

COURT OF APPEALS OF THE STATE OF GEORGIA

Jadarrius T. Miller v. State

Miller v. State · No. A22A0133 · Decided November 8, 2021

SUMMARY

The Court of Appeals of the State of Georgia granted the State’s motion to dismiss the appeal in Miller v. State. The appeal was dismissed because the appellant failed to timely file a brief and enumeration of errors after receiving an extension of time.

CASE DETAILS

COURT	Court of Appeals of the State of Georgia
JURISDICTION	Georgia
DECIDED	November 8, 2021
DOCKET	A22A0133
DISPOSITION	dismissed
PROCEDURAL POSTURE	The State moved to dismiss the appeal after the appellant failed to timely file an initial brief and enumeration of errors or a second motion for extension of time.
PRECEDENTIAL VALUE	published
PARTIES	Jadarrius T. Miller v. State

TOPICS

appellate procedure

PRACTICE AREAS

appellate procedure

QUESTIONS PRESENTED

1. Whether the appeal should be dismissed because the appellant failed to timely file a brief and enumeration of errors as ordered by the Court.

HOLDINGS

1. The appeal must be dismissed because the appellant failed to file a brief and enumeration of errors within the period ordered by the Court.

KEY QUOTATIONS

“The motion to dismiss is hereby GRANTED, and the appeal is DISMISSED for failure to file a brief and enumeration of errors within the period ordered by this Court.”

FACTUAL BACKGROUND

The appeal was docketed on August 10, 2021, and the appellant's brief and enumeration of errors were due by August 30, 2021. The Court granted an extension through October 1, 2021, but the appellant did not timely file the required documents or seek a second extension. The State then moved to dismiss the appeal.

PROCEDURAL HISTORY

The appeal was docketed on August 10, 2021. The appellant's brief was initially due August 30, 2021; the Court granted an extension until October 1, 2021. The appellant failed to file the required brief and enumeration of errors within the ordered period, and the State moved to dismiss on October 13, 2021. The Court granted the motion and dismissed the appeal.

DISPOSITION

dismissed

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