Court of Appeals
of the State of Georgia

ATLANTA, August 11, 2016

The Court of Appeals hereby passes the following order:

A16D0479. EARL V. PARRISH v. THE STATE.

In 1997, Earl V. Parrish convicted of rape and sentenced to life in prison. His conviction was affirmed on appeal. See *Parrish v. State*, 237 Ga. App. 274 (514 SE2d 458) (1999). Parrish subsequently filed an "Extraordinary Motion for New Trial," which the trial court denied in an order dated March 31, 2016. Parrish then filed this application for discretionary appeal on July 26, 2016 seeking review of that order. We, however, lack jurisdiction.

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 made beyond 30 days. See *Boyle v. State*, 190 Ga. App. 734, 734 (380 SE2d 57) (1989). Here, Parrish filed his application 117 days after the trial court's order was entered. Accordingly, the application is untimely and is hereby DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 08/11/2016
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.*