

Court of Appeals of the State of Georgia

ATLANTA, February 25, 2019

The Court of Appeals hereby passes the following order:

A19I0175. THE COLUMBUS CLINIC, P.C. v. REGINALD A. WILLIAMS.

Reginald A. Williams sued the Columbus Clinic, P. C. (“the Clinic”) for breach of contract, claiming he was fired without cause. The parties filed cross-motions for summary judgment, and the trial court granted the Clinic’s motion and denied Williams’ motion. Williams appealed, and we reversed. See *Williams v. Columbus Clinic*, 332 Ga. App. 714 (773 SE2d 457) (2015). The trial court then conducted a subsequent hearing, after which it entered an order granting Williams’ motion for partial summary judgment and denying the Clinic’s motion for summary judgment. The Clinic seeks interlocutory review of this ruling.

Pursuant to OCGA § 9-11-56 (h), “[a]n order granting summary judgment on any issue or as to any party shall be subject to review by appeal.” Here, the Clinic seeks to challenge that portion of the trial court’s order granting Williams’ motion for partial summary judgment. “This Court will grant a timely application for interlocutory review if the order complained of is subject to direct appeal and the applicants have not otherwise filed a notice of appeal.” *Spivey v. Hembree*, 268 Ga. App. 485, 486 n. 1 (602 SE2d 246) (2004).

Accordingly, this interlocutory application is hereby GRANTED. The Clinic shall have ten days from the date of this order to file a notice of appeal in the trial court. If the Clinic has already filed a notice of appeal from the order at issue here,

it need not file a second notice. The clerk of the trial 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, 02/25/2019

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

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

Stephen E. Castle

, Clerk.