

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 09, 1998

The Court of Appeals hereby passes the following order:

Case No. A99I0098

CITY OF ELBERTON V. BROADUS P. DANIEL

The interlocutory application received in the above docketed matter does not contain a stamped "filed" copy of the order appealed, nor a stamped "filed" copy of the certificate of immediate review as required by Rule 31 (c).

Applicant is hereby ordered to supplement the application with a stamped "filed" copy of the order instant. If applicant does not cause a copy of said order to be physically filed with the Court within 10 days of the date of this order, the application will be dismissed. Applicant's submission in response to this order will be deemed filed only on the date it is physically received in the Clerk's office.

The Court is required to issue an order granting or denying the application within 30 days of the filing of the application. See OCGA 5-6-34 (b).

Court of Appeals of the State of Georgia
NOV - 9 1998
Clerk's Office, Atlanta

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 25, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0099
STEVEN RUBIN, ET AL V. DR. MELISSA TOBIN

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

98010

97A299854

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta NOV 25 1998*

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will. L. Martini, III

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 01, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0100
N.A.D., INC., ET AL V. ELIZABETH DEUBLE

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

97010

CV980407BR

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC - 1 1998

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Clerk.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, November 20, 1998

The Honorable Court of Appeals hereby passes the following order:

COURT OF APPEALS CASE A99I0101 SHANNON C. O'MALLEY

Upon consideration of the motion for withdrawal, it is hereby ordered that said motion be GRANTED.

93-010

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 20 1998

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 24, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0102
PIZZA HUT OF AMERICA, INC. V. TRACY L. DINKINS

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

96010

97CV17773

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 24 1998

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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 03, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0103

NORTH GEORGIA ELECTRIC MEMBERSHIP CORPORATION V. TRACY LEE WEBB, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

92011

96VS0113319G 96VS0113320B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC - 3, 1998

DEC - 3 1998

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William L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 01, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0104
VICTOR R. GONZALEZ, M.D. V. DAVID MILES

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

94011

97A387465

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC - 1 1998

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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 09, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0105

JAMES E. WILLIAMS, ET AL V. SHAMIKA FRAZIER, minor by her Parent and
Legal Guardian, LATISHA FRAZIER

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

91011

CV970285BA

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC -9 1998

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Clerk.

Will. L. Martin, Jr.

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 09, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0106

JAMES E. WILLIAMS, ET AL V. PATRICK FRAZIER, minor by his Parent and
Legal Guardian, LATISHA FRAZIER

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

91012

CV970287BA

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC -9 1998

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 01, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0107

ERNESTINE PONDER DANILY, ET AL V. LILLIE MAE WALTON

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

90011

98CV09

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC - 1 1998

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Clerk.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA,
NOV 25 1998

The Court of Appeals hereby passes the following order:

A99I0108. REGINALD WOODS, ET AL. v. MARY MCCLENDON, ET AL.

Reginald Woods and the Treutlen County Board of Education filed an application for interlocutory review of the trial court's order denying their motion for summary judgment. The order was filed by the clerk of court on August 24, 1998. Although the application states that the certificate of immediate review was granted on August 28, 1998, the certificate of immediate review included in the application was dated October 23 by the trial judge, and it was filed with the trial court on October 27, 1998, 64 days after entry of the order appealed. In addition, although the application states that it was filed within ten days after the certificate of immediate review, it was signed by counsel on November 7 and was filed on November 19, 1998, 23 days after the certificate of immediate review was filed.

If the certificate of immediate review is not obtained within ten days after entry of the interlocutory judgment appealed, it is untimely and the party must wait until a final judgment is entered before appealing an interlocutory judgment rendered in the case. OCGA § 5-6-34 (b); Turner v. Harper, 231 Ga. 175, 176 (200 SE2d

748) (1973). In addition, OCGA § 5-6-34 (b) permits this Court to consider interlocutory appeals only where the application is made within ten days after the certificate of immediate review is entered. Here neither the certificate of immediate review nor the application itself were timely filed, and this Court is without jurisdiction to consider the application. Graves v. Dean, 166 Ga. App. 186 (303 SE2d 751) (1983). Accordingly, the application is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 25 1998

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the minutes of the Court of Appeals of Georgia.*

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Will. L. Mant, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 17, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0109

TIG PREMIUM COMPANY V. FRANK C. DAVENPORT, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

97011

96VS0121663

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 17 1998

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 07, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0110
DAVID WAYNE MERCER V. THE STATE

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

93011

98CV15033

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta DEC -7 1998*

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 03, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0111

TABITH M. MOORE, ET AL V. JAY WAYNE BOWEN, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

96011

97022153

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC - 3 1998

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Clerk.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 03, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0112
W. MCMILLAN WALKER V. RONDA HOBBY WALKER

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

92012

971489F

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

DEC 03 1998

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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 17, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0113

QUALITY CONTROL ELECTRIC, INC. V. LOUIE E. FOREHAND

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

94012

96CV133648

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta DEC 17 1998*

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Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 07, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0114
KENNESTONE HOSPITAL V. OSMYN A. SMITH, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

95012

951372234 951372207

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta DEC - 7 1998

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the minutes of the Court of Appeals of Georgia.*

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Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 15, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0115
CITY OF BREMEN V. RITA LYNN HERB THOMPSON

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

90012

97486

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 15 1998

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 04, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0116
SHANNON C. O'MALLEY V. THE STATE

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

98012

98CR407

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN - 4 1999

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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 17, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0117
SHERRY A. TUDOR V. JOSEPH E. FORD, SR.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

97012

97CV16977

10:45

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 17 1998

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 09, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0118

HAPEVILLE HOTEL LIMITED PARTNERSHIP, ET AL V. LINDA LUEKEMEYER, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

99012

E62216

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC - 9 1998

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Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 10, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0119
ROSCOE BRANTON, ET AL V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

93012
98R180

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta DEC 10 1998

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Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 23, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0120

AUGUSTA MOTOR SPEEDWAY, INC. V. DANIEL EVERETT MCDONALD

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

96012

CV97218

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 23 1998

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0121
PRINCIPAL MUTUAL LIFE INSURANCE COMPANY V. SALLEY EVANS

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

92013

97A372813

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta DEC 18 1998

*I certify that the above is a true extract from
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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 15, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0122
TERRY GIBSON V. CLARENCE CARTER

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

94013

96CV30027

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

DEC 15 1998

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Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 17, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0123
BRANCH REALTY, INC., ET AL V. EDNA WEAVER

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

91013

97VS0127693B

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta DEC 17 1998

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William L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 17, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0124

CLARK ATLANTA UNIVERSITY, INC. V. SUMMERHILL NEIGHBORHOOD DEVELOPMENT
CORPORATION d/b/a CARTER HALL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

95013

97VS0128610F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 17 1998

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*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will R. [Signature]

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0125
PHEARS & MOLDOVAN V. WILLIAM FOSTER

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

90013

97V119T

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 18 1998

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*Witness my signature and the seal of said court
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Will. L. Martin, III

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, JAN - 4 1999

The Court of Appeals hereby passes the following order:

A99I0126. VOLKSWAGEN OF AMERICA, INC., et al. v. GENTRY

The defendants', Volkswagen of America, Inc. and Volkswagen Aktiengesellschaft, petition for interlocutory appeal of the trial court's order denying their motion for summary judgment with regard to plaintiffs' RICO claims is hereby GRANTED. It is further ordered that upon docketing of this case it will be consolidated with the plaintiffs' direct appeal of the trial court's order granting the defendants' motion for summary judgment in the underlying case Civil Action File No. 90vs0014930.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN - 4 1999

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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JAN - 4 1999

The Court of Appeals hereby passes the following order:

A99I0127. DILLS v. LA PETITE ACADEMY, INC.

Plaintiff seeks an interlocutory appeal from an order granting in part defendant's motion for summary judgment. Defendant argues that because the judgment appealed from is directly appealable under OCGA § 9-11-56 (h), plaintiff's application for appeal is improper and should be dismissed. We agree. Because the interlocutory appeal procedure is available only for those judgments not otherwise subject to direct appeal, plaintiff's application is hereby DISMISSED for lack of jurisdiction. OCGA § 5-6-34 (b); Artis v. Gaither, 199 Ga. App. 114-115 (404 SE2d 322) (1991).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN - 4 1999

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Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 17, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0128

NATIONAL COUNCIL ON COMPENSATION INSURANCE, INC. V. ALBERT STRICKLAND

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

99013

97VS127440CC

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 17 1998

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Will. L. Martin, III Clerk.

Court of Appeals of the State of Georgia

ATLANTA,

DEC 20 1998

The Court of Appeals hereby passes the following order:

**A99I0129. M. C. Contracting Co., Inc., et al. v. Michael Touchet
d/b/a M. T. Contractors**

This application for interlocutory appeal seeks review of the trial court's order denying M. C. Contracting Co., Inc.,'s, Craig Paving & Grading Company, Inc.,'s and Craig Touchet's motion for summary judgment. The order denying the motion was entered on November 20, 1998. Although applicants obtained a certificate of immediate review, they did not do so until December 2, 1998, the day the certificate of immediate review was entered.

A certificate of immediate review is ineffective unless it is filed within ten days of the entry of the order or judgment sought to be appealed. OCGA § 5-6-34 (b); Turner v. Harper, 231 Ga. 175 (200 SE2d 748) (1973); Van Schallern v. Stanco, 130 Ga. App. 687 (204 SE2d 317) (1974). If the certificate of immediate review is not entered within the ten day period, it is untimely, and the party seeking review must wait until the final judgment in the case to seek review of the interlocutory order. Turner, supra. In this case, the certificate of immediate review was not filed within ten days of the entry of the trial court's November 20, 1998 order, and therefore, it is untimely. Accordingly, this application is

dismissed for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 29 1998

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hereto affixed the day and year last above written.*

Willie L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 07, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0130

VAL D' AOSTA COMPANY d/b/a COMFORT INN V. ROBERTA CROSS, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

96013

97CV2279

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN -7 1999

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Will. L. Mant

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 06, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0131

CENTRAL MUTUAL INSURANCE COMPANY V. PATRICIA LYNN DONHAM, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

92014

97104616

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN - 6 1999

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Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0132
CHARLES G. WRIGHT, ET AL V. JOHN WILLIAM GAY, JR.

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

94014

97CV1175

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

DEC 18 1998

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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 13, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A99I0133

J.H. HARVEY COMPANY, INC. d/b/a HARVEY'S SUPERMARKET V. DIANE MILLER

Upon consideration of the motion for reconsideration filed in this case, it is ordered that it be hereby denied.

91-014
97CV949

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 13 1999

*I certify that the above is a true extract from
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*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0133

J.H. HARVEY COMPANY, INC. d/b/a HARVEY'S SUPERMARKET V. DIANE
MILLER

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

91014

97CV949

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 30 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 07, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0134

BIRNBREY, MINSK & MINSK, LLC ET AL V. NOAH YIRGA AS GUARDIAN OF ELLENI
TOMBASSA

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

95014

97VS134657A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN -7 1999

*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.

Will. L. Mart, III

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 29, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0135
STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY V. MARY MARGARET
SHIERLING, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

90014

97V674

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta DEC 29 1998*

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 06, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0136

JOHN WILLIAM GAY, JR. V. CHARLES G. WRIGHT, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

94015

97CV117

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN -6 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 06, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0137

GEORGIA FARM BUREAU MUTUAL INSURANCE COMPANY, ET AL V. PATRICIA
HUNKE, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

98014

1S97CV116M

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 6 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 08, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0138
PAUL SACCO, ET AL V. DOUGLAS SOTHERLAND

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

97014

97A22807

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JAN - 8 1999*

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 08, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0139

THE TRAVELERS INDEMNITY COMPANY OF AMERICA V. SUNBELT PERSONNEL
INCORPORATED d/b/a LABOR FORCE

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

99014

34357

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN - 8 1999

*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.

William L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 06, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0140
BORIS BABICHENKO V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

93014

98D01768S2

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JAN - 6 1999*

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 08, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0141
LARRY ARRINGTON, ET AL V. RICHARD GREEN

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96014

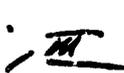
SC97CV1170

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 12 1999

*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.*

Will. L. Mart,  Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 08, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0142

EDWIN THOMAS TAYLOR V. STEVEN E. BLACKBURN, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92015

97CV354

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 8 1999

*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
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Will. L. Mart, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0143
FLUIDMASTER, INC. V. JOHN SEVERINSON

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

91015

98SC0320

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 30 1998

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 13, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0144

GEORGIA FARM BUREAU INSURANCE CO. V. BENJAMIN FRANKLIN VINES, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

95015

97516

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 13 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 14, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0145
ALLIED READYMIX, INC. V. JOHN B. BAGLEY, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

90015

96A276716

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 14 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JAN 12 1999

The Court of Appeals hereby passes the following order:

**A99I0146. NORMAN W. MORGAN v. AMERICAN INSURANCE MANAGERS, INC.
ET AL.**

This application for interlocutory appeal is from the grant of partial summary judgment for the defendants in this action alleging breach of an employment contract and fraud. However, the interlocutory appeal procedures set forth in OCGA § 5-6-34 (b) apply to judgments that are not otherwise subject to direct appeal. Because orders granting partial summary judgment may be appealed directly, OCGA § 9-11-56 (h); Sapp v. ABC Credit & Inv. Co., 243 Ga. 151 (253 SE2d 82) (1979), this interlocutory application is inappropriate and must be dismissed.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 12 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 08, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0147

SHAQUANTA LYUNETTE HALL V. PATRICK KENNETH

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

97015

98SCV0323

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN - 8 1999

*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.

Will L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, JAN 14 1999

The Court of Appeals hereby passes the following order:

A99I0148. CAMDEN COUNTY, GEORGIA, et al. v. HADDOCK.

Defendants seek immediate review of an order denying cross motions for summary judgment in a case wherein plaintiff is seeking mandamus, declaratory and injunctive relief, and compensatory and punitive damages. Because defendants' arguments are based largely on grounds that are not specific to the propriety of the injunctive or mandamus relief plaintiff seeks, it would appear that the application is properly addressed to this court rather than the Supreme Court. However, OCGA § 9-6-1 provides in part that "[n]o appeal as to any ruling or decision in a mandamus or quo warranto proceeding or in a case involving a writ of prohibition shall be taken . . . until there has been a final judgment in the trial court."

Because plaintiff's claim for mandamus relief remains pending in the court below and the grant of defendants' application would delay final resolution of that part of the case by the trial court in violation of both the letter and spirit of OCGA § 9-6-1, we are constrained to hold that defendants' application for appeal is improper and cannot be considered. Accordingly, the application is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 14 1999

*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.*

Will. L. Mart, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 27, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A99I0148

CAMDEN COUNTY, GEORGIA, ET AL V. MARY E. HADDOCK

Upon consideration of the motion for reconsideration filed in this case, it is ordered that it be hereby denied.

99-015
97V087

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JAN 27 1999

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 27, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A99I0148

CAMDEN COUNTY, GEORGIA, ET AL V. MARY E. HADDOCK

Upon consideration of the motion for reconsideration filed in this case, it is ordered that it be hereby denied.

99-015
97V087

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 27 1999

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA,

SEPTEMBER 01, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0001

RAY WILLIAMS, ET AL V. JAMES E. ROGERS, JR., ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92001

97VS0123804C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP - 1 1998

*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
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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 14, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0002
THOMAS ANDREW SWEENEY V. THE STATE

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

94001

97RCCR1030

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 14 1998

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

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Clerk.

William L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA,

SEPTEMBER 10, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0003

JOE A. WEEKS V. HUBERT W. MERCHANT, JR.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91001

98CV59884

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 10 1998

*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.*

Will L. Mant, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 15, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0004

FIRST UNION NATIONAL BANK V. SMOKE RISE GOLF AND COUNTRY CLUB, INC.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

95001

96VS0121392D

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 15 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 10, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0005
DERMATOLOGY CLINIC, S.C. V. MEDICAL SOFTWARE MANAGEMENT, INC.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

90001

98CV1377

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 10 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 15, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0006
ALLEN GIBSON V. ROBERT KNIGHT, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

98001

97VS0130460

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta SEP 15 1998*

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 22, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0007
ANTHONY W. BACON, JR., ET AL V. CITY OF GLENNVILLE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

97001

97V193

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta SEP 22 1998*

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 16, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0008
ROBERT HAYNIE, ET AL V. BROTHERS BUILDING SUPPLY COMPANY, INC.

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

99001

96597

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 16 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, SEP 10 1998

The Court of Appeals hereby passes the following order:

A99I0009. DEAN v. SIKES

Jeannie Rena Dean and Gregory S. Dean filed this application for interlocutory appeal from the trial court's order denying their motion for summary judgment. The trial court certified its order for immediate review on August 10, 1998, and the application was filed with this Court on August 21, 1998, eleven days after entry of the certificate for immediate review. OCGA § 5-6-34 (b) requires that applications for interlocutory appeal be filed within ten days of the date of entry of the certificate of immediate review. Accordingly, the application is untimely, which deprives this Court of jurisdiction to consider the appeal. Graves v. Dean, 166 Ga. App. 186 (303 SE2d 751) (1983). The application for interlocutory appeal is thus DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 10 1998

*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.*

Will. L. Martin, Jr. Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 24, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0010
L.E. SIDRE, JR. V. CHARLES WILSON HARVARD, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

96001

97A66514

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 24 1998

*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.

Will. L. Martin, III



Court of Appeals

Memorandum

To: Bill Martin

From: Ed Johnson *EJ*

Subject: Transfer A99I0010 and A99I0011

Date: September 22, 1998

Per the attached memo, Chief Judge Andrews wants to grant these applications. Per Bill Martin's instructions, please transfer these cases to Chief Judge Andrews.



Court of Appeals

Memorandum

To: Judge Johnson
From: Chief Judge Andrews *JA*
Subject: A99I0010 and A99I0011
Date: September 22, 1998

I am voting to grant these applications in order to look into the premises liability issue more closely. It may be that I will dismiss them as improvidently granted; however, at first glance, it is difficult to find any negligence, at least on the part of the homeowner.

After a preliminary reading, the evidence shows that the homeowner did not even know that Sidre was home alone instead of at day care, much less that he had a friend over. I do not believe the homeowner was negligent just because there were matches in the house; nor do I believe that the "attractive nuisance" doctrine is applicable in this case. Therefore, I would grant both applications. Please have the case transferred to me.

**Court of Appeals
of the State of Georgia**

ATLANTA,

SEPTEMBER 23, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0012
KEITH GENARA RUSSELL V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92002

Y03607

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 23 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA,

SEPTEMBER 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0013

LINCOLN GENERAL INSURANCE COMPANY V. JOHN HILTON, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

94002

97CV59

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 18 1998

*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.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, SEP 18 1998

The Court of Appeals hereby passes the following order:

A99I0014. LAMB v. STATE

Lewis Early Lamb filed this application for interlocutory review of the trial court's August 17, 1998 order denying his "Motion in Limine, Motion to Suppress and Demurrers." Lamb obtained and filed a certificate of immediate review of that order on August 28, 1998.

"[A] certificate of immediate review of a nonfinal or interlocutory judgment is ineffective unless entered, i.e., filed with the clerk, within ten days after entry of the judgment appealed from." Van Schallern v. Stanco, 130 Ga. App. 687 (204 SE2d 317) (1974). If the certificate of immediate review is not obtained during the ten-day period, it is untimely and the party must wait until a final judgment is entered before appealing an interlocutory judgment rendered in the case. Turner v. Harper, 231 Ga. 175, 176 (200 SE2d 748) (1973).

Lamb's certificate of immediate review was filed 11 days after entry of the order appealed. It is untimely and therefore ineffective to confer jurisdiction upon this Court to consider an interlocutory order. Accordingly, this application is hereby ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 18 1998

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 16, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0015
VICKI DOWNS V. PAMELA MARIE CLISBEE ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

95002

I970949G

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 16 1998

*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.*

Will L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0016

FRANK MAYES AND ASSOCIATES, INC., ET AL V. LOUIS E. MASOOD

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

90002

97A362593

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 18 1998

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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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 05, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0017
STEVEN MCNAMEE, ET AL V. A.J.W., a minor, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

98002

97C55854 97C63984

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT - 5 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 05, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0018
LOEWEN (GEORGIA), INC. d/b/a/ HILLCREST MEMORIAL PARK, ET AL V.
SARAH POWELL JENKINS, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

97002

96RCSC954

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta OCT - 5 1998

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 23, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0019
STEPHEN M. ORT V. THE STATE

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

99002
98T6232

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta SEP 23 1998*

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 05, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0020
PLATT'S FUNERAL HOME, INC., ET AL V. SARAH POWELL JENKINS, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

97003

96RCSC954

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta OCT - 5 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, September 25, 1998

The Court of Appeals hereby passes the following order:

A99I0021. GRAHAM v. LILBURN GERIATRIC CENTER.

Upon consideration of applicant's "Withdrawal of Application for Appellate Review," which the court will treat as a Motion for Permission to Withdraw the Application, the same is hereby Granted.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 25 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0024
CARRIE JEANETTE BARBER V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91003

98Z204316F

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta SEP 30 1998

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA,

SEPTEMBER 24, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0022

FIRST ALLIANCE BANK V. WESTOVER, INC., ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92003

931198724

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 24 1998

*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.

William L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, SEP 30 1998

The Court of Appeals hereby passes the following order:

A99I0023. WOODS, et al. v. McCLENDON, et al.

The Treutlen County Board of Education and Reginald Woods seek an interlocutory appeal from an order denying their motion for summary judgment entered August 24, 1998. This court issued an order on September 11, 1998, directing that applicants supplement their application for appeal with a stamped "filed" copy of the certificate of immediate review within ten days or the application would be dismissed. The document was not received in this court until September 23, 1998. The defendants' application is therefore subject to dismissal for failure to comply with this court's order of September 11. Moreover, although the trial court signed the certificate of immediate review on August 28, 1998, it appears the document was not actually filed until September 15, 1998. To be effective, a certificate of immediate review must be signed and filed within ten days of the entry of the order to which the certificate refers. Turner v. Harper, 231 Ga. 175, 176 (200 SE2d 748) (1973).

For the foregoing reasons, the application is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 30 1998

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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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0025
LAVERN SUPAN V. JOEY D. GRIFFIN, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

95003

97CV269

Court of Appeals of the State of Georgia
SEP 30 1998
Clerk's Office, Atlanta

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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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 08, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0026
HOLLY PIKE ROMANO V. THOMAS K. PIKE, SR. ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

90003
98V584

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT - 8 1998

*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.*

Jill L. Mart, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 28, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0027
RITA S. CARPENTER V. THE STATE

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

93003
39032B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 28 1998

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 01, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0028

GARY ROBERT SLAUSON a/k/a GARY SKULLY V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

98003

98R034

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT - 1 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 01, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0028

GARY ROBERT SLAUSON a/k/a GARY SKULLY V. THE STATE

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

98003

98R034

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT - 1 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 06, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0029

MUSTAFA MUSLIM, as administrator of the estate of ANIYYAH MUSLIM,
deceased V. LYNN JAMES DARBY, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

99003

SU95CV0227

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT -6 1998

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 15, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0030
LEANNE WHITE V. MIKE FRANCHI, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

96003

97C5976S3

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta OCT 15 1998

*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.

Will. L. Martin, III

of Appeals of the State of Georgia

ATLANTA, October 01, 1998

The Court of Appeals hereby passes the following order:

A99I0031. IN RE: JOHN ETHAN LUND.

This application for interlocutory appeal seeks review of a juvenile court's order denying a motion to permit discovery. The discovery order was entered on July 28, 1998, but the certificate of immediate review was not filed until September 11, 1998.

Under OCGA § 5-6-34 (b), in order to obtain an interlocutory appeal, a certificate of immediate review must be filed within 10 days of entry of the order from which appeal is sought. If the certificate of immediate review is not filed within the ten-day period allowed, the party seeking review must wait until entry of final judgment in the matter to appeal the order. Turner v. Harper, 231 Ga. 175 (200 SE2d 748) (1973). As the certificate of immediate review was untimely in this case, the application must be dismissed.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta **OCT - 1 1998**

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 09, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0032
JOSEPH FARMER, ET AL V. RODELL HARLEY

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

94004

I962147G

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta OCT - 9 1998

*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.*

Will L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 13, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0033

TAYLOR AUTO GROUP, INC. V. GEJUAN C. JESSIE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

91004

97RCCV338

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 13 1998

*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.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 01, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0034
CITY OF VIDALIA V. MONA LISA BROWN, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

95004
96CV802

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta OCT - 1 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 14, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0035
LAWRENCE JONES, ET AL V. THE STATE

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

90004

97CR490

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

OCT 14 1998

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 01, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0036

DONNA C. TAYLOR V. JIMMY AUTRY STATE PRISON, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

98004

97V526

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT - 1 1998

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 21, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0037

CONNIE LIESMAN, ET AL V. SUSAN WOO d/b/a/ PROFESSIONAL CLEANERS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

97004

97CV1575V

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 21 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 06, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0038
T. WAYNE RENTZ, ET AL V. LAVADA TAYLOR

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

99004

9702093

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta OCT - 6 1998*

*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.

William L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 13, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0039
GEORGIA LOTTERY CORPORATION V. DARRYL E. SUMNER

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

93004

97VS0134072J

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 13 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 09, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0040

SARAH HALL V. RODELL HARLEY

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

94005

I962147G

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT - 9 1998

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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.*

Will L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 19, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0041
VETERANS LIFE INSURANCE COMPANY V. LILLIAN KIRTON

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

96004

97V028

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 19 1998

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 16, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0042

BACKUS CADILLAC-PONTIAC, INC. V. GEORGE SAULS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

92005

I981458G

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 16 1998

*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.

Will. L. Mart, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 16, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0043

JOHN IMHOFF, M.D., ET AL V. EILEEN HARRELL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91005

9801088

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 16 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 16, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0044

MELVIN N. ABEND, M.D., ET AL V. BETTY KLAUDT, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

95005

97VS0126064C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 16 1998

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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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 26, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0045

GEORGIA DEPARTMENT OF TRANSPORTATION V. BEATRICE COE, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

90005

97VS0126174J

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 26 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 15, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0046

MACCONOCHIE CONSTRUCTION COMPANY V. BUFFINGTON/RED OAK DEVELOPMENT
COMPANY, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

98005

96A260211

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 15 1998

*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
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Clerk.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, OCT 13 1998

The Court of Appeals hereby passes the following order:

A99I0047. Westbrook v. The State

David E. Westbrook seeks interlocutory review of the trial court's denial of his motion to declare OCGA § 17-16-1 unconstitutional, void and of no effect. However, the Supreme Court has exclusive appellate jurisdiction in all cases in which the constitutionality of a law has been drawn into question. Ga. Const. of 1983, Art. VI, Sec. VI, Par. II. Because the sole issue on appeal is the trial court's denial of Westbrook's motion to declare OCGA § 17-16-1 unconstitutional, this Court lacks jurisdiction over this appeal. Accordingly, this appeal is hereby TRANSFERRED to the Supreme Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 13 1998

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 21, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0048
RONALD D. ERWIN, ET AL V. ALLEN COX

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99005

94V0226E

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 21 1998

*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
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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0049

TOOMBS COUNTY NURSING HOME V. MILDRED FISHER, individually and
b/n/f of T.C. FISHER

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

93005

93SPCV534

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 30 1998

*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.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0050

MILDRED FISHER, individually and b/n/f of T.C. FISHER V. TOOMBS
COUNTY NURSING HOME

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

93006

93SPCV534

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 30 1998

*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.

Will. L. Mart, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 16, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0051

DANIEL DUBOVSKY, M.D., ET AL V. BETTY KLAUDT, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

95006

97VS0126064C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 16 1998

*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.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, OCT 15 1998

The Court of Appeals hereby passes the following order:

A99I0052. Chip Harp d/b/a Sisters Court Coffee v. Georgia Mountain Water

Chip Harp d/b/a Sisters Court Coffee ("Harp") filed this application for interlocutory appeal seeking review of the trial court's denial of his motion for summary judgment. The trial court's order was entered on September 15, 1998. A certificate of immediate review was obtained and filed of record on September 23, 1998. Harp filed this application on October 6, 1998.

OCGA § 5-6-34 (b) sets forth the criteria for an interlocutory application. A certificate of immediate review must be obtained and filed within 10 days of the entry of the order sought to be appealed. An application for interlocutory appeal must be filed within 10 days of the filing of the certificate. In this case the certificate was filed within 10 days of the entry of the order Harp seeks to appeal; however, the application was not filed until 13 days after the entry of the certificate. The application is therefore untimely and this Court lacks jurisdiction to consider this application.

Accordingly, this application for interlocutory appeal is hereby ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 15 1998

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.

Will. L. Mat, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, NOV -3 1998

The Court of Appeals hereby passes the following order:

A99I0052. Harp d/b/a Sisters Court Coffee v. Georgia Mountain Water.

Chip Harp d/b/a Sisters Court Coffee seeks reconsideration of this Court's dismissal of his application for interlocutory appeal. Harp's application was dismissed as untimely. Harp claims the dismissal was in error as he timely filed his application by certified mail as permitted by Court of Appeals Rule 4. However, Harp's application was mailed via "Express Mail" which does not meet the requirements for certified mail return receipt requested as provided by Rule 4. Accordingly, Harp's motion for reconsideration is denied.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV -3 1998

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 27, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0053

SUSAN HARDING, M.D. V. MELANIE MONTGOMERY GODWIN, individually and
as Administratrix of the Estate of NICHOLAS EDWARD GODWIN, deceased

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby GRANTED. The Appellant may
file a Notice of Appeal within 10 days of the date of this order.
The Clerk of SUPERIOR COURT is directed to include a copy of this
order in the record transmitted to the Court of Appeals.

92006

97CV441

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 27 1998

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 27, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0054
PATRICK WILLINGHAM V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

94006

98CR224

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

OCT 27 1998

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 22, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0055
CANAL INSURANCE COMPANY V. ANITIA TEKRONY

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91006

97V457

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 22 1998

*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.

William L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0056
MOORE-SAPP INVESTORS V. J.C. RICHARDS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

90006
9602093

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

OCT 30 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0057

CITY OF BRUNSWICK, GEORGIA V. JOHN C. RICHARDS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

90007

9602093

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 30 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 21, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0058
MICHAEL LEON HARVEY V. THE STATE

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

98006

97R110

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 21 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 29, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0059

COMMERCIAL CREDIT PLAN, INCORPORATED V. FRED G. WILLIAMS, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

97006

9849992

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 29 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 27, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0060

MARTIN MARTINEZ V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99006

98CR139

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta OCT 27 1998*

*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.*

Will. L. Martinez

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 27, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0061
PHILIP M. TYRSECK V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96006

98SR2436

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

OCT 27 1998

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 05, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0062
JEFFERY CAIN, ET AL V. ANGELA MESSICK

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92007

95A140436

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta NOV -5 1998*

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 05, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0063

TUCKER FEDERAL BANK V. PRIME GROUP, INC., ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

94007

97RCCV1128

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV - 5 1998

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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.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 02, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0064
GARY RICE V. THE STATE OF GEORGIA

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91007

98FCV118J

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta NOV -2 1998*

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 02, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0065
JANICE KAY RICE V. THE STATE OF GEORGIA

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91008

98FCV118J

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta* NOV -2 1998

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 27, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0066

STATE FARM FIRE & CASUALTY COMPANY V. JOE CRENSHAW, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

95007

98V338

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 27 1998

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 10, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0067
BILL JOSEPH WILLIAMS V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

98007

9792584

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta NOV 10 1998*

*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.*

William L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 03, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0068
JAMES V. JORDAN V. DERICK HOMER, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

97007

96A215821

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV - 3 1998

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will L. Mat, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 03, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0069

I.B. SIRMANS V. THE STATE

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

99007

98386

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV - 3 1998

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0070

ARTHUR MORRISON, ET AL V. ARMADA VEHICLE RENTAL, INC.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

93007

97CV10207

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 18 1998

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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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 03, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0071
FRANKLIN D. SMITH V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96007

98CR0124

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV - 3 1998

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the minutes of the Court of Appeals of Georgia.*

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Will. L. Martini, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 13, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0072
LORENE MULLINS V. STAR CHOICES, INC.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92008

98CV2139

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

NOV 13 1998

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Mat, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 09, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0073
THE HOME PLACE, INC. V. ANDY SHURLEY, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

94008

97CV13948

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV - 9 1998

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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.

William L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0074

AMERICAN ASSOCIATION OF CAB COMPANIES, INC., ET AL V. THOMAS PARHAM,
SR., ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

95008

94VB88590A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 18 1998

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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.

Will L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, NOV -3 1998

The Court of Appeals hereby passes the following order:

A99I0075. SABRINA D. MCCURRY v. THE STATE.

This application for interlocutory appeal is from the denial of a motion to suppress the results of a blood test in a DUI case. The trial court denied the defendant's motion on September 28, 1998, and a certificate of immediate review was entered on October 12, 1998.

However, under OCGA § 5-6-34 (b), a certificate of immediate review must be entered within ten days of entry of the judgment for which an appeal is sought. "[T]he certificate must be filed with the clerk of the trial court or 'entered' within the ten-day period in order to secure immediate review of a non-final judgment; and if the certificate is not entered within the ten-day period, then the party seeking review will merely have to await a final judgment in the case before he can obtain review of interlocutory judgments entered in the trial court." Turner v. Harper, 231 Ga. 175, 176 (200 SE2d 748) (1973).

In this case, as the certificate of immediate review was not filed within ten days of the denial to the motion to suppress, the application is hereby dismissed.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV -3 1998

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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.

Court of Appeals of the State of Georgia

ATLANTA, NOV -2 1998

The Court of Appeals hereby passes the following order:

A99I0076. Turnbull v. Neustadt

T. David Turnbull and Indra Turnbull filed this interlocutory application seeking review of the trial court's grant of partial summary judgment to Laurence T. Neustadt. However, because grants of summary judgment are subject to direct appeal, and because the interlocutory appeal procedure is applicable only to those orders, decisions, and judgments which are "not otherwise subject to direct appeal," (OCGA § 5-6-34 (b)) this Court lacks jurisdiction over this application. Artis v. Gaither, 199 Ga. App. 114-115 (404 SE2d 322) (1991). Accordingly, the application for interlocutory appeal is ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV -2 1998

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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.

Will. L. Martin, Jr.

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 20, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0077
TORIONO LAWSON V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

97008
96R086

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta NOV 20 1998*

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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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 20, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0078
DEXTER L. MCSWAIN, ET AL V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

97009

96R086

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 20 1998

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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 09, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0079

SANTEL CONTRACTORS, INC. V. CENTRAL OF GEORGIA RAILROAD CO.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99008

95CV8762

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

NOV - 9 1998

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the minutes of the Court of Appeals of Georgia.*

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Will. L. Mart, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 09, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0080

SANTEL CONTRACTORS, INC. V. CENTRAL OF GEORGIA RAILROAD CO.

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

99009

95CV8562

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV - 9 1998

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

William L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 09, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0081

CENTRAL OF GEORGIA RAILROAD COMPANY V. JOHNNY L. BRYANT

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99010

95CV08562

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

NOV - 9 1998

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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.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 09, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0082

CENTRAL OF GEORGIA RAILROAD COMPANY V. ERNEST K. FOUNTAIN, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99011

95CV08762

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV -9 1998

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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, OCTOBER 28, 1998

The Court of Appeals hereby passes the following order:

Case No. A99I0082

CENTRAL OF GEORGIA RAILROAD COMPANY V. ERNEST K. FOUNTAIN, ET AL

The interlocutory application received in the above docketed matter does not contain a stamped "filed" copy of the order appealed, as required by Rule 31 (c).

Applicant is hereby ordered to supplement the application with a stamped "filed" copy of the order instanter. If applicant does not cause a copy of said order to be physically filed with the Court within 10 days of the date of this order, the application will be dismissed. Applicant's submission in response to this order will be deemed filed only on the date it is physically received in the Clerk's office.

The Court is required to issue an order granting or denying the application within 30 days of the filing of the application. See OCGA 5-6-34 (b).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 28 1998

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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0083
CYBEX INTERNATIONAL, INC., ET AL V. LUMEX/ BASIC AMERICAN HOLDINGS,
INC., ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

93008

98VS0136709A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 18 1998

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*Witness my signature and the seal of said court
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Clerk.

Will. E. Martin, III

NOV 18 1998

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 12, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0084
CHRISTOPHER CLARK, ET AL V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96008

989017234

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta NOV 12 1998*

*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.*

Will. L. Mart, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 25, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0085
DONALD K. JOHNSON V. JAMES BARTON RODIER, M.D.

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

92009

HS98CV412

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 25 1998

*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
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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0086
BLUEPRINT DEVELOPMENT, INC., ET AL V. SHERRON C. LEE, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

94009

CV960468MO

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 18 1998

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Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0087
UNITED PARCEL SERVICE, INC. V. JERUSHA MOORE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

91009
97CV346

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta NOV 18 1998*

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0088
MICHAEL WAYNE BELLAMY, JR. V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

95009

98CR1424V

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 18 1998

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*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0089
AMERICA FIRST PROPERTIES V. JASON LANE, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

90009

E49640

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 18 1998

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*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, NOV 25 1998

The Court of Appeals hereby passes the following order:

A99I0090. Portman v. Portman

Marquitta Portman seeks interlocutory review of the trial court's denial of her motion to recuse the Honorable Michael Stoddard. The order Portman seeks to appeal was entered by the trial court on October 27, 1998. A certificate of immediate review was entered by the trial court on November 6, 1998. Portman filed this application on November 17, 1998. An application for interlocutory review must be filed within ten days after a certificate of immediate review is granted. OCGA § 5-6-34 (b). Portman's application was not filed until eleven days after entry of the certificate. Portman's failure to timely file this application deprives this Court of jurisdiction over this application. Accordingly, this application is ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 25 1998

*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.*

Will. L. Mat, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 15, 1998

The Court of Appeals hereby passes the following order:

Case No. A99I0090

MARQUITTA PORTMAN V. GREGORY R. PORTMAN

Upon consideration of the motion for reconsideration filed in this case, it is ordered that it be hereby denied.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 15 1998

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.

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0091
ANTHONY MARK LEWIS V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

95010

98CR1424V

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 18 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0092
MICHAEL WAYNE BELLAMY, SR., ET AL V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

95011

98CR1424V

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta NOV 18 1998*

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 24, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0093
RONALD WADE THOMPSON V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

93009

98CR00811

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

NOV 24 1998

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 02, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0094
FICKLING & COMPANY V. SHARON E. GRANT

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96009

98CV0373

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC -2 1998

*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.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, November 17, 1998

The Court of Appeals hereby passes the following order:

A99I0095. ALTON LIVELY v. MATHEL LEE GILLIS.

This application for interlocutory appeal is from the denial of summary judgment for the defendant in a tort action. The trial court denied the motion for summary judgment on October 14, 1998, and granted a certificate of immediate review on October 27, 1998. However, under OCGA § 5-6-34 (b), the deadline for filing the certificate of immediate review was October 26, 1998. If the certificate is not filed within the required time period, "then the party seeking review will merely have to await a final judgment in the case before he can obtain review of interlocutory judgments entered in the trial court." Turner v. Harper, 231 Ga. 175, 176 (200 SE2d 748) (1973). Accordingly, this application is hereby dismissed.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 17 1998

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 25, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0096

JOSEPH M. HUGHES V. GEORGIA DEPARTMENT OF CORRECTIONS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

94010

E47916

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 25 1998

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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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 24, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0097
THOMAS F. PALMER V. SUSAN M. BERTRAND

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91010

97CV15498

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta NOV 24 1998*

*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.*

Will. L. Martini, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, DECEMBER 03, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0098
CITY OF ELBERTON V. BROADUS P. DANIEL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

90010

97EV368B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC -3 1998

*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
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Will L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 13, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0149
CHASE BANK OF TEXAS, N.A. F/K/A TEXAS COMMERCE BANK, N.A. V.
J. OGBURN BLAKE ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

93015

E61930

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 13 1999

*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.

William L. ...

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 14, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0150

STEVEN MONTALTO ET AL V. SAMUEL L. BROOKS ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

96015

E43610

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 14 1999

*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.

William L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 27, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0151

CRAIG DAVID MINNIX ET AL V. TONY CARROLL PAYNE ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

92016

98CV0423

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 27 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 25, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0152
ARTHUR PANICUCCI ET AL V. THE STATE

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

94016

98R8250

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 25 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 20, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0153

MARILOIS LASTER V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91016

98CR3203

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 20 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 25, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0154
ALTON LIVELY V. RANDY MCDANIEL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

95016

98CV00067

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 25 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, NOVEMBER 13, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0155
BDO SEIDMAN, LLP. V. J. OGBURN BLAKE, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

93016

E61930

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 13 1999

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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 13, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0156
BDO SEIDMAN, ET AL V. LESLIE WHITE, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

93017

E61995

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 13 1999

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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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 15, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0157
TELFAIR ARMS APARTMENTS V. BARBARA M. HANNAH

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

90016

I962042F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 15 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 19, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0158

ROSEMARY BAUER V. GEORGIA EYE BANK, INC., ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

98016

E68113

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 19 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 27, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0159
ROBERT W. GRUNDUSKI V. KIMBERLY MARQUIS

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

97016

98A09322

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 27 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0160
KIMBERLY ANNE MICHAEL V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99016

98SR689

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JAN 22 1999*

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0160
KIMBERLY ANNE MICHAEL V. THE STATE

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

99016
98SR689

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JAN 22 1999*

*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.*

Will. L. Martini, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JAN 11 1999

The Court of Appeals hereby passes the following order:

A99I0161. Lonnie Lee Lassinger v. The State

Applicant Lonnie Lee Lassinger seeks interlocutory review of the trial court's denial of his motion to dismiss. An application for interlocutory review is required to be filed with this court within ten days of the grant of a certificate of immediate review. OCGA § 5-6-34 (b). Further, a certificate of immediate review must be obtained and filed within ten days of the interlocutory order being appealed. *Id.* In this case, Lassinger's failure to obtain a certificate of immediate review within ten days of denial of his motion to dismiss deprives this Court of jurisdiction over this application. Accordingly, this application is ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 11 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 26, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0162

DONALD L. BOYD, M.D., ET AL V. RITA PEAK, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96016

94SCV0005

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 26 1999

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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 11, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A99I0162

DONALD L. BOYD, M.D., ET AL V. RITA PEAK, ET AL

Upon consideration of the motion for reconsideration filed
in this case, it is ordered that it be hereby denied.

96-016
94SCV0005

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 11 1999

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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.*

Will L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 25, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0163

DEWITT PRODUCE COMPANY, INC., ET AL V. RICHARD BONDS, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

92017

97CV520

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 25 1999

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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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 29, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0164

ROBERT JOSEPH HANOUSEK V. NAOMI SCHAFFER

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

91017

981405F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 29 1999

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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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 03, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0165

ATLANTA STADIUM DESIGN TEAM, ET AL V. HELMARK STEEL, INC.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

95017

96VS0115622A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB - 3 1999

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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JANUARY 29, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0166
ALVINA MARTIN V. DEBBIE RICHMOND

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

90017

96CV0169

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 29 1999

*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.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, JAN 29 1999

The Court of Appeals hereby passes the following order:

A99I0167. Aundare Griffin v. The State

This application for interlocutory review seeks review of the trial court's order denying Aundare Griffin's motion to suppress. The order denying Griffin's motion was entered on December 21, 1998. Although Griffin obtained a certificate of immediate review, it was not entered until January 6, 1999.

A certificate of immediate review is ineffective unless it is filed within ten days of the entry of the order or judgment sought to be appealed. OCGA § 5-6-34 (b); Turner v. Harper, 231 Ga. 175 (200 SE2d 748) (1973); Van Schallern v. Stanco, 130 Ga. App. 687 (204 SE2d 317) (1974). If the certificate of immediate review is not entered within the ten day period, it is untimely, and the party seeking review must wait until the final judgment in the case to seek review of the interlocutory order. Turner, supra. In this case, the certificate of immediate review was not filed within ten days of the entry of the trial court's December 21, 1998 order, and therefore, it is untimely. Accordingly, this application is dismissed for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 29 1999

*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.*

Will L. Mart, Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 09, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0168
TROY FRANKLIN MINCEY V. THE STATE

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

97017

1E98CR146M

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB -9 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 03, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0169

LINDSEY PROPERTIES, INC., ET AL V. DANE PAUL HENRY, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

99017

9701079

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 03 1999

*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.*

Will. L. Martin, III

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, FEB - 3 1999

The Court of Appeals hereby passes the following order:

A99I0170. BENJAMIN E. BROWN v. DANE PAUL HENRY et al.

This application for interlocutory appeal is from the denial of summary judgment for one defendant in an action arising out of a real estate transaction. The trial court entered orders denying summary judgment and granting a certificate of immediate review on January 11, 1999. This application was filed eleven days later on January 22, 1999.

Under OCGA § 5-6-34 (b), in order to secure immediate review of a non-final judgment, the certificate of immediate review must be filed within 10 days of the judgment's entry and the application for appeal must be filed within 10 days of the certificate's entry. Graves v. Dean, 166 Ga. App. 186 (303 SE2d 751) (1983). As this application is untimely, it must be dismissed for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB - 3 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 11, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0171

DAVID CHADWICK V. BRENDA GAIL RAY, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96017

97SC0435

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 11 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0172

LEOLA SCOGGINS SEGARS V. MICHAEL STEPHEN SHIRLEY, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

92018

98CV95W

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 22 1999

*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.*

William L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 12, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0173

SFR WEST GEORGIA LLC d/b/a PAPA JOHN'S PIZZA V. JOHN ROBERT SANDERS,
ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

94018

97SV344

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta FEB 12 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 08, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0174

CARLTON R. NORTH, ET AL V. THE UNIFIED GOVERNMENT OF ATHENS - CLARKE
COUNTY, GEORGIA

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

91018

SU97CV0898J

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB - 8 1999

*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.*

Will. L. Martini, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 10, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0175

P.E. ATLANTA, INC., d/b/a BELL BOTTOMS NIGHTCLUB, ET AL V. LARRY W.
BREEDLOVE, JR., ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

95018

97VS0130540C

Court of Appeals of the State of Georgia
FEB 10 1999
Clerk's Office, Atlanta
FEB 10 1999

*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.*

William L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 16, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0176
LEON MITCHELL V. STATE OF GEORGIA

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

90018

98CV2348

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 16 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 10, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0177

HABERSHAM VENTURE, LTD. V. LARRY W. BREEDLOVE, JR., ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

95019

97VS130540

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 10 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 10, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0178

AIRBORNE FREIGHT CORPORATION d/b/a AIRBORNE EXPRESS V. ARTURO VIGIL,
individually and as Legal Guardian for EMILIA VIGIL, an incapacitated
adult

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

98018

97VS0126120F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 10 1999

*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.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, FEB 12 1999

The Court of Appeals hereby passes the following order:

A99I0180. DARRELL W. LEE, ET AL. v. ENVIRONMENTAL PEST & TERMITE CONTROL, INC.

On February 1, 1999, applicants Darrell W. Lee, Future Pest Control, Inc. d/b/a Future Termite and Pest Control, and Dell Walker filed this application seeking to appeal the trial court's January 20, 1999 orders denying their motions for summary judgment. The applicants simultaneously filed an application to appeal the denial of summary judgment with the Supreme Court (S99I0645). The case is already pending in the Georgia Supreme Court on direct appeal of the trial court's earlier order granting an interlocutory injunction (S99A0184). On November 23, 1998, the Supreme Court denied the motion of these applicants to transfer the direct appeal in S99A0184 to this Court.

There appears to be no reason for the appeals in this case to be divided between the appellate courts. Accordingly, because the Supreme Court affirmatively assumed jurisdiction in S99A0184, this application is hereby ordered transferred to the Supreme Court for disposition.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 12 1999 FEB 12 1999

*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.*

Will L. Martin

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 24, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0181

STIMSONITE CORPORATION V. MICHAEL S. WHITTLE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96018

97VS0131411A

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 26, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0182

MARY LOU MOYA V. LEROY GENTRY

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92019

68599B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 26 1999

*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.*

Will L. Mat...

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 12, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0183

MECHANICAL EQUIPMENT CO. V. CELESTE M. HOOSE, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

94019

96SV821D

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 12 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 19, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0184

FREDA W. THOMAS, ET AL V. SYLVESTER WILEY, JR.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

91019

1969456G

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 19 1999

*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.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, FEB -9 1999

The Court of Appeals hereby passes the following order:

A99I0185. TERRY LEE CUZZORT v. THE STATE.

This application is from the denial of a criminal defendant's motion for the Lookout Mountain Judicial Circuit to change its system for case assignment and calling cases for trial.

Uniform Superior Court Rule 3 provides in part: "In multi-judge circuits, unless a majority of the judges in a circuit elect to adopt a different system, all actions, civil and criminal, shall be assigned by the clerk of each superior court" On May 11, 1998, the four superior court judges of the Lookout Mountain Judicial Circuit rejected the method of case assignment set forth in that uniform rule and instead chose to continue the system of having the District Attorney assign cases and decide the order of cases called for trial.

Maintenance of a state court system capable of providing for the administration of justice in an orderly and efficient manner falls within the inherent power of the Supreme Court. Garcia v. Miller, 261 Ga. 531 (408 SE2d 97) (1991). See also, Lumpkin v. Johnson, Ga. (Case No. S98A1444, decided December 4, 1998). As

this application raises an issue that invokes the application of that inherent power, it is hereby transferred to the Supreme Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB - 9 1999

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.

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 19, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0186

AUDREY NEWSOME V. STATE OF GEORGIA DEPARTMENT OF ADMINISTRATIVE
SERVICES

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

98019

97V8190

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 19 1999

*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.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 19, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0187
EDWARD RADFORD V. ALYCE RADFORD

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

97019

97A79831

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 19 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 24, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0188
TERESA ANN JOINER V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

99019
98R033

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta FEB 24 1999*

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0189

ABBLITT CORPORATION V. HENRY KEITH UNDERWOOD, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

93019

97SC1156

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 22 1999

*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.*

Will L. Mat...^{III}

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, MAR - 8 1999

The Court of Appeals hereby passes the following order:

A99I0190. Abner Clark Mackey v. The State

In July 1997, Abner Clark Mackey was convicted of rape. In December 1998, Mackey filed in the trial court what he labels a motion to arrest judgment. On February 4, 1999, Mackey filed an application for interlocutory appeal in this Court. On February 5, 1999, this Court issued an order requiring Mackey to file a stamped "filed" copy of the order appealed and a stamped "filed" copy of the certificate of immediate review within ten days of the date of the order, or by February 16, 1999.¹ The order specifically stated that if Mackey failed to do so, his application would be dismissed. Because Mackey has failed to comply with this Court's February 5, 1999 order, this application must be dismissed. Mackey's application also must be dismissed because it does not appear that Mackey's motion has ever been ruled on by the trial court. See Mackey's response to this Court's February 5, 1999 order. Thus, Mackey's application is premature. Because Mackey's appeal must be dismissed for the reasons stated, it is unnecessary to address

¹February 15, 1999 was a federal holiday, and therefore, Mackey had until February 16, 1999 to file a stamped "filed" copy of the order appealed and the certificate of immediate review.

Mackey's argument that he did not need to obtain a certificate of immediate review, which pertains to only one part of one reason for dismissal. Mackey's motion to transfer to the Supreme Court is DENIED because this Court has jurisdiction of the subject matter.

For the reasons stated, Mackey's application is defective and deficient and therefore is hereby ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR - 8 1999

*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.*

Will. L. McArthur, Jr. Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 16, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A99I0191

CAROLINA CRANES, INC. V. UNIVERSITY HEALTH SERVICES, INC., ET AL

Upon consideration of the motion for reconsideration filed in this case, it is ordered that it be hereby denied.

96-019
98RCS1432

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta* MAR 16 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 16, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A99I0191

CAROLINA CRANES, INC. V. UNIVERSITY HEALTH SERVICES, INC., ET AL

Upon consideration of the motion for reconsideration filed
in this case, it is ordered that it be hereby denied.

96-019
98RCS1432

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 16 1999

*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.*

Will. L. Martin, Jr.

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0192

J.H. HARVEY COMPANY, INC. V. DEBORAH FOWLER HOWARD

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92020

97SCV187

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 22 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 02, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0193
ERIC BATTERSBY d/b/a CHEROKEE CYCLE ATV AND SMALL ENGINES V.
JEANNE BOYER, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

94020

95SC0489

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR -2 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 02, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0194

AMERICAN HONDA MOTOR COMPANY, INC., ET AL V. JEANNE BOYER, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

94021

95SC0489

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR - 2 1999

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0195

EMPIRE FIRE AND MARINE INSURANCE COMPANY V. JOAN REYNOLDS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

95020

SU96CV15745

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 22 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 26, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0196
COMSOUTH TELESERVICES, INC. V. CATHY C. LIGGETT, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

90020
97V8210

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta FEB 26 1999

*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.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, FEB 19 1999

The Court of Appeals hereby passes the following order:

A99I0197. ARMANDO MARTINEZ v. THE STATE.

This application for interlocutory appeal is from the denial of a motion to suppress evidence. The trial court denied the motion on January 27, 1999, and granted a certificate of immediate review on January 29, 1999. This application was filed 11 days later on February 9, 1999.

However, under OCGA § 5-6-34 (b), an application for appeal of an interlocutory judgment must be filed within 10 days after the grant of a certificate of immediate review. Because this application was filed untimely, this court lacks jurisdiction to consider it. Summer Tree Club Assocs. v. Graves Constr. Co., 140 Ga. App. 214 (230 SE2d 503) (1976). Accordingly, this application is hereby dismissed.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 19 1999

*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.

William L. Martinez, III

**Court of Appeals
of the State of Georgia**

ATLANTA, FEBRUARY 26, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0198

AAA TRUCK SALES, INC. V. MERSHON TRACTOR COMPANY, INC.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

97020

94CV343

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 26 1999

*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.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, FEB 26 1999

The Court of Appeals hereby passes the following order:

A99I0199. NIALL DOWNIE v. JENNIFER LOCKETT

Niall Downie seeks to appeal the January 29, 1999 order of the trial court which continued "the Injunction and Restraining Order entered by the Court on November 24, 1998 . . . until further order of this Court." Apparently, the November 24, 1998 order, entered ex parte, restrained Anthony Zezima, Downie's attorney and not a party to the action, from disbursing funds in the amount of \$10,000 being held in trust for Downie in Zezima's attorney trust account. Generally, where the issue on appeal is the legality or propriety of equitable relief granted by the superior court, jurisdiction is in the Supreme Court, whereas where the grant of injunctive relief was merely ancillary to an underlying legal issue, jurisdiction is in this Court. See Saxton v. Coastal Dialysis and Medical Clinic, Inc., 267 Ga. 177, 178-79 (476 SE2d 587) (1996). In Manning v. Manning, 270 Ga. 86, 86 (1) (1998), the Supreme Court exercised jurisdiction where the superior court granted equitable relief in the form of a prejudgment freezing of assets. In this case, because Downie seeks an appeal on the issue of the legality or propriety of the injunctive relief granted by the superior court,

and the issue of the injunction was not merely ancillary to underlying legal issues, the issues raised in the application appear to be reserved within the exclusive jurisdiction conferred on the Supreme Court by Ga. Const. Art. VI, Sec. VI, Par. III (2).

Although Downie's application does not appear to be sufficiently supported with materials from the record, we deem it proper to allow the Supreme Court to determine, under its rules, whether Downie's application for appeal should be granted. Accordingly, it is ordered that this application be transferred to the Supreme Court for disposition.

99-020

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 26 1999

*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.*

William L. Martin, III

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, MAR -5 1999

The Court of Appeals hereby passes the following order:

A99I0200. WEIR v. THE STATE.

Reginald Weir is alleged to have molested and sodomized a five-year-old family member on August 16, 1997. Weir was then 15 years of age. A complaint was filed against Weir in the juvenile court on September 22, 1997, by a police officer. A preliminary hearing was scheduled in the matter, but in the meantime Weir was indicted by a grand jury and charged with child molestation and sodomy. The preliminary hearing scheduled in juvenile court was canceled as a result. Weir's counsel thereafter filed a petition for bond in which he asserted that his client was indicted prior to arrest, prior to a preliminary hearing, and prior to any action having been taken in the juvenile court to determine probable cause or whether the case should be transferred to superior court. Weir filed a motion to dismiss, which was denied by order entered on January 22, 1999. A certificate of immediate review was filed on February 1, 1999, and this application followed.

It appears any error in the denial of Weir's motion to dismiss has been rendered moot by Weir's re-indictment on charges of aggravated sodomy and aggravated child molestation on January 30,

1999. OCGA §§ 15-11-5 (b) (2) (A) (iv) and (v). We specifically note that at no time prior to re-indictment did the juvenile court acquire exclusive jurisdiction in this matter by any of the methods enumerated in OCGA § 15-11-11. Accord State v. Whetstone, 264 Ga. 135, 136 (441 SE2d 842) (1994) (filing of juvenile complaint form does not operate to vest exclusive jurisdiction in the juvenile court).

For the foregoing reasons, Weir's application for interlocutory appeal is hereby DISMISSED as moot.

93-020

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR -5 1999

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.

Will. L. Mart, III ^{Clerk.}

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 11, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A99I0200

REGINALD WEIR V. THE STATE

Upon consideration of the motion for reconsideration filed in this case, it is ordered that it be hereby denied.

93-020
Z98717

Z94520

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 11 1999

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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.*

Will L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 02, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0201

JACK MULLIS, ET AL V. MATTHEW SHANNON CHESSER

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96020

98V054

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR -2 1999

*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.*

Will. L. Martin, III

Clerk.

Court of Appeals
of the State of Georgia

ATLANTA, FEBRUARY 24, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0202
CARLOS A. TREMINO V. THE STATE

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

98021

98CR4665

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 02, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0203
STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION V. TERA CUSHWAY

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

To: 95
92021
96DV3115

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAR -2 1999*

*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.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, MAR 11 1999

The Court of Appeals hereby passes the following order:

A99I0204. ROYAL INDEMNITY COMPANY v. PLANTATION PIPE LINE COMPANY, INC.

Defendant Royal Indemnity Company seeks an interlocutory appeal from an order granting in part plaintiff Plantation Pipe Line Company's motion for summary judgment on defendant's duty to defend certain claims. "The interlocutory appeal procedure is applicable to those rulings which are not otherwise subject to direct appeal." Southeastern Security Insurance Co. v. Empire Banking Co., 268 Ga. 450, 451 (490 SE2d 372) (1997). A grant of partial summary judgment is directly appealable pursuant to OCGA § 9-11-56 (h). Artis v. Gaither, 199 Ga. App. 114-115 (404 SE2d 322) (1991). Because the order sought to be appealed is subject to direct appeal, the interlocutory appeal provisions of OCGA § 5-6-34 (b) are inapplicable. Accordingly, Royal Indemnity Company's application for appeal is hereby DISMISSED for lack of jurisdiction.

91-021

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 11 1999

*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.*

Will L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, FEB 22 1999

The Court of Appeals hereby passes the following order:

**A99I0205. BELLSOUTH BUSINESS SYSTEMS, INC. v. GEORGIA DEPARTMENT
OF ADMINISTRATIVE SERVICES.**

In this case, the Georgia Department of Administrative Services (DOAS) initially awarded BellSouth Business Services, Inc. a contract for a statewide data communications service, but later canceled that contract and awarded it to another company. BellSouth filed this action to enjoin DOAS's cancellation of the contract. This application for interlocutory appeal is from the superior court's denial of summary judgment for BellSouth.

However, under Ga. Const. 1983, Art. VI, Sec. VI, Par. III, the Supreme Court has original appellate jurisdiction over all equity cases. See, e.g., International Business Machines Corp. v. Evans, 265 Ga. 215 (453 SE2d 706) (1995). Accordingly, this application is hereby TRANSFERRED to the Supreme Court.

95-021

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 22 1999

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 09, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0206
NEWNAN FAMILY PRACTICE, ET AL V. REBA MCKOY

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

90021

98V415

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAR -9 1999*

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 05, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0207
J. H. HARVEY COMPANY V. CAROLYN REDDICK

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

97021

97V745

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAR -5 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 11, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0208
THOMAS CURTIS WHITEN V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99021

98CR199W

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 11 1999

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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 11, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0209
HENRY MEDICAL CENTER, INC. V. LOIS I. CROWE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

93021

97CV0843

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 11 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 09, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0210
MARILYN KEHOE V. RONDA LEA RINKER

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96021

97CV33610

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR -9 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 19, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0211

DENNIS ESTEP, M.D., ET AL V. JEFF MOUSSEAU, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92022

96CV30314

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 19 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 15, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0212

J.H. HARVEY COMPNAY, INC. d/b/a HARVEY'S SUPERMARKET V. VERENE C.
WATTS

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

94022

97C327

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 15 1999

*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.*

Will. L. Mart 

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, APRIL 01, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A99I0212

J.H. HARVEY COMPANY, INC. d/b/a HARVEY'S SUPERMARKET V. VERENE C.
WATTS

Upon consideration of the motion for reconsideration filed
in this case, it is ordered that it be hereby denied.

94-022
97C327

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR - 1 1999

*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.

SUPREME COURT OF GEORGIA

Remittitur, Case No. S99C1089

Atlanta, September 10, 1999

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

J.H. HARVEY COMPANY, INC., d/b/a HARVEY'S SUPERMARKET v. VERENE C. WATTS

Upon consideration of the petition for certiorari filed to review the judgment of the Court of Appeals in this case, it is ordered that the writ be hereby denied.

All the Justices concur.

Bill of Costs, \$80.00



SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta October 1, 1999

I hereby certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

Nathaniel J. Maddala, Deputy
A99I 0212
Clerk.

Lower Court Case No.
Court of Appeals of Georgia

Filed in office
on:

OCT -1 1999

Remittitur from the Supreme Court.
Clerk, Court of Appeals of Georgia.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 05, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0213
GWINNETT COUNTY, GEORGIA V. 27.390 acres of land, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91022

96A32797

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR -5 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0214
HYATT CORPORATION V. DANIEL K. COOK

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

95022

I960006F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 22 1999

*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.*

Will. L. Mant, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0215
HCPIII HERITAGE, INC. V. SIDNEY A. HEAD, SR.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

98025

98HV134B

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAR 23 1999*

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 11, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0216
ANTHONY PETRO AS NEXT FRIEND OF BRANDON PETRO, A MINOR V. FRED
SOLLBERGER, JR.

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

98022

96C58031

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 11 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 11, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0217
SUMNER FEED & SEED INC. V. JOHNNY WALKER

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

97022

97CV2813

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta* MAR 11 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 29, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0218

THOMAS GRIFFITH V. MITSUBISHI MOTOR SALES OF AMERICA, INC.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99022

98VS0142205D

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 29 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 16, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0219
GARY HARDEN, ET AL V. THE STATE

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

93022

99CR084

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 16 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 18, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A9910220
SAM'S WHOLESALE CLUB V. VICTORIA L. RILEY

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96022

97RCSC1034

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 18 1999

*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.*

Will L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 30, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A99I0220

SAM'S WHOLESALE CLUB V. VICTORIA L. RILEY

Upon consideration of the motion for reconsideration filed in this case, it is ordered that it be hereby denied.

96-022
97RCSC1034

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 30 1999

*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.*

Will L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0221

MOBILE TOOL INTERNATIONAL, INC., ET AL V. ROBERT KNIGHT, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

92023

97VSO130460A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 23 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA,

MAR 30 1999

The Court of Appeals hereby passes the following order:

**A99I0222. ALLMERICA FINANCIAL LIFE INSURANCE & ANNUITY COMPANY v.
SULLEN.**

Allmerica Financial Life Insurance & Annuity Company seeks an interlocutory appeal from a February 1, 1999 order denying the company's motion for summary judgment. Although the state court timely issued a certificate of immediate review on February 9, that certificate was not actually filed until February 19. Because the certificate of immediate review included with Allmerica's application was not filed within ten days after entry of the order complained of as required under Turner v. Harper, 231 Ga. 175, 176 (200 SE2d 748) (1973), this court is without jurisdiction to consider the applicant's submission. Accordingly, Allmerica's application for interlocutory appeal is hereby DISMISSED.

94-023

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 30 1999

*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.*

William L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0223

DORSEY TRAILERS, INC., ET AL V. ROBERT KNIGHT, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

92024

97VS0130460A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 23 1999

*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.*

Will. L. Martin, III

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, MAR -9 1999

The Court of Appeals hereby passes the following order:

A99I0224. APPLE SOUTH, INC. v. ERMA A. ELMORE.

In this case, the trial court denied summary judgment for the defendant on February 5, 1999, and certified that ruling for immediate review on February 15, 1999. Under OCGA § 5-6-34 (b), in order to secure immediate review of an interlocutory ruling, the application of appeal must be filed within 10 days of the grant of the certificate. Although this application for interlocutory appeal was sent by certified mail within that 10 day period, it was not filed until March 2, 1999, upon payment of the requisite application fee, because OCGA § 5-6-4 prohibits the Clerk of the Court of Appeals from receiving an application for appeal until such fee is paid.

This application was filed untimely and thus was ineffective to confer appellate jurisdiction upon this court. Accordingly, the application is hereby dismissed.

91-023

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR -9 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0225
THOMAS CLARK, ET AL V. JOHN W. JOINER, JR.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

95023

97V0548

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 23 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 15, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0226
MICHAEL JAMES BASS, ET AL V. AUDREY R. JOHNSON

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

90023

97CV805

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAR 15 1999*

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 11, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0227
P.M.A. CEMETERIES, INC. V. JAMES E. DALTON, SR.

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

98023

961905818

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 11 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 17, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0228
THE SERVICEMASTER COMPANY, L.P. V. RAY D. MARTIN

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

97023

96VS0114677J

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAR 17 1999

*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.*

Will. L. Martin, III

Clerk.

Court of Appeals of the State of Georgia

ATLANTA,

MAR 15 1999

The Court of Appeals hereby passes the following order:

A9910229. DONALD W. ROBERTS v. THE STATE

Donald W. Roberts filed an application for interlocutory review of the trial court's order denying his motion to suppress entered on February 16, 1999. The trial court granted a certificate of immediate review which was filed on February 19, 1999. Roberts' application for appeal was filed on March 4, 1999, thirteen days after the certificate of immediate review.

OCGA § 5-6-34 (b) permits this Court to consider interlocutory appeals only where the application is made within ten days after the certificate of immediate review is entered. Because the application was not timely filed, this Court is without jurisdiction to consider the application. Graves v. Dean, 166 Ga. App. 186 (303 SE2d 751) (1983). Accordingly, the application is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 15 1999

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 30, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0230
BRYON POLSTON V. ANGELA POLSTON

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

93023

98CV3151S

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 30 1999

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.

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 24, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0231

J.C. PENNEY COMPANY INC. V. ATHENS-CLARKE COUNTY BOARD OF TAX
ASSESSORS

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

96023

SU96CV2101S

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 24 1999

*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.*

William L. Mont, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 24, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0232

TOMMY LADALE MCNEECE V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

94024

99CR94

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 24 1999

*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.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, April 7, 1999

The Court of Appeals hereby passes the following order:

A99I0232. TOMMY LADALE MCNEECE v. THE STATE

The Court's order of March 24, 1999, granting the application for interlocutory appeal, is hereby VACATED due to clerical error, the clerk's office having mailed applicant's copy of the order to an incorrect address. The Court hereby reissues the order granting the application and the applicant may have ten (10) days from the date of this order to file the Notice of Appeal. The clerk of the trial court is directed to include a copy of this order in the record on appeal.

94-024

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 7 1999

*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.*

Will. L. Mat, III

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, MAR 24 1999

The Court of Appeals hereby passes the following order:

A99I0233. COMMUNICATIONS INTERNATIONAL GROUP, INC. v. MILDRED WATERHOUSE, ET AL.

Communications International Group, Inc. seeks an interlocutory appeal from the trial court's order denying its motion for reconsideration of the trial court's order denying its motion to quash depositions. The applicant failed to include in its application a stamped "filed" copy of the order from which the appeal is sought as required by Rule 31 (c) of the Court of Appeals. On March 8, 1999, this Court issued an order to the applicant directing it to supplement the application within ten days with a stamped "filed" copy of the order appealed and stressed that the application would be dismissed if the document was not timely filed with this court. The applicant had until March 18, 1999 to file the "filed" copy of the order with this court but failed to do so, although the applicant did supplement the application with a stamped "filed" copy of the certificate of immediate review which had also been lacking. Because the applicant has failed to comply with the clear mandate of Rule 31 (c), its application is fatally deficient and is hereby DISMISSED. See Court of Appeals Rule 7.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 24 1999

MAR 24 1999

*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.*

Will. L. Mart Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, APRIL 07, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0234

R. DUDLEY BROACH, ET AL V. KENNETH DRISKELL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

95024

E62344

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 7 1999

*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.*

Will L. Martin, III

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, APR 28 1999

The Court of Appeals hereby passes the following order:

A99I0234. BROACH et al. v. DRISKELL.

Fred M. Valz and Webb, Carlock, Copeland, Semler & Stair, LLP., have filed a motion to withdraw as attorneys of record for applicants R. Dudley Broach and J. C. Motors, Inc. Because the application referenced was denied and is no longer pending in this court, the motion is hereby DISMISSED as moot.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 28 1999

*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.

Jill L. Mat, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 30, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0235
DAVID HARRISON V. RICKY DAVIDSON

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

90024

97CV135

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

MAR 30 1999

*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.*

Will. L. Martin, III

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, MAR 16 1999

The Court of Appeals hereby passes the following order:

A99I0236. ANTHONY ROGERS v. THE STATE

Anthony Rogers filed an application for interlocutory review of the trial court's order denying his motion to suppress. The order was filed by the clerk of court on February 17, 1999.

Pursuant to OCGA § 5-6-34 (b), a certificate of immediate review must be obtained within 10 days after the entry of the order appealed. While the trial court did sign a certificate of immediate review in a timely fashion on Friday, February 26, 1999, the certificate was not filed with the clerk until the following Thursday, March 4, 1999 rendering it untimely. "[T]he certificate must be filed with the clerk of the trial court or 'entered' within the ten-day period in order to secure immediate review of a non-final judgment; and if the certificate is not entered within the ten-day period, then the party seeking review will merely have to await a final judgment in the case before he can seek a review of interlocutory judgments entered in the trial court." Turner v. Harper, 231 Ga. 175, 176 (200 SE2d 748) (1973). Because the certificate of immediate review in this case was not timely filed, this Court lacks jurisdiction to consider the application. Accordingly, the application is hereby ordered DISMISSED.

98-024

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 16 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, APRIL 19, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0237

CENTURY PROPERTIES GROWTH FUND XXII, ET AL V. SYLVESTER HARDY, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96024

E65575

E65572

E65573

E65574

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 19 1999

*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.*

Will. L. Maut, III Clerk.

Court of Appeals of the State of Georgia

ATLANTA, APR 6 1999

The Court of Appeals hereby passes the following order:

**A99I0238, A99I0241. POWER v. GEORGIA EXTERMINATORS, INC., et al.;
and vice versa.**

Plaintiff Nancy Power filed an application for interlocutory appeal from an order granting summary judgment in favor of certain defendants but denying summary judgment in favor of defendants Georgia Exterminators, Inc., Emmet A. Nelson, and Ricky Douglas. Power filed a direct appeal as authorized under OCGA § 9-11-56 (h), but also filed an application for interlocutory appeal because of her concern that this court might not otherwise have jurisdiction on direct appeal to review all of the substantive and evidentiary rulings contained in the trial court's order. Power's concern is unwarranted. See Southern Ceramics v. Klem, 246 Ga. 294-296 (1) (271 SE2d 199) (1980). Because Power has already filed a timely and valid notice of appeal entitling her to the same scope of appellate review sought in her petition, Application no. A99I0238 is hereby DISMISSED as superfluous.

The above-named defendants' Application no. A99I0241 from the denial of their motion for summary judgment is hereby GRANTED. Applicants shall have ten days from the date of this order to file their notice of appeal. The clerk of the superior court is directed to include a copy of this order in the record transmitted to this court.

97-024

97-025

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 6 1999

*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
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Will L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 30, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0239
ISMAIL ESENER V. NANCY KINSEY

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

99024

34278

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 30 1999

*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.*

Will. L. Mart, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, APR - 1 1999

The Court of Appeals hereby passes the following order:

A9910240. PLANTATION PIPE LINE CO. v. ROYAL INDEMNITY CO.

The application of Plantation Pipe Line Company ("PPL") for interlocutory appeal is contingent upon this Court granting Royal Indemnity Company's application for interlocutory appeal. Since Royal's application was dismissed by this Court, and since PPL states that it withdraws its application upon such dismissal, PPL's application for interlocutory appeal is hereby dismissed.

93-024

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR - 1 1999

*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.*

Will. L. Martin, III Clerk.

Court of Appeals of the State of Georgia

ATLANTA, APR 6 1999

The Court of Appeals hereby passes the following order:

**A99I0238, A99I0241. POWER v. GEORGIA EXTERMINATORS, INC., et al.;
and vice versa.**

Plaintiff Nancy Power filed an application for interlocutory appeal from an order granting summary judgment in favor of certain defendants but denying summary judgment in favor of defendants Georgia Exterminators, Inc., Emmet A. Nelson, and Ricky Douglas. Power filed a direct appeal as authorized under OCGA § 9-11-56 (h), but also filed an application for interlocutory appeal because of her concern that this court might not otherwise have jurisdiction on direct appeal to review all of the substantive and evidentiary rulings contained in the trial court's order. Power's concern is unwarranted. See Southern Ceramics v. Klem, 246 Ga. 294-296 (1) (271 SE2d 199) (1980). Because Power has already filed a timely and valid notice of appeal entitling her to the same scope of appellate review sought in her petition, Application no. A99I0238 is hereby DISMISSED as superfluous.

The above-named defendants' Application no. A99I0241 from the denial of their motion for summary judgment is hereby GRANTED. Applicants shall have ten days from the date of this order to file their notice of appeal. The clerk of the superior court is directed to include a copy of this order in the record transmitted to this court.

97-024

97-025

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 6 1999

*I certify that the above is a true extract from
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*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Will. L. Martini, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MARCH 30, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0242

PINE TREE PUBLISHING, INC. V. COMMUNITY HOLDINGS, INC, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

92025

98CV2572S

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 30 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, APRIL 09, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0243

MARK ONE CONSTRUCTION COMPANY V. HOUSING AUTHORITY OF THE CITY OF
SAVANNAH, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

94025

CV980651FR

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 9 1999

*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.*

Will L. Mant, III

Clerk.

Court of Appeals
of the State of Georgia

ATLANTA, APRIL 21, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0244
JEFFREY LEE LANDERS V. THE STATE OF GEORGIA

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91025

971130510

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

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.

Will L. Mant, III

**Court of Appeals
of the State of Georgia**

ATLANTA, APRIL 14, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0245

RICHARD DIBLE V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

95025

98D32923

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

APR 14 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, APRIL 07, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0246

COMMERCIAL REAL ESTATE PROPERTIES, INC., ET AL V. JOHN R. CALHOUN

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

90024

I960614F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 7 1999

*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.*

Will L. Mart

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, MAR 30 1999

The Court of Appeals hereby passes the following order:

A99I0247. Taylor v. J. H. Harvey Company

Plaintiffs Jenelda M. Taylor and William Jack Taylor seek interlocutory review of an order granting defendant J. H. Harvey Company's motion for summary judgment. "The interlocutory appeal procedure is applicable to those rulings which are not otherwise subject to direct appeal." Southeastern Security Insurance Co. v. Empire Banking Co., 268 Ga. 450, 451 (490 SE2d 372) (1997). A grant of partial summary judgment, or summary judgment to one defendant, is directly appealable pursuant to OCGA § 9-11-56 (h). Artis v. Gaither, 199 Ga. App. 114-115 (404 SE2d 322) (1991). Because the order sought to be appealed is subject to direct appeal, the interlocutory appeal provisions of OCGA § 5-6-34 (b) are inapplicable. Accordingly, the Taylors' application for appeal is hereby DISMISSED for lack of jurisdiction.

90-025

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 30 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, APRIL 21, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0248
THOMAS J. BOUGHAN V. THE STATE OF GEORGIA

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91026

971130510

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

*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.*

Will L. Maut, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, APRIL 07, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0249

IRA TEDOFF, PHD., V. MARTIN MECHANICAL CONTRACTORS, INC., ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99025

97VS0127123

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 7 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, APRIL 27, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0250

DALTON EMERGENCY PHYSICIANS, P.C., ET AL V. JIMMY B. JOHNS, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

93025

95CV8463

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 27 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, APR 7 1999

The Court of Appeals hereby passes the following order:

A99I0251. SHELIA ATKINSON v. MCINTOSH COUNTY.

This application for interlocutory appeal is from an order entered in a mandamus action brought by the McIntosh County Commissioners against Shelia Atkinson in her official capacity as tax commissioner. Under Ga. Const. 1983, Art. VI, Sec. III, Par. III, the Supreme Court has original appellate jurisdiction over cases involving extraordinary remedies, and mandamus is such a remedy. Felton v. Chandler, 201 Ga. 347 (39 SE2d 654) (1946). Accordingly, this application is hereby transferred to the Supreme Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 7 1999

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, APRIL 13, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0252
SANFORD ETHRIDGE, ET AL V. RICKY DAVIS, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

92026

98CV16743

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 13 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, APRIL 28, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0254

MAQ / ASHLEY - RIVER ASSOCIATES, L.P., ET AL V. KIMBERLY LYNNE JONES,
ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

94027

E49743

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 28 1999

*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.*

Will. L. Mant, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, APRIL 12, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0255

T. JERRY JACKSON, COMMISSIONER OF GEORGIA DEPARTMENT OF REVENUE V.
ROY C. VAN VLAKE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

95026

98CV717

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 12 1999 APR 12 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, APRIL 13, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0256
GARY BAGGETT V. MAY ANN ZELEZNIK

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

90026

980318T

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

APR 13 1999

*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.

Will L. [Signature]

**Court of Appeals
of the State of Georgia**

ATLANTA, APRIL 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0257
JACKSON D. MORGAN V. LARRY LEMMING

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

98026

96CV56361

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 22 1999

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, APRIL 21, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0259
JOSEPH J. RITCHART V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99026

98M4141

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

APR 21 1999

*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.*

Will. L. Mat... Clerk.

Court of Appeals of the State of Georgia

ATLANTA, APR 22 1999

The Court of Appeals hereby passes the following order:

**A99I0268. SUMMERHILL NEIGHBORHOOD DEVELOPMENT CORPORATION v.
TELERENT LEASING CORPORATION.**

This application for interlocutory appeal is from the grant of partial summary judgment for the plaintiff in an action over an equipment lease. However, because the grant of summary judgment is subject to direct appeal and because the interlocutory appeal procedures apply only to rulings that are not otherwise subject to direct appeal (OCGA § 5-6-34 (b)), this application must be dismissed for lack of jurisdiction. See Artis v. Gaither, 199 Ga. App. 114 (404 SE2d 322) (1991).

98-027

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 22 1999

*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.*

Will. L. Mart, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, APR 21 1999

The Court of Appeals hereby passes the following order:

A99I0269. Shep Masarek, et al. v. Harold Korey, et al.

Shep and Rhoda Masarek filed this application for interlocutory appeal from the trial court's order denying their motion for summary judgment. The Masareks obtained a certificate of immediate review that was entered on March 25, 1999, but did not file the application with this Court until April 9, 1999, 15 days after the certificate was filed. OCGA § 5-6-34 (b) requires that an application for interlocutory appeal be filed with this Court within ten days after the certificate of immediate review is granted. The Masareks' failure to comply with this requirement deprives this Court of jurisdiction to consider this appeal. Accordingly, the respondents' motion to dismiss is granted; the Masareks' motion for acceptance of defendant/petitioners' petition for interlocutory appeal is denied; and this application is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 21 1999

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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.*

Will L. Mant, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, APRIL 28, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0270
ROY SENIOR RAMSEY, JR. V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91029

96B033073

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 28 1999

*I certify that the above is a true extract from
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*Witness my signature and the seal of said court
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Will. L. Mant, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 10, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0271

GEORGIA DEPARTMENT OF TRANSPORTATION V. DAMALOS & SONS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99027

E44375

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 10 1999

*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.*

Will. L. McInt, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, APRIL 29, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0272

YOLANDA SUE OXLEY V. WILLIAM H. KILPATRICK, M.D., ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96027

E38070

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

APR 29 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 03, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0273
CHESTER HICKS, ET AL V. BONNIE POTTS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

70027

98A34372

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

MAY - 3 1999

*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.*

Will. L. Mart, III

Clerk.

Court of Appeals
of the State of Georgia

ATLANTA, APRIL 30, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0274

TALENT TREE STAFFING SERVICES, INC. V. MICHAEL EDWARD FARMER, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

71027

97VS0131193D

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 30 1999

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.

William L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 10, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0275
PATTI JEAN ROACH V. RAJ AYODHYA KAPUR

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

92028

71668

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 10 1999

*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
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Will. L. Mart, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 06, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0276
LARRY CHEATHAM, ET AL V. JOHN THOMPSON, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

94028

97VS0126727

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY -6 1999

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.

Will. L. Mart, 

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 04, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0277
WILLIE GENE SMITH ET AL V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

95028

99CR0832

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY - 4 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY - 7 1999

The Court of Appeals hereby passes the following order:

A99I0278. IN RE: ALLEN G. STROH, ET AL.: FOR ADOPTION OF T. M. G.

Mr. and Mrs. Allen G. Stroh filed an application for interlocutory review of the trial court's order denying their motion to intervene in the adoption proceedings below. The trial court entered the order and granted a certificate of immediate review on April 6, 1999. The Strohs' application for appeal was filed 16 days later on April 22, 1999.

OCGA § 5-6-34 (b) permits this Court to consider interlocutory appeals only where the application is made within ten days after the certificate of immediate review is entered. Because the application was not timely filed, this Court is without jurisdiction to consider the application. Graves v. Dean, 166 Ga. App. 186 (303 SE2d 751) (1983). Accordingly, the application is hereby DISMISSED.

98-028

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY - 7 1999

*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.*

Will. L. Mart, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 13, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0279

BANK BUILDING LIMITED PARTNERSHIP, A GEORGIA LIMITED PARTNERSHIP
V. ELIZABETH HUFF ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

96028

98VS0137842C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 13 1999

*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.*

Will. L. Mart, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 10, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0280

TENET HEALTHCARE CORP. V. LOUISIANA FORUM CORP. ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

90028

E67798

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 10 1999

*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.

Will. L. Mont, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 11, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0281

THE UNIFIED GOVERNMENT OF ATHENS - CLARKE COUNTY, GEORGIA V. CARLTON
R. NORTH, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

97028

SU97CV0898J

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 11 1999

*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.*

Will. L. Mart,  Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 26, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0282

SHAWN WHIRL V. SAFECO INSURANCE COMPANY, individually and as subrogee
of WILLIE E. RICHMOND

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

99028

98C60124

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 26 1999

MAY 26 1999

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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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 14, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0283

IN RE: MICHAELA MAE JOHNSON

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

70028

98CV1057

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 14 1999

*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.

William L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 17, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0284

JACOB LEAL ET AL V. SHERRY HOBBS, INDIVIDUALLY AND AS ADMINISTRATRIX OF THE ESTATE OF DARRYL HOBBS, DECEDENT.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

71028

98VS0140936C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 17 1999

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.

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 14, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0285
GEORGE WILLIAMS, JR. V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

93028

49842

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 14 1999

*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.

Will. L. [Signature]

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 26, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0286

DEPT. OF TRANSPORTATION, STATE OF GEORGIA V. CAROLYN W. DUPREE,
ADMINISTRATRIX OF THE ESTATE OF BETTY N. LAMB, DECEASED, AND SAMUEL
LAMB

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

92029

98VS0146389D

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 26 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, May 27, 1999

The Honorable Court of Appeals hereby passes the following order:

A99I0287 LEONARD E. MASTERS, M.D., ET AL v. DOUGLAS TALBOTT,
M.D., ET AL

Upon consideration of the motion for withdrawal, it is hereby ordered that said motion be GRANTED.

99-021

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 27 1999

*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.*

Will L. [Signature] Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 18, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0288

LAWRENCE ZAGLIN, ET AL V. ATLANTA COMMITTEE FOR THE OLYMPIC GAMES, INC

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

95029

96VS0116320J

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 18 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 01, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A99I0288

LAWRENCE ZAGLIN, ET AL V. ATLANTA COMMITTEE FOR THE OLYMPIC GAMES, INC

Upon consideration of the motion for reconsideration filed in this case, it is ordered that it be hereby denied.

95-029
96VS0116320J

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUN - 1 1999

*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.*

William L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 27, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0289
MARK STEPHEN GOBER V. CHERYL STANSELL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

98029
98CV0495

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAY 27 1999*

*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.*

Will L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 24, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0290
TRAINA ENTERPRISES, INC. d/b/a PARK MARINA V. RACETRAC PETROLEUM, INC.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

96029
CV98933

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAY 24 1999*

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 19, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0291

LATASHA WHITE V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

90029

41072

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 19 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 18, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0292
MAURICE WINKLER V. MARY SHATZ

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

97029

98A505224

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 18 1999

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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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 28, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A99I0292

MAURICE WINKLER V. MARY SHATZ

Upon consideration of the motion for reconsideration filed in this case, it is ordered that it be hereby denied.

97-029
98A505224

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 28 1999

*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.*

Will L. Martin, Jr.

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 25, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0293
ROBERT L. HARRISON, JR. V. AMY SANDERS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99029

990447

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 25 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 27, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0294
KAMBRA E. MILLER V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

70029

209070

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 27 1999

*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.

Will. L. McIntire, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 18, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0295
OCONEE COUNTY BOARD OF TAX ASSESSORS V. MIKE POWER

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

71029

98CV440S

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 18 1999

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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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 27, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0296

KIMBERLYNN SHAW, individually and as n/f of JARRIS SHAW V. SONYA R.
LITTLEJOHN

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

93029

98A427031

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 27 1999

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 01, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0297

STEVEN E. ZAGORIA, ET AL V. DR. NORMAN WASSERMAN, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92030

951869128

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN - 1 1999

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.

William P. [Signature] Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 28, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0298

ALLIED CLINICAL LABORATORIES, INC., ET AL V. LEITA SEABORN WILLIAMS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

94030

SU97CV2609

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 28 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 27, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0299

DEKALB EMERGENCY GROUP V. FENECE P. OLIVER, individually and as
Administratrix of the estate of MICHAEL OLIVER, deceased

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby GRANTED. The Appellant may
file a Notice of Appeal within 10 days of the date of this order.
The Clerk of State Court is directed to include a copy of this
order in the record transmitted to the Court of Appeals.

95030

97A292022

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 27 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 02, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0300
WILLIAM WOODWARD V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

98030

98CR212

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN - 2 1999

*I certify that the above is a true extract from
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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 03, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0301

TRANSOIL STATION & AUTO PARTS, INC., ET AL V. COLLATA FIELDS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96030

1B98CV173W

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

JUN - 3 1999

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 26, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0302

OLIVARES R. GUERRERO V. GUILLERMO TELLEZ, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

90030

98A488116

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 26 1999

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 27, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0303

MARIA BUTLER V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

97030

99CR12754

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

MAY 27 1999

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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.*

Will L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 03, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0304
GRADY THOMAS CONNELL V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99030

99CR006

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

JUN - 3 1999

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the minutes of the Court of Appeals of Georgia.*

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Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 01, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0305

HAROLD NEAL V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

70030

99B07631

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN - 1 1999

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hereto affixed the day and year last above written.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 27, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0306
THE KROGER CO., V. ERINN G. GRIER

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

71030

SU96CV1202

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 27 1999

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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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 08, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0307

PIEDMONT HOSPITAL, INC., ET AL V. INEZ PYE SMITH, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91030

99VS148919A

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

JUN - 8 1999

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 03, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0308
JAMES RONALD LEUTY V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

93030

98CR698E

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN -3 1999

*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.

Will. L. Martini, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 01, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0309

THE UNIFIED GOVERNMENT OF ATHENS - CLARKE COUNTY, GEORGIA V. CARLTON
R. NORTH, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

92031

SU97CV0890

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN - 1 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, MAY 28, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0310

E. R. GILLIS , ET AL V. FRANK A. BUCHHEIT, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

94031

CV951492MI

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 28 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 10, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0311

MOORE AND MOORE PULPWOOD CO., ET AL V. BRENDA J. HOLLOMAN, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

95031

98CV040

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN 10 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 11, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0312
HUNTON & WILLIAMS V. DOCUTRONICS, INC., ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

98031
255204

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN 11 1999

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 04, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0313
ARTIS BENTON V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

96031

99CR17464

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUN - 4 1999*

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 16, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0314

ATLANTA COMMITTEE FOR THE OLYMPIC GAMES V. LAWRENCE ZAGLIN, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

90031

96VS0116320J

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN 16 1999

*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.*

Will L. Mat, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 16, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0315

LARRY C. MORRIS d/b/a LARRY MORRIS & ASSOCIATES V. BEN W. SIMS, JR.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

97031

E62324

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN 16 1999

*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.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 14, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0316
KYLE RICHARD BISHOP V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

99031

9890477518

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN 14 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 07, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0317

GAINOR MEDICAL U.S.A., INC. V. HTL Sp. z o.o

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

70031

98CV2584S

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN -7 1999

*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.*

Will. L. Marti, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JUN 16 1999

The Court of Appeals hereby passes the following order:

A99I0318. HOLDEN v. THE STATE.

Judy Holden seeks an appeal from a bench ruling made April 28, 1999, denying her motion to suppress. However, "an oral order is not final nor appealable until and unless it is reduced to writing, signed by the judge, and filed with the clerk." Sharp v. State, 183 Ga. App. 641, 642 (1) (360 SE2d 50) (1987).

Even if the court's ruling could be appealed in the absence of a written order, Holden failed to file her application within ten days of the date the certificate of immediate review was filed. Moreover, even if a written order had been entered on April 28, 1999, the court's order vacating the original certificate of immediate review and its issuance of a new certificate on May 19, 1999, would still have served no purpose since to be valid a certificate of immediate review must be filed within ten days of the date of the order sought to be appealed. Turner v. Harper, 231 Ga. 175 (200 SE2d 748) (1973).

For the foregoing reasons, Holden's application is hereby DISMISSED.

71-031

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN 16 1999

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 08, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0319
DEEPAK SHAH V. ELIOT GOLDBERG

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91031

98CV02196

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUN - 8 1999*

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA,

MAY 25 1999

The Court of Appeals hereby passes the following order:

A99I0319. SHAH v. GOLDBERG.

Petitioner Shah has moved for an emergency order to preclude mootness pursuant to Court of Appeals Rule 40 (b). Having considered this motion, this Court orders that it is hereby DENIED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 25 1999

*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.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, JUN -3 1999

The Court of Appeals hereby passes the following order:

A99I0320. Barton Protective Services, et al. v. Dainis Turaidis

Applicants Barton Protective Services, Incorporated, Continental Security Services, Incorporated and Dennis Robertson seek interlocutory review of the trial court's order denying their motion for summary judgment which order was entered on April 28, 1999. Although the defendants obtained a certificate of immediate review, it was not filed until May 20, 1999, 22 days after entry of the trial court's order.

A certificate of immediate review is ineffective unless it is filed within ten days of the entry of the order or judgment sought to be appealed. OCGA § 5-6-34 (b); Turner v. Harper, 231 Ga. 175 (200 SE2d 748) (1973); Van Schallern v. Stanco, 130 Ga. App. 687 (204 SE2d 317) (1974). If the certificate of immediate review is not entered within the ten day period, it is untimely, and the party seeking review must wait until the final judgment in the case to seek review of the interlocutory order. Turner, supra. In this case, the certificate of immediate review was not filed within ten days of the entry of the trial court's April 28, 1999 order, and

therefore, it is untimely. Accordingly, this application is dismissed for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN - 3 1999

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.

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 25, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0321

J.H. HARVEY COMPANY, INC. V. SARAH NASH, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92032

96SC18

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN 25 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 12, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A99I0321

J.H. HARVEY COMPANY, INC. V. SARAH NASH, ET AL

Upon consideration of the motion for reconsideration filed in this case, it is ordered that it be hereby denied.

92-032
96SC18



*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

JUL 12 1999

*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.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0322

KINDLE LADAWN GALLOWAY V. KIMBERLY ANN WOOTEN, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

94032

98CV3404

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 22 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0323

NORTHSIDE HOSPITAL, INC., ET AL V. HORMOZ MOMANI, individually and as
Next Friend of MARIA LONDONO, BABY MOMANI "A", and BABY MOMANI "B",
Deceased

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

95032

97VS0131475J

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

*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.

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0324

OCWEN FEDERAL BANK FSB V. ALL SOUTH MINI STORAGE #2, LTD., ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

98032

98A96155

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN 22 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 24, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0325
WINN DIXIE STORES, INC. V. SANDRA CARTER

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

96032

98CV1183

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN 24 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0326

GLYNN COUNTY V. NEIL YOUMANS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

90032

9701068

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

JUN 23 1999

*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.

Will. L. Martini, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0327

ANTHONY ROGERS V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

97032

98CR015024

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 22 1999

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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.*

William E. Martin

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA,

JUNE

15, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0328
CHARLES PENNINGTON, M.D. V. GLORIA KATHRYN ALLRED

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

99032

98VS143525H

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN 15 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 29, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A99I0328

CHARLES PENNINGTON, M.D. V. GLORIA KATHRYN ALLRED

Upon consideration of the motion for reconsideration filed in this case, it is ordered that it be hereby denied.

99-032
98VS143525H

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 29 1999

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 01, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0329

THE AMERICAN CENTRAL INSURANCE COMPANY V. RANDY LIVINGSTON, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

70032

98CV093

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL - 1 1999

*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.*

Will. L. Mart, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 16, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0330
WEST LUMBER COMPANY V. JAMES CAMPBELL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

71032

98VS0140478A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 16 1999

*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.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0331

ESTATE OF MARK LUDDEN, ET AL V. JOEL SMITH, M.D., ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91032

96CV0149

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN 22 1999

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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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 02, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0332

STATE FARM FIRE & CASUALTY COMPANY V. JOE CRENSHAW, ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

93032

98V338

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL - 2 1999

*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.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, June 29, 1999

The Court of Appeals hereby passes the following order:

A99I0333. PAMELA SUE GUANTT v. DUANE L. GUANTT.

This action arises from a petition for change of custody. A non-final temporary custody order was filed on May 20, 1999, and subsequently the superior court signed a certificate of immediate review. Nonetheless, the certificate of immediate review was not entered until June 9, 1999, 20 days after entry of the order sought to be appealed.

A certificate of immediate review is ineffective unless it is filed within ten days of the entry of the order or judgment sought to be appealed. OCGA § 5-6-34 (b); Turner v. Harper, 231 Ga. 175 (200 SE2d 748) (1973); Van Schallern v. Stanco, 130 Ga. App. 687 (204 SE2d 317) (1974). If the certificate of immediate review is not entered within the ten day period, it is untimely, and the party seeking review must wait until the final judgment in the case to seek review of the interlocutory order. Turner, supra. In this case, the certificate of immediate review was not filed within ten days of the entry of the trial court's May 20, 1999 order, and therefore, it is untimely. Accordingly, this application is dismissed for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN 29 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 28, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0334
EDWARD E. BOSHEARS V. R. LINDAY THOMAS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

94033

9900133

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN 28 1999

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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0335
BUILDER'S EXTERIOR DESIGN, INC. V. MILES-HUNTINGTON WOODS, L.L.C.,
ET AL

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

95033

981544924

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

JUN 22 1999

*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.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 12, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A99I0335

BUILDER'S EXTERIOR DESIGN, INC. V. MILES-HUNTINGTON WOODS, L.L.C.,
ET AL

Upon consideration of the motion for reconsideration filed
in this case, it is ordered that it be hereby denied.

95-033
981544924

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUL 12 1999

*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.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 30, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0336
PICKERING CORPORATION V. LINNIE GOODWIN

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

98033

S98V169

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 30 1999

*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.*

Will L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 28, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0337
PAUL TOCCI V. RICHARD S. DEAHL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96033

97VS0127380D

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN 28 1999

*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.*

Will. L. Martin, III

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, JUN 23 1999

The Court of Appeals hereby passes the following order:

A99I0338. KRISTY JOHNS v. THE STATE

Kristy Johns filed an application for interlocutory review of the trial court's order denying her motion to suppress certain evidence. The order was filed by the clerk of court on May 21, 1999. Although it signed by the trial court on May 31, 1999, the certificate of immediate review included in the application was not stamped "filed" by the clerk of court until June 9, 1999, 18 days after entry of the order appealed.

If the certificate of immediate review is not obtained within ten days after entry of the interlocutory judgment appealed, it is untimely and the party must wait until a final judgment is entered before appealing an interlocutory judgment rendered in the case. OCGA § 5-6-34 (b); Turner v. Harper, 231 Ga. 175, 176 (200 SE2d 748) (1973). "[A] certificate of immediate review of a nonfinal or interlocutory judgment is ineffective unless entered, i.e., filed with the clerk, within ten days after entry of the judgment appealed from." Van Schallern v. Stanco, 130 Ga. App. 687 (204 SE2d 317) (1974). Here the certificate of immediate review was not timely filed, and this Court is without jurisdiction to consider the application. Graves v. Dean, 166 Ga. App. 186 (303 SE2d 751) (1983). Accordingly, the application is hereby DISMISSED.

90-033

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 23 1999

*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.*

Will L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 08, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0339

LONG LEAF INDUSTRIES, INC. V. WILLIAM C. MITCHELL, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

97033

981230124

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL - 8 1999

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 13, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0340

BELLSOUTH TELECOMMUNICATIONS, INC. V. WALTER D. STAPLETON, JR.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99033

96SCV0689

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 13 1999

*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.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 01, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0341

RJV CORP. V. JACQUELYN BARRETT, FULTON COUNTY SHERIFF, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

70033

E67612

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL - 1 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 28, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0342

DELORIS A. GLISSON V. CAROL FREEMAN, as Executor of the Estate of
THEODORE F. GLISSON

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

71033

I972107G

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 28 1999

*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.*

Will L. Mont, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 16, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0343

WILSONART INTERNATIONAL, INC., ET AL V. THE ESTATE OF M.O.D.E., INC.,
by and through its Trustee in Bankruptcy, HARRY W. PETTIGREW

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

91033

97VS0127521

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 1⁰ 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 16, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0344

BURT DEVELOPMENT COMPANY V. JAYANTITAL PATEL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

93033

97CV27661

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 16 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 29, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0345
LUCILLE G. CLARK V. JEROD I. BAKER

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92034

97CV688

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 29 1999

*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.*

Will L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 14, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0346

RANDOLPH C. CHURCHILL, ET AL V. RICHARD E. PADGETT, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

94034

98CV0989

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 14 1999

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA,

The Court of Appeals hereby passes the following order:

A99I0347. KARIN JONES v. LARRY JONES, JR.

Karin Jones, the defendant in this divorce action, filed this application for interlocutory appeal seeking review of the superior court's denial of her motion to disqualify plaintiff's attorney and his law firm due to alleged conflicts of interest.

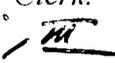
Under the State constitution, the Supreme Court has exclusive jurisdiction over all divorce and alimony cases. Ga. Const. of 1983, Art VI, Sec. VI, Par. III (6). See Griffin v. Griffin, 243 Ga. 149 (253 SE2d 80) (1979). Accordingly, this case is ordered TRANSFERRED to the Supreme Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 21 1999

*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.*

Will. L. [Signature] Clerk.


**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 06, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0348

REWIS H. SAPP V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

98034

99SR3075

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL -6 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 07, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0349

ALLSTATE INSURANCE COMPANY V. RUFUS J. BALDWIN, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

96034

98CV2142

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL - 7 1999

*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.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 16, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0350

EDDIE LEE ROBINSON, as Surviving Spouse of ANNETTE M. ROBINSON V.
STAR GAS OF HAWKINSVILLE, INC.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

90034

91114154

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 16 1999

*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.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA,

The Court of Appeals hereby passes the following order:

A99I0351. GOTTFRIED KAPPELMEIER v. NORMTEX, INC.

This application for interlocutory appeal seeks review of a state court's order granting a motion to open default. The order was entered on May 24, 1999, and this application was filed on June 23, 1999. The application does not contain a certificate of immediate review. Pursuant to OCGA § 5-6-34 (b), a certificate of immediate review must be obtained and filed within ten days of the interlocutory order being appealed and an application for interlocutory review is required to be filed with this court within ten days of the grant of a certificate of immediate review. Court of Appeals Rule 30 (b) requires that an application for interlocutory appeal "have attached ... a stamped 'filed' copy of the certificate of immediate review."

Applicant was directed to supplement the application with a stamped "filed" copy of the certificate of immediate review and instructed that if he did not cause such copy to be filed within the time allowed, this application would be dismissed. The time allowed applicant to supplement the application has passed and no

stamped "filed" copy of a certificate of immediate review has been provided to complete this application. Accordingly, this application must be dismissed.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 22 1999

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.

Will. L. Mart, ^{Clerk.} 

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 08, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0352

JUDY HOLDEN V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

99034

98R1092

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL - 8 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0353

NANCY PARDEN ROUNSAVILLE V. FULTON COUNTY BOARD OF TAX ASSESSORS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

70034

E71728

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 23 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0354

THOMAS A. BARROW, JR. V. FULTON COUNTY BOARD OF TAX ASSESSORS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

70035

E70903

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 23 1999

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.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 26, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0355

PAUL WADE V. YULA CARTER

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

71034

97CV59205

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 26 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 20, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0356
MICHAEL KEITH BREWER V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91034

99CR003

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 20 1999

*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.

Will. L. Mat...

Court of Appeals of the State of Georgia

ATLANTA,

The Court of Appeals hereby passes the following order:

A99I0357. GLENDA WOODWARD v. TAWANDA AUSTIN, ET AL.

Glenda Woodward filed an "application for appellate review in discretionary appeal" from the trial court's May 3, 1999 order denying her motion for summary judgment. "Denial of summary judgment is not reviewable by the appellate courts in the absence of a timely certificate of immediate review and the granting of an interlocutory appeal by the appellate court unless there is a final judgment in the case and the cause is no longer pending in the lower court." Sharpe's Appliance Store, Inc. v. Anderson, 161 Ga. App. 112 (289 SE2d 312) (1982). Woodward's application failed to include in her application a certificate of immediate review as required by OCGA § 5-6-34 (b) and Court of Appeals Rule 30 (b). On June 30, 1999, this Court issued an order to Woodward directing her to supplement the application within ten days with a stamped "filed" copy of the certificate of immediate review and stressed that the application would be dismissed if the document was not timely filed with this Court. Woodward's supplemental pleading does not show that a certificate of immediate review was obtained within ten days of the May 3, 1999 order. Any certificate of

immediate review filed after the ten day period would be without effect; "[a] nunc pro tunc entry of certificate for immediate review cannot revive a right of appeal which has expired. [Cit.]" Whitlock v. State, 124 Ga. App. 599, 601 (1) (185 SE2d 90) (1971). Because Woodward has failed to comply with the clear mandate of OCGA § 5-6-34 (b) and Rule 30 (b), her application is fatally deficient and is hereby DISMISSED. See Court of Appeals Rule 7.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 26 1999

*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.*

Will. L. Martin, III

Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 02, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0358

TRONCALLI MOTORS, INC., ET AL V. FRED P. DEWITT

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92035

97128475

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG -2 1999

*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.

Will. L. Mart, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 02, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0359

ZACHARIA B. NEWTON, III, M.D., ET AL V. DELISA DOTSON, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

94035

96VS0119345

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG -2 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 02, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0360
PATRICK STUBBS V. BARBARA D. GERACHTY

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

95035
SU97CV1218J

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG - 2 1999

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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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 03, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0361

INTERNATIONAL BUSINESS MACHINES CORPORATION V. BARBARA J. KEMP, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

98035

941225533

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG - 3 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 30, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0362
SANTY SOLIS, ET AL V. MARCIE LAMB

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

90035

97CV26032

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUL 30 1999*

*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.

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0363

LIFE INSURANCE COMPANY OF NORTH AMERICA V. BARBARA B. SMITH

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96035

97CV01927

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 23 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 30, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0365

GRANGE MUTUAL CASUALTY COMPANY V. MIKE CZEREPINSKI

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99035

9701910

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 30 1999

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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.

Will L. ...

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 06, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0364

BEN G. STATHAM, JR., ET AL V. GEORGIA TRANSMISSION CORPORATION

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

97035

1999CV05141

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG - 6 1999

*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.

William L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 05, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0366

METRO COMMERCIAL SERVICES, INC. V. JERRIE E. BURRUSS, ET AL.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

71035

97VS0129110E

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG -5 1999

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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 30, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0367

NORTHSIDE HOSPITAL INC V. JEANNE RUOTANEN

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

91035

98VS138334F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 30 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 17, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A99I0368

WINN DIXIE STORES, INC. V. VIRGINIA GLENN, ET AL

Upon consideration of the motion for reconsideration filed in this case, it is ordered that it be hereby denied.

93-035
98CV1033

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 17 1999

*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.*

Will. L. Mart, ^{Clerk.} 

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 10, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0369

PHOEBE PUTNEY MEMORIAL HOSPITAL, INC. V. EMMA FERGUSON

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92036

97CV23132

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 10 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 04, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0370

MCCLUNG SURVEYING, INC., ET AL V. JAMES L. WORL, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

94036

E55422

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG -4 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 13, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0372

VIVIAN J. DUBUC V. OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

95037

E71422

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 13 1999

*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.

Will. L. Mart, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 17, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0373

LIEN ANN BUI, ET AL V. SHANNON DUVENDACK

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

98036

98V0830

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 17 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 13, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0374

FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK V. OLD REPUBLIC
NATIONAL TITLE INSURANCE COMPANY

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

95038

E71422

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 13 1999

*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.

Will. L. Mart, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 12, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0375

DIANE C. MOORE V. TENET HEALTHCARE CORPORATION, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96036

96VS109988F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 12 1999

*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.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 09, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0376

THE SOUTH GEORGIA REGIONAL DEVELOPMENT CENTER, ET AL V. COMMUNITY
NATIONAL BANK

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

90036

95CV924

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG - 9 1999

*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.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 16, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0377

CAVALIER HOMES OF ALABAMA INC., ET AL V. RAY MARLIN CRAWFORD

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

To 95
97036
98V641

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 16 1999

*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.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 18, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0378

COBB COUNTY, GEORGIA ET AL V. FREDERICK J. SORRENTINO FJS, INC.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99036

991379124

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 18 1999

*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.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 16, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0379

RESULTS ORIENTED, INC. D/B/A ASSURED HOUSING V. RAY MARLIN CRAWFORD

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

To 95
~~97037~~

98V641

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 16 1999

*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.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0380

SOUTH FULTON MEDICAL CENTER INC., ET AL V. AUGUSTA LEVERT ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

70036

96VS01116949

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 23 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0381

GARY M. SAMS, AS TEMPORARY ADMINISTRATOR OF THE ESTATE OF FRANKYE
WOOD RICKS V. FARYL SIMS MOSS, AS ADMINISTRATOR OF THE ESTATE OF JAMES
W. RICKS JR.

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

71036

9501143

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 23 1999

*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.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 20, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0382

PRIVATE LINE GROUP, INC., V. MARTHA P. DOVE, ET AL.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91036

98EV579J

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 20 1999

*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.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA,

The Court of Appeals hereby passes the following order:

A99I0383. KENNETH WILSON v. RICHARD AND GLORIA FERRELL.

Applicant Wilson filed an objection with the superior court to the introduction by respondents Richard and Gloria Ferrell of certain medical reports pursuant to OCGA § 24-3-18. This interlocutory application seeks appellate review of the denial of Wilson's objection to respondents' medical exhibits.

The issues raised by Wilson and ruled on by the superior court include a challenge on several grounds to the constitutionality of OCGA § 24-3-18. These issues as to the constitutionality of the statute are again submitted in this application.

The application lies within the Supreme Court's exclusive jurisdiction to rule on the constitutionality of statutes. Ga. Const. of 1983, Art. VI, Sec. VI, Par. III (2), Doe v. Department of Corrections, 224 Ga. App. 494 (SE2d) (1997). Accordingly, this application for interlocutory appeal must be transferred to the Supreme Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 17 1999

*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.*

Wilk. L. Mart, III
Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 16, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0384

GREEN TREE FINANCIAL SERVICING CORPORATION V. RAY MARLIN CRAWFORD

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

To 95
~~97038~~

98V641

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 16 1999

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*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0385

JAMES OSMENT V THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92037

974297

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 23 1999

*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.

Will. L. Mart, III

Court of Appeals of the State of Georgia

ATLANTA, AUG 24 1999

The Court of Appeals hereby passes the following order:

A99I0386. 350 MARIETTA, INC., ET AL v. REARDON, et al.

This application is from the denial of a motion for reconsideration of an order transferring the case to the Superior Court of DeKalb County pursuant to OCGA § 9-10-50. The transfer order was entered on June 3, 1999. A certificate of immediate review was issued on June 11, but no application was filed in this court. On July 14, the trial court denied applicants' motion for reconsideration of the order entered June 3. The applicants claim that a certificate of immediate review from the order entered on July 14 was filed in the trial court on July 19. We agree that such a certificate would authorize an application for appeal from the order denying the applicants' motion for reconsideration under Mayor & Aldermen of Savannah v. Norman J. Bass Construction Company, 264 Ga. 16 (441 SE2d 63) (1994). However, the only certificate of immediate review included with the application submitted to this court is the one filed on June 11 from the transfer order entered June 3.

Since the application is untimely as applied to the order entered June 3 and no certificate of immediate review has been submitted from the order entered July 19, the application is hereby DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 24 1999

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Will. L. Mart
Clerk.

Court of Appeals of the State of Georgia

ATLANTA, SEP 28 1999

The Court of Appeals hereby passes the following order:

A99I0386. 350 MARIETTA, INC., et al. v. REARDON, et al.

Upon consideration of the applicants' motion for reconsideration of this court's order dismissing the application for lack of a valid certificate of immediate review, it is hereby ordered that the motion be GRANTED. Accordingly, the previous order dismissing the application for interlocutory appeal is hereby VACATED. Furthermore, the application for appeal is GRANTED. Applicants shall have ten days from the date of this order to file their notice of appeal. The clerk of the superior court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 28 1999

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W. L. Martin, III
Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 24, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0387

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY V. GARY C. MCMANUS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

98037

98CV00424

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 24 1999

*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.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA,

The Court of Appeals hereby passes the following order:

A99I0388. Metro Ambulance Service, Inc. d/b/a American Medical Response v. Georgia Department of Human Resources, et al.

Metro Ambulance Service, Inc. d/b/a American Medical Response ("AMR") filed this interlocutory application seeking review of the trial court's grant of the Georgia Department of Human Resources, Georgia Board of Human Resources, Tommy C. Olmstead, in his capacity as Commissioner of the Georgia Department of Human Resources, Kathleen M. Toomey, M.D. as Director of the Division of Public Health of the Georgia Department of Human Resources and the District III E.M.S. Council's (the "State") motion to change venue. The trial court's order changed venue from Cobb to Fulton County.

The State has filed a motion to dismiss this interlocutory application. AMR is seeking to appeal an interlocutory decision of the trial court reviewing an administrative decision of the State pursuant to OCGA § 31-5-3. However, since the appeal procedure set forth in OCGA § 31-5-3 is consistent with judicial review under the APA and is not a "pretrial, trial, or post trial procedure" as contemplated by the Civil Practice Act, the APA applies to this

case. See Howell v. Harden, 231 Ga. 594 (203 SE2d 206) (1974). Further, in DeKalb County v. Metro Ambulance Services, Inc., 253 Ga. 561 (322 SE2d 881) (1984) the Supreme Court applied the APA standard in reviewing a decision of the State under OCGA § 31-5-3.

The interlocutory appeal procedure does not apply to cases arising under the APA because the APA does not authorize appellate review until the superior court has rendered a "final judgment". OCGA § 50-13-20. Since there has been no final judgment by the trial court in this case, this Court lacks jurisdiction to consider this application. Accordingly, this application is ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG - 5 1999

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.

William L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 27, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0389

R.T. JONES HOSPITAL, INC. ET AL V. KAREN JONES, INDIVIDUALLY AND AS
ADMINISTRATRIX OF THE ESTATE OF ELIZABETH O. HOLLOMAN

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

90037

97112089

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 27 1999

*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
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Clerk.

Will. L. Martin, III

Court of Appeals
of the State of Georgia

A9901 0390 changed to
A0000012

ATLANTA, AUGUST 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0391
VAUGHN & MURPHY V. DON SCOTT COCHRAN

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

70037

98MV500T

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta*

AUG 23 1999

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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 02, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0392

AT&T CORP., ET AL V. LIGIA PACHECO DE PEREZ, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

71037

95VS0104492

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP -2 1999

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the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
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Clerk.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 02, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0393
AT&T CORP, ET AL V. CRUZ SIGALA, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

71038

95VS0104493

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP -2 1999

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 02, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0394

HOOTERS OF AUGUSTA, INC., ET AL V. SAM NICHOLSON

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

91037

95RCCV616

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP -2 1999

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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 03, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0395

TAMMY CARTER V. DONALD JACKSON MCCOWEN, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

93037

46464

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP -3 1999

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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA,

SEPTEMBER 01, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0396
TRONCALLI MOTORS, INC. V. FRED P. DEWITT

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92038

97128475

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP - 1 1999

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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 07, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0397

LOUIS G. PREVOSTI, M.D. V. HERSCHEL MARSHALL BRANNON, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

94038

E59701

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP -7 1999

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Clerk.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, AUG 30 1999

The Court of Appeals hereby passes the following order:

A99I0398. LYONS v. THE STATE.

Nancy L. Lyons seeks appellate review of the denial of her motion for reconsideration of her motion to suppress State-administered field sobriety tests. The trial court issued a certificate of immediate review which adequately sets forth the order which Lyons seeks appellate review. Lyons seeks review of the trial court's order based upon the audio and video recording of the subject traffic stop which she contends plainly contradicts the arresting officer's testimony. Based upon our review of the video tape, Lyons' application is hereby GRANTED. Lyons is hereby directed to file a notice of appeal with the trial court within ten (10) days of this order.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 30 1999

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

W. L. Mant, III
Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 24, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0399

U.S. FILTER DISTRIBUTION GROUP, INC. V. JIMMY C. BARNETT, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of SUPERIOR COURT is directed to include a copy of this order in the record transmitted to the Court of Appeals.

96038

97MV379T

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 24 1999

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Clerk.

Will L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, SEP -2 1999

The Court of Appeals hereby passes the following order:

A99I0400. TOMMY C. JANES v. JOYCE v. JANES

Tommy C. Janes filed a petition for interlocutory review of the superior court's order denying his application to reinstate his demand for jury trial, which was entered July 15, 1999. The trial court issued a timely certificate of immediate review on July 26, 1999. Janes sent his application for interlocutory appeal to this Court by certified mail on August 5, 1999, the day the application was due. See OCGA § 5-6-34 (b). However, the filing fee required by Court of Appeals Rule 5 was not included in the application. The application could not be docketed when received because no filing fee was included. OCGA § 5-6-4. Accordingly, the application was not deemed filed and docketed until the following day, August 6, 1999, when the filing fee was submitted by certified mail. Court of Appeals Rule 4. The application is thus untimely. Without a timely filed application, this Court is without jurisdiction to consider the request for appeal. Graves v. Dean,

166 Ga. App. 186 (303 SE2d 751) (1983). Accordingly, Janes' application is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP - 2 1999

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.

William P. Hunt, III
Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, SEPTEMBER 03, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0401
FREDDIE K. STEWART V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99038

98R100 S99I1589

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP -3 1999

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.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, SEP -3 1999

The Court of Appeals hereby passes the following order:

A99I0402. FREDDIE K. STEWART v. THE STATE.

Via interlocutory application, defendant Stewart seeks appellate review of an order of the superior court, entered on July 9, 1999, and denying his motion to dismiss indictments. The application includes a certificate of immediate review entered on July 21, 1999, or 12 days after entry of the order sought to be appeal.

A certificate of immediate review is ineffective unless it is filed within ten days of the entry of the order or judgment sought to be appealed. OCGA § 5-6-34 (b); Turner v. Harper, 231 Ga. 175 (200 SE2d 748) (1973); Van Schallern v. Stanco, 130 Ga. App. 687 (204 SE2d 317) (1974). If the certificate of immediate review is not entered within the ten day period, it is untimely, and the party seeking review must wait until the final judgment in the case to seek review of the interlocutory order. Turner, supra. In this case, the certificate of immediate review was not filed within ten days of the entry of the superior court's July 9, 1999 order, and

therefore, it is untimely. Accordingly, this application is dismissed for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP - 3 1999

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Witness my signature and the seal of said court hereto affixed the day and year last above written.

Clerk.
Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A99I0403
OK CAFE, L.P., ET AL V. STEPHEN W. RICH

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

70038

98VS0142066

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 23 1999

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Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, SEP -2 1999

The Court of Appeals hereby passes the following order:

**A99I0404. 2929 PANTHERSVILLE ASSOCIATES, ET AL V. MARLENE M.
PHILLIPS, ET AL**

The applicants, 2929 Panthersville Associates, Sherwood Apartments, Inc., and Gateway Management Co., Inc., filed a petition for interlocutory review of the superior court's order denying their motion for summary judgment, which was filed in the trial court July 15, 1999. The trial court then issued a timely certificate of immediate review on July 26, 1999. The applicants filed their application for interlocutory review on August 11, 1999, sixteen days after the certificate of immediate review was issued. OCGA § 5-6-34 (b) permits this Court to consider interlocutory appeals only where the application is made within ten days after the certificate of immediate review is entered. Because the applicants failed to file their application within this time frame, the application is untimely, and this Court is without jurisdiction to consider it. Graves v. Dean, 166 Ga. App. 186 (303 SE2d 751) (1983). Accordingly, the application for interlocutory appeal is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP -2 1999

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Will. L. Mart ^{Clerk}