

Court of Appeals of the State of Georgia

ATLANTA, July 30, 2026

The Court of Appeals hereby passes the following order:

A27E0005. MILLER et al. v. WILLIAMS.

Robert Curtis Miller and Jerry Rollins Oglesby filed this emergency motion pursuant to Court of Appeals Rule 40(b) seeking an “immediate protective stay; expedited transmission of the appellate record; neutral authentication of questioned judicial signatures and counsel-prepared orders; temporary cessation of enforcement; and case-specific disqualification and assignment to a judge outside the Eastern Judicial Circuit” related to a July 29, 2026 notice of dispossessory and various related orders.

OCGA § 44-7-56(b)(5) mandates that “[f]or appeals to the Court of Appeals or Supreme Court, the tenant shall pay all sums found by the trial court to be due for rent or future rent into the registry of the trial court that rendered the judgment appealed.” Miller has failed to show payment pursuant to our law and to prior orders of the trial court. See *Thomas v. Wells Fargo Credit Corp.*, 200 Ga. App. 592, 594(5) (409 SE2d 71) (1991); OCGA § 5-5-46(a).

Under Court of Appeals Rule 40(b), we may issue emergency orders to “preserve jurisdiction of an appeal or to prevent the contested issue from becoming moot. This power shall be exercised sparingly.”

Miller and Oglesby have not met the requirements of Rule 40(b), and have not established that the exercise of our emergency powers is merited. This emergency motion is DENIED.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 07/30/2026

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.