Court of Appeals
of the State of Georgia

ATLANTA, January 26, 2016

The Court of Appeals hereby passes the following order:

A16D0210. REGINALD JOHNSON v. THE STATE.

In this pro se application for discretionary review, Reginald Johnson challenges the trial court's October 28, 2015 order denying his motion to set aside a void judgment. We lack jurisdiction to consider the application.

To be timely, a discretionary application must be filed within 30 days of entry of the order to be appealed. See OCGA § 5-6-35 (d); *Hill v. State*, 204 Ga. App. 582 (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 (380 SE2d 57) (1989). Here, Johnson filed his application on December 28, 2015, which was 61 days after entry of the order denying his motion to set aside.[1] Accordingly, the application is untimely and we lack jurisdiction to consider it. This application is hereby DISMISSED.

[1] Johnson attempted to file an application for discretionary appeal earlier, but his submission was returned because he failed to include the trial court's order being appealed or a certificate of service, as required by Court of Appeals Rules 6 and 31 (e).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 01/26/2016

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.*