

# Court of Appeals of the State of Georgia

ATLANTA, July 17, 2026

*The Court of Appeals hereby passes the following order:*

## **A26A2457. TOMAS E. ESPINOSA v. JESSICA MALDONADO ESPINOSA.**

One day after a final divorce decree was entered, Tomas E. Espinosa (“Espinosa”) filed a motion for contempt, alleging his ex-wife, Jessica A. Maldonado-Espinosa was refusing to abide by the parenting plan. The trial court dismissed the motion, and Espinosa filed this appeal. We, however, lack jurisdiction.

Appeals from judgments or orders in domestic relations cases, including orders “holding or declining to hold persons in contempt,” must be made by application for discretionary appeal. See OCGA § 5-6-35(a)(2), (b); see also *Russo v. Manning*, 252 Ga. 155, 156 (312 SE2d 319) (1984) (“A judgment of contempt regarding a domestic relations decree is appealable only by application for discretionary appeal.”). “Compliance with the discretionary appeals procedure is jurisdictional.” *Hair Restoration Specialists v. State of Ga.*, 360 Ga. App. 901, 903 (862 SE2d 564) (2021). Thus, Espinosa’s failure to follow the discretionary appeals procedure deprives us of jurisdiction over this appeal, which is hereby DISMISSED.



*Court of Appeals of the State of Georgia*

*Clerk's Office, Atlanta, 07/17/2026*

*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.*