Court of Appeals
of the State of Georgia

ATLANTA, December 19, 2016

The Court of Appeals hereby passes the following order:

A17A0770. LAVAR FERRELL v. THE STATE.

In 2012, Lavar Ferrell pled guilty to burglary, aggravated assault, hijacking a motor vehicle, and possession of a firearm by a convicted felon. He later filed a "Motion to Set Aside Judgment," arguing that his lawyer had coerced him into pleading guilty and his indictment was fatally defective.[1] The trial court denied the motion, and Ferrell appeals. We, however, lack jurisdiction.

"[A] petition to vacate or modify a judgment of conviction is not an appropriate remedy in a criminal case." *Harper v. State*, 286 Ga. 216, 218 (1) (686 SE2d 786) (2009). Any appeal from an order denying or dismissing such a motion must be dismissed. See id. at 218 (2); *Roberts v. State*, 286 Ga. 532, 532 (690 SE2d 150) (2010). A direct appeal may lie from an order denying a motion to vacate or correct a void sentence, but only if the defendant raises a colorable claim that the sentence is, in fact, void. See *Harper*, supra at 217 n.1; *Burg v. State*, 297 Ga. App. 118, 119 (676 SE2d 465) (2009).

[1] In particular, Ferrell asserts that the indictment charged him with hijacking a Ford Mustang, but the vehicle in question actually was a Dodge Charger.

Ferrell does not argue that his sentence is void; instead, he challenges the validity of his convictions. Because Ferrell is not authorized to collaterally attack his convictions in this manner, this appeal is hereby DISMISSED.[2]

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 12/19/2016
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.*

[2] We note that Ferrell has separately appealed the trial court's denial of his motion to withdraw his guilty plea. That appeal is pending as Case No. A17A0771.