

Court of Appeals of the State of Georgia

ATLANTA, August 27, 2026

The Court of Appeals hereby passes the following order:

**A27A0227. WILLIAM RUDD v. CROWN ASSET MANAGEMENT, LLC,
ASSIGNEE OF UPGRADE, INC.**

In this action to recover on a promissory note, defendant William Rudd filed this pro se direct appeal from a superior court order setting aside and re-entering a prior order granting the plaintiff's motion for summary judgment; awarding the plaintiff \$2,207.06 in principle, \$177.59 in interest and fees, and \$263.00 in court costs; and denying Rudd's motion to stay enforcement of the judgment. We lack jurisdiction.

"Although the grant of a motion for summary judgment is in general directly appealable, where the amount of the judgment is \$10,000 or less, an application for discretionary appeal is required." *Ca-Shar, Inc. v. McKesson Corp.*, 204 Ga. App. 865, 865 (420 SE2d 810) (1992) (citation modified). See OCGA § 5-6-35(a)(6), (b). Here, as the total judgment in favor of the plaintiff is for less than the statutory amount, the entry of summary judgment provides no basis for a direct appeal in this case. See *Ca-Shar, Inc.*, 204 Ga. App. at 865–66. "Compliance with the discretionary appeals procedure is jurisdictional." *Smoak v. Dep't of Human Res.*, 221 Ga. App. 257, 257 (471 SE2d 60) (1996). Consequently, Rudd's failure to comply with the discretionary

review procedure deprives us of jurisdiction over this direct appeal, which is hereby DISMISSED. See *Jennings v. Moss*, 235 Ga. App. 357, 357 (509 SE2d 655) (1998).



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Clerk's Office, Atlanta, 08/27/2026

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.