



SUPREME COURT OF GEORGIA  
Case No. S17C0024

Atlanta, June 30, 2017

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed.

**GEORGE HINES v. THE STATE**

Court of Appeals Case No. A16A0288

The Supreme Court today granted the writ of certiorari in this case. All the Justices concur, except Hines, C. J., Melton, P. J., and Peterson J., who dissent. Boggs, J., disqualified.

This case will be assigned to the October 2017 oral argument calendar automatically under Supreme Court Rule 50 (2), as amended September 13, 1996. Oral argument is mandatory in granted certiorari cases.

This Court is particularly concerned with the following issue or issues:

1. Whether the Court of Appeals erred when it held that the failure of trial counsel to file a general demurrer as to armed robbery was not deficient performance. See *Jackson v. State*, \_\_\_ Ga. \_\_\_ (1) (Case No. S16G0888, decided May 15, 2017).
2. Whether the Court of Appeals erred when it held that the failure of trial counsel to file a general demurrer as to armed robbery did not prejudice the defendant. Compare *Walker v. State*, 329 Ga. App. 369 (3) (a) (765 SE2d 599) (2014), with *Youngblood v. State*, 253 Ga. App. 327 (3) (558 SE2d 854) (2002).

Briefs should be submitted only on these points. See Supreme Court Rule 45.

**SUPREME COURT OF THE STATE OF GEORGIA**

Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

*Theresa A. Barnes*

, Clerk