

  
Beverly Logan, Clerk  
Clarke County, Georgia

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY  
STATE OF GEORGIA

JARROD MILLER,

Applicant,

v.

DEBORAH GONZALEZ, in her official  
capacity as District Attorney,

Respondent.

Case No. SU23CV0108

**RESPONDENT DEBORAH GONZALEZ'S**  
**AMENDED NOTICE OF APPEAL TO REVISE RECORD TRANSMITTAL**

Western Judicial Circuit District Attorney Deborah Gonzalez (the "District Attorney"), Respondent in this action, filed her Notice of Appeal, pursuant to O.C.G.A. § 5-6-34(a), on May 12, 2023, to appeal to the Supreme Court of Georgia from the Confession to Judgment filed by the District Attorney on May 12, 2023. The District Attorney amends her previously filed Notice of Appeal to revise her request for the scope of record to be transmitted on appeal as follows:

The clerk will please transmit the entire record in this case for inclusion in the record on appeal, except the following exhibits to the Application for Writ of Mandamus should be omitted: Exhibit 6; Exhibit 32, Volumes 3-15; Exhibit 32, Volumes 17-22; and the first 140 pages of Exhibit 32, Volume 23, *except* the last 8 pages of Volume 23 (pp. 141-148) should be included in the appeal record (Election Summary Reports, the Ordinance to Amend the FY2023 Operating and Capital Budget, and the January 26, 2023 Commission Agenda Item Market Survey Study, ACCGov Attorney positions).

The District Attorney specifically requests that the transcript of the hearing held in the above-captioned action on May 8, 2023, be included in the record on appeal.

The Supreme Court of Georgia, rather than the Court of Appeals of Georgia, has jurisdiction of this case on appeal because the issues in this case concern matters reserved to the Supreme Court of Georgia under Ga. Const. 1983, Art. VI, §VI, Para. III, including the conflict between the duties of a district attorney authorized to be established by the Georgia Constitution and the inherent discretion attendant to the constitutional office repeatedly announced and affirmed by the Supreme Court of Georgia.

Respectfully submitted this 17th day of May 2023.

By: /s/ Jeffrey R. Baxter  
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*Attorneys for Respondent District  
Attorney Deborah Gonzalez*

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing **AMENDED NOTICE OF APPEAL TO REVISE RECORD TRANSMITTAL** using the PeachCourt e-service system, which will automatically serve all counsel of record. Counsel has consented to such electronic service under Uniform Superior Court Rule 36.16(e) by registering with the electronic filing system.

This 17th day of May 2023.

/s/ Jeffrey R. Baxter  
Jeffrey R. Baxter  
Georgia Bar No. 142356