

Court of Appeals of the State of Georgia

ATLANTA, June 30, 2026

The Court of Appeals hereby passes the following order:

A26D0586. TENDAI DAS v. CARETHA CLIFTON.

Tendai Das filed this application for discretionary appeal seeking review of a judgment entered by the Magistrate Court of Fulton County in this dispossessionary case. We lack jurisdiction.

Ordinarily, “the only avenue of appeal available from a magistrate court judgment is provided by OCGA § 15-10-41(b)(1), which allows for a de novo appeal to the state or superior court.” *Tate v. Habif*, 367 Ga. App. 435, 438–39(2) (886 SE2d 389) (2023) (punctuation omitted); see also OCGA § 5-3-1 *et seq.* (describing state and superior court appellate procedure). “Thus, this Court has jurisdiction to address a magistrate court order only if the order has been reviewed by a state or superior court.” *Harris v. Reserve at Hollywood LLC*, 376 Ga. App. 553, 553 (920 SE2d 163) (2025). However, the Georgia Constitution provides that “[a]ny court shall transfer to the appropriate court in the state any civil case in which it determines that jurisdiction or venue lies elsewhere.” Ga. Const. of 1983, Art. VI, Sec. I, Par. VIII; accord Court of Appeals Rule 11(b).

To the extent Das’ application may be construed as a petition for review, it is hereby TRANSFERRED to the Magistrate Court of Fulton County with direction to transmit it to the state or superior court for disposition as appropriate. We recognize that we are in possession of limited material and that our determination that jurisdiction may lie in another court is limited by the dearth of information. This order should therefore not constrain either the magistrate court or the state or superior

court to the extent those courts determine either that Das has not perfected the right to appeal or that jurisdiction lies elsewhere.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 06/30/2026

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.