

# COURT OF APPEALS OF GEORGIA

## RETURN NOTICE

February 20, 2015

To: Mr. Damion Sanchez Franklin, GDC661322130 Sam Walker Drive, LaGrange, Georgia  
30241

Case Number: \_\_\_\_\_ Lower Court: \_\_\_\_\_ County Superior Court

Court of Appeals Case Number and Style: \_\_\_\_\_

Your document(s) is (are) being returned for the following reason(s).

**Please understand that the Court of Appeals does not have the power or authority to appoint counsel for you. Any requests for appointed counsel should be directed to the trial court.**

**There is no case pending in your name in the Court of Appeals of Georgia.**

**A Notice of Appeal is filed with the clerk of the trial court and not with the Court of Appeals of Georgia. See OCGA §5-6-37.** Once the trial court clerk has received and filed the Notice of Appeal, the trial court clerk will prepare a copy of the record and transcripts as designated by the Notice of Appeal and transmit them to this Court. Once the Notice of Appeal is docketed in the Court of Appeals of Georgia, a Docketing Notice with the Briefing Schedule and other important information is mailed to counsel for the parties or directly to the parties, if the parties are representing themselves. You do not need to provide this Court with a copy of the Notice of Appeal you filed with the superior court.

**The Notice of Appeal must include a proper Certificate of Service.** A Certificate of Service must show service to the opposing counsel and contain the counsel's full name and complete mailing address. The opposing counsel must actually be served with a copy of your filing.

**An Application for Writ of Habeas Corpus should be filed in the superior court of the county in which you claim you are illegally detained.** An appeal from a denial of an Application for Writ of Habeas Corpus is to the Supreme Court and not the Court of Appeals.

**An Application for Writ of Mandamus should be filed in the superior court of the county official whose conduct you intend to mandate.** An appeal from a denial of an Application for Writ of Mandamus is to the Supreme Court and not the Court of Appeals.

**Your appeal was disposed by opinion (order) on \_\_\_\_\_.** The Court of Appeals \_\_\_\_\_  
\_\_\_\_\_ The remittitur issued on \_\_\_\_\_  
divesting this Court of jurisdiction. The case decision is therefore final.

**Your mailing/documents indicate that you intended to file your papers in another court rather than the Court of Appeals of Georgia.** The address of the Clerk of the \_\_\_\_\_ is:

**If an attorney has been appointed for you and you are concerned with the representation provided by that attorney, you should address that issue to the trial court.** As long as you are represented by an attorney, you cannot file pleadings on your own behalf. Your attorney must file a Motion to Withdraw as Counsel and it must be granted, before you can file your own pleadings in this Court.

**A request for an out-of-time appeal should be made to the trial court from which you are appealing.** If your motion is denied by the trial court, you can file an appeal of that decision by filing a Notice of Appeal with the clerk of the superior court.

CLERK OF COURTS - COURT OF APPEALS OF GEORGIA

FEBRUARY 12, 2015

This letter is in regards to your RETURN NOTICE THAT WAS SENT 2/9/15. IN THE ENVELOPE I RECEIVED A COPY OF THE 2014 RULES OF THE APPEALS COURT. I APPRECIATE IT BUT I DO NOT UNDERSTAND NOTHING. SO I'M STILL IN THE SAME SITUATION. I REALLY NEED SOME HELP. IS THERE A WAY I CAN BE APPOINTED AN ATTORNEY TO ASSIST ME. I DO NOT HAVE THE MONEY TO HIRE AN ATTORNEY AND ACCORDING TO THE 6<sup>th</sup> AMENDMENT I AM INTITLED TO ONE IF I CANNOT HIRE ONE. IS THIS NOT APPLICABLE IN THIS COURT? IF SO CAN YOU PLEASE TELL ME THE STEPS I NEED TO TAKE TO GET ONE.

ALSO, IN THE PAMPHLET ABOUT THE RULES, IT KEPT SAYING I HAVE 10 DAYS TO FILE. BUT SINCE I DIDN'T KNOW HOW TO, AND I DIDN'T HAVE AN ATTORNEY IS THERE AN EXTENSION FOR ME? I DID WRITE THE COURT OF APPEALS WITHIN 10 DAYS SAYING I DID WANT TO APPEAL. I JUST NEED HELP.

THANK YOU FOR YOUR TIME AND CONCERN.

With Kind Regards

*Damion Franklin*  
DAMION FRANKLIN

130 SAM WALKER dr  
La Grange, GA 30241

RECEIVED IN OFFICE

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CLERK OF COURTS / ADMINISTRATOR  
COURT OF APPEALS OF GA