

Court of Appeals of the State of Georgia

ATLANTA, August 24, 2026

The Court of Appeals hereby passes the following order:

A27D0043. JOHN EDWARD CHAMPION v. JANE SUSAN RATLIFF.

After the entry of a final judgment and decree of divorce dissolving the marriage between John Edward Champion and Jane Susan Ratliff,¹ Ratliff filed the instant action seeking to hold Champion in contempt of the divorce decree. Champion filed a motion to set aside the divorce decree and, on July 6, 2026, the superior court entered an order denying that motion. Ratliff's petition for contempt remains pending. On August 6, 2026, at 12:01 a.m., Champion filed this application for discretionary appeal. We, however, lack jurisdiction.

"Generally, an order is final and appealable when it leaves no issues remaining to be resolved, constitutes the court's final ruling on the merits of the action, and leaves the parties with no further recourse in the trial court." *Thomas v. Douglas County*, 217 Ga. App. 520, 522(1) (457 SE2d 835) (1995). See also OCGA § 5-6-34(b) (setting forth the procedure for filing an appeal from an interlocutory order, which includes obtaining a certificate of immediate review from the trial court). As made clear by the application materials, Ratliff's petition for contempt is unresolved. Because that petition is pending in the trial court, Champion was required to file an application for interlocutory review. And Champion's filing of an application for a discretionary appeal does not excuse him from complying with the interlocutory

¹ In the underlying action, Champion filed a motion for a new trial, which the trial court denied. Champion filed an application for discretionary review, which this Court granted. This Court then dismissed that appeal on the basis that it was improvidently granted. See Case No. A25A0502 (June 5, 2025).

appeal procedures set forth in OCGA § 5-6-34(b). See *Bailey v. Bailey*, 266 Ga. 832, 832–33 (471 SE2d 213) (1996) (holding that where a party is appealing an interlocutory order, the filing of an application for a discretionary appeal is insufficient to confer jurisdiction on the appellate court).

Thus, pretermittting the timeliness of this application, Champion’s failure to follow the required interlocutory appeal procedures deprives us of jurisdiction over the application, which is hereby DISMISSED.



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Clerk’s Office, Atlanta, 08/24/2026

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.