

Court of Appeals of the State of Georgia

ATLANTA,

The Court of Appeals hereby passes the following order:

A02A0008. WALTER LEE BOONE, JR. V. THE STATE

The Court of Appeals affirmed the judgment of the trial court by this Court's opinion dated June 20, 2002. A Motion for Reconsideration was filed on June 25, 2002 and denied by this Court on July 1, 2002. Thereafter, appellant filed a Notice of Intent to Apply for Certiorari to the Supreme Court of Georgia on July 8, 2002, and on July 22, 2002, appellant filed an application for certiorari with the Supreme Court of Georgia.

The application for certiorari filed with the Supreme Court of Georgia transferred jurisdiction from the Court of Appeals to the Supreme Court. The application for certiorari was denominated as S02C1700 in the Supreme Court of Georgia.

On September 23, 2002, appellant filed with the Court of Appeals a Motion for Stay of Remittitur; Motion for Extension of Appeal Bond and Motion to Stay the Enforcement of Judgment.

The Supreme Court of Georgia has not yet returned its remittitur to the Court of Appeals and, for that reason, this Court does not have jurisdiction over this matter. Therefore the above motions are dismissed.

Furthermore, it is a general policy of this Court not to stay remittiturs on applications for certiorari to the United States Supreme Court. The parties are free to file a Motion to Stay Remittitur in the United States Supreme Court or request that the United States Supreme Court direct the Court of Appeals to recall the remittitur if issued.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

*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.*

Clerk.