

Court of Appeals of the State of Georgia

ATLANTA, September 21, 2026

The Court of Appeals hereby passes the following order:

A27A0357. DAQUISHA BARBER v. HPA II BORROWER 2020-2, LLC et al.

Daquisha Barber, the defendant in this dispossessory action, filed a motion to set aside the state court's consent judgment pursuant to OCGA § 9-11-60(d). The court denied the motion, and Barber filed this direct appeal. We lack jurisdiction.

The denial of a motion to set aside under OCGA § 9-11-60(d) must be brought by application for discretionary review. See OCGA § 5-6-35(a)(8), (b); *Jim Ellis Atlanta v. Adamson*, 283 Ga. App. 116, 116 (640 SE2d 688) (2006). Compliance with the discretionary appeal procedure is jurisdictional. *Smoak v. Dep't of Human Res.*, 221 Ga. App. 257, 257 (471 SE2d 60) (1996). Thus, pretermitted other potential jurisdictional defects, Barber's failure to comply with the discretionary appeal procedure deprives us of jurisdiction over this direct appeal, which is hereby DISMISSED.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 09/21/2026

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.