

Court of Appeals of the State of Georgia

ATLANTA, April 17, 2026

The Court of Appeals hereby passes the following order:

**A26A1614. CHINH VO v. BELLMOORE PARK HOMEOWNERS
ASSOCIATION, INC.**

In this homeowners' association dispute, the trial court entered final judgment in favor of the association in May 2025, and the homeowner, Chinh Vo, filed a motion to set aside under OCGA § 9-11-60(d). After the trial court denied the motion in February 2026, Vo filed this direct appeal. We lack jurisdiction, because an appeal from the denial of a motion to set aside under OCGA § 9-11-60(d) requires the filing of an application for discretionary appeal. See OCGA § 5-6-35(a)(8), (b); *Lemcon USA Corp. v. Icon Tech. Consulting*, 301 Ga. 888, 892 (804 SE2d 347) (2017). Compliance with the discretionary appeals procedure is jurisdictional. *Smoak v. Dep't of Human Res.*, 221 Ga. App. 257, 257 (471 SE2d 60) (1996). Thus, this appeal is hereby DISMISSED.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 04/17/2026

*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.