

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

ATLANTA, APRIL 21, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0309
SALLY MARTIN PATSIOS V. THE STATE

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

93036

96CR02193

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 21 1997

*I certify that the above is a true extract from
the minutes of 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 R. Martin

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

ATLANTA, APRIL 21 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0308
JAMES GEORGE PATSIOS V. THE STATE

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

93035

96CR02192

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

APR 21 1997

*I certify that the above is a true extract from
the minutes of 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 R. Martin Clerk.

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

ATLANTA, MAY 02, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A97D0306

KATIE JEAN HALE V. DAVID BRIAN HALE

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

98-034
CV962268

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY -2 1997

*I certify that the above is a true extract from
the minutes of 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 R. Martin

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

ATLANTA, APRIL 24 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0305
REDI-FLOOR, INC. V. WHEAT ENTERPRISES, INC ET AL

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

99034

97VX29534H

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 24 1997

*I certify that the above is a true extract from
the minutes of 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 R. Martin

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

ATLANTA, APRIL 29 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0304
ELLSWORTH L. TALLMAN ET AL V. LARRY TAYLOR ET AL

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

90034

96CV5472

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 29 1997

*I certify that the above is a true extract from
the minutes of 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 R. Martin Clerk.

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

ATLANTA, APRIL 09 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0302

OSBORNE BONDING AND SURETY COMPANY EX REL EARL ELY V. THE STATE

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

97034

95CR0235

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR - 9 1997

*I certify that the above is a true extract from
the minutes of 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 R. Martin

Clerk.

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

ATLANTA, MAY 14, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A97D0301

JOHN KITCHENS V. GEORGIA DEPARTMENT OF TRANSPORTATION

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

91-034
E53818

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 14 1997

*I certify that the above is a true extract from
the minutes of 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 R. Matz Clerk.

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

ATLANTA, APRIL 24 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0300
BEVERLY DUMAS V. CITY OF SAVANNAH ET AL

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

94034

CV961733FR

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

APR 24 1997

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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 R. Martin

Clerk.

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

ATLANTA, SEPTEMBER 11, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A97I0437

TERRY BRADSHAW ET AL V. THE STATE

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

97-049
97C60

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta SEP 11 1997*

*I certify that the above is a true extract from
the minutes of 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 R. Martin

SUPREME COURT OF GEORGIA

Remittitur, Case No. S98C0107

Atlanta, February 20, 1998

The Honorable Supreme Court met pursuant to adjournment.

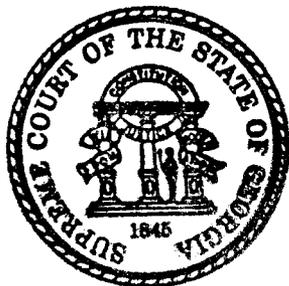
The following order was passed:

TERRY BRADSHAW et al. V. THE STATE

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.

A97I0437
Bill of Costs, \$80.00



SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta March 23, 1998

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. Middleton, Deputy Clerk.

Case No. A97I0437
Court of Appeals of Georgia

FILED IN OFFICE
Filed in office
on: MAR 23 1998

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

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

ATLANTA, SEPTEMBER 11, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A97I0437

TERRY BRADSHAW ET AL V. THE STATE

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

97-049
97C60

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 11 1997

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hereto affixed the day and year last above written.*

Clerk.

William R. Martin

Court of Appeals of the State of Georgia

ATLANTA,

AUG 11 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A97D0445. PRAD GROUP, INC. v. CITY OF ATLANTA

PRAD Group, Inc. seeks discretionary appellate review of an order of the superior court dismissing its petition for certiorari. PRAD was selected as the top ranked proponent responding to the City of Atlanta's Request for Proposals (RFP) for the Pine Meadows Sewer project, but while negotiations continued before the contract was signed, PRAD's proposed project design manager resigned. The RFP sent to all proponents, including PRAD, had specified that only the design team presented to the City could be utilized on the project, unless changes in the design team were approved by the City. PRAD offered several substitute project managers to the City, but the City determined that it would be inequitable to other proponents to allow PRAD to continue and accordingly disqualified PRAD from the project. PRAD appealed to a City Hearing Officer, who affirmed the decision of the City. PRAD then filed a petition for certiorari to the Superior Court of Fulton County. In a detailed order, the superior court found that the hearing officer had committed no errors of law and further found the ruling below was sustained by substantial evidence. See OCGA § 5-4-12 (b). The court specifically found that the City had considered and rejected PRAD's substitute project managers and had not abused its discretion. The application materials support these findings. The application is accordingly hereby DENIED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 11 1997

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Clerk.

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

SEP 16 1997

ATLANTA,

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A97D0445. PRAD GROUP, INC. v. CITY OF ATLANTA

As Petitioner's Motion for Reconsideration of this Court's Order denying its application for discretionary appeal raises no new issues for appellate review, Petitioner's motion is hereby DENIED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 16 1997

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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 R. Martin

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, SEP 15 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A97I0438. JOHN C. RICHARDS v. MOORE-SAPP INVESTORS, ET AL

John C. Richards applied for interlocutory appeal from an order entered on July 22, 1997, and certified for immediate review by the trial court on July 31, 1997. The application was mailed certified on August 11, 1997, without the filing fee. The filing fee was received under separate cover in this office on August 14, 1997. OCGA § 5-6-34 (b) requires an interlocutory application to be made within ten days after the certificate of immediate review is granted. OCGA § 5-6-4 prohibits the clerk of this court from receiving an application for appeal unless the costs have been paid. See also Court of Appeals Rule 4. Accordingly, because the filing fee was not received until August 14, 1997, the application is deemed filed on that date and is thus untimely, and this court lacks jurisdiction over this appeal. See Carson v. Automobile Financing, Inc., 96 Ga. App. 336 (1) (99 SE2d 903) (1957). The application for interlocutory appeal is therefore hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 15 1997

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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.*

William R. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA, SEP 12 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A97D0470. CLAYTON BROWN v. CALLS USED AUTO PARTS

The applicant, Clayton Brown, filed this application for discretionary appeal pursuant to OCGA § 5-6-35 (a) (6), but failed to include a file stamped copy of the judgment appealed from, as required by OCGA § 5-6-35 (c) and Rule 32 (b) of the Court of Appeals. On August 20, 1997, this court issued an order to the applicant directing him to supplement the application within ten days with a file stamped copy of the order appealed from and stressed that the application would be dismissed if the document was not timely filed with this court. However, the applicant has failed to comply with this order. Accordingly, this appeal is DISMISSED. See Court of Appeals Rule 7.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 12 1997

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

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

William R. [Signature]

Clerk.

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

ATLANTA, SEPTEMBER 11 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0477

GEORGE HARLEN TRODGEN V. 1ST FRANKLIN FINANCIAL CORP. ET AL

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

98053

95CV501S

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 11 1997

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William R. Martineau Clerk.

Court of Appeals of the State of Georgia

ATLANTA, September 08, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A97D0478. DENNIS HOOPER v. THE PAULDING COUNTY BOARD OF COMMISSIONERS et al.

Dennis Hooper, an inmate proceeding pro se, attempts to appeal two rulings in a single application for discretionary appeal. Insofar as the application seeks to appeal from the May 28, 1997, order denying reconsideration of the superior court's April 25, 1997, order, granting the motion of defendant Paulding County Board of Commissioners to dismiss Civil Action Number 97CV0305, the application is untimely and is hereby DISMISSED IN PART.

Insofar as the application seeks to appeal from the July 27, 1997, order denying Hooper's Motion for Return of Personal Property as filed under criminal indictments 95CR135 and 95CR457, after consideration of the application on the merits, it is hereby ORDERED that the application be DENIED IN PART.

Application A97D0478 is hereby DISMISSED IN PART and DENIED IN PART.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP - 8 1997

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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 R. Martin

Clerk.

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

ATLANTA, AUGUST 13 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0459

GAYLON ROGERS V. FORD MOTOR COMPANY ATLANTA PDC

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

98051

97CV1302 254-13-3484

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 13 1997

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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 R. Martin

Clerk.

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

ATLANTA,

SEPTEMBER 02 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0475

OLGA M. JERVIS V. RENISON T. JERVIS ET AL

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

90053

97VG78543

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP - 2 1997

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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.

SUPREME COURT OF GEORGIA

Remittitur, Case No. S97C1675

Atlanta, September 5, 1997

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

PIEDMONT COLLEGE et al. v. RICHARD JEWELL

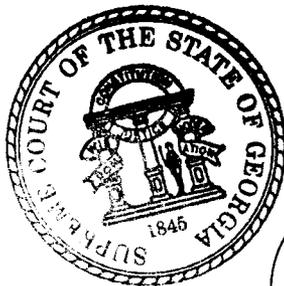
It is ordered that this petition for certiorari is allowed withdrawn.

All the Justices concur.

A97I0349
Bill of Costs, \$80.00

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta October 9, 1997



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. Middleton, Esq.
Clerk.

Case No. A97I0349 S97C1684
Court of Appeals of Georgia

Filed in office
on:

OCT 10 1997

Remittitur from the Supreme Court.

Clerk, Court of Appeals of Georgia.

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

ATLANTA, JUNE 18 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0349
PIEDMONT COLLEGE ET AL V. RICHARD JEWELL

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

96040

97VS122804

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN 18 1997

*I certify that the above is a true extract from
the minutes of 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 R. Martin Clerk.

SUPREME COURT OF GEORGIA

Remittitur, Case No. S97C1306

Atlanta, September 18, 1997

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

RICHARD L. BRYSON V. THE STATE

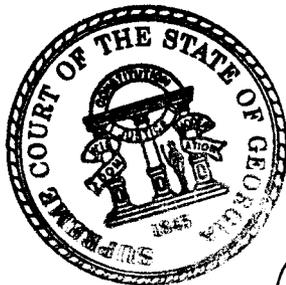
Upon consideration of the petition for certiorari filed to review the judgment of the Court of Appeals in this case, it is ordered that the writ be hereby denied.

All the Justices concur.

A97I0288
Bill of Costs, \$80.00

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta October 9, 1997



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.

Tathaniel J. Middleton, Deputy Clerk.

Case No. A97I0288
Court of Appeals of Georgia

Filed in office
on:

OCT 10 1997

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

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

ATLANTA, APRIL 17, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0288
RICHARD L. BRYSON V. THE STATE

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

99032

97CR00215

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

APR 17 1997

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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 L. Martin

Clerk.

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

ATLANTA, MARCH 25 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0263
JOSEPH R. GARRARD ET AL V. THE STATE

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

93030

92R318

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAR 25 1997

*I certify that the above is a true extract from
the minutes of 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 R. Martin

SUPREME COURT OF GEORGIA

Remittitur, Case No. S97C1146

Atlanta, September 4, 1997

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

WILLIAM L. DUNCAN V. GWINNETT COUNTY et al.

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.

A97D0249
Bill of Costs, \$80.00

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta October 9, 1997



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. Middleton Clerk.

Case No. A97D0249
Court of Appeals of Georgia

Remittitur from the Supreme Court.

Filed in office
on:

Clerk, Court of Appeals of Georgia.

OCT 10 1997

SUPREME COURT OF GEORGIA

Remittitur, Case No. S97C1140

Atlanta, September 5, 1997

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

JOSEPH R. GARRARD et al. V. THE STATE

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.

95M23798
Bill of Costs, \$80.00

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta October 9, 1997



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. Middleton, Deputy Clerk.

Case No. A97I0263
Court of Appeals of Georgia

Filed in office
on:

OCT 10 1997

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

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

ATLANTA, MARCH 25, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A97D0249

WILLIAM L. DUNCAN V. GWINNETT COUNTY ET AL

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

96-028
96A65113

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 25 1997

*I certify that the above is a true extract from
the minutes of 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

Clerk.

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

ATLANTA, APRIL 10, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A97D0286

THOMAS A. RHODES, SR. V. GARFIELD BAILEY ET AL

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

90-032
93A1801

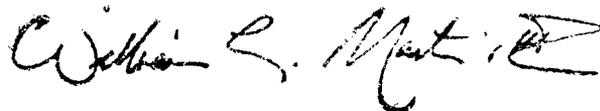
Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 10 1997

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hereto affixed the day and year last above written.*

Clerk.



SUPREME COURT OF GEORGIA

Remittitur, Case No. S97C1286

Atlanta, September 18, 1997

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

THOMAS A. RHODES, SR. V. GARFIELD BAILEY et al.

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.

A97D0286
Bill of Costs, \$80.00



SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta October 9, 1997

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. Nisbet, Deputy Clerk.

Case No. A97D0286
Court of Appeals of Georgia

Filed in office
on:

OCT 10 1997

Remittitur from the Supreme Court.

Clerk, Court of Appeals of Georgia.

Exhibit "D"

Court of Appeals
of the State of Georgia

ATLANTA, FEBRUARY 11 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0221
DERRICK BOYETT V. CANDICE CARROLL

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

97025

960262F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 11 1997

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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.

SUPREME COURT OF GEORGIA

Remittitur, Case No. S97C1132

Atlanta, September 12, 1997

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

DERRICK BOYETT V. CANDICE CARROLL

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 is dismissed.

All the Justices concur.

A97D0221
Bill of Costs, \$80.00

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta October 9, 1997

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. Madala Clerk.

Case No. A97D0221
Court of Appeals of Georgia

Filed in office
on:

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

OCT 10 1997

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

ATLANTA, AUGUST 27 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0479
DAN VADEN CHEVROLET V. JOHNNY C. MANN

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

93054

9701034 257-90-7187

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 27 1997

*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.

William R. Mott, Jr.

Court of Appeals of the State of Georgia

ATLANTA, August 26, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A97D0469. EMANUEL ECHOLS v. THE STATE.

Emmanuel Echols seeks a discretionary appeal following the alleged entry of an order revoking his probation. Echols is required under OCGA § 5-6-35 (c) to include a copy of the order he seeks to appeal as a part of an adequate application for discretionary appeal. However, Echols did not include a copy of the order complained of with his application, nor did he properly comply with the order of this court issued August 5, 1997 directing that he do so within ten days from that date. Echols instead sent this court a copy of the warrant for arrest issued by the superior court on March 12, 1997, which serves no useful purpose.

Since Echols has failed to comply with OCGA § 5-6-35 (c) as well as a previous order of this court, his application for appeal is hereby DISMISSED. See Rule 7 of the Rules of the Court of Appeals.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 26 1997

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

William R. Martin

Clerk.

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

ATLANTA, AUGUST 22 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0474
JOHN W. HAMMOCK V. ANN B. WEBB

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

96053

96V215

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 22 1997

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Clerk.

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

ATLANTA, AUGUST 19 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0468

JOHN H. CLARK (DECEASED) ET AL V. AMERICAN YARD PRODUCTS F/K/A
ROPER CORPORATION

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

98052

562-92-6708

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 19 1997

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William R. McIntire Clerk.

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

ATLANTA, AUGUST 19 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0467
SARKIS, INC. D/B/A LITTLE CAESARS V. JARDINE INSURANCE AGENCY
MICHIGAN, INC.

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

99052

96VS110834G

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 19 1997

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Clerk.



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

ATLANTA, AUGUST 19 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0462
STATE OF GEORGIA V. BOB L. AKINS

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

94052

94R085

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 19 1997

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Clerk.



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

ATLANTA, JUL 25 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A97D0446 Hight v. West

Alfred Hight filed this application for discretionary appeal seeking review of several orders of the trial court, the last one of which was entered on June 6, 1997. Hight filed his application on July 17, 1997, 41 days after entry of the order appealed. OCGA § 5-6-35 (d) requires applications for discretionary appeal to be filed within 30 days of the entry of the order appealed. Accordingly, Hight's application for discretionary appeal is ordered DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 25 1997

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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. Z. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA, AUG 19 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A97D0446 Hight v. West

Alfred Hight seeks reconsideration of this Court's order dated July 25, 1997 which dismissed his discretionary application on the ground that it was untimely. Hight's motion for reconsideration, however, was not filed with this Court until August 5, 1997. Court of Appeals Rule 37 (b) requires that motions for reconsideration be filed within ten days of the judgment or dismissal. Hight's motion, which was not filed until eleven days after this Court's order dismissing his application, is therefore untimely, and it is hereby ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 19 1997

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William R. Martin Clerk.

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

ATLANTA, AUGUST 18 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0457

ROBERT UNDERWOOD V. STATE OF GEORGIA EX REL

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

90051

94CV290 97CV221

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 18 1997

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the minutes of the Court of Appeals of Georgia.*

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William R. Martin

Clerk.

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

ATLANTA, AUGUST 18 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0426

CRAWFORD AND COMPANY V. JESUS HERRADA ET AL

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

99047

940784M 970785M

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 18 1997

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William R. Martin

Clerk.

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

ATLANTA, AUGUST 15 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0427

J. ROBERT CARPENTER V. COIN OPERATED APARTMENT LAUNDRIES INC.

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

92048

95SC0777

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta · **AUG 15 1997**

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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.

William R. Martin

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

ATLANTA, AUG - 8 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A97I0425 Johnson v. Hill

W.L. Johnson, Joseph Thompson, John Thomas, Herbert Cohen, J.L. Ligon, J.C. Howard, W.W. Bankston, C.C. Singleton, and J. Nixon filed this interlocutory application seeking review of the trial court's order which temporarily enjoined them from participating in a religious meeting pursuant to a call by Bishop Stevenson. This case was filed in the Supreme Court, but transferred to this Court on July 23, 1997. However, as noted in the Supreme Court's order, the order appealed, being a grant of an application for interlocutory injunction, is directly appealable. OCGA § 5-6-34 (a) (4). Accordingly, this application for interlocutory review is DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta **AUG - 8 1997**

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Will. Z. Martin

Clerk.

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

ATLANTA, AUGUST 15, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0461

CALVIN GREEN V. THE STATE

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

93052

38808E

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta **AUG 15 1997**

*I certify that the above is a true extract from
the minutes of 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 R. Mat... [Signature]

Clerk.

Court of Appeals of the State of Georgia

ATLANTA,

AUG 12 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A97D0439. JEANNE ANN DRISKELL BECKWITH v. THOMAS JOSEPH BECKWITH

Jeanne Ann Driskell Beckwith seeks discretionary review of the trial court's Order of June 13, 1997; however, the order appealed did not resolve all the issues in the case. Thus, the order is interlocutory and the procedures for interlocutory review as set forth in OCGA § 5-6-34 (b) were required to be followed. Scruggs v. Ga. Dept. of Human Resources, 261 Ga. 587 (408 SE2d 103) (1991). The discretionary application statute does not relieve Ms. Beckwith from the interlocutory review requirements of obtaining a certificate of immediate review from the trial court. *Id.* Because Ms. Beckwith did not follow the interlocutory review procedures, this Court lacks jurisdiction over this appeal. Accordingly, this appeal is ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 12 1997

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William L. Martie

Clerk.

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

ATLANTA, AUGUST 12 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0466

FRED B. BROWN V. CITY OF GAINESVILLE ET AL

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

90052

258-62-1680 97CV1160B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 12 1997

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William R. Martin

Clerk.

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

ATLANTA, AUGUST 11 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0451
ALONZO KING LEWIS V. THE STATE

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

92051

94R231

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 11 1997

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William R. Martin Clerk.

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

ATLANTA, AUGUST 07 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0458

SYLVESTER DUGGER V. KOTONI TRADING, INC.

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

99051

97VS012437J

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG - 7 1997

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William L. Martin Clerk.

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

ATLANTA, AUGUST 07 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0456
BRIAN KEITH JONES V. THE STATE

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

96051

Z82289

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG -7 1997

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William R. Martine Clerk.

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

ATLANTA, AUGUST 06 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0434

JIMMY CARL BARRETT V. DEKALD COUNY BOARD OD REGISTRATIONS AND
ELECTIONS

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

92049

9731976

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG -6 1997

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the minutes of the Court of Appeals of Georgia.*

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William L. Martin Clerk.

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

ATLANTA, AUGUST 05 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0440
TRACY KELLON SMITH V. THE STATE

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

99049

93CR016282

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG -5 1997

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the minutes of the Court of Appeals of Georgia.*

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William R. Martin
Clerk.

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

99

ATLANTA, AUGUST 05 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0449

SID MILES, COMMISSIONER, GEORGIA DEPARTMENT OF PUBLIC SAFETY V. DAVID
B. TOMME

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

99050

97CV0752S

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG - 5 1997

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

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

ATLANTA, AUGUST 05 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0448

SYLVIA SUTTON V. FABRA CARE

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

90050

592-80-3795 SU97CV1438

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG -5 1997

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William R. Martin Clerk.

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

ATLANTA, AUGUST 04 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0450

CHARLIE COPELIN V. CENTRAL STATE HOSPITAL ET AL

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

98050

96CV33149C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG - 4 1997

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Clerk.

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

ATLANTA, AUGUST 04 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0453

THE ASSOCIATION OF WEST CASCADE COMMUNITIES ET AL V. FULTON COUNTY, GA

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

94051

E56373

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG - 4 1997

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William E. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA, August 22, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A97D0453. THE ASSOCIATION OF WEST CASCADE COMMUNITIES ET AL V.
FULTON COUNTY, GA

Upon consideration of the motion for reconsideration, it is
ordered that it be hereby dismissed as untimely filed.

94-051

E56373

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 22 1997

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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.

Court of Appeals of the State of Georgia

ATLANTA, August 5, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A97I0418. COLUMBUS, GEORGIA v. BARNGROVER ET AL

On July 15, 1997, the City of Columbus, Georgia filed this application for interlocutory review of the trial court's June 26, 1997 order denying its motion for summary judgment. A certificate of immediate review was timely filed with the trial court on July 2, 1997. However, because the city did not file its application with this Court within 10 days of the entry of that certificate, the application is untimely. OCGA § 5-6-34 (b). The proper and timely filing of an application is an absolute prerequisite to confer jurisdiction upon this Court to consider an interlocutory appeal. Pace Construction Corp. v. Northpark Associates, 215 Ga. App. 438 (450 SE2d 828) (1994). Accordingly, this application is ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG -5 1997

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William R. Martin Clerk.

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

ATLANTA, AUGUST 06 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0417

THE SOUTH GEORGIA REGIONAL DEVELOPMENT CENTER ET AL V. COMMUNITY
NATIONAL BANK

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

92047

95CV924

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG -6 1997

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William L. Martin

Clerk.

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

ATLANTA, AUGUST 06 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0405

KENAN TRANSPORT COMPANY V. BUDDY NESMITH OIL COMPANY INC.

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

96045

E35620

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG - 6 1997

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William R. McTear

Clerk.

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

ATLANTA, AUGUST 05 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0423

BRENDA SELLERS, INDIVIDUALLY AND AS PARENT AND NATURAL GUARDIAN OF
TABEITHA SELLERS, A MINOR CHILD V. CITY OF FOREST PARK, A MUNICIPAL
CORPORATION ET AL

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

97047

96CV5958

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG -5 1997

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William R. Martin Clerk.

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

ATLANTA, AUGUST 04 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0422

ISS INTERNATIONAL SERVICE SYSTEM, INC V. JERALD N. WIDMER

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

94047

96VS114316C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG - 4 1997

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William R. [Signature]
Clerk.

Court of Appeals of the State of Georgia

ATLANTA, AUG 19 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A97I0432. Golden Isles Financial Holdings, Inc. v. E. Ralph Bufkin

This application for interlocutory appeal seeks review of the trial court's order denying Golden Isles Financial Holdings, Inc.'s motion for summary judgment which order was entered on July 8, 1997. Although Golden Isles obtained a certificate of immediate review from the trial court's July 8 order, it did not do so within ten days of entry of the trial court's July 8, 1997 order. The certificate of immediate review reflects a handwritten notation that it was entered by the court on July 21, 1997. The certificate was not stamped "filed" by the clerk's office until July 22, 1997. Although OCGA § 9-11-5 does provide that a judge may permit papers to be filed with him or her, it is unnecessary to determine whether the handwritten notation is sufficient to satisfy the filing requirement because July 21 is more than ten days after July 8, and therefore, the certificate is untimely in all events.

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 July 8, 1997 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 AUG 19 1997

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William R. Martin

Clerk.

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

ATLANTA, AUGUST 08 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0414
ELLEN GAIL CLARK V. TRACY A. DAVIS

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

90046

272974

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG - 8 1997

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William R. Martin Clerk.

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

ATLANTA, AUGUST 06 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0429
MICHELLE BRYANT MCCLELLAND V. THE STATE

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

97048

97R041

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG -6 1997

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William R. Martin

Clerk.

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

ATLANTA, AUGUST 05 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0412

CHARLES PATRICK ET AL V. WILLIAM D. ROSSITER

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

97046

931260M

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG - 5 1997

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William R. Martin Clerk.

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

ATLANTA, AUGUST 04 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0406

WILLIE F. MCGHEE V. LETOSHA S. WILLIAMS

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

90045

95VS104198E

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG - 4 1997

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William R. Martin Clerk.

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

ATLANTA, JULY 24 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0388
PIGGLY WIGGLY OF ELLIJAY, INC. V. MAVIS ANN CASEY

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

98043

96CV294

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 24 1997

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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 R. Martie

Clerk.

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

ATLANTA, JULY 25, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0400
JOSEPH GRACYALNY V. ALLSTATE INSURANCE COMPANY

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

98044

SC96CV1025

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 25 1997

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

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

ATLANTA, JULY 30, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0401

CHRISTOPHER M. WILDER ET AL V. LINDA M. SAMUEL

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

92045

93CV0026S

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 30 1997

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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 R. Martie

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

ATLANTA, JULY 25 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0402

THE ESTATE OF GEORGE D. FLEMING V. THE ESTATE OF FRANCES FLEMING

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

93045

951021

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 25 1997

*I certify that the above is a true extract from
the minutes of 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 S. Martin

Clerk.

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

ATLANTA, JULY 29 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0413

KOLCRAFT ENTERPRISES, INC. V. CANDICE DAWN SCHRADER ET AL

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

96046

96VS0117247G

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 29 1997

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

William J. Matlock Clerk.

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

ATLANTA, JULY 29 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0411
JOSEPH M. MURPHY V. THOMAS K. MCCAUGHEY

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

94046

88RCCV714

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

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William L. Martin

Clerk.

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

ATLANTA, JULY 29 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97I0409
JAMIN ARIEL RAHANN DAVIS V. THE STATE

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

92046

97B4682Q

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 29 1997

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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. Mat... [Signature]

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, July 25, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A97D0443. EDDIE B. SMITH D/B/A EDDIE'S WRECKER SERVICE v. STEVEN BRANTLEY.

This application for discretionary appeal seeks review of a superior court order remanding a workers' compensation appeal to the State Board of Workers' Compensation. However, the application is untimely.

Under OCGA § 5-6-35 (d), an application for discretionary appeal must be filed within 30 days after entry of the appealable judgment, and that time requirement is jurisdictional. Hogan v. Taylor County Bd. of Education, 157 Ga. App. 680 (278 SE2d 106) (1981). In the instant case, the superior court entered its order on June 13, 1997, and the deadline for seeking discretionary appeal of that order was July 14, 1997. This application was filed on July 15, 1997, one day late.

The failure to comply with that requisite discretionary procedure deprives this Court of the jurisdiction to consider this matter, and the application is hereby dismissed.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 25 1997

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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.*

William Z. Martin Clerk.

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

ATLANTA, JULY 29 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0433
DON BRAXLEY ET AL V. LEE WALL PENNINGTON ET AL

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

98048

93CV30426C

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta **JUL 29 1997**

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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 R. Martin Clerk.

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

ATLANTA, JULY 25 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0425

COLUMBUS, GEORGIA, A CONSOLIDATED GOVERNMENT V. THOMAS C. HYNEMAN, III

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

93048

SU95CV2482

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 25 1997

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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 S. Martin

Clerk.

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

ATLANTA, JULY 31 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A97D0424

AMERICAN EXPRESS TRAVEL RELATED SERVICES COMPANY, INC. V. ERIC J. EDEE

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

92048

95VS0104199

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 31 1997

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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