



## **Tara Anna, LLC v. Freihofer Transport, Inc.**

2024 | Cited 0 times | Court of Appeals of Georgia | October 4, 2024

Court of Appeals of the State of Georgia

ATLANTA, \_\_\_\_\_ October 04, 2024

The Court of Appeals hereby passes the following order:

A25I0047. TARA ANNA, LLC et al. v. FREIHOFFER TRANSPORT, INC.

In this civil action, plaintiff filed a motion to disqualify counsel for defendants Donald Walloch and Tara Anna, LLC, which the trial court granted on August 23, 2024. The trial court issued a certificate of immediate review on September 5, 2024, and defendants filed this application for interlocutory appeal. We lack jurisdiction. Under OCGA § 5-6-34 (b), a party may obtain interlocutory review only if the trial court “certifies within ten days of entry” of the order at issue that immediate review should be had. A timely certificate of immediate review is a jurisdictional requirement. See *Von Waldner v. Baldwin/Cheshire, Inc.*, 133 Ga. App. 23 , 24 (2) ( 209 SE2d 715 ) (1974). If the certificate of immediate review is not timely entered, the party seeking review must await final judgment in order to appeal the interlocutory ruling. See *Turner v. Harper*, 231 Ga. 175 , 176 ( 200 SE2d 748 ) (1973). Here, the certificate of immediate review was entered 13 days after entry of the order on appeal, making it untimely. See *id.* Accordingly, we lack jurisdiction to consider this application, which is hereby DISMISSED. Court of Appeals of the State of Georgia Clerk’s Office, Atlanta, \_\_\_\_\_ 10/04/2024 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.

