

Court of Appeals of the State of Georgia

ATLANTA, August 14, 2026

The Court of Appeals hereby passes the following order:

**A27A0120. RONALD FRANK PETTY, JR., AS EXECUTOR OF THE
ESTATE OF RONALD FRANK PETTY, SR. v. CITY OF ATLANTA.**

On May 15, 2026, the trial court entered a final order dismissing the complaint filed by the plaintiff in this case. After the trial court denied the plaintiff's motion for reconsideration, the plaintiff filed a notice of appeal on July 10, 2026. The defendant has filed a motion to dismiss the appeal, arguing that it is untimely. We agree.

A notice of appeal must be filed within 30 days of entry of the order to be appealed. OCGA § 5-6-38(a). The proper and timely filing of a notice of appeal is an absolute requirement to confer jurisdiction upon this Court. *Perry v. Paul Hastings, LLP*, 362 Ga. App. 140, 141 (866 SE2d 855) (2021). The denial of a motion for reconsideration is not itself appealable and does not extend the time for filing a notice of appeal. *Mosher v. Mosher*, 378 Ga. App. 187, 189 (919 SE2d 831) (2025). Here, the appeal is untimely as to the May 15, 2026 final order, as it was filed 56 days after entry of the order. And the appeal is improper as to the denial of the motion for reconsideration. Thus, this appeal is hereby DISMISSED.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 08/14/2026

*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.