

Court of Appeals of the State of Georgia

ATLANTA, October 13, 2026

The Court of Appeals hereby passes the following order:

A27O0020. MILAN MACEK v. NATHAN A. CRAWFORD, JUDGE.

Milan Macek has filed a pro se petition for a writ of mandamus against Barrow County Superior Court Judge Nathan Andrew Crawford.¹ While the relief sought from this Court by Macek in his pro se petition is difficult to discern, we construe the petition as seeking an order of this Court, pursuant to our original mandamus jurisdiction: (a) directing unidentified superior court personnel to adjudicate a mandamus petition he claims to have filed against Judge Crawford in the superior court on August 3, 2026; (b) alternatively, adjudicating that petition in the first instance; and (c) directing the preservation and/or requiring the production of certain superior court records. For the reasons that follow, we lack jurisdiction.

“Mandamus is an extraordinary remedy to compel a public officer to perform his or her duty.” *Baez v. Miller*, 266 Ga. 211, 211 (465 SE2d 671) (1996) (citing OCGA § 9-6-20).

Generally, the superior courts of this state have the power, in proper cases, to issue process in the nature of mandamus, prohibition, specific

¹ Macek’s petition identifies Judge Crawford as “Andrew H. Crawford.” Macek initially filed this petition in the Supreme Court of Georgia, which transferred the matter to this Court. See *Macek v. Crawford*, Case No. S27O0134 (Sept. 22, 2026). The petition appears to be related to a civil action instituted by Macek in the superior court. Macek’s appeal from the dismissal of his claims in that action is currently pending before this Court in Case No. A27A0296.

performance, quo warranto, and injunction, and hence the need to resort to the appellate courts for such relief by petition filed in the appellate courts will be extremely rare.

Brown v. Johnson, 251 Ga. 436, 436 (306 SE2d 655) (1983), disapproved in part on other grounds, *Arnold v. Alexander*, 321 Ga. 330, 336(1) (914 SE2d 311) (2025). See also Ga. Const. of 1983, Art. VI, Sec. I, Par. IV. 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). Thus, “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.” *Id.* at 335(1) n.6.

Here, Macek complains of the superior court’s delay in assigning a case number to the mandamus petition he filed in that court and adjudicating a request to proceed in forma pauperis in the mandamus proceeding. It appears that, in his superior court mandamus petition, Macek sought, in relevant part, a ruling on certain requests he had made in another superior court civil action for accommodations under the Americans with Disabilities Act of 1990 (the “ADA”), 42 USC § 12101 et seq. As Macek acknowledges, however, the superior court issued an order adjudicating his ADA accommodation requests on August 6, 2026. It therefore appears that Macek’s superior court mandamus petition is moot, which necessarily renders his request for adjudication of that petition moot. See *Hughes v. Ga. Dep’t of Corr.*, 267 Ga. App. 440, 443(2) (600 SE2d 383) (2004) (“An issue is moot when a determination is sought on a matter which, when rendered, cannot have any practical effect on the existing controversy.” (quotation marks omitted)). See also *R. A. F. v. Robinson*, 286 Ga. 644, 646(1) (690 SE2d 372) (2010) (“[O]nce the public duty has occurred, the prayer that mandamus be issued compelling a public officer to perform that public duty is moot.” (quotation marks omitted)); *Baex*, 266 Ga. at 211 (affirming the dismissal of a

mandamus petition as moot because the respondent had performed the public duty sought to be compelled). Consequently — and pretermitted whether the superior court’s alleged delay in adjudicating the mandamus petition Macek claims to have filed in that court otherwise may have presented one of the extremely rare instances in which this Court will grant mandamus relief, see *Arnold*, 321 Ga. at 335(1) n.6 — his current mandamus petition is hereby DISMISSED for lack of jurisdiction. See *Jayko v. State*, 335 Ga. App. 684, 685 (782 SE2d 788) (2016) (“Mootness is a jurisdictional matter. When the remedy sought in litigation no longer benefits the party seeking it, the case is moot and must be dismissed.” (citation modified)).



Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 10/13/2026

*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.