Court of Appeals
of the State of Georgia

ATLANTA, July 21, 2017

The Court of Appeals hereby passes the following order:

A17A2106. ALVIN BURKE v. THE STATE.

Alvin Burke was convicted of two counts of armed robbery and other felonies. His judgment of conviction was affirmed in an unpublished opinion. *Burke v. State*, Case No. A16A0302 (decided June 27, 2016). Thereafter, Burke filed a pro se motion to set aside the judgment of conviction, contending that the indictment was fatally flawed in several respects. The trial court denied Burke's motion, and Burke filed this direct appeal. We lack jurisdiction.

As the Georgia Supreme Court has made clear, a motion seeking to set aside or vacate an allegedly void criminal conviction is not one of the established procedures for challenging the validity of a judgment in a criminal case, and an appeal from the trial court's ruling on such a petition must be dismissed. See *Roberts v. State*, 286 Ga. 532 (690 SE2d 150) (2010); see also *Jones v. State*, 290 Ga. App. 490, 494 (2) (659 SE2d 875) (2008) (challenge to validity of indictment is challenge to conviction). Accordingly, this appeal is hereby DISMISSED.

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 07/21/2017
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.*