Court of Appeals
of the State of Georgia

ATLANTA, June 29, 2016

The Court of Appeals hereby passes the following order:

A16A1826. KENNETH DOBSON et al. v. SINCLAIR OCONEE REALTY, INC.

Following an adverse ruling in magistrate court, the defendants Kenneth and Trina Dobson appealed to the superior court. The parties subsequently settled the dispute. After the defendants refused to dismiss their claims, the plaintiff moved to enforce the settlement agreement and for attorney fees. On June 3, 2015, the superior court entered its final order in the matter, and the defendants filed a notice of appeal. We, however, lack jurisdiction.

"[A]ppeals from decisions of the superior courts reviewing decisions of lower courts by certiorari or de novo proceedings shall be by application for discretionary appeal." (Punctuation omitted.) *Bullock v. Sand*, 260 Ga. App. 874, 875 (581 SE2d 333) (2003); see also OCGA § 5-6-35 (a) (1).[1] The defendants' failure to follow the proper appellate procedures deprives us of jurisdiction over this appeal, which is hereby DISMISSED.

[1] On August 2, 2015, the defendants filed an application for discretionary appeal, which was dismissed as untimely. See *Kenneth Dobson, et al. v. Sinclair Oconee Realty, Inc.*, Case No. A15D0536 (Dismissed September 3, 2015).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 06/29/2016

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.*