

Court of Appeals of the State of Georgia

ATLANTA, May 07, 2026

The Court of Appeals hereby passes the following order:

A26D0463. KRISHNER PRENDERGAST v. KENYATTA SIMOANE JOHNSON.

Krishner Prendergast filed this application seeking discretionary review of the trial court's order denying his motion for a change of venue in this civil action.¹ We lack jurisdiction.

The order that Prendergast wishes to appeal is not a final order. Because the case remains pending below, Prendergast was required to comply with the interlocutory appeal procedures — including obtaining a certificate of immediate review from the trial court — to obtain appellate review at this juncture. See *Mauer v. Parker Fibernet*, 306 Ga. App. 160, 161 (701 SE2d 599) (2010) (“A trial court’s ruling on the issue of removal or transfer of venue is not a directly appealable final judgment . . . , and thus, it is subject to the procedures governing interlocutory appeals.”). Although Prendergast filed an application for discretionary appeal, as described in OCGA § 5-6-35, compliance with that procedure does not excuse a party seeking appellate review of an interlocutory order from complying with the additional requirements of OCGA § 5-6-34(b). See *Bailey v. Bailey*, 266 Ga. 832, 833 (471 SE2d 213) (1996).

¹ Although Prendergast characterizes this as “a domestic relations matter involving custody,” we are unable to determine the exact nature of the proceedings from the limited materials Prendergast has submitted.

Prendergast's failure to comply with the interlocutory appeal procedures deprives us of jurisdiction over this application for discretionary appeal, which is hereby DISMISSED.



Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 05/07/2026

*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.