

Court of Appeals of the State of Georgia

ATLANTA, July 16, 2026

The Court of Appeals hereby passes the following order:

**A26D0611. LARAY J. BENTON & GEORGIA W. BENTON v. CITY OF
PORT WENTWORTH et al.**

On April 16, 2026, the superior court entered an order which granted the motion filed by the City of Port Wentworth and others for a bill of peace and perpetual injunction against Laray J. Benton and Georgia W. Benton. On June 25, 2026, the Bentons filed this discretionary application, seeking to appeal that order, as well as orders the superior court issued earlier. This Court, however, lacks jurisdiction.

An application for discretionary review must be filed within 30 days of entry of the order or judgment to be appealed. See OCGA § 5-6-35(d). Compliance with this statutory deadline is an absolute requirement to confer jurisdiction in this Court, and thus, the untimely filing of a discretionary application requires its dismissal. See *Gable v. State*, 290 Ga. 81, 82(2)(a) (720 SE2d 170) (2011). The Bentons' application, which they filed 70 days after entry of the order they seek to appeal, is untimely. Accordingly, this application is hereby DISMISSED.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 07/16/2026

*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.