

Court of Appeals of the State of Georgia

ATLANTA, August 12, 2026

The Court of Appeals hereby passes the following order:

**A27A0002. EDDIE SILAS HENDERSON, JR. v. LVNV FUNDING LLC, AS
ASSIGNEE OF DISCOVER FINANCIAL SERVICES.**

In this garnishment action, pro se defendant Eddie Henderson, Jr., filed two notices of appeal: one from a trial court order purportedly entered on June 8, 2026,¹ and one from an order entered on June 25, 2026. We lack jurisdiction.

An appeal in a case involving garnishment must be initiated by filing an application for discretionary review. OCGA § 5-6-35(a)(4), (b); *Maloy v. Ewing*, 226 Ga. App. 490, 491 (486 SE2d 708) (1997). See *Prison Health Servs. v. Ga. Dep't of Admin. Servs.*, 265 Ga. 810, 811(1) (462 SE2d 601) (1995) (an order is subject to the discretionary review procedure “if the underlying subject matter of the appeal is one contained in OCGA § 5-6-35”). “Compliance with the discretionary appeals procedure is jurisdictional.” *Smoak v. Dep't of Human Res.*, 221 Ga. App. 257, 257 (471 SE2d 60) (1996). Consequently — and pretermitted whether this appeal suffers from one or more additional jurisdictional defects — Henderson’s failure to comply with the discretionary review procedure deprives us of jurisdiction over this direct

¹ The record on appeal contains no order entered on that date. It appears that Henderson may have intended to appeal orders entered on January 20, February 9, March 9, and/or June 9, 2026.

appeal, which is hereby DISMISSED. See *Maloy*, 226 Ga. App. at 491; *Smoak*, 221 Ga. App. at 257–58.



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Clerk's Office, Atlanta, 08/12/2026

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.