

Court of Appeals of the State of Georgia

ATLANTA, April 30, 2026

The Court of Appeals hereby passes the following order:

A26A1885. GAIL WYNN v. GEORGE AND JAMAL ‘RASHAD PATTERSON CONSULTING, LLC.

George and Jamal ‘Rashad Patterson Consulting, LLC (“Patterson”) sued Gail Wynn in magistrate court, alleging that she failed to pay for repair work on her residence. The magistrate court entered judgment in favor of Patterson and later found Wynn in contempt for failing to respond to post-judgment discovery. Wynn filed a petition for review in the state court. Patterson filed motions to dismiss the petition, for judgment on the pleadings, and for a supersedeas bond. The state court entered an order granting in part and denying in part the motions to dismiss and for judgment on the pleadings and denied the motion for a supersedeas bond. Wynn now appeals directly to this Court, but we lack jurisdiction for two reasons.

First, the state court’s order did not dismiss all of Wynn’s claims and therefore did not resolve the entire case. Under OCGA § 5-6-34(a)(1), direct appeals generally may be taken from “[a]ll final judgments, that is to say, where the case is no longer pending in the court below[.]” Moreover, in a case involving multiple claims, a decision adjudicating fewer than all the claims is not a final judgment. *Yanes v. Escobar*, 362 Ga. App. 896, 897 (870 SE2d 506) (2022) (“an order is final and appealable when it leaves no issues remaining to be resolved, constitutes the court’s final ruling on the merits of the action, and leaves the parties with no further recourse in the trial court”) (punctuation omitted). Because the case remains pending below, this appeal is premature. See *Johnson v. Hosp. Corp. of Am.*, 192 Ga. App. 628, 629 (385 SE2d 731) (1989).

Second, even if the state court's order were final, this case would be subject to the discretionary appeals procedure. An appeal from a state court's review of a magistrate court's decision must be brought by discretionary application. OCGA § 5-6-35(a)(11), (b); *Strachan v. Meritor Mtg. Corp. E.*, 216 Ga. App. 82, 82 (453 SE2d 119) (1995). "Compliance with the discretionary appeals procedure is jurisdictional." *Smoak v. Dep't of Human Res.*, 221 Ga. App. 257, 257 (471 SE2d 60) (1996).

For these reasons, this appeal is hereby DISMISSED for lack of jurisdiction.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 04/30/2026

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.