Court of Appeals
of the State of Georgia

ATLANTA, August 01, 2017

The Court of Appeals hereby passes the following order:

A17A2088. WINFRED JOHNSON v. THE STATE.

A jury found Winfred Johnson guilty of first-degree burglary. Johnson's attorney filed a motion for new trial, which the trial court denied. Johnson has filed a pro se notice of appeal of that denial. We, however, lack jurisdiction.

A criminal defendant does not have the right to represent himself while also being represented by an attorney. See *Tolbert v. Toole*, 296 Ga. 357, 361-363 (3) (767 SE2d 24) (2014); *Jacobsen v. Haldi*, 210 Ga. App. 817, 818-819 (1) (437 SE2d 819) (1993). Nothing in the record indicates that Johnson's attorney has been permitted to withdraw. Accordingly, his pro se notice of appeal is a nullity, see id., and this appeal is hereby DISMISSED.

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 08/01/2017
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.*