

Court of Appeals of the State of Georgia

ATLANTA, June 04, 2026

The Court of Appeals hereby passes the following order:

A26A2069. WARRINGTON ENTERPRISES, LLC v. MARVIN LOPEZ.

Marvin Lopez filed a complaint for damages against Warrington Enterprises, LLC d/b/a American Crane Services (“Warrington”) and others. After Warrington failed to answer, Lopez moved for default judgment, which the trial court granted as to liability. Warrington subsequently moved to open default. On January 8, 2026, the trial court entered an order denying Warrington’s motion to open default. Warrington filed a motion for reconsideration of that order, which the trial court denied on March 11, 2026. Warrington filed a notice of appeal on April 10, 2026. We, however, lack jurisdiction.

Pretermitted whether Warrington is entitled to a direct appeal, its notice of appeal was untimely. A notice of appeal must be filed within 30 days of entry of the order to be appealed. OCGA § 5-6-38(a). The proper and timely filing of a notice of appeal is an absolute requirement to confer jurisdiction upon this Court. *Perry v. Paul Hastings, LLP*, 362 Ga. App. 140, 141 (866 SE2d 855) (2021). The denial of a motion for reconsideration is not itself appealable and does not extend the time for filing a notice of appeal. *Mosher v. Mosher*, 378 Ga. App. 187, 189 (919 SE2d 831) (2025). Here, the appeal is untimely as to the January 5, 2026 final order, as it was filed 92 days after entry of the order. And the appeal is improper as to the denial of the motion for reconsideration.

Accordingly, this appeal is hereby DISMISSED.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 06/04/2026

*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.