

Court of Appeals of the State of Georgia

ATLANTA, April 22, 2026

The Court of Appeals hereby passes the following order:

A26A1628. RUSSELL CARL NAST v. LAUREN C. NAST.

In this divorce case, Russell Carl Nast filed the instant direct appeal from the trial court's October 8, 2025 order confirming an arbitration award and granting a divorce between him and Lauren Nast. Lauren Nast has filed a motion to dismiss the appeal, arguing that the case is subject to the discretionary application procedure. We agree.

“[G]iven that the underlying subject matter of this case was divorce, the appropriate method for appeal from the [October 2025 order] was an application for discretionary appeal pursuant to OCGA § 5-6-35(a)(2), which applies to appeals from judgments or orders in divorce cases.” *King v. King*, 354 Ga. App. 19, 22(1) (840 SE2d 108) (2020) (footnote omitted). Because compliance with the discretionary appeals procedure is jurisdictional, *Smoak v. Dept. of Human Res.*, 221 Ga. App. 257, 257 (471 SE2d 60) (1996), the motion to dismiss is hereby GRANTED, and this appeal is hereby DISMISSED.

Lauren Nast's motion for a frivolous appeal penalty is hereby DENIED.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 04/22/2026

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.