

**THIRD DIVISION
BARNES, P. J.,
BOGGS AND BRANCH, JJ.**

NOTICE: Motions for reconsideration must be
physically received in our clerk's office within ten
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<http://www.gaappeals.us/rules>

December 9, 2015

In the Court of Appeals of Georgia

A14A0358. EASTER v. THE STATE

BRANCH, Judge.

In an earlier decision in this case, we reversed Andra Easter's conviction for aggravated assault, finding that the trial court had charged the jury on that crime in a manner not alleged in the indictment. *Easter v. State*, 327 Ga. App. 754 (761 SE2d 149) (2014). This holding was reversed by the Supreme Court of Georgia, which applied its decision in *Green v. State*, 291 Ga. 287 (728 SE2d 668) (2012) and found that the jury charge did not constitute reversible error.¹ *State v. Easter*, 297 Ga. 171,

¹ In reaching this conclusion, the Supreme Court noted that "the State failed to cite *Green* in its brief to the Court of Appeals, and even after the Court of Appeals issued a decision that was inconsistent with *Green*, the State filed no motion for reconsideration and otherwise did nothing to bring *Green* to the attention of the Court of Appeals. We take this occasion to remind lawyers of their obligation to bring pertinent legal authority to the attention of the courts and to do so in a timely manner." *State v. Easter*, 297 Ga. 171, 174, n. 2 (773 SE2d 181) (2015).

173-174 (773 SE2d 181) (2015). Accordingly, we now vacate our earlier decision, adopt the opinion of the Supreme Court as our own, and affirm the judgment of conviction.

Judgment affirmed. Barnes, P. J., and Boggs, J., concur.