Court of Appeals
of the State of Georgia

ATLANTA, May 09, 2016

The Court of Appeals hereby passes the following order:

A16A0570. BERGMANN v. CACH, LLC.

John Bergmann filed a direct appeal from the trial court's order granting a motion to strike his counterclaim. However, we lack jurisdiction because the order at issue is interlocutory in nature. See *Pinyan v. Hamby*, 176 Ga. App. 411, 411 (336 SE2d 331) (1985) (order granting motion to dismiss counterclaim was an interlocutory ruling). "A party seeking appellate review from an interlocutory order must follow the interlocutory application procedure set forth in OCGA § 5-6-34 (b), which includes obtaining a certificate of immediate review from the trial court." (Citation omitted.) *Pace Constr. Corp. v. Northpark Assocs.*, 215 Ga. App. 438, 439 (450 SE2d 828) (1994). Bergmann's failure to follow the interlocutory appeal procedure deprives us of jurisdiction over this appeal, which is therefore DISMISSED.

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 05/09/2016
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.

Stephen E. Castlen, *Clerk.*