Court of Appeals
of the State of Georgia

ATLANTA, November 05, 2026

The Court of Appeals hereby passes the following order:

A27D0288. HAYA HAJJIR JAFFAL v. ANDY JAFFAL.

Plaintiff Haya Jaffal filed this application for review of the "Final Judgment and Decree" of the trial court in this divorce action pursuant to OCGA § 5-6-35(a)(2) and (b), the discretionary appeal statute. We lack jurisdiction.

While designated a "Final Judgment" and granting a divorce, the order Haya seeks to appeal expressly reserved ruling on defendant Andy Jaffal's claims for attorney fees under OCGA §§ 9-15-14 and 19-6-2 and scheduled a hearing to address those claims and Haya's compliance with several divorce decree provisions. A trial court order that reserves ruling on a request for attorney fees under a statute other than OCGA § 9-15-14 is not final and appealable. Compare *CitiFinancial Servs. v. Holland*, 310 Ga. App. 480, 480–81 (713 SE2d 678) (2011), with *Hill v. Buttram*, 255 Ga. App. 123, 123–24 (564 SE2d 531) (2002). "[W]here, as here, a divorce is granted by an order which leaves other issues for decision in the trial court, it is an interlocutory, not a final, order." *Miller v. Miller*, 288 Ga. 274, 281(4) (705 SE2d 839) (2010) (citation modified). Accord *Carr v. Carr*, 238 Ga. 197, 197 (232 SE2d 69) (1977). See also *Planet Ins. Co. v. Ferrell*, 228 Ga. App. 264, 266 (491 SE2d 471) (1997) ("[P]leadings, motions and orders are to be construed according to their substance and function and not merely as to their nomenclature ... ."). Haya therefore was required to follow the procedures for interlocutory review as set forth in OCGA § 5-6-34(b). See *Miller v. Miller*, 282 Ga. 164, 164–65 (646 SE2d 469) (2007) (interlocutory application required to appeal "Final Judgment and Decree of Divorce" in which trial court reserved ruling on parties' eligibility for certain

government benefits); *Carr*, 238 Ga. at 197–98 (interlocutory application required to appeal judgment granting divorce where trial court reserved a decision on property settlement and alimony). Where, as here, both discretionary and interlocutory application procedures apply, an applicant must follow the interlocutory appeal procedure and obtain a timely certificate of immediate review before filing an application. See *Miller*, 282 Ga. at 164–65; *Carr*, 238 Ga. at 197–98. See also OCGA §§ 5-6-34(b); 5-6-35(a)(2), (b).

Haya's failure to follow the proper appellate procedures deprives us of jurisdiction over this application, which is hereby DISMISSED. Haya's Court of Appeals Rule 40(b) motions to stay the trial court proceedings and other related actions pending the disposition of this application, as well as her motion to supplement her application brief, are hereby DENIED as MOOT.

We may impose sanctions upon parties who file frivolous applications to appeal. See Ga. Ct. App. R. 7(e)(2). And we note that Haya's voluminous filings in this Court are largely devoid of legal authority supporting her conclusory requests for relief, some of which appear to raise for the first time issues that should be asserted in the trial court in the first instance. See generally *Trident Wholesale v. Brown*, 370 Ga. App. 505, 511(1) (897 SE2d 610) (2024) ("[W]e are a court of review, not of first view. Put another way, this is a court for the correction of errors of law; and if the trial court has not ruled on an issue, we will not address it." (citation modified)). We therefore caution Haya that any future filings found to be frivolous may result in the imposition of sanctions.

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 11/05/2026

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 Cosby Smith , *Clerk.*