

Court of Appeals of the State of Georgia

ATLANTA, September 30, 2026

The Court of Appeals hereby passes the following order:

A27D0130. VENESIA FLOWERS v. VICTORIA WILLIAMS.

Victoria Williams brought this dispossessory action against Velencia Flowers a/k/a Venesia Flowers in magistrate court. On September 1, 2026, the magistrate court entered a default judgment against Flowers, awarding Williams a monetary judgment and a writ of possession. On September 4, 2026, Flowers filed this application for discretionary review, seeking to appeal the September 1 order. We lack jurisdiction.

Ordinarily, the only avenue of appeal available from a magistrate court judgment is governed by OCGA § 15-10-41(b)(1), which provides for appellate review in 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 the order has been reviewed by a state or superior court.” *Harris v. Reserve at Hollywood*, 376 Ga. App. 553, 553 (920 SE2d 163) (2025). 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). “As such, this Court at times has transferred applications seeking review of magistrate court orders back to the magistrate court with direction to send the case to state or superior court.” *Harris*, 376 Ga. App. at 553.

Under OCGA § 15-10-41(b)(2), however, “[n]o appeal shall lie from a default judgment” entered in magistrate court. See *Mooney v. Zheng*, 375 Ga. App. 566, 566 (916 SE2d 771) (2025). We therefore decline to transfer this case to magistrate court

with direction to send it to state or superior court. Rather, this improper application is hereby DISMISSED. See id.



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Clerk's Office, Atlanta, 09/30/2026

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.