

Court of Appeals of the State of Georgia

ATLANTA, July 30, 2026

The Court of Appeals hereby passes the following order:

A26A2291. WILLIAM HART v. JENNIFER BURTNER-CHAN.

Jennifer Burtner-Chan filed this dispossessory action against William Hart in Gwinnett County Magistrate Court. The magistrate court issued a writ of possession and judgment in favor of Burtner-Chan, and Hart appealed to the Gwinnett County State Court. The state court also entered judgment in favor of Burtner-Chan, and Hart then filed this direct appeal. We, however, lack jurisdiction.

An appeal from a state court order disposing of a de novo appeal from a magistrate court decision must be initiated by filing an application for discretionary review. OCGA § 5-6-35 (a)(11), (b); *Strachan v. Meritor Mtg. Corp. East*, 216 Ga. App. 82, 82 (453 SE2d 119) (1995). “Compliance with the discretionary appeals procedure is jurisdictional.” *Hair Restoration Specialists v. State of Ga.*, 360 Ga. App. 901, 903 (862 SE2d 564) (2021) (quotation marks omitted).

Hart's failure to follow the procedures for a discretionary appeal deprives us of jurisdiction over this appeal, which is hereby DISMISSED.



Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 07/30/2026

*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.