

Court of Appeals of the State of Georgia

ATLANTA, July 17, 2026

The Court of Appeals hereby passes the following order:

**A26A2404. MATTIE S. CHILDS, AS ADMINISTRATOR OF THE ESTATE
OF JESSE C. MAYS v. LAUREN WILLIAMSON, COUNTY
ADMINISTRATOR et al.**

In this action concerning real estate, the trial court entered a final order on April 6, 2026, dismissing the action and awarding attorney fees under OCGA § 9-15-14(b). Mattie S. Childs then filed a motion for reconsideration, to vacate the court's order, and to enforce a previous 2019 final order. The court denied the motion on May 11, 2026, and Childs filed a notice of appeal on June 6, 2026. We lack jurisdiction.

First, a notice of appeal must be filed within 30 days of entry of the order to be appealed. OCGA § 5-6-38(a). The proper and timely filing of a notice of appeal is an absolute requirement to confer jurisdiction upon this Court. *Perry v. Paul Hastings, LLP*, 362 Ga. App. 140, 141 (866 SE2d 855) (2021). The denial of a motion for reconsideration is not itself appealable and does not extend the time for filing a notice of appeal. *Mosher v. Mosher*, 378 Ga. App. 187, 189 (919 SE2d 831) (2025). Here, the appeal is untimely as to the April 6, 2026 final order, as it was filed 61 days after entry of the order.

Second, to the extent Childs's motion may be construed as a motion to set aside under OCGA § 9-11-60(d), an appeal from the denial of a motion to set aside under OCGA § 9-11-60(d) must be initiated by filing an application for discretionary review. OCGA § 5-6-35(a)(8), (b); *Lemcon USA Corp. v. Icon Technology Consulting*, 301 Ga. 888, 892 (804 SE2d 347) (2017). Compliance with the discretionary appeals procedure is jurisdictional. *Smoak v. Dept. of Human Resources*, 221 Ga. App. 257, 257

(471 SE2d 60) (1996). Childs's failure to follow the required appellate procedure deprives us of jurisdiction over this direct appeal.

For these reasons, we lack jurisdiction over this appeal, which is hereby DISMISSED.



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Clerk's Office, Atlanta, 07/17/2026

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.