

Court of Appeals of the State of Georgia

ATLANTA, August 11, 2026

The Court of Appeals hereby passes the following order:

A27A0106. LEETAVIOUS FAVORS v. THE STATE.

In April 2025, Leetavious Favors pleaded guilty to armed robbery and numerous other offenses. On August 26, 2025, the trial court dismissed Favors's pro se motion to withdraw his guilty plea, and Favors filed a notice of appeal to this Court on October 20, 2025.¹ We lack jurisdiction.

A notice of appeal must be filed within 30 days of entry of the judgment or trial court order sought to be appealed. OCGA § 5-6-38(a). The proper and timely filing of a notice of appeal is an absolute requirement to confer appellate jurisdiction on this Court. *Kelly v. State*, 311 Ga. 827, 828 (860 SE2d 740) (2021). Favors's notice of

¹ Effective May 14, 2025, any "direct appeal" from a guilty plea must be initiated by filing an application for discretionary review. OCGA § 5-6-35(a)(5.3); Ga. L. 2025, p. 621, §§ 1-2, 4-2. However, OCGA § 5-6-35(a)(5.3) does not apply to appeals from orders denying motions to withdraw guilty pleas because they are not appeals from the entry of guilty pleas. See *Peoples v. State*, 378 Ga. App. 740, 741 n.1 (927 SE2d 351) (2026). Furthermore, Favors's guilty plea was entered in April 2025, before the effective date of OCGA § 5-6-35(a)(5.3). See, e.g., *Clark v. State*, 378 Ga. App. 111, 111 n.1 (924 SE2d 346) (2025). Accordingly, Favors was entitled to file a direct appeal from the trial court's order.

appeal was filed 55 days after entry of the trial court's order dismissing his motion to withdraw his guilty plea. Thus, this appeal is untimely and is hereby DISMISSED.



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Clerk's Office, Atlanta, 08/11/2026

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.

Christina Bailey Smith

, Clerk.