

Notice of Appeal (MAG 12-01)

Purpose of form:

This document is used to appeal either a civil judgment or a dispossessory judgment.

A magistrate judgment can be appealed to either the State Court or the Superior Court of Worth County. The vast majority of appellants elect State Court as their uniform rules tends to be less burdensome than superior court rules and procedures. An appeal from magistrate court is a de novo procedure. That means the entire case is retried, just as if there was no underlying judgment, provided that the appeal was made in a timely manner and is not from a default judgment.

The appeal of a civil case must be FILED within thirty (30) days of the date of judgment.

The appeal of a dispossessory case must be FILED within seven (7) days of the date of judgment.

General Information

Computing times for appeal: O.C.G.A. 1-3-1(d)(3): The day the judgment was entered shall not be counted, but the last day shall be counted. If the last day falls on a Saturday, Sunday or public and legal holiday, the appeal shall be considered timely filed if filed on the next business day. It is hereby certified that the above judgment is not a default judgment for which no appeal can be made. Appellate review of a default judgment shall be by certiorari to the State Court of Worth County or to the Superior Court of Worth County. (See O.C.G.A. 15-10-41.)