

Court of Appeals of the State of Georgia

ATLANTA, September 30, 2026

The Court of Appeals hereby passes the following order:

A27A0192. TYSHUN A. ADELOYE v. KARRISSA A. JOHNSON.

Upon consideration of the APPELLANT'S MOTION TO REMAND to the trial court for the trial court to rule on his still pending motion for a new trial, which was filed on the same day as the notice of appeal giving rise to this appeal, it is ordered that the motion is hereby GRANTED.

Even though a notice of appeal may divest the trial court of jurisdiction, ... such divestiture does not become effective during the period in which a motion for new trial may be filed. In the event a motion for new trial is timely filed as provided in OCGA § 5-5-40, the effectiveness of the divestiture of jurisdiction is then delayed until the motion for new trial is ruled upon and a notice of appeal to the ruling has been filed or the period for appealing the ruling has expired.

Housing Auth. of the City of Atlanta v. Geter, 252 Ga. 196, 197 (312 SE2d 309) (1984).
“Because the notice of appeal had not yet ripened when [Adeloye] filed his motion for new trial, the trial court’s jurisdiction to hear the motion was preserved, and we therefore remand the case for the trial court to consider [Adeloye’s] motion.” *Jones v. State*, 309 Ga. App. 149, 150(1) (709 SE2d 593) (2011).



Court of Appeals of the State of Georgia
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.