

46 Appendix A

ID# 2023-0068225-CV

EFILED IN OFFICE

CLERK OF SUPERIOR COURT

COBB COUNTY, GEORGIA

22104715

MAY 16, 2023 09:49 AM

Connie Taylor

Connie Taylor, Clerk of Superior Court
Cobb County, Georgia

**IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA**

**AMERIHOME
MORTGAGE CO.,**
Plaintiff,
v.
**MARCUS
MARCHMAN,**
Defendant.

**CIVIL ACTION FILE
NO.
22-1-4715**

FINAL ORDER

This matter, having come before the Court on January 3, 2023, and both parties having been present, the following is hereby ORDERED:

The Plaintiff shall be granted a **Judgment and Writ of Possession** with the Writ to be issued within seven (7) days from the date of this Order.
SO ORDERED, this 16th day of May 2023.

D. Victor Reynolds

Judge D. Victor Reynolds
Cobb County Superior Court
Cobb Judicial Court

CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of: () Personal Service, (x) Statutory Electronic Service, () Interoffice Mail or () placing a copy in the United States mail in a properly addressed envelope with adequate postage thereon to:

Tom Sears, Esq.
attorney@padgettlawgroup.com
ashley.smith@padgettlawgroup.com

Neeli Ben-David
Neeli.ben-david@usdoj.gov

Marcus Marchman
110 Mayes Farm Road NW
Marietta, Georgia 30064

This the 16th day of May 2023.

Amy E. Rushing
Judicial Administrative Assistant to
The Honorable D. Victor Reynolds
Judge, Cobb Judicial Circuit

48 Appendix B
Court of Appeals
of the State of Georgia

Atlanta, July 14, 2023

The Court of Appeals hereby passes the following order:

A23A1706. MARCUS MARCHMAN v. AMERIHOME MORTGAGE COMPANY.

This case originated as a dispossessory action in magistrate court. The magistrate court issued a writ of possession against Marcus Marchman, and Marchman appealed to the superior court. The superior court also issued a writ of possession against Marchman, and he filed this direct appeal from the superior court's order. We 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." *Bullock v. Sand*, 260 Ga. App. 874, 875 (581 SE2d 333) (2003) (punctuation omitted); see also OCGA § 5-6-35 (a)(1). "Compliance with the discretionary appeals procedure is jurisdictional." *Smoak v. Dept. of Human Resources*, 221 Ga. App. 257, 257 (471 SE2d 60) (1996). Marchman's failure to follow the proper procedure deprives us of jurisdiction over this appeal, which is hereby DISMISSED.

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 07/14/2023*

*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. Castten, Clerk

49 Appendix C

SUPREME COURT OF GEORGIA
Case No. S23C1215

November 16, 2023

The Honorable Supreme Court met pursuant to adjournment; The following order was passed:

**MARCUS MARCHMAN v. AMERIHOME
MORTGAGE COMPANY.**

The Supreme Court today denied the petition for certiorari in this case.

All the Justices concur.

Court of Appeals Case No. A23A1706

SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

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.

Therese S. Barnes, Clerk