

Court of Appeals of the State of Georgia

ATLANTA, June 26, 2026

The Court of Appeals hereby passes the following order:

A26A2257. JAKEISE MOODY v. GENESIS NICOLE SMITH.

Jakeise Moody filed a petition for a temporary protective order, which the trial court dismissed on May 19, 2026. Moody filed both an application for discretionary appeal and a direct appeal from the same order. The discretionary application was denied. Case No. A26D0532 (Jun. 9, 2026). This is the direct appeal. We, however, lack jurisdiction.

This Court's denial of Moody's application for discretionary appeal was a decision on the merits. See *Elrod v. Sunflower Meadows Dev., LLC*, 322 Ga. App. 666, 670(4) (745 SE2d 846) (2013) (“[W]hen this Court examines a request for a discretionary appeal, it acts in an error-correcting mode such that a denial of the application is on the merits, and the order denying the application is res judicata with respect to the substance of the requested review.”) (punctuation omitted). Thus,

Moody has no right to a direct appeal from the same order. See *Northwest Social & Civic Club v. Franklin*, 276 Ga. 859, 860 (583 SE2d 858) (2003) (punctuation omitted); see also *Hook v. Bergen*, 286 Ga. App. 258, 261(1) (649 SE2d 313) (2007) (holding that party was estopped from seeking further judicial review of same order when discretionary application had been denied).

Accordingly, we lack jurisdiction over this direct appeal, which is hereby DISMISSED.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 06/26/2026

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.