

Court of Appeals of the State of Georgia

ATLANTA, March 02, 2023

The Court of Appeals hereby passes the following order:

A23E0036. TUNDE AKETHOMAS v. AYOTUNDE AKETHOMAS.

Tunde Akethomas, the plaintiff in the above styled case, has filed an emergency motion seeking an extension of time to file an application for discretionary appeal from the trial court's February 7, 2023 order denying the plaintiff's motion for new trial in this underlying divorce proceeding. In the motion, the plaintiff requests a 45-day extension of time to review the transcripts and other case materials from the proceedings below.

Pursuant to Court of Appeals Rule 16 (c), an extension of time to file an application for discretionary appeal must "not exceed the time otherwise allowed for the filing of an application." Under OCGA § 5-6-35 (d), an application for discretionary appeal "shall be filed with the clerk of . . . the Court of Appeals within 30 days of the entry of the order" Because the time allowed for the filing of an application for discretionary appeal is only 30 days from the date of entry of the order, this Court may grant an extension of time for only 30 days, as opposed to the plaintiff's 45-day request. Therefore, the plaintiff's motion for an extension of time to file an application for discretionary appeal is GRANTED, but only until April 10, 2023.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 03/02/2023

*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.*

Stephen E. Carlton

, Clerk.