

Instructions for E-filing an Emergency Motion February 3, 2015

Filing an Emergency Motion electronically

To file your emergency motion electronically, you must log into the Court of Appeals of Georgia E-fast system.

Once you are logged into the E-fast system, you will begin at the E-file menu page.
Select the **FILE AN EMERGENCY MOTION** option.



You will now see the **GENERAL INFO** page for filing an emergency motion. Complete the entry form as directed below.

It is important to note that this is not the place to file an emergency motion that is related to an already existing appeal. In that instance, that motion would be filed under that particular case.

The screenshot shows the 'eFaST System - Court of Appeals of Georgia' interface. The main heading is 'File an Emergency Motion - General Info'. Below this, a note states: 'This feature is for the initiation of a new case under Court of Appeals rule 40(b) emergency motion appeals. Please complete entry of the following information as directed.' A warning in yellow text reads: 'DO NOT FILE HERE IF THERE IS AN EXISTING CASE. EMERGENCY MOTION RELATED TO AN EXISTING CASE ARE FILED UNDER THAT PARTICULAR CASE.' The form includes the following fields:

- Appellant:** A text box containing 'ME'.
- Appellee:** A text box containing 'YOU'.
- Criminal or Civil?:** Radio buttons for 'Civil' (selected) and 'Criminal'.
- Classification:** A dropdown menu showing 'MOTION TO STAY'.
- Payment Method:** A dropdown menu showing 'Credit Card'.

At the bottom of the form, there is a 'Next' button and two links: 'Return to Menu' and 'Request Assistance'. The footer contains the text: 'Copyright © 2009-2015 --- All Rights Reserved.'

Enter the name of the **APPELLANT** in the appropriately labeled box.

Enter the name of the **APPELLEE** in the appropriately labeled box.

Please select **CIVIL** or **CRIMINAL** dependent upon the nature of your case.

Then select the appropriate **CLASSIFICATION** in the tab below.

Select your **PAYMENT METHOD**.

Pauper's Affidavit – You will be asked to supply a copy of the affidavit to be uploaded separately.

Credit Card – We accept *Visa, MasterCard, Discover and Amex*. *\$10 processing fee applies*.

OCGA § 34-8-251 Exempt – Check the statute for its proper use.

Click **NEXT** to continue.

You will be viewing the **TRIAL COURT INFO** screen.

eFaST System - Court of Appeals of Georgia Logout

File an Emergency Motion - Trial Court Info

County
Appling

Court Type
State Court

Judge
ABBOT, JAMES C. -- State Court

NOTE: The date(s) entered must be the Stamped Filed Date in Clerk's office of the order or judgment being appealed (not the date the Judge signed the order)

Trial Court Order Date
01/02/2015

NOTE: Please enter an Notice of Appeal date, if such has been filed in the trial court. If no notice of appeal has been filed then leave blank.

Notice of Appeal Date
01/02/2015

Trial Court Case Numbers

Case Number
2013CV12345 Remove

Trial Court Case Number (Do not include dashes and omit the judge identifying number(s) or letter(s))

[Add](#)

[Back](#) [Next](#)

[Return to Menu](#)

Select the **COUNTY** in which the case was heard.

Select **COURT TYPE**.

Select **JUDGE**. See **EXAMPLE ABOVE**. If the **JUDGE** appears multiple times in the drop-down menu, ensure you are choosing the one that matches your **COURT TYPE**.

Enter the **TRIAL COURT ORDER DATE**. The entered date **MUST** be the **STAMPED FILED DATE** from the Clerk's office where the order or judgment being appealed was processed. (**DO NOT enter the date the Judge signed the order**)

Enter the **NOTICE OF APPEAL DATE**. This field is optional, please enter if applicable.

Finally, enter the **TRIAL COURT CASE NUMBER(S)**. DO NOT include dashes and omit the lower court judge assignment numbers or letter(s) if applicable (i.e., Case Number is 2013-CR-12345-08 OR 2013-CR-12345-MO, ENTER 2013CRI2345)

Click **NEXT** to continue.

Now you should be at the **PARTY INFO** page. The party name and party type fields will already be populated.

eFaST System - Court of Appeals of Georgia

Logout

File an Emergency Motion – Party Info

Only the first Appellant and Appellee must be entered. Other Appellant/Appellee parties may be listed as et al.

Party Name

ME

Party Type

Appellant

E-filing Party is the Appellant.

Add a Party Address

Optional: Use only if there is no attorney representing the party. Add the Attorney(s) below by inserting their bar number.

Add an Attorney to Party



By Bar ID

Search

Add Attorney General

Add DA

Add SG

	Bar ID	Name	Firm/GDC#
 	000003	Kelley Powell	CRUMBLEY & CRUMBLEY

Remove Party

Party Name

YOU

Party Type

Appellee

Add a Party Address

Optional: Use only if there is no attorney representing the party. Add the Attorney(s) below by inserting their bar number.

Add an Attorney to Party



By Bar ID

Search

Add Attorney General

Add DA

Add SG

	Bar ID	Name	Firm/GDC#
 	123456	DOUGLAS DAVIS	

Remove Party

Add a Party

Back

Next

GUIDELINES FOR ADDING ATTORNEYS:

It is very important that you add the information of the Attorneys representing each party.

Select **By Bar ID** (GA Bar Members), **Add Attorney General**, **Add DA**, or **Add SG** (Solicitor General).

Enter all the attorneys listed on your Certificate of Service, and at least one attorney per party.

If someone is representing himself (pro se), select the **Add a Party Address** option and key in the information.

Click **NEXT** to continue.

UPLOAD EMERGENCY MOTION

The screenshot shows the 'File an Emergency Motion' page in the eFaST System. The page title is 'File an Emergency Motion – Upload Emergency Motion'. A yellow highlight is under 'Upload Emergency Motion'. Below the title, a yellow box contains the text: 'Upload only the emergency motion along with the certificate of service prepared IAW Rule 6 (and index if applicable). Trial Court Orders and individual exhibits will be uploaded on later screens.' Below this, it says 'Select a document to upload. The file may not be larger than 20 MB and must be a searchable PDF file.' A note states: 'Note: Ensure compliance with Court Rules on page limits.' A file path 'C:\Users\John\Documents\Sample Emergency Motion Doc.pdf' is shown in a text box, with a yellow 'Browse...' button to its right. At the bottom left are 'Back' and 'Next' buttons. At the bottom are links for 'Return to Menu' and 'Request Assistance'.

Upload **ONLY** your **EMERGENCY MOTION**. *This **ONE** file should **ONLY** consist of the following parts:*

1. *Emergency Motion – Page limits apply.*
2. *Certificate of Service*
3. *Index of Exhibits – if applicable.*

Please make sure each PDF is searchable!

Click browse, then select the correct PDF file on your computer.

Click **NEXT** to continue.

UPLOAD TRIAL COURT ORDER PAGE

The screenshot shows the 'File an Emergency Motion' page in the eFaST System, but the title is 'File an Emergency Motion – Upload Trial Court Order'. A yellow highlight is under 'Upload Trial Court Order'. Below the title, a yellow box contains the text: 'For Emergency Motion (Rule 40(b)) upload a stamped "filed" copy of the trial court order being appealed (with the Judge's signature).' Below this, another yellow box says: 'Include the stamped "filed" copy of the notice of appeal, if such has been filed in the trial court.' It then says 'Select a document to upload. The file may not be larger than 20 MB and must be a searchable PDF file.' A note states: 'Note: Ensure compliance with Court Rules on page limits.' A file path 'C:\Users\John\Documents\Sample Trial Court Order.pdf' is shown in a text box, with a yellow 'Browse...' button to its right. At the bottom left are 'Back' and 'Next' buttons. At the bottom are links for 'Return to Menu' and 'Request Assistance'.

Upload the **STAMPED FILED ORDER** from the trial court that is being appealed.

Include a copy of the **NOTICE OF APPEAL** if filed with the trial court.

This is a single file containing both documents if applicable.

Click browse, then select the appropriate searchable PDF on your computer.

Click **NEXT** to continue.

UPLOAD EXHIBITS PAGE – Exhibits are not required when filing an Emergency Motion. You can **CLICK NEXT** to continue without EXHIBITS.

CLICK – FILE EXHIBITS WITH THIS CASE

FILE ADDITIONAL FILINGS WITH THIS CASE PAGE

On this screen you will upload each EXHIBIT **separately** for your case. The FILING CATEGORY and FILING TYPE will be auto populated.

SELECT the FILING DESCRIPTION for your exhibit. (Exhibit 1, Exhibit 3, etc.)
Descriptions for Exhibits 1-25 have been provided for you. If you have more than 25 Exhibits, select OTHER and key in Exhibit 26, etc.

Then click BROWSE and select the corresponding file. It must be in **searchable** PDF format.

When uploading exhibits, be sure to follow the order you listed in your Index of Exhibits.

Click SUBMIT and you will return to the **UPLOAD EXHIBITS**.

UPLOAD EXHIBITS

eFaST System - Court of Appeals of Georgia

Logout

File an Emergency Motion - Upload Exhibits

Exhibits

	Filing Type	Description
 	03-029 - EXHIBITS	Exhibit 1
 	03-029 - EXHIBITS	Exhibit 2
 	03-029 - EXHIBITS	Exhibit 3

File Exhibits With This Case

BackNext

[Return to Menu](#)

[Request Assistance](#)

You Click – **FILE EXHIBITS WITH THIS CASE** and upload your next exhibit.

After you have uploaded all exhibits, **Click NEXT** to continue.

FILE AN EMERGENCY MOTIONS – SUMMARY PAGE

File an Emergency Motion – Summary

You have entered all the required information for this filing. Please review the information below and make any corrections if needed.

Appellant

ME

Appellee

YOU

Trial Court Type

State Court

Trial Court Judge

Hon. JAMES C. ABBOT

County

Appling

Notice of Appeal Date

01/02/2015

Trial Court Order Date

01/02/2015

Trial Court Case Numbers

Case Number

2013CV12345

Case Filings

Filing Type
Emergency Motion
03-094 – Trial Court Order

Exhibits

Filing Type	Description
03-029 – EXHIBITS	Exhibit 1
03-029 – EXHIBITS	Exhibit 2
03-029 – EXHIBITS	Exhibit 3

File Exhibits With This Case

☒ (a)Please be sure that you are not using this feature to file a Rule 40(b) motion against an existing case before the Court. (b) The Emergency Motion Appeal file includes an explanation why an order of this Court is necessary and why the action requested is time sensitive; contains a stamped "filed" copy of the order being appealed and a stamped "filed" copy of the notice of appeal, if such has been filed in the trial court.

☒ The uploaded file contains a proper Certificate of Service (Rule 6)

Back

Finish

Review the information and make sure it is all correct. You can use the **BACK** button to return to previous pages to address any issues.

Carefully review all of your individual uploads. *Each uploaded file must be a **searchable PDF**.*

Under **CHECKLIST**, **CLICK** the boxes to indicate your compliance.

Click **FINISH**.

CREDIT CARD COLLECTION PAGE

eFaST System - Court of Appeals of Georgia [Logout](#)

Payment Required

Payer: CRUMBLEY & CRUMBLEY

Credit Card Information

First Name: Kelley
Last Name: Powell
Street Address 1: P. O. BOX XXXXXX
Street Address 2: 80 XXXXXX STREET
City: XXXXXX
State: Georgia
Zip Code: 55555
E-Mail: YOU@NOMAIL.ORG
Credit Card Type: Visa
Credit Card Number: 4111111111111111
Credit Card Expiration Date: 01/2015 - 12/2015

Filing Fee: \$300.00
E-Filing Convenience Fee: \$10.00
Payment Total: **\$310.00**

[Submit](#) [Cancel](#)

If you selected the pay with credit card, you will now be required to enter your information.

FILING COMPLETE

eFaST System - Court of Appeals of Georgia [Logout](#)

File an Emergency Motion – Filing Complete

Your emergency motion has been successfully submitted. Please print this page for your records.

Filing Reference Number: 17
Payment Reference Number: 4226328657670176195995

[Return to Menu](#)
[Request Assistance](#)

After hitting FINISHED, you will see a page advising that you filing is complete. You will also receive an email notifying you that your emergency motion and payment (if applicable) have been submitted.

Note: This does not mean that your emergency motion has been docketed/accepted. If your emergency motion is not rejected, you will receive an email advising that it has been docketed