

COURT OF APPEALS OF GEORGIA

Arrington v. Satcher

A26A0697 (Ga. Ct. App. June 29, 2026) · No. A26A0697 · Decided June 29, 2026

SUMMARY

The Georgia Court of Appeals reviews Marvin Arrington, Jr.'s petition for a writ of mandamus against members of the Fulton County Board of Ethics. The court vacates the trial court's ruling concerning the alleged violation of the Fulton County Code of Ethics because the ordinance was not properly presented, but affirms the denial of prospective recusal relief as speculative.

CASE DETAILS

COURT	Court of Appeals of Georgia
WRITING FOR THE COURT	Rickman, Presiding Judge; Brown, Chief Judge; Mercier, Judge
JURISDICTION	Court of Appeals of Georgia
DECIDED	June 29, 2026
DOCKET	A26A0697
DISPOSITION	other
PROCEDURAL POSTURE	Appeal from the denial in part of a petition for writ of mandamus.
STANDARD OF REVIEW	Mandamus is an extraordinary and discretionary remedy. Relief requires a clear legal right or a gross abuse of discretion by the public official; appellate review examines whether the trial court abused its discretion in denying mandamus relief.
PRECEDENTIAL VALUE	Published and precedential opinion of the Court of Appeals of Georgia.
PARTIES	Marvin Arrington, Jr. v. Daraka Satcher, Louis Levenson, Benjamin E. Fox, Carrie C. Foster, Thomas Sampson II

TOPICS

- remedies
- municipal law
- ordinances
- appellate procedure
- preservation of error

PRACTICE AREAS

- civil procedure
- appellate procedure
- municipal law
- remedies

QUESTIONS PRESENTED

1. Whether the trial court erred in denying mandamus relief requiring the appellees to hold a hearing on Arrington's ethics complaint under the Fulton County Code of Ethics when Arrington did not include a certified or other copy of the governing ordinance in the appellate record.
2. Whether the trial court erred in denying mandamus relief requiring the appellees to recuse themselves prospectively from all future ethics matters involving Arrington based on an alleged conflict of interest.

HOLDINGS

1. A court cannot adjudicate a claim or defense based on a county or city ordinance unless the ordinance is properly alleged and proven, including by production of the original or a certified copy. Because Arrington failed to include the governing ordinance, the appellate court could not consider his claim and vacated the trial court's ruling insofar as it adjudicated the alleged ordinance violation.
2. The trial court did not abuse its discretion by denying mandamus relief requiring the appellees to recuse themselves prospectively from all future ethics matters involving Arrington because he could not establish a clear legal right to relief based on alleged wrongful conduct that had not occurred and might never occur.

KEY QUOTATIONS

“City and county ordinances must be alleged and proven in order to be considered by the superior and appellate courts of this State.” (3)

“Mandamus is an extraordinary remedy to compel a public officer to perform a required duty when there is no other adequate legal remedy.” (4)

“Arrington cannot establish that he has a clear legal right to relief for allegedly wrongful conduct that has not yet occurred and may never occur.” (4)

FACTUAL BACKGROUND

Arrington, a Fulton County commissioner and attorney, filed an ethics complaint against members and counsel of the Fulton County Board of Ethics. The complaint alleged that they failed to dismiss an earlier ethics complaint against him after finding no probable cause and that they created a conflict of interest by filing a declaratory judgment action concerning recordings of his conversations with an incarcerated criminal client. The appellees never held a hearing on Arrington's complaint, and Arrington sought mandamus relief requiring a hearing and prospective recusal.

PROCEDURAL HISTORY

After the Fulton County Board of Ethics did not hold a hearing on Arrington's ethics complaint against its members, Arrington filed a petition for writ of mandamus. The petition sought, among other relief, an order requiring the appellees to hold a hearing and to recuse themselves from future ethics matters involving him. The trial court denied those requests in part, and Arrington appealed.

DISPOSITION

other

REMAND INSTRUCTIONS

The trial court's order was vacated insofar as it adjudicated Arrington's claim based on the Fulton County Code of Ethics. The denial of prospective mandamus relief requiring recusal was affirmed.

CASES CITED

- Whitfield v. City of Atlanta, 296 Ga. 641, 641-42 (769 S.E.2d 76) (2015)
- Woodstone Townhouses v. Southern Fiber Worx, 358 Ga. App. 516, 524(1) (855 S.E.2d 719) (2021)
- Bailey v. McIntosh County, 322 Ga. 602, 615-16(3) (921 S.E.2d 382) (2025)
- R.A.F. v. Robinson, 286 Ga. 644, 646(1) (690 S.E.2d 372) (2010)
- Southeast Georgia Health Sys. v. Berry, 362 Ga. App. 422, 425 n.4 (868 S.E.2d 820) (2022)
- Love v. Fulton County Board of Tax Assessors, 311 Ga. 682, 694-95(3)(a) (859 S.E.2d 33) (2021)
- Burke County v. Askin, 291 Ga. 697, 702(4) (732 S.E.2d 416) (2012)