# APPENDIX A

THIS APPENDIX CONSISTS OF ONE DOCUMENT:

- THE OPINION OF THE HIGHEST STATE COURT (SUPREME COURT OF GEORGIA)

THE PURPOSE OF THIS APPENDIX IS TO SHOW THAT GA. SUPREME COURT ORDER COMPLETELY OVERLOOKED RULE 13(2)(C), AND ALSO HELD AN PROSE PRISONER ACCOUNTABLE FOR THE INSTITUTION'S ERROR IN WAITING TO MAIL APPEAL. THUS, VIOLATED PETITIONER'S RIGHT TO ACCESS OF THE COURTS, EQUAL PROTECTION, AND DUE PROCESS.

SUPREME COURT OF GEORGIA
Case No. S24A1039

June 11, 2024

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

SAMUEL ROSCOE ARNOLD, JR. v. THE STATE.

After an April 2022 jury trial, appellant was convicted of murder and other crimes. He was sentenced in June 2022, and his counsel timely filed a motion for new trial that remains pending below. Regardless, appellant filed the underlying notice of appeal pro se on October 11, 2023, seeking to appeal the trial court's August 16, 2023 order dismissing a statutory speedy trial demand he had filed in June 2021.

Assuming, without deciding, that appellant was entitled to directly appeal the order dismissing his statutory speedy trial demand even after the conclusion of his criminal trial, see *Hubbard v. State*, 254 Ga. 694, 695-696 (333 SE2d 827) (1985) ("criminal defendant is not required to follow the interlocutory procedures of OCGA § 5-6-34 (b) *when appealing, prior to the conclusion of a trial on the merits*, from the denial of a plea in bar based on OCGA § 17-7-170") (emphasis supplied), his October 11, 2023 notice of appeal was not filed within 30 days of the August 16, 2023 order and, therefore, this appeal would be untimely. See OCGA § 5-6-38 (a). And, assuming that, under the circumstances of this case, appellant is not entitled to a separate direct appeal from the dismissal of his statutory speedy trial demand, then his notice of appeal is premature because there has been no ruling on his motion for new

trial. See *Pounds v. State*, 309 Ga. 376, 385 (846 SE2d 48) (2020) (dismissing a notice of appeal that was filed while the motion for new trial remained pending). Either way, this appeal must be and hereby is dismissed.

*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.

, Clerk

# APPENDIX B

THIS APPENDIX CONSISTS OF TWO DOCUMENTS.

- DENIAL OF MOTION FOR EXTENSION OF TIME TO FILE A MOTION FOR RECONSIDERATION.
- PROOF THAT PETITIONER'S CONFINEMENT WAS CAUSE OF INABILITY OF ACCESS TO COURT, BY DENYING ACCESS THROUGHOUT 10 DAYS THUS, MADE FILING LATE ALSO.

THE PETITIONER WAS NEVER SERVED THE ORDER HE WAS SUPPOSED TO RESPOND TO, AND THE PRISON HE WAS CONFINED TO WAS ON LOCKDOWN BETWEEN JUNE 11-21. AN STEWARDESS GOT SHOT AT SMITH STATE PRISON AND GEORGIA PRISONS WENT ON LOCKDOWN. ALSO, PRO SE PRISONER IS NOT REQUIRED TO E-FILE, GA. SUP. CT RULE 13(1)(b).

SUPREME COURT OF GEORGIA
Case No. S24A1039

July 1, 2024

SAMUEL ROSCOE ARNOLD, JR. v. THE STATE.

Upon consideration of the motion for extension of time to file a motion for reconsideration filed in this case, it is ordered that it be hereby denied.

**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.

, Clerk

SUPREME COURT OF GEORGIA
Case No. S24A1039

July 11, 2024

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

SAMUEL ROSCOE ARNOLD, JR. v. THE STATE.

The motion for reconsideration having been filed late, it is hereby dismissed as untimely. Supreme Court Rule 27.

*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.

Thriise S Banus, Clerk

No movement due to offender package give out

**COASTAL STATE PRISON**

**Legal Library**

**Daily Statistics Report**

**Date:** 6-11-24

| USERS | TODAY | WEEK TO DATE | MONTH TO DATE |
|---|---|---|---|
| On-Call Out | 12 | 12 | 49 |
| In Library | 0 | 0 | 20 |
| General Population | 0 | 0 | 76 |
| | | | |
| **CIRCULATION** | | | |
| Law Reference Books | 0 | 0 | 1 |
| Computer uses | 0 | 0 | 9 |
| DVD uses | 0 | 0 | 0 |
| General Reference Books | 0 | 0 | 8 |
| Magazines | 0 | 0 | 7 |
| Newspaper | 0 | 0 | 4 |
| | | | |
| **LEGAL LIBRARY FORMS** | | | |
| Law Library Request | 11 | 11 | 37 |
| Notaries | 1 | 1 | 56 |
| Forms Distributed | 0 | 0 | 24 |
| | | | |
| **INDIGENT SUPPLIES** | | | |
| Indigent Supplies Picked up | 38 | 38 | 49 |
| New Requests | 12 | 12 | 45 |
| Paper | 760 | 760 | 980 |
| Pens | 0 | 0 | 0 |
| Large Envelopes | 38 | 38 | 47 |
| Small Envelopes | 152 | 152 | 188 |
| Carbon Paper | 0 | 0 | 10 |
| Total Processed | 38 | 38 | 47 |
| | | | |

UPDATED 6/1/22

GERALDINE M KOHN NOTARY PUBLIC CHATHAM COUNTY, GEORGIA MY COMMISSION EXPIRES NOVEMBER 02, 2024

Geraldine M Kohn

11-02-2024

**Additional material from this filing is available in the Clerk's Office.**