

Court of Appeals of the State of Georgia

ATLANTA, September 23, 2026

The Court of Appeals hereby passes the following order:

A27A0332. REGINALD WHISENTON et al. v. GLOBAL ACCOUNTING NETWORK, INC.

Plaintiff Global Accounting Network, Inc. filed an action against Defendants Reginald Whisenton and Winters Staffing Group, LLC, alleging fraud/embezzlement and breach of fiduciary duty and seeking punitive damages and attorney fees pursuant to OCGA § 13-6-11. After the defendants failed to appear for trial, the trial court entered a default judgment against the defendants and awarded plaintiff damages, reserving the issue of attorney fees for a later hearing. Defendants then filed this direct appeal. We, however, lack jurisdiction.

“Generally, an order is final and appealable when it leaves no issues remaining to be resolved, constitutes the court’s final ruling on the merits of the action, and leaves the parties with no further recourse in the trial court.” *Thomas v. Douglas County*, 217 Ga. App. 520, 522(1) (457 SE2d 835) (1995). “Where there is no final order, a party must comply with the rules for interlocutory appeal, which require obtaining a certificate of review from the trial court and permission from this [C]ourt to bring the appeal. OCGA § 5-6-34(b).” *Smith v. Millsap*, 369 Ga. App. 430, 436(2)(a) (893 SE2d 833) (2023) (quotation marks omitted). If an order reserves the issue of attorney fees under OCGA § 13-6-11, the order is not final under OCGA § 5-6-34(a)(1)(B) and compliance with the interlocutory appeal procedures is required. *Sotter v. Stephens*, 291 Ga. 79, 83–84 (727 SE2d 484) (2012).

Because the trial court’s order here reserved ruling on plaintiff’s request for attorney fees under OCGA § 13-6-11, the order was not final, and the defendants were

required to comply with the interlocutory appeal procedures. Their failure to do so deprives us of jurisdiction over this appeal. Accordingly, this appeal is hereby DISMISSED.



Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 09/23/2026

*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.