Court of Appeals
of the State of Georgia

ATLANTA, June 09, 2016

The Court of Appeals hereby passes the following order:

A16A1781. DAVID BERGMAN v. IMPORTS ONLY, INC.

David Bergman filed this direct appeal from the superior court's judgment in favor of Imports Only, Inc. for $946.88. Under OCGA § 5-6-35 (a) (6), appeals in all actions for damages in which the judgment is $10,000.00 or less must comply with the discretionary appeal procedures. Because this suit is an action for damages and the judgment entered was less than $10,000.00, a discretionary application was required. See *Jennings v. Moss*, 235 Ga. App. 357, 357 (509 SE2d 655) (1998); see also *Emerson v. Brookmere Homeowners Ass'n*, 311 Ga. App. 371, 371 n.1 (715 SE2d 775) (2011). Bergman's failure to file an application for discretionary appeal deprives us of jurisdiction over this direct appeal, which is hereby DISMISSED.

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 06/09/2016
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.*