

Court of Appeals of the State of Georgia

ATLANTA, July 27, 2026

The Court of Appeals hereby passes the following order:

A26A2519. IN RE: ESTATE OF TIEN THI DAVIS, DECEASED.

This matter concerns the estate of Tien Thi Davis. On April 7, 2026, the Lowndes County Probate Court entered a final order dismissing a caveat filed by appellant Willie N. Davis and appointing Lisa Thi Davis Rawski as the administrator of the estate. Willie Davis filed a pro se petition for review in superior court on June 8, 2026, and the superior court properly transferred the appeal to this Court. See *Clark v. Gunn*, 378 Ga. App. 315, 316–17(1)–(2) (925 SE2d 762) (2026) (explaining that an appeal to a superior court from a decision of a probate court in a county with a population of more than 90,000 people must be transferred to this Court for appellate review). See also 2020 Census, OCGA Vol. 42A, 2025 Supp., p. 93. Nevertheless, we lack jurisdiction.

A notice of appeal must be filed within 30 days of entry of the judgment or trial court order sought to be appealed. OCGA § 5-6-38(a). See also OCGA § 15-9-123(b) (providing that the general rules of appellate practice govern appeals of civil cases from probate courts). The proper and timely filing of a notice of appeal is an absolute requirement to confer appellate jurisdiction on this Court. *Perlman v. Perlman*, 318 Ga. App. 731, 739(4) (734 SE2d 560) (2012). Here, Willie Davis untimely sought an appeal 62 days after entry of the probate court’s order.¹ Accordingly, we lack jurisdiction over

¹ Contrary to Willie Davis’s argument below, his allegations that the probate court’s order was “procured by fraud” and thus “void ab initio” did not extend the time for seeking an appeal. While OCGA § 9-11-60(f) provides that a “judgment void because of lack of jurisdiction of the person or subject matter may be attacked at any

this appeal, which is hereby DISMISSED.



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Clerk's Office, Atlanta, 07/27/2026

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.

time,” the Supreme Court has explained that subsection (f) “establishes the exclusive time limitation for when a judgment is attacked by a motion to set aside” — a motion Willie Davis did not file — and applies to judgments “which lack either personal or subject matter jurisdiction” — allegations Willie Davis does not make. *Murphy v. Murphy*, 263 Ga. 280, 282 (430 SE2d 749) (1993).