



SUPREME COURT OF GEORGIA
Case No. S19C0967

October 7, 2019

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

THE STATE v. KRISTINE HEATH.

Court of Appeals Case No. A18A2112

The Supreme Court today granted the writ of certiorari in this case.

All the Justices concur.

This case will be assigned to the February 2020 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:

Did the Court of Appeals err in holding that trial counsel's failure to file a general demurrer resulted in prejudice under *Strickland v. Washington*, 466 U. S. 668 (104 SC 2052, 80 LE2d 674) (1984)? Compare *Walker v. State*, 329 Ga. App. 369 (3) (a) (765 SE2d 599) (2014), with *Everhart v. State*, 337 Ga. App. 348 (3) (a) (786 SE2d 866) (2016); *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.

 , Clerk