

Court of Appeals of the State of Georgia

ATLANTA, September 17, 2026

The Court of Appeals hereby passes the following order:

A27A0323, A27D0077, A27D0107. LESHON NELSON v. EVI CWS QUILL, LLC d/b/a THE QUILL.

This case originated as a dispossessory matter in magistrate court. In 2023, the magistrate court found in favor of EVI CWS Quill, LLC, and LeShon Nelson filed a petition for review in superior court.¹ On December 8, 2025, the superior court entered a final order and writ of possession. Nelson filed a direct appeal from the ruling, which we dismissed for failure to file a discretionary application. See Case No. A26A1049 (Jan. 7, 2026).² On August 13, 2026, the superior court reissued its writ of possession, and on August 21, 2026, the superior court issued an order authorizing execution of the writ.

In Case No. A27D0077, Nelson has filed an application for discretionary review of the reissued August 13 writ, and in Case No. A27D0107, Nelson has filed an application for discretionary review of the superior court's August 21 order. Both of

¹ The superior court ultimately issued its own writ of possession and thereafter dismissed Nelson's appeal from its order, and Nelson filed an application for discretionary appeal from these rulings, which we granted. See Case No. A25D0223 (Feb. 11, 2025). In an unpublished opinion, we reversed the superior court's ruling dismissing Nelson's appeal. See Case No. A25A1208 (Sept. 8, 2025).

² On January 27, 2026, the superior court entered an order requiring Nelson to post a supersedeas bond, and Nelson also filed a direct appeal from that ruling, which we also dismissed as untimely and for failure to file a discretionary application. See Case No. A26A1437 (Mar. 11, 2026).

Nelson's applications for discretionary review are hereby DENIED.

Along with her discretionary application in Case No. A27D0107, Nelson has also filed a direct appeal from the August 21 order in Case No. A27A0323. As we have repeatedly explained in our prior orders dismissing Nelson's direct appeals, an appeal from a superior court decision reviewing a lower court decision must be initiated by filing an application for discretionary review. OCGA § 5-6-35(a)(1), (b); *Bullock v. Sand*, 260 Ga. App. 874, 875 (581 SE2d 333) (2003). "Compliance with the discretionary appeals procedure is jurisdictional." *Smoak v. Dep't of Human Res.*, 221 Ga. App. 257, 257 (471 SE2d 60) (1996). Because this case arises out of an appeal from magistrate court to superior court, Nelson can only appeal by way of a discretionary application. For this reason, Case No. A27A0323 is hereby DISMISSED for lack of jurisdiction.



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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.