

Court of Appeals of the State of Georgia

ATLANTA, July 02, 2026

The Court of Appeals hereby passes the following order:

A26D0593. AMANDA BRANCH v. RAM PARTNERS, LLC A/A/F SUTTER LAKE.

In this dispossessory case, Amanda Branch filed this application for discretionary appeal seeking review of a judgment from the Magistrate Court of Clayton County. We lack jurisdiction.

Ordinarily, “the only avenue of appeal available from a magistrate court judgment is provided by OCGA § 15-10-41(b)(1), which allows for a de novo appeal to the state or superior court.” *Tate v. Habif*, 367 Ga. App. 435, 438–39(2) (886 SE2d 389) (2023) (punctuation omitted). “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 LLC*, 376 Ga. App. 553, 553 (920 SE2d 163) (2025). Where a timely application for discretionary appeal represents an attempt to appeal a magistrate order, this Court will occasionally transfer that application to the magistrate court with direction to send the appeal to state or superior court. See Ga. Const. of 1983, Art. VI, Sec. I, Par. VIII (“[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”); OCGA § 5-3-4(a) (granting superior and state courts appellate jurisdiction over final judgments of lower judicatories).

In this case, however, we cannot determine whether or when the order at issue was entered, because there is no date stamp on the copy of the magistrate court judgment which Branch submitted to this Court. See Court of Appeals Rule 31(c) (requiring the filing of a stamped filed copy of the order sought to be appealed); *State*

v. White, 282 Ga. 859, 860(1) (655 SE2d 575) (2008) (“Even though an order may be signed, it is not considered to have been entered and, thus, does not become effective until it is filed with the clerk.”).

Accordingly, we decline to transfer this case back to magistrate court, and instead we hereby DISMISS this application.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 07/02/2026

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.