
APPENDIX A

Court of Appeals of the State of Georgia

ATLANTA, January 08, 2020

The Court of Appeals hereby passes the following order:

A20D0233. PATRICIA WYNN v. MARK BUTLER, COMMISSIONER et al.

Patricia Wynn filed a petition in the superior court seeking judicial review of an administrative ruling of the Department of Labor Board of Review (the "Board") that found Wynn ineligible for the receipt of unemployment benefits. The superior court affirmed the Board's decision on November 5, 2019, and Wynn filed this application for discretionary review on December 17, 2019. We, however, lack jurisdiction.

To be timely, a discretionary application must be filed within 30 days of entry of the order or judgment to be appealed. OCGA § 5-6-35 (d); *Hill v State*, 204 Ga. App. 582, 583 (420 SE2d 393) (1992). The requirements of OCGA § 5-6-35 are jurisdictional, and this Court cannot accept an application for appeal not made in compliance therewith. See *Boyle v. State*, 190 Ga. App. 734, 734 (380 SE2d 57) (1989). Here, Wynn filed her application 42 days after the trial court entered its order.¹

¹ Wynn attempted to file her application earlier, but the Court was unable to accept the filing since it did not include a proper certificate of service. See Court of Appeals Rule 6 (f) (any document with an improper certificate of service "shall not be accepted for filing").

Accordingly, the application is untimely, and it is hereby DISMISSED for lack of jurisdiction.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 01/08/2020

*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.*

Stephen E. Castle

, Clerk.

APPENDIX B



SUPREME COURT OF GEORGIA
Case No. S20C0748

August 10, 2020

The Honorable Supreme Court met pursuant to
adjournment.

The following order was passed.

PATRICIA WYNN v. MARK BUTLER, COMMISSIONER et al.

The Supreme Court today denied the petition for certiorari
in this case.

All the Justices concur.

Court of Appeals Case No. A20D0233

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.

Theresa A. Barnes, Clerk

APPENDIX C



SUPREME COURT OF GEORGIA
Case No. S20C0748

September 08, 2020

The Honorable Supreme Court met pursuant to
adjournment.

The following order was passed.

PATRICIA WYNN v. MARK BUTLER, COMMISSIONER et al.

Upon consideration of the Motion for Reconsideration filed
in this case, it is ordered that it be hereby denied.

All the Justices concur.

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.

Theresa A. Barnes, Clerk

APPENDIX D

FILED IN OFFICE

DEC 04 2019

COURT OF APPEALS OF GEORGIA

FILED IN OFFICE

DEC 17 2019

CLERK, COURT OF
APPEALS OF GEORGIA

IN THE COURT OF APPEALS OF GEORGIA

RECEIVED IN OFFICE

2019 DEC -5 AM 8:36

COURT OF APPEALS OF GEORGIA

PATRICIA WYNN

DOCKET# _____

Applicant

vs,

CIVIL ACTION# 2019CV316434

MARK BUTLER, Commissioner

Georgia Department of Labor, and

FULTON COUNTY GOVERNMENT

IN THE SUPERIOR COURT OF FULTON COUNTY

STATE OF GEORGIA

OCTOBER 28, 2019

APPLICATION FOR DISCRETIONARY APPEAL

FILED IN DROP BOX

APPENDIX E

**COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR APPLICATIONS**

December 10, 2019

To: Ms. Patricia Wynn, 1195 Watts Road, Forest Park, GA 30297

Docket Number: **Style:** Patricia Wynn v. Mark Butler, Commissioner, Georgia Department of Labor

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

1. ☐ Your application was not accompanied by the statutory filing fee (\$300.00 civil or \$80.00 criminal).
Your application was not:
☐ Accompanied by a pauper's affidavit substantially similar to the form affidavit on the Court's website
☐ Signed and notarized by a notary public Rule 30 (d) and 31 (d)
2. ☐ Portions of the record included were not tabbed and indexed. Rules 30 (g)(2)(ii) and 31 (g)(2)(ii).
3. ☐ A stamped "filed" copy of the trial court's order to be appealed was not attached to your Application. Rules 30 (c) and 31 (c)
4. ☐ A stamped "filed" copy of the Certificate of Immediate Review was not attached to your Interlocutory Application. Rule 30(c)
5. ☐ Your document(s) was (were) not signed. Rule 2(a)
6. ☐ No Certificate of Service accompanied your document(s).
7. ☒ You should provide a copy of your filing to the:
☐ District Attorney
☐ Solicitor General
☒ Attorney General
☒ The Certificate of Service must include the name and/or mailing address of each opposing counsel and pro se party.
8. ☐ Your request for court action must be submitted in motion form. Rule 41 (a)
9. ☐ No extension of time for filing an interlocutory application will be granted. Rule 30 (g).
10. ☐ Your motions were submitted in an improper form:
☐ joint
☐ compound, or
☐ alternative motions Rule 41 (b)
11. ☐ Documents were not securely bound at the top with staples or roundhead fasteners. Rules 30(g)(2)(iii) and 31(g)(2)(iii)
12. ☐ Documents were submitted for filing more than 30 days after the date of the order granting, denying or dismissing the application or the order granting, denying or dismissing the Motion for Reconsideration. Rules 30(l) and 31(l).
13. ☐ Other:

For Additional information, please go to the Court's website at: www.gaappeals.us

APPENDIX F

COURT OF APPEALS OF GEORGIA

47 Trinity Avenue, S.W., Suite 501
Atlanta, Georgia 30334
(404)656-3450

Business Hours: Monday - Friday, 8:30 a.m. to 4:30 p.m.

NOTICE OF DOCKETING

APPLICATION FOR DISCRETIONARY APPEAL

IMPORTANT RULE REQUIREMENTS AND INFORMATION

NOTICE OF FILING IN THE COURT OF APPEALS OF GEORGIA

APPLICATION NUMBER: A20D0233

DATE OF DOCKETING: December 17, 2019

STYLE: PATRICIA WYNN v. MARK BUTLER, COMMISSIONER et al.

was filed today in the Court of Appeals of Georgia.

The respondent has 10 days from the above filing date to file a response. A response is not required.

This application will be reviewed and the Court of Appeals of Georgia shall issue an order granting or denying such an appeal within 30 days of the date on which the application was filed, O.C.G.A. §5-6-35.

Attorneys: Attorneys: Note that Rule 46 requires that all submissions be via electronic format. E-filing instructions are found at www.gaappeals.us.

Pro Se Filing by US Postal Mail or Delivery Service: The contents of a properly addressed mailing other than a motion for reconsideration shall be deemed filed on the date of the U.S. Postal Service postmark date if it is stamped on the envelope or container. A filing received from an overnight delivery service is deemed filed on the date shown on the envelope or container. If no date appears on the container or envelope of a mailing or delivery, the contents shall be deemed filed on the date of receipt by the court. **Motions for reconsideration are deemed filed on the date the motion is physically received in the Clerk's office, i.e., the postmark date is not relevant.**

COURT OF APPEALS OF GEORGIA

47 Trinity Avenue, S.W., Suite 501
Atlanta, Georgia 30334
(404) 656-3450

Business Hours: Monday - Friday, 8:30 a.m. to 4:30 p.m.

NOTICE OF DOCKETING

APPLICATION FOR DISCRETIONARY APPEAL

IMPORTANT RULE REQUIREMENTS AND INFORMATION

NOTICE OF FILING IN THE COURT OF APPEALS OF GEORGIA

DATE OF DOCKETING: December 15, 2012

APPLICATION NUMBER: A1001283

STYLE: PATRICIA IVYNN A. BARK BUTLER, COMMISSIONER of the

was filed today in the Court of Appeals of Georgia

The respondent has 10 days from the above filing date to file a response. A response is not required.

This application will be reviewed and the Court of Appeals of Georgia will issue an order granting or denying such an appeal within 30 days of the date on which the application was filed, O.C.G.A. § 5-5-35.

Attorneys: Attorneys. Note that Rule 46 requires that all submissions be via electronic format. E-filing instructions are found at www.gabar.org.

Pro Se Filing: The Pro Se Filing Office of the Georgia State Bar Association will accept filings from individuals who are not represented by an attorney. Filings should be made in person or by mail to the Pro Se Filing Office, 47 Trinity Avenue, S.W., Suite 501, Atlanta, Georgia 30334. Filings should be made by the deadline for filing and should be accompanied by the appropriate filing fee. Filings should be made in person or by mail to the Pro Se Filing Office, 47 Trinity Avenue, S.W., Suite 501, Atlanta, Georgia 30334. Filings should be made by the deadline for filing and should be accompanied by the appropriate filing fee.

APPENDIX G



GEORGIA DEPARTMENT OF LAW

40 Capitol Square SW
Atlanta, Georgia 30334-1300

CHRISTOPHER M. CARR
ATTORNEY GENERAL

www.law.ga.gov
(404) 656-3300

WRITER'S DIRECT DIAL
(404) 656-3380
FAX: 404-657-9932
bwebb@law.ga.gov

December 23, 2019

Honorable Steve E. Castlen
Court of Appeals of Georgia
Clerk of Court
Nathan Deal Judicial Center
330 Capitol Ave. S.E.
Suite 1601
Atlanta, GA 30334

Re: Patricia Wynn v. Mark Butler, Commissioner of the Georgia Department
of Labor, and Fulton County Government, Georgia Court of Appeals;
Application No. A20D0233

Dear Mr. Castlen:

I represent Mark Butler, Commissioner of Labor in the above-referenced case, which is an appeal from a Department of Labor decision regarding a claim for unemployment compensation benefits.

I previously informed the Clerk of Court of the Superior Court of Fulton County and all other parties in the action below that Commissioner Butler is a nominal party to this action, named solely for the purpose of filing the administrative record and that he did not intend to participate in the case beyond the filing of that record. Unless it is unsatisfactory with the Court, I do not plan to participate in this appeal.

Regards,

BRYAN K. WEBB
Senior Assistant Attorney General

cc: Patricia Wynn
Fulton County Government

APPENDIX H

ALPHABETICALLY

SUPREME COURT of GEORGIA

Nathan Deal Judicial Center
330 Capitol Avenue S.E., Room 1100
Atlanta, Georgia 30334
(404) 656-3470

Business Hours: Monday - Friday, 8:30 a.m. to 4:30 p.m.

Docketing Date: January 16, 2020

Patricia Wynn
1195 Watts Road
Forest Park, Georgia 30297

**Case No. S20C0748 PATRICIA WYNN v. MARK BUTLER,
COMMISSIONER et al.**

The above-styled petition for certiorari has been docketed in the Supreme Court of Georgia and has been assigned the docketing date and case number shown above.

A response to the petition for certiorari, due within 20 days of the docketing of the petition, is encouraged but is not mandatory. However, failure to file a response shall be deemed to be an acknowledgment by respondent that the requirements of the rules for the granting of the petition for certiorari have been met, provided, however, that such acknowledgment shall not be binding on the Court. See Supreme Court Rule 42.

Important Rule Requirements and Information

Notice of Amended Rules – Effective immediately, the Supreme Court of Georgia amended its Court Rules by revising Rule 4 (Requirements for Attorneys Practicing Before the Supreme Court), Rule 10 (Briefs of the Parties: Time of Filing), Rule 20 (Briefs: Page Limitations), Rule 23 (Amicus Briefs), Rule 24 (Supplemental Briefs), Rule 50 (Oral Argument), and Rule

51 (Requests for Oral Argument) and by adding new Rule 96 (Appearance and Argument before the Georgia Supreme Court). The amended rules are available on the Supreme Court of Georgia website: www.gasupreme.us.

Counsel – Unless exempted, all counsel are required to submit documents to the Court electronically. Submitting documents electronically is not a substitute for service on the opposing party. Counsel listed in this case may view the record through the e-file system.

~~Court of Appeals Case Number(s): A20D0233~~

Therese S. Barnes, Clerk

APPENDIX I



Fulton County Board of Health Leave Request Approval

EMPLOYEE NAME (Print)

PAY PERIOD DATES:

Patricia Wynn

ORGANIZATION/DIVISION:

Vital Records

I REQUEST THIS LEAVE BE ALLOCATED TO:

BEGINNING			ENDING		VACATION	SICK	EMERGENCY	FMLA	COMP TIME	HOLIDAY	MILITARY	OFFICIAL	Comments
DATE	TIME	DATE	TIME										
Mo/Day/Yr		Mo/Day/Yr											
Wed	8/8/18	8:30	8/8/18	5:00	8								
Thur													
Fri													
Sat													
Sun													
Mon	8/6/18	8:30	8/6/18	5:00	8								
Tue	8/7/18	8:30	8/7/18	5:00	8								
					24hrs								

JAN 15 2019

- I hereby certify that I was unable to perform my duties during this period of emergency leave because the illness or death of the following member of my immediate family necessitated my personal attendance:
(Relationship) _____ Item date _____ (Relationship) _____ Item date _____
- I certify that I was unable to perform my duties during this period of sick leave because I was sick or had to obtain professional medical care.
- Attach original doctor's certificate
(Certification is required for all emergency or sick leave exceeding 3 consecutive work days, and may be required for any medical, all sick, emergency and injury leave at the discretion of the supervisor).
- Forward family leave certification package to your HR representative
- Attach memo for use of compensatory time w/family leave certification package
- Attach military orders
- Attach training documentation
- Attach subpoena or orders

EMPLOYEE SIGNATURE

Patricia Wynn

DATE 5-21-18

SUPERVISOR SIGNATURE

Michelle Dennis, Mgr 5/21/18

DEPARTMENT HEAD APPROVAL

APPENDIX J



PERSONNEL POLICY

SUBJECT: EMPLOYEE GRIEVANCES

DATE: January 1, 2017

Number: 309-16

I. Statement of Policy

It is the policy of Fulton County Government to treat all employees fairly and equitably in matters affecting their employment and to provide employees with an efficient and effective process for resolving workplace issues and disputes. The Fulton County grievance procedure is established to provide a formal, structured process through which employees may voice complaints concerning work-related issues and seek administrative redress for alleged violations, misinterpretations or inequitable applications of Fulton County policies, rules, and standards of conduct. An employee has a right to use the grievance procedure without fear of reprisal or retaliation, and the filing of a grievance by an employee will not reflect adversely on the employee's standing or performance.

The objective of the grievance procedure is to settle all grievances between management and employees as quickly as possible and at as low of an administrative level as possible, so as to improve employee-management relations, assure efficient work operations and maintain employee morale. Fulton County expects employees and management to exercise reasonable efforts to resolve any questions, problems or misunderstandings prior to using the grievance procedure. Employees should pursue, if possible, an informal resolution of their complaints, utilizing all available avenues within their department before filing a formal, written grievance. Appointing Authorities, Department Heads and supervisors are encouraged to work with employees to resolve grievances informally.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".



PERSONNEL POLICY

SUBJECT: EMPLOYEE GRIEVANCES

Number: 308-13

DATE: January 1, 2017

Statement of Policy

It is the policy of Fulton County Government to treat all employees fairly and equitably in matters affecting their employment and to provide employees with an efficient and effective process for resolving workplace issues and disputes. The Fulton County grievance procedure is established to provide a formal, structured process through which employees may voice complaints concerning work-related issues and seek administrative redress for alleged violations, misinterpretations or misapplications of Fulton County policies, rules and standards of conduct. An employee has a right to use the grievance procedure without fear of retaliation, and the filing of a grievance by an employee will not reflect adversely on the employee's standing or performance.

The objective of the grievance procedure is to settle all grievances between management and employees as quickly as possible and at as low of an administrative level as possible, so as to improve employee-management relations, assure efficient work operations and maintain employee morale. Fulton County expects employees and management to exercise reasonable efforts to resolve any questions, problems or misunderstandings prior to using the grievance procedure. Employees should pursue, if possible, an informal resolution of their complaints, utilizing all available avenues within their department before filing a formal written grievance. Appointing Authorities, Department Heads and supervisors are encouraged to work with employees to resolve grievances informally.

These policies do not constitute a contract of employment. Employment for non-classified employees remains "at will."

APPENDIX K



GRIEVANCE REVIEW COMMITTEE

FULTON COUNTY GOVERNMENT CENTER

141 Pryor Street S.W., Suite 3030

Atlanta, Georgia 30303

Office 404-613-0866 Fax 404-893-6568

August 30, 2018

Patricia Wynn
1195 Watts Road
Forest Park, Ga 30297

Re: Grievance Case #07-20-18-0034

Dear Mr. Wynn:

A hearing for your grievance has been scheduled before the Grievance Review Committee on **Thursday, September 13, 2018 at 11:30 am**. The hearing will be held in conference room 4056 on the 4th Floor of the Fulton County Government Center located at 141 Pryor Street, Atlanta, Georgia. **Firearms are not allowed in the grievance hearing room. If you are in Law Enforcement and have a firearm, please secure your weapon before attending the hearing.**

If there will be an attorney, legal counsel, representative, and/or witness(es) present, please notify and submit their names to this office at least one (1) week in advance. It is the grievant's and/or department's sole responsibility to notify their representative(s) of any correspondence received from this office regarding the grievance.

The length of time allowed for your grievance is limited to one (1) hour. Please understand that continuances will not be granted without good cause.

"No Shows" - In the event that neither party to a grievance reports at the scheduled date and time of the hearing, the hearing will be not be rescheduled as this is the final opportunity to conduct this grievance. The maximum time to reschedule has been exceeded. If one party reports at the scheduled date and time and the other party does not (after 30 minutes of waiting), the grievance will be resolved in favor of the party reporting as scheduled.

If you are unable to attend the scheduled hearing, please contact this office within ten (10) days from the date of receipt of this letter. Valid justification must accompany your request to reschedule.

For review, enclosed is a **standard agenda** describing the Grievance Review Committee hearings and proceedings. If you have any questions you may call Melba Blount at (404) 613-0881.

Sincerely,

Melba Blount, HR Consultant III for
Carlos Gordon, Chairperson
Grievance Review Committee

cc: Dr. Kathleen Toomey, Board of Health (BOH)
Kizzy Lewis, HR Manager, BOH
Kenneth Hermon, Chief Human Resources Officer
Patrise Hooker-Perkins, County Attorney
Grievance File

APPENDIX L



GRIEVANCE REVIEW COMMITTEE

FULTON COUNTY GOVERNMENT CENTER

141 Pryor Street S.W., Suite 3030

Atlanta, Georgia 30303

Office 404-613-0866 Fax 404-893-6568

September 10, 2018

Patricia Wynn
1195 Watts Road
Forest Park, Ga 30297

Re: Grievance Case #07-20-18-0034

Dear Mr. Wynn:

A hearing for your grievance has been **rescheduled** before the Grievance Review Committee on **Thursday, September 27, 2018 at 10:00 am**. The hearing will be held in conference room **4056** on the 4th Floor of the Fulton County Government Center located at 141 Pryor Street, Atlanta, Georgia. **Firearms are not allowed in the grievance hearing room. If you are in Law Enforcement and have a firearm, please secure your weapon before attending the hearing.**

If there will be an attorney, legal counsel, representative, and/or witness(es) present, please **notify and submit their names** to this office at least **one (1) week in advance**. It is the grievant's and/or department's sole responsibility to notify their representative(s) of any correspondence received from this office regarding the grievance.

The length of time allowed for your grievance is limited to one (1) hour. Please understand that continuances will not be granted without good cause.

"No Shows" - In the event that neither party to a grievance reports at the scheduled date and time of the hearing, the hearing will be not be rescheduled as this is the final opportunity to conduct this grievance. The maximum time to reschedule has been exceeded. If one party reports at the scheduled date and time and the other party does not (after 30 minutes of waiting), the grievance will be resolved in favor of the party reporting as scheduled.

If you are unable to attend the scheduled hearing, please contact this office **within ten (10) days** from the date of receipt of this letter. Valid justification must accompany your request to reschedule.

For review, enclosed is a **standard agenda** describing the Grievance Review Committee hearings and proceedings. If you have any questions you may call Melba Blount at (404) 613-0881.

Sincerely,

Melba Blount, HR Consultant III for
Carlos Gordon, Chairperson
Grievance Review Committee

cc: Dr. Kathleen Toomey, Board of Health (BOH)
Sheila Dennis, Vital Records Business Operations Mgr
Kizzy Lewis, HR Manager, BOH
Kenneth Hermon, Chief Human Resources Officer
Patrise Hooker-Perkins, County Attorney
Grievance File

The submitter of a document is a document, it is not identified by you or
somebody who is otherwise personally identified with the document. This is
called a "document". You must also identify the document by its name.
O'Connell is the document of the document.

Recording may be used and admitted into evidence at the hearing. The
video or audio recording must be identified by the submitter (not the other
document). To submit a recording, you must:

1. Provide a written statement of the events recorded and who
was present at the recording, and fairly reflect the
events.

2. Provide a written statement of the events recorded and who
was present at the recording, and fairly reflect the
events.

3. Provide a written statement of the events recorded and who
was present at the recording, and fairly reflect the
events.

4. Provide a written statement of the events recorded and who
was present at the recording, and fairly reflect the
events.

The Administrative Hearing Officer will conduct the entire hearing. The
recording is to be used if an appeal is filed on the basis of Review or for
other internal purposes. Generally, the recording can be used only for
unemployment compensation purposes pursuant to O.C.G.A. § 8-122.

5. Provide a written statement of the events recorded and who
was present at the recording, and fairly reflect the
events.

While conducting the hearing, the Administrative Hearing Officer may find
reasons to continue the case to another date. If the parties, the parties
will be notified in writing of the date and time of the continued hearing.