Court of Appeals
of the State of Georgia

ATLANTA, January 08, 2016

The Court of Appeals hereby passes the following order:

A16D0194. DAVID ROBERSON v. THE STATE.

David Roberson has filed a pro se application for discretionary appeal from the trial court's June 23, 2015, order denying his motion for a declaratory judgment and injunctive relief. Roberson filed his application on December 15, 2015. We lack jurisdiction because the application is untimely.

An application for discretionary appeal must be filed within 30 days of the entry of the order or judgment to be appealed. See OCGA § 5-6-35 (d). 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 (380 SE2d 57) (1989). Roberson filed his application 175 days after entry of the order he seeks to appeal. His application is thus untimely, and it is hereby DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 01/08/2016
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. Castlen, *Clerk.*