

Court of Appeals of the State of Georgia

ATLANTA, October 02, 2026

The Court of Appeals hereby passes the following order:

A27A0513. KIMBERLEE SULLIVAN v. SHEILA RIMSNIDER et al.

Kimberlee Sullivan filed a petition to set aside deeds to a residence. After the defendants fell into default, Sullivan filed a motion for default judgment. On September 19, 2025, the trial court issued an order denying the motion, ruling that even if every factual allegation in Sullivan’s petition were true, she was not entitled to the relief sought. This Court granted Sullivan’s application for interlocutory review of the September 19, 2025 order. Case No. A26I0053 (Oct. 27, 2025). This Court then affirmed the September 19, 2025 order, concluding that the trial court’s ruling was correct. Case No. A26A0797 (June 25, 2026). Upon the remittitur being filed in the trial court, the trial court issued a final order making its September 19, 2025 order its judgment and directing the clerk to mark the case closed. Sullivan then filed the instant appeal.

Under the “law of the case” doctrine, “any ruling by the Supreme Court or the Court of Appeals in a case shall be binding in all subsequent proceedings in that case in the lower court and in the Supreme Court or the Court of Appeals as the case may be.” OCGA § 9-11-60(h). Indeed, “[i]t is well established that any issue that was raised and resolved in an earlier appeal is the law of the case and is binding on this Court.” *Ross v. State*, 310 Ga. App. 326, 327 (713 SE2d 438) (2011) (citation modified). Thus, in this case both the trial court and this Court are bound by this Court’s decision in Case No. A26A0797 and are precluded by the law of the case from revisiting it. See *Southern States Chem. v. Tampa Tank & Welding*, 316 Ga. 701, 716(3) (888 SE2d 553) (2023). And because the trial court’s final order simply made its

September 19, 2025 order its judgment, Sullivan is barred from challenging the final order in this appeal. See *Ross*, 310 Ga. App. at 327–28 (dismissing an appeal that “involve[d] the exact same subject matter” as a previous appeal and noting that a party “is not entitled to multiple bites at the apple” via a second appeal); *Echols v. State*, 243 Ga. App. 775, 776 (534 SE2d 464) (2000) (“It is axiomatic that the same issue cannot be relitigated ad infinitum. The same is true of appeals of the same issue on the same grounds. Our determination in the earlier appeal is res judicata; the instant appeal is therefore barred, and we are without jurisdiction to review this same matter for a second time.”).

For the foregoing reasons, this appeal is hereby DISMISSED.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 10/02/2026

*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.