Court of Appeals
of the State of Georgia

ATLANTA, May 26, 2016

The Court of Appeals hereby passes the following order:

A16A0530. HAROLD SIMPSON v. THE STATE.

In his notice of appeal, Appellant indicated that nothing should be omitted from the record on appeal. Notwithstanding, the appellate record received by this Court is incomplete. Notably, the record does not include the transcript of the trial in this case. Also missing from the record are Appellant's original out of time motion for new trial filed in 2012 and any order of the trial court granting leave to file such out of time motion, if such order exists.

A complete appellate record is necessary for determination of the issues in this appeal. Accordingly, it is hereby ordered that this matter be remanded to the trial court with direction to prepare a complete appellate record, including all of the filings, motions, orders, and transcripts in this case. It is further ordered that the trial court shall then re-transmit this matter to the Court of Appeals for re-docketing and disposition of this appeal. Upon re-docketing, briefing by the parties should proceed in accordance with Court of Appeals Rule 23.

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 05/26/2016
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.*