

S15A0507. BADEN v. OCHOA-HERNANDEZ.

THOMPSON, Chief Justice.

The trial court granted relief in this habeas corpus case pursuant to an order which reads, in its entirety:

After hearing evidence in the above-styled case, it is hereby ordered that the guilty plea in this case, which was in the Superior Court of Gwinnett County, be withdrawn and the conviction associated therewith be vacated and set aside. [Appellee] shall be remanded to Gwinnett County for further proceedings in accordance with this order.

The warden appeals.

Because the order granting habeas relief does not contain written findings of facts and conclusions of law upon which the judgment is based, it fails to meet the requirements of OCGA § 9-14-49. Accordingly, the judgment of the

habeas court is vacated and the case remanded for issuance of an order in compliance with OCGA § 9-14-49. See Thomas v. State, 284 Ga. 327, 328 (2) (667 SE2d 375) (2008), overruled on other grounds, Crosson v. Conway, 291 Ga. 220, 222 (728 SE2d 617) (2012).

Judgment vacated and case remanded with direction. All the Justices concur.

Decided April 20, 2015.

Habeas corpus. Calhoun Superior Court. Before Judge Cato.

Samuel S. Olens, Attorney General, Patricia B. Attaway Burton, Deputy Attorney General, Paula K. Smith, Senior Assistant Attorney General, Meghan H. Hill, Assistant Attorney General, for appellant.

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