

Court of Appeals of the State of Georgia

ATLANTA, October 09, 2026

The Court of Appeals hereby passes the following order:

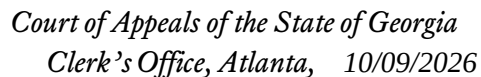
**A27O0017. GREGORY LEON AVERA et al. v. CHARLES H.S. LYONS III,
JUDGE, SUPERIOR COURT OF BURKE COUNTY.**

Gregory Leon Avera and Lartarsha Necole Avera have filed an original mandamus petition in this Court, seeking to have the trial court judge rule on pending motions to supplement the appellate record and direct the trial court clerk to transmit transcripts for inclusion in the appellate record in their petition for certiorari to the Supreme Court of Georgia, Case No. S26C1840.

We have already affirmed the trial’s judgment in Case No. A26A0420 (June 24, 2026). During the pendency of the appeal, we denied the petitioners’ motion to supplement the record as well as three motions for reconsideration on the issue. To the extent the petitioners seek to have us reconsider those rulings, such claims were properly addressed within the context of that appeal, and those orders remain law of the case. See *Hall v. Hill*, 366 Ga. App. 285, 291(1)(b) (882 SE2d 34) (2022) (“Under the law of the case doctrine, any issue that was raised and resolved in an earlier appeal is the law of the case and is binding on this Court.” (quotation marks omitted)). See also *Canty v. State*, 379 Ga. App. 13, 14 (927 SE2d 560) (2026) (A party “is not entitled to another bite at the apple by way of a second appeal. At some point, litigation must come to an end.” (citation modified)); *Jordan v. State*, 253 Ga. App. 510, 511(2) (559 SE2d 528) (2002) (“It is axiomatic that the same issue cannot be relitigated ad infinitum.” (quotation marks omitted)).

To the extent the petitioners seek to have the trial court rule on their motions, the procedure to be followed, except in the rarest of cases, is to file the petition in the

Here, there is no indication that the petitioners petitioned the superior court for a writ of mandamus, and this is not one of the extremely rare instances in which this Court will exercise its original jurisdiction. Thus, there is no basis for this Court to exercise its jurisdiction, and this original petition is hereby **DISMISSED**.



*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Christina Coley Smith, Clerk.