

Court of Appeals of the State of Georgia

ATLANTA, October 06, 2026

The Court of Appeals hereby passes the following order:

A27A0460. ANGELINA MARIA CORTEZ v. NAJARIAN CAPITAL, LLC.

In this dispossessory proceeding, following an adverse ruling in magistrate court, Angelina Maria Cortez appealed to superior court. On January 28, 2026, the superior court dismissed Cortez’s appeal because she failed to pay rent into the registry of the court. On February 9, 2026, Cortez filed a direct appeal. We lack jurisdiction.

Pretermitted whether Cortez’s appeal is timely,¹ an appeal from a superior court decision reviewing a lower court decision must be initiated by filing an application for discretionary review. OCGA § 5-6-35(a)(1), (b); *Bullock v. Sand*, 260 Ga. App. 874, 875 (581 SE2d 333) (2003). “Compliance with the discretionary appeals procedure is jurisdictional.” *Smoak v. Dep’t of Human Res.*, 221 Ga. App. 257, 257

¹ A notice of appeal in a dispossessory action must be filed within seven days of entry of the order to be appealed. OCGA § 44-7-56(b)(1); *Stubbs v. Local Homes, LLC*, 375 Ga. App. 513, 514 (915 SE2d 91) (2025).

(471 SE2d 60) (1996). Because Cortez failed to file a discretionary application, we lack jurisdiction to consider this appeal, which is hereby DISMISSED.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 10/06/2026

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.