



SUPREME COURT OF GEORGIA
Case No. S17C0622

Atlanta, April 17, 2017

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed.

S17C0622. SUTTON v. THE STATE

Because the Court of Appeals erred in denying the filing of the petitioner's motion to recall the remittitur in this case, see Jackson v. State, 286 Ga. 407, 408 (688 SE2d 351) (2010) (holding that "this Court and the Court of Appeals have the power to recall the remittitur"), we grant the petition for writ of certiorari, vacate the Court of Appeals' decision denying the filing of the petitioner's motion, and remand for proceedings consistent with this order and this Court's decision in Jackson, id.

All the Justices concur, except Peterson, J., disqualified.

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.

Suzanne C. Fulton, Chief Deputy Clerk