

Court of Appeals of the State of Georgia

ATLANTA, July 01, 2026

The Court of Appeals hereby passes the following order:

A26D0587. CEDRIC HERBERT v. BIBB COUNTY BOARD OF COMMISSIONERS et al.

Cedric Herbert filed an action against the Bibb County Board of Commissioners, Altumint, Inc, and the Georgia Department of Revenue. On May 21, 2026, the superior court entered orders granting the defendants’ motions to dismiss, dismissing all claims asserted by Herbert, and directing that the clerk of court close the case. Herbert, appearing pro se, filed this timely “Application for Direct Appeal,” which this Court construes as an application for discretionary appeal. No discretionary application is required, however, as a final judgment is directly appealable under OCGA § 5-6-34(a)(1), and this action does not appear to fall within one of the categories of cases for which a discretionary application is required to seek appellate review under OCGA § 5-6-35(a).

Under OCGA § 5-6-35(j), this Court will grant a timely application for discretionary review if the lower court’s order is subject to direct appeal. See *City of Rincon v. Couch*, 272 Ga. App. 411, 412 (612 SE2d 596) (2005). Accordingly, this application is hereby GRANTED. Herbert shall have ten days from the date of this order to file a notice of appeal in the superior court. See OCGA § 5-6-35(g). If he has already filed a notice of appeal in the superior court, then he need not file a second notice. The clerk of the superior court is DIRECTED to include a copy of this order

in the record transmitted to the Court of Appeals.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 07/01/2026

*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.