

Court of Appeals of the State of Georgia

ATLANTA, August 20, 2026

The Court of Appeals hereby passes the following order:

**A27O0005. LAMONT HOWARD v. SARAH J. GRIFFIE, JUDGE, SUPERIOR
COURT OF BARROW COUNTY, GEORGIA.**

Lamont Howard filed this original petition for mandamus. For reasons that follow, the petition is subject to dismissal.

The record shows that Howard filed an action in superior court. Thereafter, believing he had been aggrieved by the superior court's failure to rule on several motions or appoint him counsel, Howard filed several mandamus petitions, two of which originated in the Supreme Court and were transferred to this Court. Case Nos. S26O0098 (Sept. 16, 2025); S26O0782 (Mar. 3, 2026). This Court has considered, and rejected, Howard's mandamus petitions in this case four times. Case Nos. A26E0063 (Sept. 17, 2025); A26E0098 (Nov. 26, 2025); A26E0133 (Jan. 20, 2026); A26E0164 (Mar. 17, 2026).¹ Undeterred, on July 29, 2026, Howard filed a fifth mandamus petition in this Court.

Howard has not followed the proper procedure for invoking this Court's original mandamus jurisdiction.

Generally, the superior courts of this state have the power, in proper cases, to issue process in the nature of mandamus, prohibition, specific performance, quo warranto, and injunction, and hence the need to resort to the appellate courts for such relief by petition filed in the appellate

¹ At the time, original mandamus petitions were docketed as emergency motions. Effective March 26, 2026, however, original mandamus petitions are docketed as original petitions. See Court of Appeals Rule 40(c).

courts will be extremely rare.

Brown v. Johnson, 251 Ga. 436, 436 (306 SE2d 655) (1983), disapproved in part on other grounds, *Arnold v. Alexander*, 321 Ga. 330, 336(1) (914 SE2d 311) (2025); See also Ga. Const. of 1983, Art. VI, Sec. I, Par. IV. As the Supreme Court of Georgia has made clear, an appellate court’s authority to issue such writs “is connected only to such powers as necessary in aid of its jurisdiction or to protect or effectuate its judgments. It does not grant jurisdiction to [the appellate court] to issue process as an original matter wholly unconnected to its appellate jurisdiction.” *Arnold*, 321 Ga. at 334(1) (quotation marks omitted). Thus, except in the rarest of cases, the procedure to be followed before seeking to invoke this Court’s original mandamus jurisdiction is to file the petition in the appropriate lower court first. See *Graham v. Cavender*, 252 Ga. 123, 123 (311 SE2d 832) (1984), disapproved in part on other grounds, *Arnold*, 321 Ga. at 336(1) & n.7; *Expedia, Inc. v. City of Columbus*, 305 Ga. App. 450, 455(2)(b) (699 SE2d 600) (2010), disapproved in part on other grounds, *Arnold*, 321 Ga. at 336(1) & n.7. And there is no suggestion here that Howard first attempted to file his mandamus petition in superior court.²

Accordingly, Howard’s petition for a writ of mandamus is hereby DISMISSED.



Court of Appeals of the State of Georgia
Clerk’s Office, Atlanta, 08/20/2026

*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.

² We note that Howard filed a Judicial Qualification Commission complaint earlier this month. It appears that the Judicial Qualification Commission’s review of the allegations is ongoing.