

Court of Appeals of the State of Georgia

ATLANTA, August 27, 2026

The Court of Appeals hereby passes the following order:

**A27D0060. LESILEE ALABRE v. CARDINAL GROUP ATLANTA I LLC
d/b/a WESTMAR STUDENT LOFTS.**

On August 6, 2026, the Fulton County Magistrate Court entered an order granting plaintiff Cardinal Group Atlanta I LLC d/b/a Westmar Student Lofts a writ of possession and awarding the plaintiff past-due rent and court costs. Defendant Lesilee Alabre filed this pro se application for discretionary review on August 11, 2026, seeking leave to appeal the August 6 magistrate court order. We lack jurisdiction.

Ordinarily, the only avenue of appeal available from a magistrate court judgment is provided by OCGA § 15-10-41(b)(1), which provides for appellate review in the state or superior court. See *Tate v. Habif*, 367 Ga. App. 435, 438–39(2) (886 SE2d 389) (2023). Thus, this Court has jurisdiction to address a magistrate court order only if it has been reviewed by a state or superior court. See *Westwind Corp. v. Washington Fed. S & L Ass’n*, 195 Ga. App. 411, 411(1) (393 SE2d 479) (1990); *Baker v. G. T., Ltd.*, 194 Ga. App. 450, 451(3) (391 SE2d 1) (1990). The Georgia Constitution provides that “[a]ny court shall transfer to the appropriate court in the state any civil case in which it determines that jurisdiction or venue lies elsewhere.” Ga. Const. of 1983, Art. VI, Sec. I, Par. VIII. Accord Ga. Ct. App. R. 11(b).

Accordingly, to the extent that this filing may be construed as a petition for review under OCGA § 5-3-1 et seq., it is hereby TRANSFERRED to the Fulton County Magistrate Court with direction to transmit it to the state or superior court for disposition as appropriate. We recognize that we are in possession of limited materials

and that our determination that jurisdiction may lie in another court is limited by the dearth of information. Thus, our ruling should not constrain either the magistrate court or the state or superior court to the extent that those courts determine either that Alabre has not perfected the right to appeal or that jurisdiction lies elsewhere.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 08/27/2026

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.