Court of Appeals
of the State of Georgia

ATLANTA, August 16, 2012

The Court of Appeals hereby passes the following order:

A12D0475. JAMES DODSON v. THE STATE.

The state filed a petition to revoke James Dodson's probation, and he filed a "Motion for Order Declaring that Defendant is no Longer on Probation," arguing that his probation could not be revoked because he had already completed his term. After the trial court denied his motion, Dodson filed this application for discretionary appeal.

Generally, a party must follow the discretionary appeal procedures to appeal a probation revocation order. OCGA § 5-6-35 (a) (5). However, the materials provided in support of this application suggest that this matter is still pending in the superior court. Therefore, Dodson was required to follow the interlocutory appeal procedures. See OCGA § 5-6-34 (b); *Scruggs v. Ga. Dept. of Human Resources*, 261 Ga. 587, 589 (408 SE2d 103) (1991). His failure to do so deprives this Court of jurisdiction to consider this application, which is therefore DISMISSED.

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 08/16/2012
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.

Kelly K. O. Lamar , *Clerk.*