

Court of Appeals of the State of Georgia

ATLANTA, September 17, 2026

The Court of Appeals hereby passes the following order:

A27D0113. SHANTA SMITH v. STATION R APARTMENTS, LLC d/b/a STATION R.

Station R Apartments, LLC d/b/a Station R brought a dispossessory proceeding against Shanta Smith in the State Court of Fulton County. On August 25, 2026, the trial court entered an order striking Smith's answer and counterclaim and granting Station R a writ of possession and \$8,443.00 for past-due rent. Smith filed an application for discretionary appeal in this Court on September 1, 2026.

Given that the monetary judgment awarded for past-due rent exceeded \$2,500.00, no other provision of OCGA § 5-6-35 seems to apply, and the order appears to resolve all claims, Smith had a right of direct appeal from the trial court's order. See OCGA § 5-6-34(a)(1); OCGA § 5-6-35(a)(3) (requiring a discretionary application in dispossessory cases only "in which the only issue to be resolved is the amount of rent due and such amount is \$2,500.00 or less").

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. Accordingly, this application is hereby GRANTED. Smith shall have ten days from the date of this order to file a notice of appeal in the trial court, if she has not already done so. See OCGA § 5-6-35(g).

The clerk of the trial court is DIRECTED to include a copy of this order in the record transmitted to this Court upon the filing of the notice of appeal.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 09/17/2026

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.