

Court of Appeals of the State of Georgia

ATLANTA, October 07, 2026

The Court of Appeals hereby passes the following order:

A27A0497. TARPON FINANCIAL CORPORATION v. MICHAEL RAY HARRELL.

In this action to recover on a retail installment contract, the trial court entered a final judgment awarding plaintiff Tarpon Financial Corporation d/b/a Red Hot Car Lot a total of \$2,194.25 against defendant Michael Harrell. Tarpon Financial then filed this direct appeal. We lack jurisdiction.

An appeal in an action for damages in which the judgment is \$10,000 or less must be initiated by filing an application for discretionary review. OCGA § 5-6-35(a)(6), (b); *Jennings v. Moss*, 235 Ga. App. 357, 357 (509 SE2d 655) (1998). This requirement applies to appeals by both plaintiffs and defendants. See *Pathfinder Payment Solutions v. Global Payments Direct*, 344 Ga. App. 490, 490–92 (810 SE2d 653) (2018). “Compliance with the discretionary appeals procedure is jurisdictional.” *Smoak v. Dep’t of Human Res.*, 221 Ga. App. 257, 257 (471 SE2d 60) (1996). Tarpon Financial’s failure to comply with the discretionary review procedure deprives us of jurisdiction over this direct appeal, which is hereby DISMISSED. See *Pathfinder*

Payment Solutions, 344 Ga. App. at 492; *Jennings*, 235 Ga. App. at 357; *Smoak*, 221 Ga. App. at 257–58.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 10/07/2026

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.