

Court of Appeals of the State of Georgia

ATLANTA, April 23, 2026

The Court of Appeals hereby passes the following order:

A26A1766. RICKY R. FRANKLIN v. CARRINGTON MORTGAGE SERVICES, LLC et al.

In October 2025, the trial court awarded defendants Carrington Mortgage Services, LLC and Wilmington Savings Fund Society, FSB as Trustee of Stanwich Mortgage Loan Trust H's motion for attorney fees pursuant to OCGA § 9-15-14(b), and ordered plaintiff Ricky R. Franklin to pay \$14,354.50 in attorney fees and costs. Franklin moved for a new trial and to set aside the attorney fee award. The trial court denied Franklin's motions, and he filed this direct appeal. We, however, lack jurisdiction.

An appeal from a trial court order awarding attorney fees under OCGA § 9-15-14 must be initiated by filing an application for discretionary review. OCGA § 5-6-35 (a)(10), (b); *Low v. Swift*, 367 Ga. App. 874, 876 (889 SE2d 122) (2023). "Compliance with the discretionary appeals procedure is jurisdictional." *Hair Restoration Specialists v. State of Ga.*, 360 Ga. App. 901, 903 (862 SE2d 564) (2021) (citation and punctuation omitted). And "[f]ailure to file an application when one is necessary requires that the appeal be dismissed." *Evans v. Jackson*, 368 Ga. App. 170, 173 (1)(b) (889 SE2d 343) (2023) (citation and punctuation omitted).

Franklin's failure to comply with the discretionary appeals procedure deprives us of jurisdiction over this appeal, which is hereby DISMISSED.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 04/23/2026

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.