

Court of Appeals of the State of Georgia

ATLANTA, October 14, 2026

The Court of Appeals hereby passes the following order:

A27O0012. DANNY DUNN v. BRIAN HOUSE, JUDGE et al.

Danny Dunn filed this original petition for extraordinary relief in the Supreme Court, which transferred the matter to this Court. See Case No. S27M0198 (Sept. 14, 2026). For the reasons that follow, his petition is dismissed.

The relevant facts show that, following his divorce, Dunn has been engaged in ongoing litigation against his ex-wife and the Lookout Mountain Circuit superior court judges, resulting in numerous civil actions and appeals. In the instant matter, Dunn alleges that in August 2026, he attempted to file several motions in the underlying divorce case and a related action, but Judge Brian House screened and rejected those filings. Dunn asserts the rejections were improper because a recusal order had been entered in the divorce case and Judge House was a “party with a direct interest in the outcome” of the related action. Dunn then attempted to file a petition for writ of mandamus within those same actions, seeking to compel Judge House’s recusal and challenging the constitutionality of various court procedures. When Judge House rejected that filing as well, Dunn filed the instant original petition for extraordinary relief, seeking a ruling compelling Judge House’s recusal and directing that all remaining matters be heard by an impartial judicial officer.

Based on the content of Dunn’s petition, we construe it as a request for a writ of mandamus. Pretermitted whether this Court has the authority to provide the requested relief, see Ga. Const. of 1983, Art. VI, Sec. I, Par. IV (granting to appellate courts “the power to issue process in the nature of mandamus, prohibition, specific performance, quo warranto, and injunction”), “it will be an ‘extremely rare’ circumstance that would require a party to seek a writ of mandamus in [an appellate court] in the first instance.” *Arnold v. Alexander*, 321 Ga. 330, 335(1) n.6 (914 SE2d 311) (2025). See also *Brown v. Johnson*, 251 Ga. 436, 436 (306 SE2d 655) (1983), disapproved in part on other grounds, *Arnold*, 321 Ga. at 336(1). “The writ of mandamus is properly issued only if (1) no other adequate legal remedy is available to effectuate the relief sought; and (2) the applicant has a clear legal right to such relief.” *Bibb County v. Monroe County*, 294 Ga. 730, 734(2) (755 SE2d 760) (2014). Furthermore, as explained by the Supreme Court of Georgia, 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*, 321 Ga. at 334(1) (quotation marks omitted).

Here, Dunn’s petition must be dismissed for at least two reasons. First, he has no appeals currently pending in this Court. Because our authority to issue extraordinary writs extends only to actions necessary in aid of our existing jurisdiction or to protect our judgments, this Court lacks jurisdiction to issue process as an original matter wholly unconnected to a pending appeal. See *Arnold*, 321 Ga. at 334(1). Second, to the extent Dunn claims he was prevented from seeking relief below because Judge House rejected his trial court filings, the record shows that Dunn improperly attempted to file his mandamus petition as a motion within his existing superior court cases rather than initiating a freestanding mandamus action. See generally *Allen v. Daker*, 311 Ga. 485, 503(3) (858 SE2d 731) (2021) (noting that the appellant “improperly” tried to seek mandamus “as a motion in his criminal case rather than as a freestanding mandamus action”). Consequently, Dunn has failed to demonstrate

that he was improperly prevented from utilizing the proper avenues for relief in the lower court or that his case is one of the “extremely rare” instances where it would be appropriate for this Court to exercise its original jurisdiction. See Ga. Ct. App. R. 40(c); *Arnold*, 321 Ga. at 335(1) & n.6; *Bibb County*, 294 Ga. at 734(2). Accordingly, this petition is hereby DISMISSED.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 10/14/2026

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.