

**SECOND DIVISION
BARNES, P. J.,
MILLER and RAY, JJ.**

**NOTICE: Motions for reconsideration must be
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November 6, 2015

In the Court of Appeals of Georgia

A13A1071. THE STATE v. LAMPL.

RAY, Judge.

In the consolidated case of *State v. Lampl* [and *Lampl v. State*], 325 Ga. App. 344 (750 SE2d 685) (2013), this Court affirmed the trial court's order dismissing a particular count of the indictment charging Lampl with perjury in regard to statements that he made before a special purpose grand jury. In *State v. Lampl*, 296 Ga. 892 (770 SE2d 629) (2015), the Georgia Supreme Court reversed Division 1 of this Court's consolidated opinion, finding that the trial court's dismissal of the perjury count and the suppression of Lampl's statements were improper. In so holding, the Supreme Court found that the special purpose grand jury had exceeded the scope of its investigation, but also concluded that such conduct did not constitute a violation of Lampl's constitutional rights or otherwise rise to the level necessary to justify these

sanctions.” Id. at 895-899 (1), (2). Accordingly, we vacate Division 1 of our opinion and adopt the opinion of our Supreme Court as our own in place of that division.

In light of the foregoing, Divisions 2 and 3 of our previous opinion are now moot; accordingly, we vacate these divisions.

Judgment reversed. Barnes, P. J., and Miller, J., concur.