

COURT OF APPEALS OF THE STATE OF GEORGIA

**Hilda Hutchinson et al. v. Anneewakee Trails Homeowners
Association, Inc.**

Hutchinson · No. A22D0038; A22D0043 · Decided October 8, 2021

OPINION

Hilda Hutchinson v. Anneewakee Trails Homeowners Association, Inc.

PER CURIAM.

Court of Appeals of the State of Georgia

ATLANTA, _____

September 21, 2021 The Court of Appeals hereby passes the following order:

A22D0038. HILDA HUTCHINSON et al. v. ANNEEWAKEE TRAILS
HOMEOWNERS ASSOCIATION, INC.

A22D0043. HILDA HUTCHINSON et al. v. ANNEEWAKEE TRAILS

HOMEOWNERS ASSOCIATION, INC. In this civil case, the trial court granted the motion for service by publication filed by the plaintiff. The defendants, Hilda Hutchinson and Mia Hutchinson, filed a motion to vacate the order allowing service by publication. The trial court denied the motion to vacate, and the defendants filed these two applications for discretionary review.¹ We lack jurisdiction because the case remains pending below. Given the pendency of the case, the defendants were required to comply with the interlocutory appeal requirements, which include obtaining and providing a certificate of immediate review from the trial court, in order to appeal the trial court's order denying the motion to vacate. See OCGA § 5-6-34 (b); *Boyd v. State*, 191 Ga. App. 435, 435 (383 SE2d 906) (1989). In addition, the discretionary appeal statute does not excuse a party seeking appellate review of an interlocutory order from complying with the additional requirements of OCGA § 5-6-34 (b). *Bailey v. Bailey*, 266 Ga. 832, 833 (471 SE2d 213) (1996). ¹ The applications are virtually identical, with the exception of additional exhibits filed in Case No. A22D0043. Accordingly, these discretionary applications are hereby DISMISSED. Court of Appeals of the State of Georgia Clerk's Office, Atlanta, _____ 09/21/2021 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. , Clerk.