

Court of Appeals of the State of Georgia

ATLANTA, September 17, 2026

The Court of Appeals hereby passes the following order:

A26A2448. JENNIFER FARMER v. JONATHAN Z. FRIERSON.

In this post-divorce proceeding, Jennifer M. Farmer filed a petition to modify parenting time and child support against Jonathan Z. Frierson, and Frierson counterclaimed for a modification of parenting time and child support and sought to hold Farmer in contempt for failure to comply with the visitation schedule. Both parties filed motions to compel, which the trial court granted on February 26, 2026. The trial court entered the final order on contempt, modification, and child support on March 3, 2026, finding a material change in condition that warranted a modification of parenting time and child support, but it reserved the issue of attorney fees. Farmer filed the instant notice of appeal. We, however, lack jurisdiction.

It is clear from the trial court's order that the case remains pending below, and no final judgment has been entered, as attorney fees were reserved for future determination. Thus, the order that Farmer wishes to appeal is interlocutory in nature. See OCGA § 5-6-34 (a) (1), (b). As a general rule, "[a]ll judgments or orders in child custody cases awarding, refusing to change, or modifying child custody" are directly appealable, including interlocutory custody orders. See OCGA § 5-6-34 (a) (11); *Lacy v. Lacy*, 320 Ga. App. 739, 742 (3) (740 SE2d 695) (2013). Where as here, however, an order modifying custody also addresses additional issues, we look to the specific issue the party seeks to raise on appeal to determine whether that party is entitled to a direct appeal. See *Voyles v. Voyles*, 301 Ga. 44, 45–47 (799 SE2d 160) (2017). Farmer does not seek to appeal the trial court's modification of parenting time or any other substantive custody issues. Rather, she challenges the child support calculation, the

ruling holding her in contempt for a discovery violation, the language in the order regarding advance notice for changes in parenting time availability, and evidentiary rulings. The appeal of these issues in a domestic relations case are subject to the discretionary appeal statute. OCGA § 5-6-35 (a)(2), (b).

Where both discretionary and interlocutory appeal procedures apply, an applicant must follow the interlocutory appeal procedures and obtain a timely certificate of immediate review from the trial court before filing an application. *See Bailey v. Bailey*, 266 Ga. 832, 832–33 (471 SE2d 213) (1996); *Scruggs v. Ga. Dep't. of Human Res.*, 261 Ga. 587, 588–89(1) (408 SE2d 103) (1991). Accordingly, Farmer was required to follow the procedures for interlocutory review as set forth in OCGA § 5-6-34 (b) by timely seeking a certificate of immediate review in the trial court and thereafter filing an application for an interlocutory appeal. Farmer's failure to comply with the interlocutory appeal requirements deprives us of jurisdiction to consider this direct appeal, which is hereby DISMISSED.



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.