

# **Bond Case Briefs**

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## **ANNEXATION - GEORGIA**

### **Pilato v. State**

**Supreme Court of Georgia - October 15, 2025 - S.E.2d - 2025 WL 2918741**

City and residents whose property was annexed by city brought action against State, challenging law providing that when corporate limits of city are extended by annexation into the boundaries of county school district, the boundaries of city school district shall not be extended to be coextensive therewith, as violating state constitution's Single Subject Rule.

The Superior Court granted motion to intervene filed by county school district, denied motions to dismiss filed by district and State, granted plaintiffs' motion for declaratory judgment and permanent injunction, and denied plaintiffs' request for default judgment against State. State and district appealed and plaintiffs cross-appealed.

The Supreme Court held that plaintiffs failed to establish an actual controversy sufficient to reach merits of their claims for declaratory judgment.

City and residents whose property was annexed by city failed to establish an actual controversy sufficient to reach merits of their declaratory judgment claims, in action against State, challenging law providing that boundaries of city school district would not be extended to be coextensive with extended city limits, as violating state constitution's Single Subject Rule; plaintiffs asserted that decision of city school district declining to enroll residents' children, not any enforcement action of the State, resulted in the alleged infringement of rights about which they complained, and thus a decision as to whether challenged law was constitutional would not resolve the disputed rights they asserted as the basis for their action.