

Court of Appeals of the State of Georgia

ATLANTA, June 04, 2026

The Court of Appeals hereby passes the following order:

A26A1915. NIA-SIMON SHERWOOD v. ROBERT CAIN et al.

In this case arising out of an automobile accident, the trial court granted defendants' motion to dismiss with prejudice on March 4, 2026. Plaintiff filed her notice of appeal on April 8, 2026. We, however, lack jurisdiction.

A notice of appeal must be filed within 30 days of entry of the judgment or trial court order sought to be appealed.¹ OCGA § 5-6-38(a). The proper and timely filing of a notice of appeal is an absolute requirement to confer jurisdiction upon this Court. *Perry v. Paul Hastings, LLP*, 362 Ga. App. 140, 141 (866 SE2d 855) (2021). Because the instant appeal was filed 35 days after the entry of the order sought to be appealed, it is untimely and is hereby DISMISSED.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 06/04/2026

*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.

¹ Appellant's notice of appeal references the date appellant was served with the trial court's order, but the notice of appeal must be filed within 30 days of the entry of the judgment a party seeks to appeal, not the date it was served. See *O'Leary v. Whitehall Constr.*, 288 Ga. 790, 791(1) (708 SE2d 353) (2011).