

Court of Appeals of the State of Georgia

ATLANTA, June 16, 2026

The Court of Appeals hereby passes the following order:

A26D0556. ANDRE BAINES v. CITY OF DOUGLASVILLE.

On April 22, 2026, the municipal court signed an order finding Andre Baines guilty of driving while his license was suspended/revoked, obscured or missing license plate, and driving on suspended registration, and ordering him to serve 12 months of probation. However, the order bears no file stamp from the court clerk showing that it was entered. On May 26, 2026, Baines filed this application seeking a discretionary appeal of the order.

On May 28, 2026, this Court issued an order requiring Baines to supplement his application with a stamped “filed” copy of the municipal court order which he seeks to appeal. Our order further informed Baines that failure to file such a copy of the order within 10 days of the date of this Court’s order would result in the application’s dismissal. Baines did not comply with this Court’s order, and his failure to comply requires that his application be dismissed.

Moreover, generally, municipal court orders must be appealed to the superior court. See OCGA § 40-13-28 (defendant convicted of traffic offense has right of appeal to superior court); *Reed v. State*, 229 Ga. App. 817, 819 (495 SE2d 313) (1997) (an appeal from a municipal court conviction lies in superior court). Where a timely application for discretionary appeal represents an attempt to appeal a municipal order, this Court will occasionally transfer that application to the municipal court with direction to send the appeal to state or superior court. See Ga. Const. of 1983, Art. VI, Sec. I, Par. VIII (“[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”); OCGA

§ 5-3-4(a) (granting superior and state courts appellate jurisdiction over final judgments of lower judicatories). Here, however, we cannot determine whether or when the municipal order at issue was entered, or if Baines's application was timely. Therefore, we decline to transfer the application.

For these reasons, the application for discretionary appeal is hereby DISMISSED.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 06/16/2026

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.