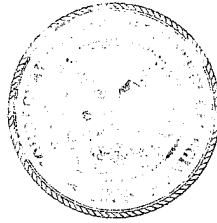


**Court of Appeals
of the State of Georgia**



COURT OF APPEALS OF GEORGIA

I hereby certify this opinion is a true and complete copy of the opinion of The Court Of Appeals of Georgia.

Date: 8-29-08

Signature: [Handwritten Signature]

Clerk, Court of Appeals of Georgia

WITNESS MY SIGNATURE AND SEAL OF THE COURT

OF APPEALS OF GEORGIA

ATLANTA, August 1, 2008

The Court of Appeals hereby passes the following order:

A08A2273. JOHN ROONEY v. THE STATE.

John Rooney has filed several appeals in this court seeking to overturn his 1995 convictions and 50-year sentence entered upon a guilty plea to charges of rape, aggravated sodomy, aggravated sexual battery and three counts of battery. In Appeal No. A00A2387, this court affirmed the denial of Rooney's motion for an out-of-time appeal by unpublished opinion. 248 Ga. App. XXVII (2001). In Appeal No. A02A1640, this court dismissed Rooney's direct appeal from an order transferring his "motion to vacate null and void convictions and sentences" from one superior court to another as interlocutory. In Appeal No. A02A1641, this court affirmed the denial of a motion for out-of-time appeal from the same order challenged in Appeal No. A02A1640. 257 Ga. App. XXVIII (2002). We also dismissed Rooney's Appeal No. A06A0616 from his "Motion to Vacate Convictions and Sentences Due to Jurisdictional Defects in the Trial Court." In our dismissal order this court stated that "[t]he proper method for challenging the validity of a guilty plea and resulting sentence, when the challenge occurs in a subsequent term of court than that in which the sentence was adjudged, is through a habeas corpus proceeding. [Cit.]" In Appeal No. A06A1032, this court dismissed Rooney's direct appeal from an order denying his second "Motion to Vacate Convictions and Sentences Due to Jurisdictional Defects in the Trial Court." In the order dismissing that appeal we observed that Rooney "has not made a meaningful challenge to the trial court's jurisdiction." In Appeal No. A07A1192, we dismissed Rooney's third "Motion to Vacate Convictions and Sentences Due to Jurisdictional Defects in the Trial Court," noting that Rooney is not entitled to make multiple challenges to the jurisdictional validity of his

LC number(s): 94B28232

convictions and sentences in the trial court and has clearly exhausted or otherwise waived all rights he may have had to seek appellate review of his convictions and sentences by direct appeal. For these same reasons, the instant appeal, in which Rooney challenges the denial of his "Motion to Vacate Null and Void Consecutive Convictions and Sentences Due to an Unconstitutional Statute," is hereby **DISMISSED**.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta **AUG -1 2008**

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.

Willi L. Mart, Clerk.