O. Box 784
Americus, Georgia 31709
State Bar Number: Unknown

CLERK OF COURT

Betty S. Shattles
P.O. Box 333
Americus, Georgia 31709

86CR88

DEFENDANT'S ATTORNEY

William C. Oakes
504 ½ Pine Avenue
Albany, Georgia 31701
State Bar Number: 548159

FOR THE STATE

John R. Parks
416 West Lamar Street
Americus, Georgia 31709
State Bar Number: 564100

SUPERIOR COURT JUDGE

W.F. Blanks
P.O. Box 784
Americus, Georgia 31709
State Bar Number: Unknown

CLERK OF COURT

Betty S. Shattles
P.O. Box 333
Americus, Georgia 31709

ORIGINAL

IN THE SUPERIOR COURT OF SUMTER COUNTY
STATE OF GEORGIA

THE STATE OF GEORGIA)

v.)

SAMMIE JOE HAYNES and)

JIMMY LEE SOLOMON)

CASES NOS.:

86R-88, 91R-376, 92R-376
and 96R-471
94R-460

PROBATION REVOCATION
and PRELIMINARY HEARING

MAY 27, 1998
HON. R. RUCKER SMITH, JUDGE
SUMTER COUNTY LAW ENFORCEMENT CENTER
AMERICUS, GEORGIA

APPEARANCES

For the State

LISA JONES, ESQ.
Assistant District Attorney
P.O. Box 1328
Americus, GA 31709

For the Defendant
Haynes

W. MCCALL CALHOUN, ESQ.
Oxford, McKelvey & Calhoun
P.O. Box J
Americus, GA 31709

For the Defendant
Solomon

CECILIA M. COOPER, ESQ.
416 West Lamar Street
Americus, GA 31709

BRENDA C. BROWN, CCR

Post Office Box 1966
Americus, GA 31709
(912) 924-2456

Georgia, Sumter County,
Filed in office 25th day of
June 1998
Judy James
Clerk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN THE SUPERIOR COURT OF SUMTER COUNTY
STATE OF GEORGIA

ORIGINAL

THE STATE OF GEORGIA

VS.

SAMMIE JOE HAYNES

CASE NO.:
S-R-471

GUILTY PLEA

Transcript of hearing in the above-styled case heard on
the 24th day of March, 1987, before CON. R. RUCKER, JR.,
JUDGE Superior Courts, Southwestern Judicial Circuit of
Georgia, in the Sumter County Courthouse, Americus,
Georgia.

[Handwritten signature and notes]

APPEARANCES

For the State

HENRY O. JONES, III, ESQ.
Assistant District Attorney
P.O. Box 1328
Americus, GA 31709

For the Defendant

WILLIAM H. WUDLEY, ESQ.
P.O. Box 466
Americus, GA 31709

Reporter

BRENDA C. BROWN, CCR
Post Office Box 1966
Americus, GA 31709

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

December 15, 2005

Mr. Chess Fountain
Clerk, Superior Court
Toombs County Courthouse
Post Office Drawer 530
Lyons, Georgia 30436-0530

RE: Your Case Number 03-CR-113
Manvester Evans, III v. The State

Dear Mr. Fountain:

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 since the Notice of Appeal states it is an appeal to the Eleventh Circuit, rather than the Court of Appeals of Georgia.

If Mr. Evans intends for the Notice of Appeal to be filed with the Georgia Court of Appeals, he will need to file an amended Notice of Appeal stating that fact.

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

Sincerely,



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

WLM, III/ld
Enclosures

cc: Mr. Manvester Evans

RECORDS RETURN NOTICE

DATE 12/15/05

Style Newster Evans III v. The State

Lower Court Tomba Superior

Lower Court Case NO. 03 CR 117

REASON:

- No/improper certificate of Service
- Improper Notice of Appeal - 20 11th Circuit
- 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 _____

**TOOMBS COUNTY SUPERIOR COURT
LYONS, GEORGIA**

**MANVESTER EVANS, III,
PRO SE**

Appellant/Plaintiff

VS

**CASE NUMBER:
03-CR-113**

STATE OF GEORGIA

Appellee/Defendant

INDEX

Defendant's Notice of Discretionary Appeal – 12/06/05	1-2
Indictment – 12/11/03	3-7
Sentence – 10/29/04	8
Request to Proceed in Forma Pauperis – 12/17/04	9-13
Motion for Complete Recording and Transcripts of All Proceedings – 12/17/04	14-15
Motion for Case Record – 07/20/05	16-18
Ruling and Order on Petition for Case Record – 11/03/05	19-20
Discretionary Appeal from Lower Court Decision – 11/17/05	21-26

Presiding Judge:

Honorable Kathy S. Palmer, Judge
Middle Judicial Circuit
P.O. Box 330
Swainsboro, Georgia 30401
Phone: (478) 237-3260

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
MartinW@gaappeals.us

December 15, 2005

Ms. Kathy K. Trost
Clerk, Superior Court of Walton County
303 South Hammond Drive • Suite 335
Monroe, Georgia 30655

RE: Your Case Number 02CR0231-3
Edward Hood v. The State

Dear Ms. Trost:

Enclosed please find the record in the above appeal which was forwarded from your office to our office. Please be advised that the record does not contain a Notice of Appeal, therefore, we are unable to docket it.

I have spoken with Mr. Brian Steel, attorney for Mr. Hood, who indicated he had mailed to you a new Notice of Appeal.

When you receive the new Notice of Appeal, please attach it to the certified record and return it to this office for docketing.

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

Sincerely,



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

WLM, III/ld
Enclosures

cc: Brian Steel, Esq.

RECORDS RETURN NOTICE

DATE 12/14/05

Style Edward Hood v The State

Lower Court Walton Superior

Lower Court Case NO. 02 CR 02 317

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 Chuck Wilton
we need new one
see our Order
on remand*

Court of Appeals of the State of Georgia

ATLANTA, June 3, 2005

The Court of Appeals hereby passes the following order:

A05A1353. EDWARD HOOD v. THE STATE.

The instant appeal was docketed in this Court on March 16, 2005. On April 1, 2005, appellant Edward Hood filed a motion for remand to the trial court to correct omissions from the transcript of the motion for new trial hearing. Although the Notice of Appeal filed in this case requested that nothing be omitted from the appellate record and requested the inclusion of all transcripts, Hood's motion for remand claims that the motion for new trial hearing transcript was incomplete in that it erroneously omitted crucial witness testimony and exhibits.¹ Hood further claims that the omission of the witness testimony and exhibits in the transcript have impeded his full prosecution of the appellate issues. The State's response to Hood's motion for remand raises no objection to the relief requested, and in fact, acknowledged that certain testimony and references were missing from the transcript.

OCGA § 5-6-41(a) specifies that “[i]n all felony cases, the transcript of evidence and proceedings shall be reported and prepared by a court reporter as provided in Code Section 17-8-5 or as otherwise provided by law.” Moreover, “[w]here the transcript or record does not fully disclose what transpired at trial, the burden is on the complaining party to have the record completed in the trial court under the provisions of OCGA § 5-6-41[f].” (Citations omitted.) *Womack v. State*, 223

¹Specifically, Hood contends that the motion for new trial hearing transcript erroneously omitted a portion of the testimony of witness Earl Taylor, a certified copy of conviction for the State's trial witness, and the entire testimony of witness Phillip Allen.

476 SE2d 767) (1996). It appears that Hood's uncontested motion for remand is proper, and therefore, it is GRANTED. Accordingly, we hereby remove this case from the appeal docket and oral argument calendar and remand it to the trial court with direction to resolve the issues relating to the omissions, if any, from the motion for new trial transcript so as to make the record conform to the truth. The parties shall have the right to renew their appeal within 30 days of the entry of the trial court's order resolving the issue. *Effel v. Effel*, 207 Ga. App. 643, 644-645 (2) (428 SE2d 809) (1993).

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

I certify that the above is a ^{JUN - 3 2005} 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.

William Z. Matlock Clerk

IN THE COURT OF APPEALS
STATE OF GEORGIA

EDWARD HOOD
APPELLANT

INDICTMENT NO.
02CR0231-3

VS

STATE OF GEORGIA
APPELLEE

RECEIVED
DEC 14 2005
COURT OF APPEALS
OF GA

CHARGES:
CT.1-ARMED
ROBBERY(F)
CT. 2-KIDNAPPING(F)
CT. 3-POSSESSION OF A
FIREARM DURING
COMMISSION OF
CERTAIN CRIMES(F)
CT. 4-POSSESSION OF
FIREARM BY
CONVICTED FELON(F)
CT. 5 & 6-OBSTRUCTION
OF OFFICER(F)
CT. 7 & 8- OBSTRUCTION
OF OFFICER(M)

COURT OF APPEALS
CASE NO. A05A1353

SUPPLEMENTAL INDEX

- | | |
|---|--------|
| 1. ORDER (COMPLETE TRIAL COURT RECORD)
WITH CERTIFICATE OF SERVICE
FILED IN OFFICE DECEMBER 9, 2005 | 1 - 4 |
| 2. DEFENDANT'S EXHIBIT 1
(STATE OF MICHIGAN CONVICTION) | 5 - 6 |
| 3. DEFENDANT'S EXHIBIT 4
(INCIDENT DETAIL PRINT) | 7 - 10 |
| 4. STATE'S EXHIBIT 2
(VOTER REGISTRATION) | 11 |
| TRANSCRIPT (HEARING AUGUST 31, 2005) | 1 - 53 |

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 22, 2005

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

RE: Your Case Number: 2003CV2606
Larry J. Allen, Jr. v. Glynn-Brunswick Hospital Authority

Dear Ms. Crow:

Enclosed please find the record for the above appeal which was sent from your office to ours. We are unable to docket this appeal because it contains a Notice of Appeal and a Notice of Cross Appeal. We are unable to docket any record that contains more than one Notice of Appeal.

Please remove the Notice of Cross Appeal and send that up as a separate certified record. You need not duplicate the entire record, but only send up the Notice of Cross Appeal with your certification.

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 12/22/05

Style Larry J. Allen, Jr. v. Glynn - Brunswick Hospital Authority

Lower Court Lowndes Superior

Lower Court Case NO. 2003 CV 2606

REASON:

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

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

WILLIAM L. MARTIN, III
CLERK AND COURT ADMINISTRATOR

(404) 656-3450
martinw@gaappeals.us

December 28, 2005

Ms. Sheila Wells
Clerk, Superior Court
Polk County Courthouse
Post Office Box 948
Cedartown, Georgia 30125-0948

RE: Your Case Number: 2003CR232
Shuney Wooten v. The State

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, again, docket this record, because it does not contain an Index.

Please attach an Index to 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, 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 12/28/05

Style Shaney Wooten v. The State

Lower Court Dalh Superior

Lower Court Case NO. 2003 CR 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
- 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 _____

Third time sent back for index