

Court of Appeals of the State of Georgia

ATLANTA, September 01, 2026

The Court of Appeals hereby passes the following order:

A27D0099. TELISHA MITCHELL v. HIDDEN LAKE APARTMENT INVESTORS, LLC A/A/F THE LAUREL APARTMENTS.

Telisha Mitchell filed this application for discretionary appeal from a magistrate court judgment awarding past-due rent. We, however, lack jurisdiction.

Ordinarily, “the only avenue of appeal available from a magistrate court judgment is provided by OCGA § 15-10-41(b)(1), which allows for a de novo appeal to the state or superior court.” *Tate v. Habif*, 367 Ga. App. 435, 438–39(2) (886 SE2d 389) (2023) (citation modified). “[T]his Court has jurisdiction to address a magistrate court order only if the order has been reviewed by a state or superior court.” *Harris v. Reserve at Hollywood LLC*, 376 Ga. App. 553, 553 (920 SE2d 163) (2025). We thus lack jurisdiction to consider this application. Under the Georgia Constitution, however, “[a]ny court shall transfer to the appropriate court in the state any civil case in which it determines that jurisdiction or venue lies elsewhere.” Ga. Const. of 1983, Art. VI, Sec. I, Par. VIII. Accord Court of Appeals Rule 11(b).

To the extent that this filing may be construed as a petition for review under OCGA § 5-3-1 et seq., it is hereby TRANSFERRED to the Magistrate Court of Fulton County with direction to transmit it to the state or superior court for disposition.

We recognize that we are in possession of limited material and that our determination that jurisdiction may lie in another court is limited by this dearth of information.

Thus, our ruling should not constrain either the magistrate court or the superior court to the extent those courts determine either that Mitchell has not perfected the right to appeal or that jurisdiction lies elsewhere.



Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 09/01/2026

*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.