Court of Appeals
of the State of Georgia

ATLANTA, November 28, 2018

The Court of Appeals hereby passes the following order:

A19D0173. MILTON MITCHELL v. THE STATE.

In 1984, Milton Mitchell pled guilty and was found guilty of multiple offense in multiple cases. On November 1, 2018, Mitchell filed this pro se application for discretionary appeal seeking review of three trial court orders - an order dismissing his motion to set aside void judgments, an order denying his extraordinary motion for new trial, and an order denying his motion for out-of-time appeal. The orders attached to the application were signed on August 14, 2018 and August 16, 2018, but were not stamped "filed" as required by Court of Appeals Rule 31 (e). A stamped "filed" copy is required in order for this Court to ascertain that the application was filed within 30 days of the order being challenged, which is a jurisdictional prerequisite. See OCGA § 5-6-35 (d) (application must be filed within 30 days of the entry of the order appealed); *Boyle v. State*, 190 Ga. App. 734, 734 (380 SE2d 57) (1989) (OCGA § 5-6-35 requirements are jurisdictional).

On October 6, 2018, this Court directed Mitchell to supplement the application with stamped "filed" copies of the orders sought to be appealed within 10 days of the October 6 order. We noted that failure to comply with this directive would result in dismissal of his application. Because more than 10 days have passed since we issued the October 6 order and Mitchell has failed to file stamped "filed" copies of the orders, his application is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 11/28/2018

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.*