

Court of Appeals of the State of Georgia

ATLANTA, July 02, 2026

The Court of Appeals hereby passes the following order:

A26D0575. KIMBERLY CREECH v. JAMES WOOD.

In this child custody modification action, the trial court entered an order granting James Wood primary physical custody of the two minor children he shares with Kimberly Creech. Creech has filed a timely application for discretionary appeal, seeking to appeal the modification.

Ordinarily, appeals of orders in domestic relations cases must be initiated by filing an application for discretionary appeal. OCGA § 5-6-35(a)(2), (b). Under OCGA § 5-6-34(a)(11), however, direct appeals are permitted from “[a]ll judgments or orders in child custody cases awarding, refusing to change, or modifying child custody or holding or declining to hold persons in contempt of such child custody judgment or orders.” Because the court’s order modified child custody, it is directly appealable.

Under OCGA § 5-6-35(j), this Court will grant a timely application for discretionary review if the lower court’s order is subject to direct appeal. *City of Rincon v. Couch*, 272 Ga. App. 411, 412 (612 SE2d 596) (2005). Accordingly, this application is hereby GRANTED. Creech shall have ten days from the date of this order to file a notice of appeal in the superior court. See OCGA § 5-6-35(g). If she

already has filed a notice of appeal in the superior court, then she need not file a second notice. The clerk of the superior court is DIRECTED to include a copy of this order in the record transmitted to the Court of Appeals.



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Clerk's Office, Atlanta, 07/02/2026

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.