

**THIRD DIVISION
MILLER, J.,
RAY and BRANCH, JJ.**

**NOTICE: Motions for reconsideration must be
physically received in our clerk's office within ten
days of the date of decision to be deemed timely filed.
<http://www.gaappeals.us/rules/>**

January 30, 2015

In the Court of Appeals of Georgia

A12A1622. HARGIS v. THE STATE.

BRANCH, Judge.

In *Hargis v. State*, 319 Ga. App. 432 (735 SE2d 91) (2012), this Court granted appellant Anthony Hargis a new trial concerning his conviction for attempted manufacture of methamphetamine and other crimes. *Id.* at 439 (2). In *State v. Hargis*, 294 Ga. 818 (756 SE2d 529) (2014), the Supreme Court of Georgia reversed this Court's decision and remanded the case to this Court. *Id.* at 827. After the Supreme Court issued its decision, Hargis filed a motion for reconsideration, but then withdrew that motion, stating as he did so that he "waive[d] any issues on remand in the Court of Appeals." The State moved the Supreme Court to include Hargis's motions in the appellate record, and the Supreme Court granted the State's motion. The Supreme Court then remanded the case to this Court.

We hereby adopt the Supreme Court's decision as our own, and we deem abandoned those issues raised in Hargis's initial brief to this Court but left undecided pending the outcome of his appeal to the Supreme Court. The State's motion to dismiss this appeal is denied. See *O'Kelley v. Hayes*, 132 Ga. App. 134 (1) (207 SE2d 641) (1974) (abandonment of enumerated errors is not grounds for dismissal of an appeal). The trial court's judgment is affirmed.

Judgment affirmed. Miller, P. J., and Ray, J., concur.