

**FIRST DIVISION  
PHIPPS, C. J.,  
ELLINGTON, P. J., and MCMILLIAN, J.**

**NOTICE: Motions for reconsideration must be  
*physically received* in our clerk's office within ten  
days of the date of decision to be deemed timely filed.  
<http://www.gaappeals.us/rules/>**

**July 24, 2014**

**In the Court of Appeals of Georgia**

**A14A1057; A14A1059. LASTER v. NATIONAL COLLEGIATE  
STUDENT LOAN TRUST.**

**MCMILLIAN, Judge.**

Appellee National Collegiate Student Loan Trust 2005-3 brought a suit on account and agreement in the State Court of Sumter County against Justin and Linda Laster after they allegedly defaulted on their student education loans. The state court granted summary judgment to appellee, and the Lasters, acting pro se, filed an appeal from that order to the Superior Court of Sumter County. The superior court dismissed the case, based on a finding that it had no jurisdiction to review an order granting summary judgment in a civil case such as the one here. The Lasters, again acting pro se, have filed separate appeals to this Court from that order, which we have consolidated for review.

The Georgia Constitution requires that “[a]ny court shall transfer to the appropriate court in the state any civil case in which it determines that jurisdiction or venue lies elsewhere.” Ga. Const. of 1983, Art. VI, Sec. I, Par. VIII. Thus, instead of dismissing the Lasters’ appeal, the superior court should have transferred the case to this Court for review. *Blackmon*, 284 Ga. 369, 371-372 (667 SE2d 348) (2008); *Bosma v. Gunter*, 258 Ga. 664 (373 SE2d 368) (1988). “[T]he manifest purpose of Article VI, Section I, Paragraph VIII is to prevent parties from being penalized when their attorneys, or the parties themselves acting pro se, make a mistake regarding the complex, highly technical rules that govern jurisdiction and venue and inadvertently file a case in the wrong court. This case fits that description to a tee.” *Blackmon*, 284 Ga. at 371. Accordingly, we vacate the order of the superior court dismissing the Lasters’ appeal and remand the case to that court so that their appeal from the state court, including the record transmitted to the superior court as part of that appeal,<sup>1</sup> may be transferred to this Court for appellate review.<sup>2</sup>

---

<sup>1</sup> The records before us contain only the initial complaint filed in state court, the state court order granting summary judgment, the notice of appeal to the superior court, the superior court’s order dismissing the appeal, and the notices of appeal to this Court.

<sup>2</sup> The Lasters can view our Rules, including the ones that apply to filing briefs in this Court, on our website, [www.gaappeals.us](http://www.gaappeals.us). The website also contains a

*Judgments reversed and cases remanded with direction. Phipps, C. J., and  
Ellington, P. J., concur.*

---

Citizen's Guide, directed primarily at pro se parties, which they also may find helpful.