

Court of Appeals of the State of Georgia

ATLANTA, September 08, 2026

The Court of Appeals hereby passes the following order:

A27O0009. SHEKIL ROSE v. RONDA S. COLVIN, JUDGE.

Shekil Rose has filed a petition for original mandamus relief, requesting that this Court compel the state court judge in Rose’s underlying civil action to vacate two of the judge’s orders, “recognize the unsworn corporate discovery defaults” of the defendants, and restore the case to the jury trial calendar. Because Rose has not shown that this is one of those rare cases requiring the deployment of our limited powers of original mandamus, we dismiss the petition.

“Generally, the superior courts of this state have the power, in proper cases, to issue process in the nature of mandamus, prohibition, specific performance, quo warranto, and injunction, and hence the need to resort to the appellate courts for such relief by petition filed in the appellate courts will be extremely rare.” *Brown v. Johnson*, 251 Ga. 436, 436 (306 SE2d 655) (1983); see also Ga. Const. of 1983, Art. VI, Sec. I, Par. IV. As the Supreme Court of Georgia recently made clear, an appellate court’s authority to issue such writs “is connected only to such powers as necessary in aid of its jurisdiction or to protect or effectuate its judgments. It does not grant jurisdiction to [the appellate court] to issue process as an original matter wholly unconnected to its appellate jurisdiction.” *Arnold v. Alexander*, 321 Ga. 330, 334(1) (914 SE2d 311) (2025) (punctuation omitted). Thus, except in the rarest of cases, the procedure to be followed before seeking to invoke this Court’s original mandamus jurisdiction is to file the petition in the appropriate lower court first. See *Graham v. Cavender*, 252 Ga. 123, 123 (311 SE2d 832) (1984); *Expedia, Inc. v. City of Columbus*, 305 Ga. App. 450, 455(2)(b) (699 SE2d 600) (2010).

Here, Rose has not shown that this original mandamus petition is related to any appeal or impending appeal in this Court or is necessary in aid of our appellate jurisdiction or to protect or effectuate any appellate court judgments. See *Arnold*, 321 Ga. at 334(1). Furthermore, there is no indication that Rose petitioned the superior court for a writ of mandamus, and this is not one of the extremely rare instances in which this Court will exercise its original jurisdiction. See *Graham*, 252 Ga. at 123; *Expedia, Inc.*, 305 Ga. App. at 455(2)(b). Thus, there is no basis for this Court to exercise its jurisdiction, and this original petition is hereby DISMISSED.



Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 09/08/2026

*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.