

Court of Appeals of the State of Georgia

ATLANTA, September 18, 2026

The Court of Appeals hereby passes the following order:

A27D0129. ADRIAN JACKSON v. JANELL A. FRANCIS BROWN.

Adrian Jackson and Janell A. Francis Brown are co-parents and currently have a custody modification action pending between them.¹ On June 5, 2026, in a single order, the trial court found Jackson in contempt for failure to pay child support, ordered him incarcerated until he paid the purge amount, awarded Brown sole legal custody of their children, and suspended Jackson's parenting time until he was released from jail and met other conditions. On August 6, 2026, following a status hearing, the court noted that although it had reduced the purge amount, Jackson still had not paid, and the court ordered him released from jail but continued the suspension of his parenting time. Jackson has filed a timely pro se application from the August 6 order, and he appears to challenge the court's custody ruling.

Ordinarily, appeals of orders in domestic relations cases must be initiated by filing an application for discretionary appeal. OCGA § 5-6-35(a)(2), (b). Under OCGA § 5-6-34(a)(11), however, direct appeals are permitted from "[a]ll judgments or orders in child custody cases awarding, refusing to change, or modifying child custody or

¹ In violation of our rules, Jackson has failed to provide this Court with adequate materials to ascertain the exact procedural posture of this matter and its relationship to other pending matters between the parties. See Ct. App. R. 31(e) ("The applicant shall include with the application a copy of any petition or motion that led directly to the order or judgment being appealed and a copy of any responses to the petition or motion."), (f) ("Applications for discretionary appeal pursuant to OCGA § 5-6-35 must include sufficient material to apprise the Court of the appellate issues, in context, and to support the arguments advanced.").

holding or declining to hold persons in contempt of such child custody judgment or orders.” Thus, when the issue on appeal pertains to child custody, the order is directly appealable. See *Voyles v. Voyles*, 301 Ga. 44, 46–47 (799 SE2d 160) (2017). Moreover, visitation rights are a part of custody. *Vines v. Vines*, 292 Ga. 550, 551(2) (739 SE2d 374) (2013). Because the August 6 order continued the suspension of Jackson’s parenting time, Jackson is entitled to a direct appeal. See OCGA § 5-6-34(a)(11).

Under OCGA § 5-6-35(j), this Court will grant a timely application for discretionary review if the lower court’s order is subject to direct appeal. See *City of Rincon v. Couch*, 272 Ga. App. 411, 412 (612 SE2d 596) (2005). Accordingly, this application is hereby GRANTED. Jackson shall have ten days from the date of this order to file a notice of appeal in the superior court. See OCGA § 5-6-35(g). If he has already filed a notice of appeal in the superior court, he need not file a second notice. The clerk of the superior court is DIRECTED to include a copy of this order in the record transmitted to the Court of Appeals.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 09/18/2026

*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.