

INMATE FORM FOR CIVIL ACTIONS FILED IN THE COURT OF APPEALS OF GEORGIA

INSTRUCTIONS – READ CAREFULLY

(NOTE: O.C.G.A. §9-10-14(a) requires the proper use of this form, and failure to use this form as required will result in the clerk of any court refusing to accept the action for filing.)

Original petitions filed in the Court of Appeals of Georgia will only be granted under extremely rare circumstances. An original petition for mandamus against a superior court judge will be considered by the Court of Appeals only when a stand-alone petition for mandamus was first filed in the same superior court to be decided by another judge and that procedure proved ineffective. See Brown v. Johnson, 251 Ga. 436 (306 SE2d 655) (1983); Graham v. Cavender, 252 Ga. 123 (311 SE2d 832) (1984).

1. Any action filed by an inmate of a state or local penal or correctional institution against the state or a local government or against any agency or officer of a state or local government must be filed on the appropriate form or forms promulgated by the Administrative Office of the Courts of Georgia.
2. This application must be legibly handwritten or typewritten, and signed by the petitioner. Any false statement of a material fact may serve as the basis for prosecution for perjury. All questions must be answered concisely in the proper space on the form.
3. O.C.G.A. §42-12-1 et seq. provides that an inmate's institutional account shall be frozen, and funds seized for court costs and fees. Additionally, the filing of frivolous litigation shall result in a deduction from the account.
4. Any inmate may submit with the complaint or other initial pleading any additional matter in any form if the pleading includes the form or forms attached hereto. Material attached to the forms should be legibly handwritten, typewritten, or copied.
5. Upon receipt of the appropriate filing fee or if permission to proceed in forma pauperis has been granted, your petition will be filed if it is in proper order.

6. If the inmate wishes to file an affidavit of indigency, it must be accompanied by a certification from the institution wherein the inmate is incarcerated that the financial statement correctly states the amount of funds in any and all custodial accounts held with the institution.
7. Any Inmate Form for Civil Action which does not conform to these instructions will be returned with a notation as to the deficiency.
8. These forms may be obtained at the Administrative Office of the Courts' website (<http://www.georgiacourts.gov/index.php/court-forms/101>) or from the Administrative Office of the Courts through the head of the institution in which the inmate is incarcerated.

IN THE COURT OF APPEALS OF GEORGIA

Plaintiff	Lower Court Case No. _____
Inmate Number	
vs.	Nature of Action:

Defendant(s)	

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PART I: BACKGROUND INFORMATION ON YOUR CONVICTION

1. Name and location of prison in which you are now confined: _____

2. Sentence you are now serving: _____

Name and location of court which imposed sentence: _____

Approximate date your sentence will be completed: _____
3. The indictment number or numbers (if known) upon which, and the offense or offenses for which sentence was imposed:
 - a. _____

 - b. _____

 - c. _____

4. Give the approximate date upon which sentence was imposed and the terms of the sentence:
 - a. _____

 - b. _____

c. _____

5. Check whether a finding of guilty was made after a plea of:

- Guilty
- Guilty but mentally ill
- Nolo contendere
- Not guilty

6. If you were found guilty after a plea of not guilty, check whether the finding was made by:

- Jury
- Judge only

7. Did you appeal from the judgment of conviction or the imposition of sentence?

- Yes
- No

8. If you did appeal, answer the following:

a. The name of each court to which you appealed:

- 1. _____
- 2. _____
- 3. _____

b. The result in each such court to which you appealed:

- 1. _____
- 2. _____
- 3. _____

c. The approximate date of each such result:

- 1. _____
- 2. _____
- 3. _____

d. If known, citations of any written opinion orders entered pursuant to such results:

- 1. _____
- 2. _____
- 3. _____

PART II: OTHER LAWSUITS

9. **OTHER THAN LAWSUITS ALREADY LISTED** in questions 3 through 8, have you ever begun or are you now beginning other lawsuits in federal or state courts dealing with the same facts involved in this action or relating to your imprisonment?

- Yes
- No

10. If your answer to number 9 is "Yes," describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline for each lawsuit.)

a. Parties to the previous lawsuit:

Plaintiffs: _____

Defendants: _____

b. Court (If federal court, name the district. If state court, name the court and county) :

c. Docket Number: _____

d. Name of judge to whom case was assigned: _____

e. Date on which you filed lawsuit: _____

f. Date of disposition, if any, of lawsuit: _____

g. What was the lawsuit about? _____

h. What was the outcome of the lawsuit? (For example, was the case dismissed? Was it appealed? Is it still pending?) _____

i. Citations, if known, to any written opinions or orders in the lawsuit: _____

PART III: GRIEVANCE PROCEDURES

11. Is there a prisoner grievance procedure at the institution in which you are presently confined?

Yes No

12. If your answer to number 11 is "Yes," please answer the following:

a. Did you present the facts relating to your complaint in the institution's prisoner grievance procedures? Yes No

b. If your answer to (a) above is "Yes,"

What steps did you take? _____

What was the result? _____

c. If your answer to (a) above is "No," explain why not: _____

13. Tell what you have done, other than what you have described in question 12, to bring your complaints to the attention of prison officials. In doing so, give dates, places, and names of persons talked to.

14. Names and approximate dates of entry and exit, and locations of all prisons and jails in which you have been incarcerated:

15. Have you sought the relief you are now requesting in another court? If so, in which court did you file your pleading? Include the lower court case number, the county the pleading was made in, the date the filing was made, and the trial judge to whom the case was assigned.

What was the disposition?

PART IV: STATEMENT OF CLAIMS

16. List the name and address of each plaintiff in this lawsuit: _____

17. List below for each defendant, the defendant's full name, official position, and place of employment. Attach additional paper if necessary.

Full Name	Official Position	Place of Employment
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STATEMENT OF CLAIM

18. Describe each and every **FACT**—no opinions or views, only the actual events—supporting and explaining the basis for the lawsuit you have filed. **DESCRIBE HOW EACH DEFENDANT IS INVOLVED.** Include also the names of other persons involved, dates and places. If you intend to allege a number of related claims, you should number and set forth each claim separately. **DO NOT GIVE ANY LEGAL ARGUMENT OR CITE ANY CASES OR STATUTES.** (You may attach additional sheets of paper if necessary.)

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19. List the name and present address of every person who you believe was a witness to the facts set forth in number 18 and **BRIEFLY** state what each person knows (from having seen, heard, etc.) concerning what happened.

20. Please describe any legal argument you wish to make. You may add separate sheets of paper if necessary. It is not necessary that you present legal argument in order to obtain the relief to which you are entitled.

21. **Briefly** state the specific relief requested against each party. This means to state exactly what you want the court to do for you. **DO NOT MAKE ANY LEGAL ARGUMENTS. DO NOT CITE CASES OR STATUTES.**

I declare (or certify, verify, or state) under penalty of perjury that the foregoing statements made in this Inmate Form for Civil Action are true and correct.

Executed on _____
Date

Signature of Plaintiff

Sworn to and subscribed before me this
_____ day of _____, 20_____.

Notary Public or Other Person Authorized to Administer Oaths