

COURT OF APPEALS OF THE STATE OF GEORGIA

Stephen H. Foster v. Victor Warren Properties, Inc.

Foster v. Victor Warren Properties · No. A27A0007 · Decided August 4, 2026

SUMMARY

The Georgia Court of Appeals dismissed Foster’s appeal from a post-foreclosure writ of possession because the notice of appeal was filed 32 days after the superior court’s judgment. Under OCGA § 44-7-56(b)(1), such a notice must be filed within seven days of entry of judgment.

OPINION

PER CURIAM.

Court of Appeals
of the State of Georgia

ATLANTA, _____
August 04, 2026

The Court of Appeals hereby passes the following order:

A27A0007. STEPHEN H. FOSTER v. VICTOR WARREN PROPERTIES,
INC.

Plaintiff Victor Warren Properties, Inc. filed a complaint in superior court for a post-foreclosure writ of possession against Stephen H. Foster and all other occupants of the subject property. The plaintiff and Foster filed cross-motions for summary judgment, and on May 28, 2026, the superior court entered a final order granting the plaintiff’s motion, denying Foster’s motion, and granting possession of the property to the plaintiff. On June 29, 2026, Foster filed this appeal. We, however, lack jurisdiction.

Under OCGA § 44-7-56(b)(1), a notice of appeal in a dispossessory action “shall be filed within seven days of the date such judgment was entered.” Here, however, Foster filed his notice of appeal 32 days after entry of the superior court’s order. Accordingly, we lack jurisdiction over this untimely appeal, which is hereby **DISMISSED**. See *Stubbs v. Local Homes, LLC*, 375 Ga. App. 513, 516 (915 SE2d 91) (2025).

Court of Appeals of the State of Georgia
Clerk’s Office, Atlanta, _____

08/04/2026

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.