

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

ATLANTA, SEPTEMBER 04 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0001

TUCKER FEDERAL SAVINGS& LOAN ASSOCIATION V. BROCK CONSTRUCTION
COMPANY

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

92001

95110792

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP - 4 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, AUGUST 28 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0002
RAY VICK ET AL V. DONALD L. STEWART ET AL

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

93001

96CV1695

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 28 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,

SEPTEMBER 09 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0003

EVERRETT A. PARKS V. DARREN DICKSON ET AL

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

94001

1E96CV232M

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP -9 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, SEPTEMBER 15 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0004

DEPARTMENT OF TRANSPORTATION V. DOUGLAS ASPHALT COMPANY

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

98001

E46882

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 15 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.*

William R. Martie Clerk.

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

ATLANTA,

SEPTEMBER 15 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0005

DEPARTMENT OF TRANSPORTATION V. DOUGLAS ASPHALT COMPANY

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

98002

E46883

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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William R. Matie Clerk.

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

ATLANTA,

SEPTEMBER 04 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0006

JOHN C. AKERS, INDIVIDUALLY, AND AS ADMINISTRATOR OF THE ESTATE OF
MARY AKERS DECEASED ET AL V. T.H. CURTIS, M.D.

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

96001

94CV27449

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP - 4 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, SEPTEMBER 08 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0007
SHERRY A. KELLY ET AL V. THE STATE

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

91001

97R054

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,

SEPTEMBER 03 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0008
LINDA B. MCCOMBS V. SYNTHES (U.S.A.)

Upon consideration of the Application for a 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.

93002

96CV6475C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP -3 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:

APPLICATION NO. A98I0009

PICKERING CORPORATION, INC. V. WATSON COFFEE ET AL

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

99001

97V067

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 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 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:

APPLICATION NO. A98I0010

B D O SEIDMAN LLP, A LIMITED PARTNERSHIP DOING BUSINESS IN FULTON,
COUNTY, GEORGIA V. MINDIS ACQUISITION CORPORATION

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

90001

E38327

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 L. Martin

97

**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:

APPLICATION NO. A98I0011

PEDIATRIC EMERGENCY ASSOCIATES V. TAMMIE HAYSLIP ET AL

Upon consideration of the Application for a 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.

97001

97VS0123443

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP - 8 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.

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

ATLANTA,

SEPTEMBER 10 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0012

HOWMEDICA INC. ET AL V. LUCILLE OGLETREE

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

92002

94CV588

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 10 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. Martine

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

ATLANTA, SEPTEMBER 23 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0013
CHICAGO HARDWARE ET AL V. RONALD K. LETTERMAN ET AL

Upon consideration of the Application for a 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.

94002

70:91

94VS0084348

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 23 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, SEPTEMBER 16 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0014
LOWERY'S TAVERN, INC. V. JAMES ALAN DUDUKOVICH

Upon consideration of the Application for a 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.

96002
ST95CV0272

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta SEP 16 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. Martini Clerk.

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

ATLANTA, SEPTEMBER 16 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0016
HOWARD SCOTT V. JAMES ALAN DUDUKOVICH

Upon consideration of the Application for a 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.

96004
ST95CV0272

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta SEP 16 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. Martine Clerk.

Court of Appeals of the State of Georgia

ATLANTA, SEP 18 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

**A98I0017. COLONIAL LIFE & ACCIDENT INSURANCE COMPANY, ET AL. v.
O'HAYER.**

The applicants are defendants in an action to recover commissions allegedly due the respondents. They seek an interlocutory appeal from the detailed order of the state court denying their motion for summary judgment. However, the reasoning used in the order itself does not appear clearly erroneous on its face and the applicants present no argument to the contrary. Since applicants have offered no supported basis for granting their application, it is hereby denied.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 18 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 15 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0018
PATRICIA BRANNON ET AL V. THE STATE

Upon consideration of the Application for a 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.

99002

97F268

97F323

97F272

97F324

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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Clerk.

William R. Martin

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

ATLANTA, SEPTEMBER 16 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0019
JACQUELINE FRAZIER ET AL V. BONITA GAIL THOMAS

Upon consideration of the Application for a 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.

90002

9501392

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 16 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. Martine

Clerk.

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

ATLANTA, SEPTEMBER 24 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0020
MARTIN L. FIERMAN V. JAMES J. BYRNE

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

97002

91CV104945

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 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.*

William R. Martin

Clerk.

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

ATLANTA, OCTOBER 09, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0020

MARTIN L. FIERMAN V. JAMES J. BYRNE

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

97-002
91CV104945

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT -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, SEPTEMBER 23 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0021

DEPARTMENT OF TRANSPORTATION V. 0.480 ACRES OF LAND ET AL

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

92003

97V036

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 23 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, SEPTEMBER 24 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0022
G & M MANAGEMENT CORPORATION D/B/A COLONY CREEK APARTMENTS V.
FAVOUS HORTON

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

93003

96VS0110643

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 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.*

William R. Martin

Clerk.

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

ATLANTA, SEPTEMBER 23 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0023

BALDWIN COUNTY HOSPITAL AUTHORITY D/B/A OCONEE REGIONAL MEDICAL CENTER
V. SHARON TRAWICK

Upon consideration of the Application for a 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.

94003

96CV32543E

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 23 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, OCTOBER 03 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0024
PEACHTREE CASUALTY INSURANCE COMPANY V. PATRICIA BUSSEY ET AL

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

98003
95CV114

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta OCT - 3 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. McTear Clerk.

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

ATLANTA, SEPTEMBER 29 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0025
BETTY JOANN GROGAN ET AL V. REGIONS BANK

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

91003

9627,799

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 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. McIntire

Clerk.

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

ATLANTA, OCTOBER 03 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0026

ATLANTA CASUALTY COMPANY V. JEFFREY SCOTT PALMER ET AL

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

99003

96CV0070

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT -3 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.

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

ATLANTA, SEPTEMBER 30 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0027

SCHULTEN & WARD ET AL V. BARBARA V. HIGHTOWER ET AL

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

90003

E41396

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 30 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
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William R. Martin Clerk.

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

ATLANTA, OCTOBER 03 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0028

GEORGIA DEPARTMENT OF TRANSPORTATION ET AL V. JAMES W. GILMORE

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

97003

92CV383 SC92CV846

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT - 3 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 18 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0029
MICHAEL T. DOUGLAS V. FERGUSON ENTERPRISES, INC.

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

92004

I960665F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 18 1997

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

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William L. Martie

Clerk.

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

ATLANTA, SEPTEMBER 30 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0030

RONALD C. SORBER V. THE STATE

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

93004

95CR441

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 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.*

William L. Martin Clerk.

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

ATLANTA, OCTOBER 03 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0031

ATHENS INSURERS V. BRAD COLE CONSTRUCTION COMPANY

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

94004

96V0293

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT - 3 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. Marti Clerk.

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

ATLANTA, OCTOBER 14 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0032

JAMES E. WORLEY ET AL V. F.N. STRICKLAND ET AL

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

98004

96CV648

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 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 L. Martin, Jr. Clerk.

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

ATLANTA, SEPTEMBER 25 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0033

SEARS TERMITE AND PEST CONTROL, INC. ET AL V. HERMAN CRANMAN ET AL

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

91004

I971138G

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 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.

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

ATLANTA, OCTOBER 03 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0034
WILLIAM ANTHONY BURKE V. THE STATE

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

99004

97T3463

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT - 3 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.

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

ATLANTA, OCTOBER 15 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0035
KENNETH LEWIS V. THE STATE

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

90004

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Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 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. Martin Clerk.

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

ATLANTA, OCTOBER 03 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0036
RIDGECREST ENTERPRISES, INC. ET AL V. PERRY WADE, D/B/A SUNRISE
SQUARE COIN LAUNDRY & CLEANERS

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

97004

93VS0068607

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta OCT -3 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, OCTOBER 09 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0037
SANJAY A. BHANSALI, M.D. V. MARILYN TAYLOR ET AL

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

92005

97A014672

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT - 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 L. Martin

Clerk.

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

ATLANTA, OCTOBER 15 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0038

ROGER BROWN V. SOUTHERN INSURANCE UNDERWRITERS, INC.

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

93005

95A167251

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

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

ATLANTA, OCTOBER 15, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A9I0039. J. REYNOLDS DESIGN, INC. V. BEAZER HOMES GEORGIA, INC.

The appellant's motion to withdraw an interlocutory appeal is hereby granted.

94-005

E43590

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 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
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William R. Martin, Jr. Clerk.

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

ATLANTA, OCT -3 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0040. GFIC, Ltd. v. Mathis

Applicant GFIC, Ltd. seeks interlocutory review of the trial court's denial of its motion for summary judgment. The judgment appealed was entered on August 25, 1997. A certificate of immediate review was obtained and entered on September 4, 1997. The application was received for docketing on September 16, 1997. An application for interlocutory review must be docketed with this Court within 10 days of the entry of the certificate of immediate review. OCGA § 5-6-34 (b). The docketing date for an application is either the date it is physically received by this Court, or if sent via certified registered mail, the date stamped by the post office. See Court of Appeals Rule 4.

In this case, the application was not received by this Court until 12 days after entry of the certificate of immediate review. Further, the application was not mailed via certified or registered mail. Thus, GFIC, Ltd.'s application is untimely and this Court lacks jurisdiction over this application. Accordingly, this application is hereby ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT -3 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, OCTOBER 03 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0041
LINDA A. KIGHT V. ROBERT W. KIGHT

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

96005

X931086FR

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT - 3 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.



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

ATLANTA, OCTOBER 16 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0042
M.R.S. HOMECARE, INC. V. FAYE TRAWICK

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

91005

96CV11307

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 16 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, OCTOBER 09 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0043

WINNIE L. WASDIN V. THE STATE

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

99005

R96K148

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT - 9 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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William R. Martin

Clerk.

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

ATLANTA, OCTOBER 09 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0044

ISAMAE BULLARD URBAN, AS EXECUTRIX OF THE ESTATE OF JESSIE G. BECK V.
ANN E. LEMLEY, AS EXECUTRIX OF THE ESTATE OF JULIAN M. HEAD

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

90005

CV951006MO

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT - 9 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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William R. Martin Clerk.

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

ATLANTA, OCTOBER 16 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0045
JOCELYN FIELDS V. DRU HENDERSON ET AL

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

97005

96A216841

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 16 1997

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the minutes of the Court of Appeals of Georgia.*

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William R. Martin, Jr. Clerk.

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

ATLANTA, OCTOBER 16 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0046
ROSMUNDA CUONO ET AL V. ROGER G. GUY ET AL

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

92006

CV970550BA

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 16 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, OCTOBER 16 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0047

KAR PRODUCTS, INC. V. VICTOR BELOTE FDBA MINTER CORPORATION, INC. AKA
MINTOR CORPORATION, INC.

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

93006

96002082

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 16 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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William R. Martin Clerk.

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

ATLANTA, OCTOBER 22 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0048
MICHAEL J. POSTELL V. GEORGIA DEPARTMENT OF HUMAN RESOURCES, EX. REL
. , VEDRICK B. STREET

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

94006

96CSV349

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 22 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
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William R. Martin Clerk.

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

ATLANTA, OCTOBER 22 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0050

ROVEMA VERPACKUNGSMASCHIEN ET AL V. ROBERT C. DELOACH ET AL

Upon consideration of the Application for a 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.

96006

I931986F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 22 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, OCTOBER 22 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0051

UNITED ENGINEERING CO., INC. V. PROCESS COOLING SYSTEMS

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

91006

96VS0117515B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 22 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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William R. Martin  Clerk.

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

ATLANTA, OCTOBER 17 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0052
GLADYS FELIX ET AL V. THE STATE

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

99006

97R466

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta OCT 17 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, OCTOBER 22 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0053
CAROLINA ENGINE & EQUIPMENT CO. V. PATTERSON PUMP CO.

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

90006

96CV903

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 22 1997

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William R. Martin Clerk.

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

ATLANTA, OCTOBER 09 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0054
MARK SHAVER V. OHIO CASUALTY INSURANCE COMPANY

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

97006

93012864

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT - 9 1997

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William R. Martin Clerk.

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

ATLANTA, OCTOBER 27 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0055

CHATHAM COUNTY BOARD OF TAX ASSESSORS V. LILA W. CRITZ, AS SUBSTITUTED
TRUSTEE FOR GEORGE W. WILLIAMS ET AL

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

92007

CV960559MI

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 27 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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William R. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA, OCT 22 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0056. STATE FARM MUTUAL AUTOMOBILE INSURANCE CO. v. GONZALEZ.

An order was entered effectively denying uninsured motorist carrier State Farm's motion to dismiss on September 9, 1997. A certificate of immediate review of that order was filed on September 11, 1997. State Farm sent to this court an application for interlocutory appeal by certified mail on Monday, September 22, 1997. However, the submission could not be docketed when received because no filing fee was included. OCGA § 5-6-4. The filing fee was received and the application was docketed on September 30, 1997. However, an application for interlocutory appeal is valid only if filed within ten days of the date a timely certificate of immediate review is entered in the court below. OCGA § 5-6-34 (b). Since State Farm failed to accomplish the filing of its application for interlocutory appeal within the time provided by law, the application is hereby dismissed as untimely.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 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.*

William S. Martin, Jr.

Clerk.

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

ATLANTA, OCTOBER 22 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0058
JAMES R. WHITMORE V. JERI L. BUTLER

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

98007

9665791

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 22 1997

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William R. Martin Clerk.

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

ATLANTA, OCTOBER 29 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0060

WILLIAM F. JOURDAIN ET AL V. K2, INC. ET AL

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

91007

67247B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 29 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, OCTOBER 22 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0061

TANGER FACTORY OUTLET CENTER, INC. ET AL V. MISTY THRASHER ET AL

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

99007

E44082

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 22 1997

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the minutes of the Court of Appeals of Georgia.*

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William E. Martin Clerk.

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

ATLANTA, OCTOBER 27 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0062
JOHN DANIEL KITTLER, III V. THE STATE

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

90007

9690220735

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 27 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, OCTOBER 22 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0063
JENNIFER S. RUSSELL V. JOHN E. YOUREE

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

97007

97CV0937

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 22 1997

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William R. Martin, Clerk.

Court of Appeals of the State of Georgia

ATLANTA, OCT 30 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0064. TEON S. GIFFORD v. THE STATE

Teon S. Gifford filed this application for interlocutory appeal seeking review of the trial court's order denying his motion for a plea in bar based upon a claim of double jeopardy. However, because the denial of a plea in bar on double jeopardy grounds is considered a final appealable judgment within the meaning of OCGA § 5-6-34 (a), it is directly appealable. Patterson v. State, 248 Ga. 875 (287 SE2d 7) (1982); McDaniel v. State, 224 Ga. App. 5 (479 SE2d 779) (1996).

To preserve the right to bring a direct appeal, an appellant must timely file a notice of appeal in the trial court. Rowland v. State, 264 Ga. 872 (1) (452 SE2d 756) (1995). 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))." Artis v. Gaither, 199 Ga. App. 114, 115 (404 SE2d 322) (1991). Thus, the filing of an application for interlocutory appeal will not confer jurisdiction upon this Court to entertain a direct appeal. Id. Accordingly, this application is hereby ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 30 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, OCTOBER 27 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0066

WILLIS N. HARDEN, JR. ET AL V. MAYLON B. CLINKSCALES, JR.

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

94008

97CV0500

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 27 1997

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hereto affixed the day and year last above written.*

William L. Mantel, Jr. Clerk.

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

ATLANTA, OCTOBER 30 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0067
SEA LANE EXPRESS, INC ET AL V. BART CLEMENTS

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

98008

X9318301B CV930897BR

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 30 1997

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William R. Martin Clerk.

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

ATLANTA, OCTOBER 23 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0068
OFFICER KENNETH SMITH V. MAE BELLE LITTLE

Upon consideration of the Application for a 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.

96008

96CV12584

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta OCT 23 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, OCTOBER 28 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0070
HELEN J. GARNER V. FRANCHISE FINANCE CORPOROATION OF AMERICA

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

99008

E37743 B19/272

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 28 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. Martin, Jr.

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

ATLANTA, NOVEMBER 04 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0071
HAL GOOCH ET AL V. DON TOUCHTON ET AL

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

90008

96RCSC264

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV -4 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, NOVEMBER 05 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0072
SAM FLANERY ET AL V. DON TOUCHTON ET AL

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

90009

96RCSC264

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta NOV -5 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, NOVEMBER 04 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0074

K MART CORPORATION V. SONYA P. MAYNE ET AL

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

93012

96SCV439

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV = 4 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, OCTOBER 28 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0075
THOMAS H. WHITE V. CYNTHIA LANDERS

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

93009

95CV268

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 28 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.

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

ATLANTA, NOVEMBER 06 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0078
COX ENTERPRISES d/b/a THE ATLANTA JOURNAL - CONSTITUTION ET. AL V.
RICHARD JEWELL

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

96009

97VS122804

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV -6 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. Marti

Clerk.

CLERK'S OFFICE
SUPREME COURT of GEORGIA

244 Washington Street, Room 572

Atlanta, Georgia 30334

Business Hours: Monday - Friday, 8:30 a.m. to 4:30 p.m.

Sherie M. Welch, Clerk

(404) 656-3470

Docketing Date: November 25, 1997

To the Clerk of the Court of Appeals of Georgia:

You are hereby notified that there has been filed in this office on this day a petition to the Supreme Court for a writ of certiorari to the Court of Appeals in the case of **S98C0385**

COX ENTERPRISES, INC., d/b/a THE ATLANTA CONSTITUTION et al. v. RICHARD A. JEWELL

Clerk, Supreme Court of Georgia

By: _____

Case No. A98I0078

Court of Appeals of Georgia

Notice of Petition for Certiorari

filed in office

CLERK OF SUPERIOR COURT OF GA.
CLERK/COURT ADMINISTRATOR
SHERIE M. WELCH

Clerk, Court of Appeals of Georgia

1997 NOV 26 PM 12:59

RECEIVED IN OFFICE

SUPREME COURT OF GEORGIA

Remittitur, Case No. S98C0385

Atlanta, February 20, 1998

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

COX ENTERPRISES, INC., d/b/a THE ATLANTA CONSTITUTION et al. v.
RICHARD A. JEWELL 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.

A98I0078 97VS2280
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 Clerk.

Case No. A98I0078
Court of Appeals of Georgia

FILED IN OFFICE

MAR 23 1998

Filed in office
on:

CLERK COURT OF APPEALS OF GA.

Remittitur from the Supreme Court.

Clerk, Court of Appeals of Georgia.

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

ATLANTA, NOVEMBER 07 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0080
MATHEW'S TRUCKING, INC. V. WENDELL NAIL, AS ADMINISTRATOR OF THE
ESTATE OF GARY NAIL

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

99009

9411552C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV -7 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
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William R. Martin Clerk.

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

ATLANTA, NOVEMBER 12 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0081

BROOK PROPERTIES d/b/a STONE TREE APARTMENTS V. CHRISTOPHER JOHNSON

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

97009

96VS0117609A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 12 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, NOVEMBER 04 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0082

ALL-AMERICAN FARMS, INC. V. NORRIS A. DREGGORS, ET AL

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

92010

97V136

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV - 4 1997

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

CLERK'S OFFICE
SUPREME COURT of GEORGIA

244 Washington Street, Room 572

Atlanta, Georgia 30334

Business Hours: Monday - Friday, 8:30 a.m. to 4:30 p.m.

Sherie M. Welch, Clerk

(404) 656-3470

Docketing Date: November 24, 1997

To the Clerk of the Court of Appeals of Georgia:

You are hereby notified that there has been filed in this office on this day a petition to the Supreme Court for a writ of certiorari to the Court of Appeals in the case of **S98C0393**

ALL-AMERICAN FARMS, INC. v. NORRIS A. DREGGORS et al.

Clerk, Supreme Court of Georgia

By: _____

Case No. A98I0082

Court of Appeals of Georgia

Notice of Petition for Certiorari

filed in office

RECEIVED IN OFFICE
1997 DEC -1 AM 11:51
Clerk, Court of Appeals of Georgia

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

ATLANTA, NOVEMBER 18 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0083

WADE M. NYE, individually and d/b/a CRANE COMPONENT COMPANY, ET AL V.
FARMER'S GIN AND STORAGE COMPANY, INC

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

93010

97CV82

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 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, NOV 13 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0084. HOKE L. CARROLL v. DONNA M. CARROLL

Hoke L. Carroll seeks interlocutory appellate review of the trial court's order denying his verbal motion to dismiss Donna M. Carroll's cross-claim for modification. The order was entered on September 30, 1997. The certificate for immediate review, however, was not signed until October 13, 1997, and not filed until October 14, 1997, 14 days after entry of the order. OCGA § 5-6-34 (b) requires the trial judge to enter a certificate of immediate review within ten days of entry of the interlocutory order appealed from. The certificate is ineffective unless it is filed within that period. 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. Failure of the applicant to timely submit a certificate of immediate review deprives this court of jurisdiction of the interlocutory appeal. Accordingly, this application is DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 13 1997

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William R. Martin

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

ATLANTA, NOVEMBER 06 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0085

DARRYL WOODBERRY ET AL V. VIRGINIA HUMPHREY, AS EXECUTOR OF THE ESTATE
OF BOOKER TERRY MARTIN

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

98010

E26743

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV -6 1997

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William R. Martin Clerk.

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

ATLANTA, NOVEMBER 18 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0086

TALLAHASSEE HYDRAULICS, INC. ET AL V. FARMER'S GIN AND STORAGE

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

93011

97CV82

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 18 1997

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Clerk.

William R. Martin

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

ATLANTA, NOVEMBER 13 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0087
DANIEL P. NAWROCKI V. THE STATE

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

96010

97T6373 97T6374

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 13 1997

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William R. Martin Clerk.



SUPREME COURT OF GEORGIA
Case No. S98I0071

Atlanta, October 22, 1997

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed.

DANIEL P. NAWROCKI v. THE STATE.

Because the issues raised in the application involve the application of plain provisions of the Constitution, jurisdiction lies in the Court of Appeals. Zepp v. Mayor & Council of the City of Athens, 255 Ga. 449 (1986); Allen v. State, 254 Ga. 433, 434 (1985); Green v. State, 194 Ga. App. 343, 344 (1990).



SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta

I 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.

 , Chief Deputy Clerk

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

ATLANTA, NOVEMBER 12 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0088
LANCER INSURANCE COMPANY, ET AL V. ORA BELL KELSON

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

91010

I951628F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 12 1997

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William R. Marti

Clerk.

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

ATLANTA, NOVEMBER 14 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0089

CHARLES E. NIXON, ET AL V. KENT D. ARROWSMITH

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

99010

95VS0105493C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 14 1997

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the minutes of the Court of Appeals of Georgia.*

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William E. Martin Clerk.

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

ATLANTA, NOV 18 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0090. COHEN v. YOUNG

Abraham Cohen filed this application for interlocutory appeal seeking review of the superior court's October 2, 1997 order denying his motion for summary judgment. Cohen obtained a certificate of immediate review from the superior court on Tuesday, October 14, 1997 -- the day after the Columbus Day holiday. Had Cohen filed the certificate on that day, it would have been timely. However, Cohen filed the certificate on Tuesday, October 15, 1997 -- 13 days after the entry of the order he seeks to appeal.

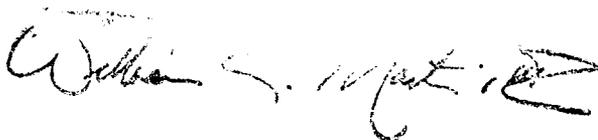
Pursuant to OCGA § 5-6-34 (b), a certificate of immediate review must be obtained within 10 days after the entry of the order appealed. Moreover, "the certificate must be filed with the clerk of the trial court or 'entered' within the ten-day period in order to secure immediate review of a non-final 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.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 18 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, NOVEMBER 18 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0091

F.S. ASSOCIATES, LTD. V. GEORGIA DEPARTMENT OF TRANSPORTATION

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

97010

97CV2069V

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 18 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 L. Martin

Clerk.

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

ATLANTA, DECEMBER 05, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0091

F.S. ASSOCIATES, LTD. V. GEORGIA DEPARTMENT OF TRANSPORTATION

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

97-010
97CV2069V

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC -5 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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William R. Martin

Clerk.

CLERK'S OFFICE
SUPREME COURT of GEORGIA

244 Washington Street, Room 572

Atlanta, Georgia 30334

Business Hours: Monday - Friday, 8:30 a.m. to 4:30 p.m.

Sherie M. Welch, Clerk

(404) 656-3470

Docketing Date: December 29, 1997

To the Clerk of the Court of Appeals of Georgia:

You are hereby notified that there has been filed in this office on this day a petition to the Supreme Court for a writ of certiorari to the Court of Appeals in the case of **S98C0569**

F.S. ASSOCIATES, Ltd., et al. v. DEPARTMENT OF TRANSPORTATION

Clerk, Supreme Court of Georgia

By: _____

Case No. A98I0091

Court of Appeals of Georgia

Notice of Petition for Certiorari

filed in office

Clerk, Court of Appeals of Georgia

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

ATLANTA, NOVEMBER 12 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0092
WINN DIXIE STORES, INC. V. L.A. MCGRIFF

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

92011

4664

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 12 1997

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William R. Martin Clerk.

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

ATLANTA, DECEMBER 04, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0092

WINN DIXIE STORES, INC. V. L.A. MCGRIFF

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

92-011
4664

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta DEC - 4 1997

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William E. Martin Clerk.

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

ATLANTA, NOVEMBER 18 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0093

GORDON GARNER III ET AL V. ANTHONY V. STONE, PH.D.

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

92011

97A302501

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 18 1997

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Clerk.

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

ATLANTA, NOVEMBER 25 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0096
MARK CHURCHMAN, ET AL V. DAVID S. NAISER

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

96011

97CV0609S

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 25 1997

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Clerk.

William R. Martin

Court of Appeals of the State of Georgia

ATLANTA, NOV 25 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0098. AKERY v. THE STATE.

Charlie Akery has filed an application for interlocutory appeal from the denial of his plea of former jeopardy entered on November 20, 1997. However, "the holding of Patterson v. State, 248 Ga. 875 (287 SE2d 7) (1982), is applicable to this case. The denial of [Akery's] double jeopardy pleas may be appealed without application and certification, which otherwise would be required under OCGA § 5-6-34 (b)." Young v. State, 251 Ga. 153, 155 (1) (303 SE2d 431) (1983). Since Akery may still file a direct appeal from the denial of his plea of former jeopardy, his application for interlocutory appeal is superfluous and is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 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 R. Martin Clerk.

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

ATLANTA, DEC 11 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0099. JOHN HENRY WELCH v. GLENDA E. WELCH

Respondent Glenda E. Welch's renewed motion for imposition of penalty for frivolous application is hereby DENIED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 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 L. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA, November 25, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0101. McCAR DEVELOPMENT CORPORATION d/b/a MDC HOMES v. J. MICHAEL CLARK.

McCar Development Corporation d/b/a MDC Homes ("McCar") filed this application seeking interlocutory review of the superior court's order granting a permanent injunction. Because McCar failed to follow the appropriate appellate procedure, this Court lacks jurisdiction.

Although the issues raised are properly within the subject matter jurisdiction of this Court, the order appealed "remains one granting or denying equitable relief and is directly appealable under OCGA § 5-6-34 (a) (4)." Saxton v. Coastal Dialysis & Medical Clinic, 267 Ga. 177 (467 SE2d 587) (1996). To preserve the right to bring a direct appeal, an appellant must timely file a notice of appeal in the trial court. Woodall v. Woodall, 248 Ga. 172 (281 SE2d 619) (1981). 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))." Artis v. Gaither, 199 Ga. App. 114, 115 (404 SE2d 322) (1991). Thus, the filing of an application for interlocutory appeal will not confer jurisdiction upon this Court to entertain a direct appeal. Id.

For these reasons, this application is hereby ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 25 1997

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William L. Martin, Jr. Clerk.

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

ATLANTA, DECEMBER 03, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0102
ROBERT O. CASADAY V. R.B. SEWELL, JR.

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

94012

97-084

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC -3 1997

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William R. Martin Clerk.

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

ATLANTA, DECEMBER 03, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0103
ROBERT O. CASADAY V. MARY ETHEL S. BURNS

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

94013

97085

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC -3 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, DECEMBER 03, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0104
ROBERT O. CASADAY V. JOHN D. SEWELL

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

94014
97086

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta DEC -3 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. Mart Clerk.

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

ATLANTA, NOVEMBER 25 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0105
CONNIE SMITH, M. D., ET AL V. CHIN YU, ET AL

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

98012

96RCCV701

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 25 1997

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William L. Martin Clerk.

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

ATLANTA, DECEMBER 03, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0106
L.B. KENT V. DAVID G. BROWN, P.E., INC.

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

96012

SC96CV1048

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC -3 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, DECEMBER 03, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0107
L.B. KENT V. A. O. WHITE, JR. ET AL

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

96013

SC97CV32

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC -3 1997

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William R. Martin Clerk.

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

ATLANTA, NOVEMBER 25 , 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0108

RICHARD CIECHAN, M. D., ET AL V. CHIN YU, ET AL

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

98013

96RCCV701

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 25 1997

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William L. Martin

Clerk.

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

ATLANTA, DECEMBER 03, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0109
R.B. SEWELL, JR. V. ROBERT O. CASADAY

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

94015

97084

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC -3 1997

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William R. Martin Clerk.

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

ATLANTA, DECEMBER 03, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0110

MARY ETHEL S. BURNS V. ROBERT O. CASADAY

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

94016

97085

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC - 3 1997

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William R. Martin Clerk.

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

ATLANTA, DECEMBER 03, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0111
JOHN D. SEWELL V. ROBERT O. CASADAY

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

94017

97086

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC -3 1997

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William L. Martin, Jr. Clerk.

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

ATLANTA, JAN 13 1998

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0112. TRZCINSKI v. TRZCINSKI.

Upon consideration of the application for an interlocutory appeal, it is ordered that it be hereby DENIED. The respondent's motion for sanctions is likewise DENIED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 13 1998

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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, NOV 21 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0114. Armstrong State University v. Brien McGlynn

Armstrong State University filed this application for interlocutory appeal seeking review of the trial court's order granting Brien McGlynn's motion for partial summary judgment. The order appealed, however, is directly appealable, and therefore, the interlocutory appeal procedures are inapplicable. See Artis v. Gaither, 199 Ga. App. 114 (404 SE2d 322 (1991) (dismissing appeal because application for interlocutory appeal was improvidently granted where order sought to be appealed was an order granting summary judgment which was directly appealable); OCGA § 9-11-56 (h). Accordingly, this application is DISMISSED for lack of jurisdiction. Compare Southeastern Security Insurance Company v. Empire Banking Company, (S97G1023) (October 6, 1997) (holding that on cross motions for summary judgment the losing party may either directly appeal the grant of summary judgment to the opposing party or seek an interlocutory appeal from the denial of its motion for summary judgment).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 21 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. Mart, Clerk.

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

ATLANTA, DECEMBER 08, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0115
SUPER DISCOUNT MARKETS, INC. d/b/a CUB FOODS, INC. V. MARQUES BRYANT,
a minor; and CYNTHIA BRYANT, as next friend

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

97012

96129042

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC - 8 1997

*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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William R. Martin

Clerk.

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

ATLANTA, DECEMBER 16, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0116
PARKSIDE CENTER, LTD., ET AL V. CHICAGOLAND VENDING, INC.

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

92013

961408434

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta DEC 16 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, December 8, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0117. Ralph D'Auria v. The State

Ralph D' Auria seeks an interlocutory appeal from the trial court's denial of his "Plea in Bar - Statute of Limitations" and "Demurrer Based on Unconstitutionality of Statute." On June 20, 1995, the trial court denied both of these motions. On June 29, 1995, D'Auria obtained certificates of immediate review. D'Auria, however, did not file an application for interlocutory appeal until November 17, 1997.

OCGA § 5-6-34 (b) requires that a certificate of immediate review be obtained within ten days of the order sought to be appealed, and an application must be filed within ten days after the certificate is granted. OCGA § 5-6-34 (b). In this case, D'Auria obtained certificates of immediate review within ten days of the trial court's orders denying his motions but failed to file an application within the requisite time period. Accordingly, this Court lacks jurisdiction to consider this application, and therefore, it is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC -8 1997

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William R. Martin Clerk.

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

ATLANTA, JANUARY 22, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0117

RALPH D'AURIA V. THE STATE

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

93-013
93C10564

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

William L. Martin Clerk.

CLERK'S OFFICE
SUPREME COURT of GEORGIA

244 Washington Street, Room 572

Atlanta, Georgia 30334

Business Hours: Monday - Friday, 8:30 a.m. to 4:30 p.m.

Sherie M. Welch, Clerk

(404) 656-3470

Docketing Date: February 11, 1998

To the Clerk of the Court of Appeals of Georgia:

You are hereby notified that there has been filed in this office on this day a petition to the Supreme Court for a writ of certiorari to the Court of Appeals in the case of **S98C0783**

RALPH D'AURIA v. THE STATE

Clerk, Supreme Court of Georgia

By: _____

Case No. A98I0117

Court of Appeals of Georgia

Notice of Petition for Certiorari

filed in office

FEB 17 1998

Clerk, Court of Appeals of Georgia

RECEIVED IN OFFICE
CLERK OF APPEALS OF GEORGIA
FEB 17 1998

1998 FEB 17 PM 12:19

RECEIVED IN OFFICE

Court of Appeals of the State of Georgia

ATLANTA, DEC -3 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0118. HUGHES v. GEORGIA DEPARTMENT OF CORRECTIONS

Joseph M. Hughes filed this application for interlocutory appeal seeking review of the superior court's October 24, 1997 order granting the Defendant's Motion to Dismiss and/or Motion for Judgment on the Pleadings. In the October 24, 1997 order, the superior court granted the defendant's motion to dismiss as to Hughes' request for forms of relief other than that which was expressly stated in the plain language of OCGA § 45-1-4. The superior court entered a certificate of immediate review on Wednesday, November 5, 1997, 12 days after the entry of the superior court's order.

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. Moreover, "the 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). In this case, the last day on which the certificate would have been timely entered was Monday, November 3, 1997. 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.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC -3 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, DECEMBER 12, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0119

UNDERGROUND FESTIVAL, INC., ET AL V. TAWFIQ M. AWAD, ET AL

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

99013

E43807

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 12 1997

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William R. Martin

Clerk.

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

ATLANTA, DECEMBER 11, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0120
LOWE'S HOME CENTERS, INC. V. ROBERT C. BOWDEN

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

90013

96CV002648B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 11 1997

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the minutes of the Court of Appeals of Georgia.*

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William L. Martin, Jr. Clerk.

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

ATLANTA, DECEMBER 11, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0121
REBECCA ANN WHIDBY V. THE STATE

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

97013

97CR07497C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 11 1997

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William R. Martin Clerk.

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

ATLANTA, DECEMBER 17, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0124

JAMES K. LAWSON, individually, and JAMES K. LAWSON, as permanent administrator of the ESTATE OF MARY PAT LAWSON V. SHARON COFIELD

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

98014

SC97CV221

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 17 1997

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William G. Martin Clerk.

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

ATLANTA, DECEMBER 03, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0125
ROBINS FEDERAL CREDIT UNION, ET AL V. D. RONNIE BRAND

Upon consideration of the Application for a 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.

96014

95V26353

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC -3 1997

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William R. Martin

Clerk.

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

ATLANTA, DECEMBER 17, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0126

ADELINE F. HAMMOND V. CITY OF WARNER ROBINS, GEORGIA

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

91014

90V39453

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 17 1997

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William R. Martin Clerk.

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

ATLANTA, DECEMBER 18, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0127

THE DOW CHEMICAL COMPANY V. OGLETREE, DEAKINS, NASH, SMOAK & STEWART
a partnership

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

99014

E21398

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 18 1997

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William R. Martin Clerk.

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

ATLANTA, DECEMBER 05, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0128
CAROLYN H. ARNOLD V. SANSUI RAIMI, ET AL

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

90014

96CV17508

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC - 5 1997

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William L. Martin, Jr.

Clerk.

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

ATLANTA, DECEMBER 17, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0129
RODNEY NIELSEN V. JAMES E. THOMAS, ET AL

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

97014

95A72483

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 17 1997

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William R. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA, December 11, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0130. JAMES DAVIS v. NORFOLK SOUTHERN RAILWAY COMPANY.

James Davis filed this application for interlocutory appeal of the superior court's November 10, 1997 order granting the railway's motion for partial summary judgment as to claims for intentional infliction of emotional distress, assault and battery and punitive damages. Davis' claims for negligence, loss of consortium and wrongful death remain pending.

Because Davis is appealing an order which granted partial summary judgment to the defendant, the order is directly appealable under OCGA § 9-11-56 (h). Whiddon v. Stargell, 192 Ga. App. 826, 828 (386 SE2d 884) (1989). Accordingly, the application for interlocutory review is hereby ordered dismissed.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 11 1997

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William L. Martin Clerk.

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

ATLANTA, DECEMBER 19, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0131

ITT RESIDENTIAL CAPITAL SERVICING CORPORATION V. MARY ELLEN HAMMACK,
ET AL

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

93015

SU95CV738

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 19 1997

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William R. Martin Clerk.

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

ATLANTA, DECEMBER 12, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0132
IN THE INTEREST OF A. J. C., a minor child

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

98015

9705771

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 12 1997

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William R. Martin, Jr. Clerk.

Court of Appeals of the State of Georgia

ATLANTA, DECEMBER 22, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0133. GTE SUPPLY, INC. V. MILNUCORP, INC.

The appellant's motion to withdraw an interlocutory appeal is hereby granted.

94-005

E43590

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 22 1997

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William R. Martin Clerk.

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

ATLANTA, DECEMBER 19, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0134

THOMAS D. STONE, ET AL V. WILLIAMS GENERAL CORPORATION d/b/a BUCK HEAD
PRODUCTS

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

91015

96A079062

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 19 1997

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William R. Martin

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, DEC 12 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0135. Gleason v. Hagemeister

Darrell Gleason filed this application for interlocutory appeal of the trial court's November 10, 1997 order granting summary judgment as to the slip and fall issue. Other issues remain pending. However, an appeal of an order granting partial summary judgment to the defendant is directly appealable under OCGA § 9-11-56 (h). Whiddon v. Stargell, 192 Ga. App. 826, 828 (386 SE2d 884) (1989). Because the order is directly appealable, this Court lacks jurisdiction over the interlocutory application. OCGA § 5-6-34 (b). Accordingly, the application for interlocutory review is hereby ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 12 1997

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William R. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA,

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0136. ROBINS FEDERAL CREDIT UNION, et al. v. D. RONNIE BRAND, et al.

This application for interlocutory appeal was transferred to this court from the Georgia Supreme Court, Case No. S98I0270, by order entered December 2, 1997. It appears from the record that appellants filed applications for review of the same order of the trial court both in this court and the Georgia Supreme Court on November 10, 1997. Inasmuch as this court granted the application in **ROBINS FEDERAL CREDIT UNION, et al. v. D. RONNIE BRAND, et al.**, Application Number A98I0125, on December 3, 1997, this application is superfluous and is hereby ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 19 1997

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William R. Martin Clerk.

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

ATLANTA, DECEMBER 30, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0137
CHRISTOPHER J. MCGOWAN V. RICHARD I. CHAUNCEY

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

90015

96CV2410

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 30 1997

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Clerk.

William S. Martin

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

ATLANTA, DECEMBER 29, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0138

WILSON PRESCOTT ET AL V. DARLENE CARTER, MOTHER AND NATURAL CUSTODIAN
OF SANTIARGO KING, A MINOR CHILD

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

97015

97V97

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 29 1997

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the minutes of the Court of Appeals of Georgia.*

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William S. Mc... Clerk.

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

ATLANTA, DECEMBER 29, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0139

THE AQUA GROUP, LTD., ET AL V. BARTON JOHNSON

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

92016

97A04522

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 29 1997

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William R. Martin Clerk.

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

ATLANTA, JANUARY 05, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0141

WILSON ART 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 a Interlocutory
Appeal, it is ordered that it be hereby DENIED.

98016

97VS0127521

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN -5 1998

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William R. Martin, Jr.

Clerk.

Court of Appeals of the State of Georgia

ATLANTA,

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0140. JEFFREY SCOTT SPIVEY v. THE STATE.

Jeffrey Scott Spivey seeks an interlocutory appeal from the trial court's denying his motion to suppress evidence (marijuana) found in his truck. In his application materials, Spivey maintains that the court entered the order on November 10, 1997. A certificate of immediate review entered November 19, 1997, was included with the application; however, no copy of the November 10 order was included in the materials filed as required by Rule 31 (c) of the Court of Appeals. On December 4, 1997, this court issued an order to Spivey directing him to supplement the application within ten days with a stamped "filed" copy of the order appealed from and stressed that the application would be dismissed if the document was not timely filed with this court. Spivey had until December 15, 1997 to file the "filed" copy of the order with this court but failed to do so. Because Spivey has failed to comply with the clear mandate of Rule 31 (c), his 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 DEC 19 1997

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William R. Martin Clerk.

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

ATLANTA, JANUARY 05, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0142

LAMAR D. POTTS, JR. V. VALERIE A. KINGSTON, ET AL

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

91016

96VS109274F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN - 5 1998

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William L. Martin

Clerk.

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

ATLANTA, DECEMBER 19, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0143

CHARTER PEACHFORD BEHAVIORAL HEALTH SYSTEMS, INC. ET AL V. KIM KOHOUT

Upon consideration of the Application for a 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.

99016

95A15696

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 19 1997

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William L. Martin

Clerk.

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

ATLANTA, DECEMBER 19, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0144
FIAMETA VARGAS, M.D. V. KIM KOHOUT

Upon consideration of the Application for a 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.

99017

95A156965

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 19 1997

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William R. Martin

Clerk.

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

ATLANTA, DECEMBER 19, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0145
CPC PARKWOOD HOSPITAL V. KIM KOHOUT

Upon consideration of the Application for a 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.

99018

95A156965

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 19 1997

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William R. Martin Clerk.

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

ATLANTA, DECEMBER 19, 1997

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0146
GRACE COBIELLA, M.D. V. KIM KOHOUT

Upon consideration of the Application for a 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.

99019

95A156965

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 19 1997

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William R. Martin Clerk.

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

ATLANTA, DEC 30 1997

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0147. THOMPSON v. FLEET FINANCE, INC., et al.

Margaret Hull Thompson seeks an interlocutory appeal to this court from an order entered on November 12, 1997. Consideration by this court of an application for interlocutory appeal is authorized only if the trial court timely certifies that the order complained of is of such importance to the case that immediate review should be had. OCGA § 5-6-34 (b). While the trial court did sign a certificate of immediate review in a timely fashion on Monday, November 24, 1997, the certificate was not filed with the clerk until the following day, rendering it untimely. See Turner v. Harper, 231 Ga. 175, 176 (200 SE2d 748) (1973). This court is therefore without jurisdiction to consider Thompson's application for appeal. Accordingly, the application is hereby DISMISSED.

Court of Appeals of the State of Georgia

SU94CV1143

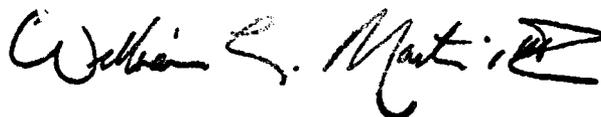
Clerk's Office, Atlanta

DEC 30 1997

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Clerk.



Court of Appeals of the State of Georgia

ATLANTA, JAN - 8 1998

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0148. JAMES M. DOUGHERTY, et al v. THE CINCINNATI INSURANCE COMPANY

The Cincinnati Insurance Company brought this interpleader action against the Doughertys and the Wolfes asking the court to determine which of the parties was entitled to the proceeds of an insurance policy. The Doughertys moved for summary judgment against the Wolfes. The trial court denied the motion and issued a certificate of immediate review. However, the court's order was entered November 13, 1997, and the certificate of immediate review was not entered until December 5, 1997. OCGA § 5-6-34 (b) requires the certificate of immediate review for an interlocutory appeal to be obtained within ten days of entry of the order appealed from. Otherwise, this court is without jurisdiction to entertain the appeal. Turner v. Harper, 231 Ga. 175 (200 SE2d 748) (1973). Because the certificate of review was not entered until 22 days after the order appealed from, this court lacks jurisdiction over the appeal, and the application is accordingly hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN - 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.*

William R. Marti Clerk.

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

ATLANTA, JANUARY 06, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0149

SIMONS - EASTERN CONSULTANTS, INC. V. PRODUCTION AUTOMATION, INC.

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

92017

95VS095905F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN - 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.*

William R. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA, January 8, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

**A98I0150. CAPITAL ALLIANCE INSURANCE COMPANY v. FRANKLIN
TRANSPORTATION, INC.**

Capital Alliance Insurance Company filed this application for interlocutory appeal of the trial court's December 1, 1997 order granting Franklin Transportation Inc.'s motion for summary judgment and denying its own motion for summary judgment. However, an appeal of an order granting summary judgment to the defendant is directly appealable under OCGA § 9-11-56 (h). Whiddon v. Stargell, 192 Ga. App. 826, 828 (386 SE2d 884) (1989). Indeed, in its application, Capital Alliance averred that it believed that a direct appeal was proper in this case and was also filing a notice of appeal, and in its response Franklin agreed that the court's order was directly appealable. Because the order is directly appealable, this Court lacks jurisdiction over the interlocutory application. OCGA § 5-6-34 (b). See Southeastern Security Insurance Co. v. Empire Banking Co., (Ga., October 6, 1997). Accordingly, the application for interlocutory review is hereby ordered DISMISSED.

Franklin's motion to strike affidavits is rendered moot by the dismissal of the application.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN - 8 1998

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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, JANUARY 05, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0151
ABRAHAM COHEN V. HELEN S. YOUNG

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

98017

96CV13031

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN = 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.*

William L. Martin

Clerk.

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

ATLANTA, JANUARY 06, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0152
KRAFT FOODS, INC. ET AL V. ARTHUR YATES

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

96017

96VS0118621F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN - 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
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William R. Martin Clerk.

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

ATLANTA, JANUARY 06, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0154

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANIES V. DEMARCUS WALKER

Upon consideration of the Application for a 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.

90017

97V239

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN - 6 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.*

William R. Martin

Clerk.

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

ATLANTA, JANUARY 07, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0155
KEITH ARNOLD DYSON V. THE STATE

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

97017

97R320

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

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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, JANUARY 07, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0156
TIMOTHY C. BABBITT V. THE STATE

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

97018

97R320

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN - 7 1998

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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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William L. Martin Clerk.

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

ATLANTA, JANUARY 09, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0157

JEFFERY R. GRANT V. THE STATE

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

92018

92CR0407

92CR0408

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN - 9 1998

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William R. Martin

Clerk.

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

ATLANTA, JANUARY 06, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0158
CALVIN SCOTT V. C.Y. FIRESTONE, ET AL

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

93018

96VS0115822A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN -6 1998

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William L. Martin Clerk.

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

ATLANTA, JANUARY 14, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0159
SCOTT ALLAN WEHNER V. THE STATE

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

94018

96538

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 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.*

William R. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA,

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0160. BRUCE PHILLIPS v. KEY SERVICES, INC., et al

Bruce Phillips filed a petition seeking interlocutory appellate review of the trial court's order granting partial summary judgment to the defendants in this case. The grant of summary judgment, even partial summary judgment, is subject to direct appeal. OCGA § 9-11-56 (h); Faircloth v. A.L. Williams & Assoc., 219 Ga. App. 560 (465 SE2d 722) (1995). The interlocutory appeal procedure is reserved for those rulings that are not otherwise subject to direct appeal. Artis v. Gaither, 199 Ga. App. 114 (404 SE2d 322) (1991). This is not a case where appellant had a choice of which appeals procedure to utilize. Cf. Southeastern Security Ins. Co. v. Empire Banking Co., 268 Ga. 450 (___ SE2d ___) (1997). Accordingly, the application for interlocutory appeal is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN - 5 1998

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the minutes of the Court of Appeals of Georgia.*

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William E. Mantz, Jr. Clerk.

Court of Appeals of the State of Georgia

ATLANTA, JAN 25 1998

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0161. GEORGIA FINANCIAL, INC. D/B/A AUTO FINANCE v. ROSALIND NIXON

Georgia Financial, Inc. filed this application for interlocutory appeal of the trial court's December 5, 1997 order denying its own motion for summary judgment. (In the same order, the trial court granted Rosalind Nixon's motion for summary judgment as to wrongful repossession; the order is therefore directly appealable under OCGA § 9-11-56 (h).) Consideration by this court of an application for interlocutory appeal is authorized only if the trial court timely certifies that the order complained of is of such importance to the case that immediate review should be had. OCGA § 5-6-34 (b). While the trial court did sign a certificate of immediate review in a timely fashion on Friday, December 12, 1997, the certificate was not filed with the clerk until the following Thursday, December 18, 1997, rendering it untimely. See Turner v. Harper, 231 Ga. 175, 176 (200 SE2d 748) (1973). This court is therefore without jurisdiction to consider Georgia Financial's application for appeal. Accordingly, the application is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN - 6 1998

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the minutes of the Court of Appeals of Georgia.*

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William E. Martin Clerk.

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

ATLANTA, JANUARY 14, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0162

COMVEST, L.L.C. V. CORPORATE SECURITIES GROUP, 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 State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

91018

96A177652

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 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.*

Clerk.

William E. Martin, Jr.

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

ATLANTA, JANUARY 09, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0163

BROOKS BROWN INSURANCE AGENCY V. FRANCES T. HARDEN, ET AL

Upon consideration of the Application for a 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.

90018

96CV5078

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN -9 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.*

William R. Martin

Clerk.

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

ATLANTA, JANUARY 16, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0164

MANSELL 400 ASSOCIATES, L.P. V. ENTEX INFORMATION SERVICES, INC.

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

92019

E58995

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

William R. McIntire Clerk.

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

ATLANTA, JANUARY 09, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0165
JERRY THOMAS GOBER V. THE STATE

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

93019

96B34024

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN - 9 1998

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

William R. Martin

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

ATLANTA, JANUARY 22, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0165

JERRY THOMAS GOBER V. THE STATE

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

93-019
96B34024

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 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.*

William L. Martin

Clerk.

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

ATLANTA, JANUARY 21, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0166
GLORIA ROBERTS ET AL v. DELOIS MECHELLE MORRIS

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

94019

96RCSC1098

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 21 1998

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

William L. Martin

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

ATLANTA, JANUARY 13, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0167
GREGORY L. HOWARD V. W. DARRYL MCFARLAND 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.

98019
96V928

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JAN 13 1998*

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the minutes of the Court of Appeals of Georgia.*

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William E. Martin Clerk.

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

ATLANTA, JANUARY 09, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0168
BATSON-COOK COMPANY V. DON GREEN

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

96019

94VS83540B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN - 9 1998

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William R. Martin Clerk.

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

ATLANTA, JANUARY 16, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0168

BATSON-COOK COMPANY V. DON GREEN

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

96-019
94VS83540B

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JAN 16 1998*

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William L. Martin Clerk.

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

ATLANTA, JANUARY 14, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0169
GREAT WESTERN BANK ET AL V. SOUTHEASTERN BANK

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.

91019
96V182

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JAN 14 1998*

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William L. Martin Clerk.

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

ATLANTA, JANUARY 22, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0170

SOUTH FULTON MEDICAL CENTER ET AL V. BANGARU JAYA PRAKASH

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.

90019

95VS0099428

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 22 1998

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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, JANUARY 13, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0171
BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA D/B/A
THE MEDICAL COLLEGE OF GEORGIA ET AL V. THOMAS LAMAR FROST, JR.
ADMINISTRATOR OF THE ESTATE OF THOMAS LAMAR FROST, III

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.

97019

97RCCV325

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 13 1998

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William L. Martin

Clerk.

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

ATLANTA, JANUARY 23, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0172
HELEN JOHNSON 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.

92020

97RCCR233

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 23 1998

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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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William R. Martin

Clerk.

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

ATLANTA, JANUARY 28, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0173

STABUL CONSTRUCTION CO., INC. V. ADEL STEEL, INC.

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

93020

95186

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 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.*

William L. Marti

Clerk.

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

ATLANTA, JAN 30 1998

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0174. DOUGLAS J. DAVIS v. JOSEPH DEAN GREEN

Davis filed his application for interlocutory review of the trial court's December 15, 1997, order denying his motion to dismiss in this civil action. The court certified the order for immediate review on December 22, 1997. However, Davis did not file his application with this Court until January 9, 1998. OCGA § 5-6-34 (b) requires applications for interlocutory appeal to be filed within ten days of the date the order was certified for immediate review. Davis' application was filed six days after the application would have been timely. Because Davis failed to file the application within the requisite period, this Court is without jurisdiction to entertain this appeal. Accordingly, the application is hereby DISMISSED. Respondent Green's request for frivolous appeal penalty is hereby DENIED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 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.*

William L. Martin, Jr. Clerk.

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

ATLANTA, JANUARY 23, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0175

1.7 ACRES OF LAND IN LOT 163 OF THE 12TH DISTRICT AND THIRD SECTION OF
WHITFIELD COUNTY, GEORGIA, ET AL V. WHITFIELD COUNTY, GEORGIA

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

98020

69039T

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 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
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William R. Martin Clerk.

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

ATLANTA, JANUARY 28, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0176
S&M FOOD & GAS, INC. V. RODNEY EVANS

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

96020

96A239924

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 28 1998

*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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William L. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA, JAN 30 1998

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0177. JOHNATHAN PHILLIP WHALLEY v. DR. AMOS J. BARFIELD

Whalley seeks an interlocutory appeal to this court from an order entered on December 23, 1997. Consideration by this Court of an application for interlocutory appeal is authorized only if the trial court timely certifies that the order complained of is of such importance to the case that immediate review should be had. OCGA § 5-6-34 (b). While the trial court did sign a certificate of immediate review in a timely fashion on Friday, January 2, 1998, the certificate was not filed with the clerk until January 8, 1998, rendering it untimely. See Turner v. Harper, 231 Ga. 175, 176 (200 SE2d 748) (1973). This Court is accordingly without jurisdiction to consider Whalley's application for appeal. Accordingly, the application is DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 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.*

William R. Marti Clerk.

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

ATLANTA, FEBRUARY 06, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0178
AIRBORNE DIVISION, PARKER HANNIFIN CORPORATION V. MARGARET M.
EDWARDS ET AL

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

99020

E35894

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB - 6 1998

*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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William L. Martin

Clerk.

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

ATLANTA, JANUARY 29, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0179
GEORGIA DEPARTMENT OF HUMAN RESOURCES EX REL DESIREE FENNER
V. DARIN FENNER

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

97127452

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 29 1998

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

Clerk.

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

ATLANTA, FEBRUARY 20, 1998

The Honorable Court of Appeals hereby passes the following order:

A98I0180 GEORGIA POWER COMPANY, ET AL V. STEVE C. WALKER

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

97020

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 20 1998

*I certify that the above is a true extract from
minutes of 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, FEBRUARY 06, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0180
GEORGIA POWER COMPANY, ET AL V. STEVE C. WALKER

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

97020

CV96203

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB -6 1998

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Clerk.

William L. Martin

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

ATLANTA, FEBRUARY 13, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0181

ALLAN HOWARD PRICE V. SHARON LEA ENGLEMAN

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.

92021

97VS0127126

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 13 1998

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William R. Martin Clerk.



Court of Appeals

Memorandum

To: WILLIAM L. MARTIN, III

From: PRESIDING JUDGE McMURRAY *As*

Subject: A98I0181. ALLAN HOWARD PRICE v. SHARON LEA ENGLEMAN.

Date: August 10, 1998

This application was assigned to me but only after granting it did I realize that I am disqualified. Please re-assign to another judge for disposition.

Many thanks.

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

ATLANTA, FEBRUARY 17, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0182

JAMES M. DOUGHERTY, ET AL V. THE CINCINNATI INSURANCE COMPANY

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

93021

E53824

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 17 1998

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William R. Martin

Clerk.

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

ATLANTA, FEBRUARY 10, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0183

NATIONAL HOT ROD ASSOCIATION, INC. V. JOHN M. MCGEE, JR., ET AL

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

94021

95VS101563C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 10 1998

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William R. Martin

Clerk.

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

ATLANTA, FEBRUARY 06, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0184
SUNTRUST BANK, SOUTH GEORGIA, N.A. V. DIANNE PERRY, 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.

98021

97CV645

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

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William R. Martin Clerk.

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

ATLANTA, FEBRUARY 05, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0185
THE HOME DEPOT, INC. V. MARY ANN JETT, ET AL

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

96021

97A0001963

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB -5 1998

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William L. Martin

Clerk.

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

ATLANTA, FEBRUARY 10, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0186

FERGUSON ENTERPRISES, INC. V. AMINA ENTERPRISES, INC.

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

91021

97VS0129247A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 10 1998

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William L. Martin, Jr.

Clerk.

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

ATLANTA, FEB 17 1998

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A98I0187. JONES , et al. v. SHUTE, et al.

Upon consideration of the application for an interlocutory appeal, it is ordered that it be hereby DENIED. The respondent's motion for sanctions is likewise DENIED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 17 1998

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William R. Martin Clerk.

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

ATLANTA, FEBRUARY 17, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0188
BROWN CHILDS REALTY CO., INC. V. ROBERT C. BRYAN

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

90021

1B97CV020T

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

FEB 17 1998

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William L. Martin Clerk.

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

ATLANTA, FEBRUARY 17, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0189

ROBERT C. BRYAN V. BROWN CHILDS REALTY CO., INC.

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

90022

1B97CV020T

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 17 1998

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Clerk.

William R. Martin

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

ATLANTA, FEBRUARY 11, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0190
ANDREA SLATER V. BRUCE BERMAN, ET AL

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

97021

961794134

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 11 1998

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William R. Martin

Clerk.

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

ATLANTA, FEBRUARY 04, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

APPLICATION NO. A98I0191
MARY JORDAN CATERING SERVICE, INC. V. INLAND FINANCE COMPANY

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

92022

95A131954

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB - 4 1998

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William R. Martin

Clerk.

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

ATLANTA, FEBRUARY 24, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0192

PALMER JOHNSON SAVANNAH, INC., ET AL V. NATIONSBANK, N.A. SOUTH

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

93022

CGV961427BA

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 24 1998

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William R. Martin Clerk.

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

ATLANTA, FEBRUARY 25, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0193

JACQUELINE M. THAXTON V. NORFOLK SOUTHERN RAILWAY COMPANY, 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.

94022

96VS0109725

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 25 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.*

William E. Martin, Jr. Clerk.

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

ATLANTA, FEBRUARY 12, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0197

HOSPITAL AUTHORITY OF VALDOSTA AND LOWNDES COUNTY, GEORGIA d/b/a SOUTH
GEORGIA MEDICAL CENTER V. WILLIAM M. CREECH

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

99022

94SCV253

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 12 1998

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Clerk.

William L. Martin

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

ATLANTA, FEBRUARY 17, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0198

REGINALD WOODALL V. RIVERMONT APARTMENTS LIMITED PARTNERSHIP, 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.

97022

94VS92332

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 17 1998

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William R. Martin Clerk.

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

ATLANTA, FEBRUARY 25, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0199
BARRY MICHAEL V. RONNIE R. SMITH

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

92023
96CV901

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

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William R. Martin Clerk.

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

ATLANTA, FEBRUARY 27, 1998

The Honorable Court of Appeals hereby passes the following order: —

A98I0200 JEFFREY SCOTT SPIVEY V. THE STATE

The appellant's motion to withdraw an interlocutory appeal is hereby granted.

93-023
97CR14533

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

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William L. Martin, Clerk.

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

ATLANTA, FEBRUARY 19, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0201
E/P CONSTRUCTION, LLC, ET AL V. KAREN MCENTYRRE

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

94023

97CV000232

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta FEB 19 1998*

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Clerk.

William R. Martin

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

ATLANTA, FEBRUARY 27, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0202
EMPIRE FIRE AND MARINE INSURANCE COMPANY V. EDMUND HARRIS, ET AL

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

98023

97VS0122839F

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

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hereto affixed the day and year last above written.*

William R. Martin, Jr. Clerk.

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

ATLANTA, MARCH 03, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0203

MIDDLE GEORGIA COMMUNITY FOOD BANK, INC. V. WILLIE D. WEBB

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

96023

96CV13640

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

MAR - 3 1998

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William L. Martin, Jr.

Clerk.

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

ATLANTA, FEBRUARY 24, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0204

MONICA E. EWING, ET AL V. LAWRENCE M. HUCKABAY, ET AL

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

91023

E53887

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 24 1998

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William R. Martin Clerk.

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

ATLANTA, FEBRUARY 20, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0205
JOYCE G. LELAND V. VICTOR J. LOAIZA

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

99023

96C41931

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

FEB 20 1998

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William R. Martin

Clerk.

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

ATLANTA, MARCH 04, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0206

JOHN R. SHEPPARD, ET AL V. ROBERT M. GORHAM

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

90023

97CV000145

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR - 4 1998

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William R. Martin Clerk.

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

ATLANTA, MARCH 05, 1998

The Court of Appeals hereby passes the following order:

—APPLICATION NO. A98I0207
ATLANTA J'S, INC, ET AL V. HOUSTON FOODS, 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.

97023

90CV1911

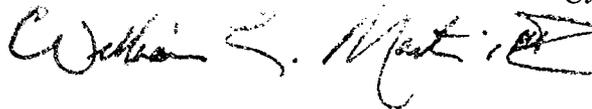
Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR -5 1998

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Clerk.



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

ATLANTA, MARCH 04, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0208

JUAN DELEDEBUR, ET AL V. REBECCA SUSAN TARLTON, M.D.

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

92024

E43291

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

MAR - 4 1998

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Clerk.

William L. Martin

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

ATLANTA, FEBRUARY 13, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0194
MICHELE ANN LUNDGREN V. THE STATE

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

98022

97T15435

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta FEB 13 1998*

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William R. Martin, Jr. Clerk.

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

ATLANTA, FEBRUARY 20, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0195

PATRICE MICHELLE MCADOW V. KEVIN RICHARD MCADOW

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

96022

97V1456

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

FEB 20 1998

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William L. Martin Clerk.

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

ATLANTA, FEBRUARY 27, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0196
VICTOR FLOYD, ET AL V. THE STATE

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

91022

97CR5086

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 27 1998

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William L. Martin Clerk.

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

ATLANTA, FEBRUARY 24, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0209

AUGUSTA SURGICAL CENTER, INC. V. WALTON & HEARD OFFICE VENTURE

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.

93024

96RCCV80

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 24 1998

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William L. Martin Clerk.

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

ATLANTA, FEBRUARY 24, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0210

SURGICARE OF AUGUSTA, INC. V. WALTON & HEARD OFFICE VENTURE

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.

93025

96RCCV80

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 24 1998

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William L. Martin, Jr.

Clerk.

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

ATLANTA, FEBRUARY 24, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0211

R. JEFFREY ADKINS V. WALTON & HEARD OFFICE VENTURE

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.

93026

96RCCV80

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 24 1998

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William R. Martin Clerk.

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

ATLANTA, MARCH 04, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0212

KENNETH E. CAMERON, ET AL. V. RONALD MARSHALL PETERSON, 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.

94024

96A039264

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR - 4 1998

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William R. Martin, Jr. Clerk.

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

ATLANTA,

MARCH

05, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. — A98I0213
RE/MAX EXECUTIVES, INC. V. T. DEMETRI VACALIS, 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.

98024

97A305774

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

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William R. McIntire

Clerk.

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

ATLANTA, MARCH 03, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0214

ROBERT BOZZONE V. HUGGHINS SOD FARMS, INC.

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

96024

97CV1599B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR - 3 1998

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William R. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA, MAR 13 1998

The Court of Appeals hereby passes the following order:

A98D0219, A98I0215. EDENS, et al., v. O'CONNOR (two applications).

Applicant John L. Edens seeks an appeal from an order denying Edens' motion to set aside a contempt order entered for failure to comply with a prior discovery order. Out of an abundance of caution, applicant Edens filed identical applications for discretionary and interlocutory appeal. Since the contempt proceeding was an independent, collateral matter and the contempt order was otherwise subject to direct appeal under OCGA § 5-6-34 (a) (2), and since Edens' motion to set aside was a direct attack on that judgment, the interlocutory appeal procedure does not apply in this situation. Therefore application no. A98I0215 is dismissed as superfluous.

Edens' application no. A98D0219 is hereby granted. Edens shall have 10 days from the date of this order to file a notice of appeal. The clerk of the state 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 MAR 13 1998

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

Clerk.

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

ATLANTA, MARCH 11, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0216

WIGGINS ENTERPRISES, INC. d/b/a/ HARDEE'S V. LORAIN K. STIMMEL

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

99024

976255C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 11 1998

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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, MARCH 05, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0217
MATTIE VIOLA STAMPS V. THE STATE

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

90024

97CR01013

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR - 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.*

William L. Mack Clerk.

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

ATLANTA, FEBRUARY 27, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0218

E. SCOTT PATTERMAN, ET AL V. THE TRAVELERS, 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.

97024

97RCCV219

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 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.*

William R. Martin Clerk.

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

ATLANTA, MARCH 05, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0219
JOSEPH CRAIG STAMPS V. THE STATE

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

90025

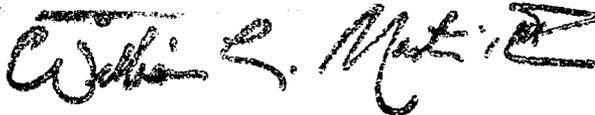
97CR01013

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR -5 1998

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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, MARCH 11, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0220
ASB GREENWORLD, INC. V. SELLS PLANT COMPANY, INC.

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

92025

94CV1781

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 11 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 R. Martin Clerk.

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

ATLANTA, MARCH 10, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0221

MARTIN D. JEFFRIES, M.D., ET AL V. ADAIR WHITE JOHNSON, ET AL

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

94025

97VS0131291

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 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 Clerk.

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

ATLANTA, MARCH 11, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0222
RONALD JOE GAINES V. THE STATE

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

98025

96ER152GJ

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 11 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.*

William E. Martin Clerk.

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

ATLANTA, MARCH 23, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0223
LUTHER JOHNSON V. JULIUS STONE

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

96025

97VS0128080

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 23 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.*

William R. Martin

Clerk.

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

ATLANTA, MARCH 16, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0224
MARCIA G. SHEIN, ET AL V. FRED R. GREEN

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

91025
E53568

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

William R. Martin Clerk.

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

ATLANTA, MARCH 11, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0225
ALBERT MARVIN STROZIER V. THE STATE

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

99025

97M4450

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

MAR 11 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.*

William L. Martini Clerk.

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

ATLANTA, MARCH 05, 1998

The Court of Appeals hereby passés the following order:

APPLICATION NO. A98I0226
FORT HOWARD CORPORATION V. JERRY WILLIAMS, 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.

97025

1E95CV109W

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

William S. Martine Clerk.

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

ATLANTA, MARCH 25, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0227

GOLDEN PEANUT COMPANY V. NEON EARL BASS, JR., ET AL

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

92026

94VS5847D

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 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.*

William L. Marti Clerk.

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

ATLANTA, APRIL 10, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0227

GOLDEN PEANUT COMPANY V. NEON EARL BASS, JR., ET AL

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

92-026
94VS5847D

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 10 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.*

William R. Martin Clerk.

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

ATLANTA, MARCH 23, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0228

ALLSTATE INDEMNITY COMPANY V. CORETHA SCOTT, ET AL

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

94026

E55564

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 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.*

William L. Martin, Jr. Clerk.

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

ATLANTA, MARCH 11, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0229
RODERICK FLORENCE V. THE STATE

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

98026

SU97CR2686

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 11 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.*

William R. Martin Clerk.

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

ATLANTA, MARCH 23, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0230

RODERICK BRIAN PARKER, 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.

96026

97B04186

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 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.*

William R. Martin Clerk.

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

ATLANTA, MARCH 24, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0231
BOOMER'S, INC. V. ROBERT A. WHITNEY, SR.

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

91026

96A54293

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 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.*

William R. Martin Clerk.

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

ATLANTA, MARCH 24, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0231
BOOMER'S, INC. V. ROBERT A. WHITNEY, SR.

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

91026

96A54293

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 24 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.*

William L. Martin Clerk.

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

ATLANTA, MARCH 19, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0232

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.

99026

9711208

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 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.*

William R. Martin Clerk.

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

ATLANTA, MARCH 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0233

KEN LIPSCOMB V. J.K. CONNER

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

90026

95VS96616D

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 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.*

William L. Martin

Clerk.

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

ATLANTA, MARCH 24, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0234

RICHARD E. FINGERLE, M.D., 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.

99027

97112089

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 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
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William R. Martin Clerk.

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

ATLANTA, MARCH 27, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0235
HERMAN C. MORGAN, ET AL V. JAMES HAMRICK

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

97026

96V591

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAR 27 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.*

William R. Martin Clerk.

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

ATLANTA, APRIL 06, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0236

THE TERMINIX INTERNATIONAL CO., L.P. V. THOMAS AFFLECK, III ET AL

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

92027

E37702

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

APR - 6 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.*

William R. Martin Clerk.

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

ATLANTA, MARCH 17, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0237

JOHN BRANNON V. THE STATE

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

90027

97CR01013

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 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.*

William R. Martin Clerk.

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

ATLANTA, MARCH 19, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0238

DEKALB COLLISION CENTER, INC., ET AL V. ERICA FOSTER, as Administrator
of the Estate of HENRY FOSTER, and ERICA FOSTER AND MELISSA BROWN
as sole survivors of HENRY FOSTER

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

93027

97A317613

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 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.*

William R. Martin, Jr. Clerk.

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

ATLANTA, APRIL 01, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0239

GEORGIA FARM BUREAU MUTUAL INSURANCE COMPANY V. GEORGE ROBERT PALMER,
ET AL

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

94027

960V80

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR - 1 1998

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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, APRIL 06, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0240

ADVANCE TECHNOLOGY CONSULTANTS, INC. V. ROADTRAC, L.L.P.

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.

98027

E52873

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR - 6 1998

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William L. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA, MAR 25 1998

The Court of Appeals hereby passes the following order:

A98I0241. Foskey v. The State

Marshall Foskey filed this application for interlocutory review seeking to have the trial court rule on a motion for out-of-time appeal Foskey filed in the trial court. Foskey's application, however, does not seek review of any order issued by the trial court, and therefore, is not the appropriate vehicle through which to obtain the relief he seeks.

An application for interlocutory review must contain a stamped filed copy of the order appealed from and the certificate of immediate review which must be filed within ten days of the order sought to be appealed. OCGA § 5-6-34 (b). Foskey's application does not include copies of these two things, nor could it since it does not seek to appeal from any order issued by the trial court but rather seeks to have this Court issue an order compelling the trial court to rule. Accordingly, this application for interlocutory appeal is hereby ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 25 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.*

William R. Martin, Jr. Clerk.

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

ATLANTA, MARCH 27, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0242
ACHOR CENTER, INC. V. KENNETH R. HOLMES

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

91027

97VS0132973

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 27 1998

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William R. Martin

Clerk.

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

ATLANTA, APRIL 10, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0243

EBENEZER BAPTIST CHURCH OF ATLANTA, GEORGIA, INC., V. BARBARA C.
BILLINGSLEY, individually and as executrix of the estate of BOB
DENNIS BILLINGSLEY

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

97027

96VS121377B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

APR 10 1998

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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, APRIL 10, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0244
OCTAVIUS SINGLETON V. THE STATE

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

92028

97CR62306

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

APR 10 1998

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*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 08, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0245

MICHAEL ALFRED V. THE RIGHT STUFF FOOD STORES, INC.

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

93028

96VS110993

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

APR - 8 1998

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William R. Martin Clerk.

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

ATLANTA, APRIL 02, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0246

PATRICIA M. HARSHBARGER, ET AL V. DARRYL VANDOSTER BENSON, ET AL

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

94028

97A47693

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR - 2 1998

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William R. Martini Clerk.

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

ATLANTA, APR 14 1998

The Court of Appeals hereby passes the following order:

A98I0247. COLLIS PLAYER v. THE STATE

Collis Player filed this application for interlocutory appeal from the trial court's order denying his motion to suppress evidence. Player obtained a certificate of immediate review that was entered March 9, 1998, but did not file the application with this Court until March 23, 1998, 14 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. Player's failure to comply with this requirement deprives this Court of jurisdiction to consider this appeal. Accordingly, this application is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 14 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.*

William R. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA, APR 14 1998

The Court of Appeals hereby passes the following order:

A98I0248. BRUCE HUGHES v. THE STATE

Bruce Hughes filed this application for interlocutory appeal from the trial court's order denying his motion to suppress evidence. Hughes obtained a certificate of immediate review that was entered March 6, 1998, apparently from the trial court's order rendered orally at the hearing on the motion on February 23, 1998. Hughes then obtained a written version of the order, which was entered March 13, 1998. No certificate of immediate review was obtained from the March 13 order. The application was filed in this Court on March 23, 1998, 17 days after the only 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. Hughes' filing this application within 10 days of the date of the written order does not satisfy this requirement. Hughes' failure to comply with this requirement deprives this

Court of jurisdiction to consider this appeal. Accordingly, the application is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 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.

William L. Martin Clerk.

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

ATLANTA, APRIL 16, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0249
CITY OF LAFAYETTE, GEORGIA, V. J.W. BATES

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.

96028

97CV3300

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 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.*

William R. McIntire Clerk.

Court of Appeals of the State of Georgia

ATLANTA,

MAR 27 1998

The Court of Appeals hereby passes the following order:

**A98I0250. FRANCES WAGES, ET AL. v. AMISUB OF GEORGIA D/B/A
 BARROW MEDICAL CENTER**

Frances Wages and the other plaintiffs in the underlying civil action filed this application for interlocutory appeal of the trial court's March 2, 1998 order granting summary judgment in favor of the defendants as to the plaintiffs' claim for negligent handling of a corpse. Other issues remain pending. However, an appeal of an order granting partial summary judgment to the defendants is directly appealable under OCGA § 9-11-56 (h). Whiddon v. Stargell, 192 Ga. App. 826, 828 (386 SE2d 884) (1989). Because the order is directly appealable, this Court lacks jurisdiction over the interlocutory application. OCGA § 5-6-34 (b). See Southeastern Security Insurance Co. v. Empire Banking Co., 268 Ga. 450 (490 SE2d 372) (1997). Accordingly, the application for interlocutory review is hereby ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 27 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.*

William L. Martin Clerk

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

ATLANTA, APRIL 15, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0251
GILBERT C. GOLDMAN, M.D., ET AL V. LYNNE ERNST

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

99028

07VS0124259C

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

APR 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.*

William R. Martin Clerk.

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

ATLANTA, APRIL 16, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0252

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, ET AL V. RAFAILA
GONZALES

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.

90028

SC96CV1320

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 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.*

William R. Martin

Clerk.

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

ATLANTA, APRIL 14, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0253

GEORGIA MILITARY COLLEGE V. YASMIN SANTAMORENA

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.

97028

97CV33343B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 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.*

William L. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA,

MAR 27 1998

The Court of Appeals hereby passes the following order:

A98I0254. CHRISTOPHER M. SMITH v. DAVID RUSSELL HOWARD

Christopher M. Smith, the plaintiff in the underlying civil action, filed this application for interlocutory appeal of the trial court's March 5, 1998 order granting summary judgment in favor of the Prudential Property & Casualty Insurance Company as to Smith's claim for uninsured motorist benefits. Other issues remain pending. However, an appeal of an order granting partial summary judgment is directly appealable under OCGA § 9-11-56 (h). Whiddon v. Stargell, 192 Ga. App. 826, 828 (386 SE2d 884) (1989). Because the order is directly appealable, this Court lacks jurisdiction over the interlocutory application. OCGA § 5-6-34 (b). See Southeastern Security Insurance Co. v. Empire Banking Co., 268 Ga. 450 (490 SE2d 372) (1997). Accordingly, the application for interlocutory review is hereby ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 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.*

William L. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA, APR 15 1998

The Court of Appeals hereby passes the following order:

A98I0255. CALABRO v. RAMIREZ-CALABRO.

Michael M. Calabro seeks an interlocutory appeal to this court from an order disallowing Calabro's voluntary dismissal of his divorce action and consolidating that action with the separate divorce action filed by wife Christina Ramirez-Calabro. However, the Supreme Court and not this court has jurisdiction over appeals that arise directly from divorce and alimony cases. Ga. Const. of 1983, Art. VI, § VI, ¶ III (6). We note that while underlying issues are sometimes considered in certain contexts as a means of determining whether a particular appeal falls within one of the classes of cases over which the Supreme Court has appellate jurisdiction, there is no question that this application for appeal arises squarely within the context of what has been deemed a pending divorce case. Accordingly, Calabro's application is hereby TRANSFERRED to the Supreme Court for disposition.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 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.*

William R. Martin, Jr. Clerk.

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

ATLANTA, APRIL 28, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0256

THE GRAND UNION COMPANY d/b/a/ BIG STAR V. LINDA KINNE

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

94029

94VS88397A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

APR 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.*

William E. Martin Clerk.

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

ATLANTA, APRIL 10, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0257
NORTH GEORGIA MEDICAL CENTER V. ERMEL STOKES

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.

96029

96VS0121509F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 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.

William R. Martin

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

ATLANTA, APRIL 20, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0258

CLIFTEEN YARBROUGH V. PATRICK B. KIRKLAND

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

91029

E49753

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 20 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 R. Martin

Clerk.

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

ATLANTA, APRIL 23, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0259

CAROL PALMER d/b/a CJ & ASSOCIATES V. BONITA SYKES

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

99029

97CV2233

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 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.

William R. Martin

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

ATLANTA, APRIL 20, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0260

CINCINNATI INSURANCE COMPANY V. J.W. WOOD, JR., ET AL

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

90029

97C17974

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 20 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 R. Martin, Jr.

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, APR 13 1998

The Court of Appeals hereby passes the following order:

A98I0261. JUAN ANTONIO GONZALEZ v. SILVIA E. GONZALEZ

Juan Antonio Gonzalez filed an application for interlocutory review of the trial court's order denying his motion for summary judgment. The judge signed the order and it was filed by the clerk of court on March 9, 1998. The judge signed the certificate of immediate review "nunc pro tunc" March 19, 1998. The certificate, however, was not filed with the clerk until March 30, 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). Furthermore, a "nunc pro tunc certificate of immediate review is without efficacy to support an appeal." Whitlock v. State, 124 Ga. App 599 (1) (185 SE2d 90) (1971). Therefore, despite the nunc pro tunc entry of the

certificate for immediate review, the certificate of immediate review filed 21 days after entry of the order appealed is untimely and the application is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 13 1960

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

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

ATLANTA, April 10, 1998

The Honorable Court of Appeals hereby passes the following order:

COURT OF APPEALS CASE A98I0262 REUBEN A. GARLAND V. CITY OF WEST
POINT, GEORGIA, ET AL

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

92-030

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 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 R. Martin Clerk.

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

ATLANTA, APRIL 29, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0263

MRS. WINNER'S, L.P. V. CAROL LYNCH, 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.

93030

96VS0119756B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 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.*

William R. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA, APR = 6 1998

The Court of Appeals hereby passes the following order:

A98I0264. VASANT A. PATEL, ET AL. v. NARINDA GUPTA

This application for interlocutory appeal seeks review of the trial court's order denying Vasant and Kirit Patel's motion to open default, entering default judgment in favor of Narinda Gupta, and granting Gupta's motion for entry of final judgment pursuant to OCGA § 9-11-54 (b) as to \$20,000 in liquidated damages. Determination of Gupta's claim for unliquidated damages remains pending. Because the trial court directed entry of "final judgment" for Gupta in accordance with OCGA § 9-11-54 (b), the judgment is final and ripe for direct appeal. Culwell v. Lomas & Nettleton Co., 242 Ga. 242, 243 (248 SE2d 641) (1978); Re-Max Executives, Inc. v. Wallace, 205 Ga. App. 170 (421 SE2d 540) (1992). Inasmuch as the trial court's order was directly appealable, this application for interlocutory appeal is dismissed. The court notes that the Patels stated in their application that they were filing a notice of appeal in the event this court determined that the order was directly appealable.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR = 6 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.*

William R. Martin
Clerk.

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

ATLANTA, APRIL 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0265
CITY OF LAWRENCEVILLE, ET AL V. ROSEMARIE TETA

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

98030

97C1391

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 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.*

William L. Martin

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, MAY -5 1998

The Court of Appeals hereby passes the following order:

A98I0266. 3030 PEACHTREE, L.L.C. v. TODAY'S CUSTOM FURNITURE, INC.

3030 Peachtree, L.L.C. filed this application for interlocutory appeal, seeking appellate review of the trial court's order denying its motion to dismiss, which was entered on March 10, 1998. OCGA § 5-6-34 (b) provides that where the trial court renders an interlocutory order and certifies it for immediate review within ten days of entry of the order, the appellate courts of this State may permit an appeal if application is made within ten days after such certificate is granted. Because the judge hearing this case was scheduled to be out-of-town during the period when the certificate of immediate review was required to be entered, 3030 Peachtree, L.L.C. obtained an order from the chief judge of the trial court extending the time within which 3030 Peachtree, L.L.C. could petition for a certificate of immediate review. The judge who denied the motion to dismiss then entered an order on March 25, 1998, granting 3030 Peachtree, L.L.C.'s petition for a certificate of immediate review.

The trial court had no authority to grant an extension of time for 3030 Peachtree, L.L.C. to petition for a certificate of immediate review for an interlocutory appeal, and the court was without authority to enter the certificate of immediate review

more than ten days after the order denying the motion to dismiss was entered. Cf. Rosenstein v. Jenkins, 166 Ga. App. 385 (304 SE2d 740) (1983). "While the trial court has the authority under OCGA § 5-6-39 to grant a 30-day extension of time for filing a notice of appeal, there is no comparable authority for granting an extension of time for filing an application for discretionary appeal," id., or for obtaining a certificate of immediate review. Furthermore, OCGA § 5-6-34 (b) does not specify a time in which a party must request a certificate of immediate review, but only the time in which the certificate must be entered by the trial court. Accordingly, the trial court's order extending the time in which 3030 Peachtree, L.L.C. could request a certificate of immediate review is without effect. Since the certificate of immediate review was not entered within 10 days of the date of the order 3030 Peachtree, L.L.C. seeks to appeal, its application was untimely. 3030 Peachtree, L.L.C.'s failure to follow the interlocutory appeal procedures of OCGA § 5-6-34(b) deprives this Court of jurisdiction to consider this appeal. Hogan Management Services, P. C. v. Martino, 225 Ga. App. 168 (483 SE2d 148) (1997). Therefore, 3030 Peachtree, L.L.C.'s application for interlocutory appeal is hereby DISMISSED.

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.*

William R. Martino

Clerk. MAY - 5 1998

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

ATLANTA, APRIL 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0267

ATLANTIC SALVAGE, INC. V. WASHINGTON INTERNATIONAL INSURANCE
COMPANY

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

91030

I961230F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

APR 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.*

William R. Martin

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, APR 13 1998

The Court of Appeals hereby passes the following order:

A98I0268. WILLIAM JAMES BROWN v. THE STATE

William James Brown is charged with murder and filed an application for interlocutory appeal to this Court seeking review of the trial court's order denying Brown's request pursuant to Uniform Superior Court Rule 31.6 to present evidence of acts of violence by the victim. The Supreme Court, however, has directed this Court to transfer to the Supreme Court "all cases in which either a sentence of death or of life imprisonment has been imposed upon conviction of murder, and all pre-conviction appeals in murder cases, whether or not timely notice was given by the district attorney as required by Unified Appeal, § II. A. 1., 246 Ga. at A-7." State v. Thornton, 253 Ga. App. 524 (322 SE2d 711) (1984) (Emphasis supplied). Accordingly, Brown's application is ordered TRANSFERRED to the Supreme Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 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. Z. Martin

Clerk.

Court of Appeals of the State of Georgia

ATLANTA,

MAY -6 1998

The Court of Appeals hereby passes the following order:

A98I0269, A98I0288. CITY OF ATLANTA, GEORGIA, et al. v. CROSSROAD HOLDINGS, INC., et al.; and vice versa.

The above styled applications involve a lawsuit brought by numerous marketers and vendors who contracted with or through the City of Atlanta, Atlanta Economic Development Corporation, B. G. Swing Games Management, Inc., Munson Steed and/or Robert Dock, as a means of providing their services to the public during the Centennial Olympic Games held in Atlanta in July, 1996. On March 18, 1998, the trial court entered an order addressing the defendant City's individual motion for partial summary judgment. That order granted the City's motion as to the plaintiffs' constitutional and fraud claims, but denied the motion as to the plaintiffs' claims based on negligence. The trial court certified the matter for immediate review upon request of both the plaintiffs and the City. The City applied to this court for an interlocutory appeal from the denial of summary judgment on the plaintiffs' negligence claims. The plaintiffs applied to the Supreme Court for an interlocutory appeal from the grant of summary judgment to the City on the plaintiffs' constitutional and fraud claims. The Supreme Court transferred the plaintiffs' application to this court for

disposition.

As to the City's application, the Court finds that the unavoidable delay that would result from the grant of an interlocutory appeal is not warranted given the relatively limited yet fact intensive issues presented by the City. Application no. A98I0269 is therefore DENIED. The plaintiffs' application, on the other hand, is not authorized since both rulings complained of therein are subject to direct appeal under OCGA § 9-11-56 (h). The interlocutory appeal procedure is reserved for those rulings that are not otherwise subject to direct appeal. OCGA § 5-6-34 (b); see also Artis v. Gaither, 199 Ga. App. 114 (404 SE2d 322) (1991); compare Southeastern Security Ins. Co. v. Empire Banking Co., 268 Ga. 450 (490 SE2d 372) (1997). Accordingly, Application no. A98I0288 is hereby DISMISSED for lack of jurisdiction.

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.*

William R. Mantz

Clerk. MAY -6 1998

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

ATLANTA, MAY 21, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0269

CITY OF ATLANTA V. CROSSROADS HOLDINGS, INC., ET AL

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

90-030
E50168

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 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.*

William E. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA, MAY -7 1998

The Court of Appeals hereby passes the following order:

A98I0270. SHERRI B. MARZANO, et al v. AMPLICON, INC.

Sherri B. Marzano, et al, seek interlocutory review of two orders denying in part their petitions for attorney fees pursuant to OCGA §§ 9-11-37 (a) (4) (A) and 9-15-14 for Amplicon's alleged discovery abuses. The trial court issued a certificate of immediate review for the orders that indicates it was signed on March 28, 1998, but it is file stamped March 27, 1998. The applicants filed their application for interlocutory appeal in this Court on April 7, 1998, eleven days after the certificate of immediate review was filed in the trial court. 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 granted. A certificate of immediate review signed by the trial court is considered granted on the date it is filed with the clerk of the trial court, not on the date it is signed. See OCGA § 5-6-31. Because the applicants failed to file their application within 10 days of entry of the certificate of immediate review, the application is untimely, and this Court is without jurisdiction to consider it. Baynes v. State, 189 Ga.

App. 797 (377 SE2d 708) (1989). Accordingly, Amplicon's motions to dismiss the application for interlocutory appeal and the amended application for interlocutory appeal are hereby GRANTED, and the application is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY - 7 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 R. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA, July 30, 1998

The Court of Appeals hereby passes the following order:

A98I0271. STOKES et al. v. MARDER et al.

This is a medical malpractice case in which negotiations have culminated in a settlement agreement and release. The trial court and the Probate Court of DeKalb County have determined that it is in the best interest of the minor defendant, Lakeisha Stokes, that the information contained in the settlement agreement remain confidential, and these courts have entered consent orders providing that the settlement agreement be filed and maintained under seal.

Nonetheless, in filing this interlocutory application, plaintiffs' counsel inadvertently filed correspondence that reveals certain confidential information that was intended to be protected by the terms of the settlement agreement, as well as by the above court orders. Now, the parties, including plaintiffs, defendants, and intervenor, join together via consent motion, seeking to seal Exhibit "8" of this interlocutory application, certain correspondence dated January 5, 1998, from Douglas G. Scribner to Yehuda Smolar.

Therefore, in the absence of any countervailing interest and in order to protect the best interests of Lakeisha Stokes, a minor,

it is ORDERED that the Clerk of this Court place Exhibit "8" of this interlocutory application under seal and keep the same sealed until further order of this Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 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.

William L. Martin

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

ATLANTA, MAY 07, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0271

LAKEISHA STOKES (a minor) b/n/f/ SYLVIA STOKES and SYLVIA STOKES,
individually v. SARA J. MARDER, M.D., ET AL

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

92031

06VS120601F

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

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, July 30, 1998

The Court of Appeals hereby passes the following order:

A98I0271. STOKES et al. v. MARDER et al.

This is a medical malpractice case in which negotiations have culminated in a settlement agreement and release. The trial court and the Probate Court of DeKalb County have determined that it is in the best interest of the minor defendant, Lakeisha Stokes, that the information contained in the settlement agreement remain confidential, and these courts have entered consent orders providing that the settlement agreement be filed and maintained under seal.

Nonetheless, in filing this interlocutory application, plaintiffs' counsel inadvertently filed correspondence that reveals certain confidential information that was intended to be protected by the terms of the settlement agreement, as well as by the above court orders. Now, the parties, including plaintiffs, defendants, and intervenor, join together via consent motion, seeking to seal Exhibit "8" of this interlocutory application, certain correspondence dated January 5, 1998, from Douglas G. Scribner to Yehuda Smolar.

Therefore, in the absence of any countervailing interest and in order to protect the best interests of Lakeisha Stokes, a minor,

it is ORDERED that the Clerk of this Court place Exhibit "8" of this interlocutory application under seal and keep the same sealed until further order of this Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 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.

William L. Matie

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

ATLANTA, MAY 07, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0272

CHASE DEVELOPMENT CORP., ET AL V. DEANNA LUKERT WILKINS

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

93031

97VS0134645B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY - 7 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 R. Martin Clerk.

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

ATLANTA, MAY 06, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0273

FIRST NATIONAL BANK OF UNION COUNTY V. UTICA MUTUAL INSURANCE COMPANY

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

94031

96CV245HS

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY -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.*

William L. Martin

Clerk.

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

ATLANTA, JUNE 16, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0273

FIRST NATIONAL BANK OF UNION COUNTY V. UTICA MUTUAL INSURANCE COMPANY

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

94-031
96CV245HS

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 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.*

William R. Martin Clerk.

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

ATLANTA, APRIL 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0274

CATHOLIC SOCIAL SERVICES, INC. V. DAVID ICENHOUR, a minor child b/n/f
TAMEKO WOOD and TAMEKO WOOD, individually

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

98031

E41792

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 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.

William L. Martin

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

ATLANTA, APRIL 29, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0275
MINDIS METALS, INC. V. ROOSEVELT STOCKS, ET AL

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

96031

96VS0116504

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

APR 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.*

William R. Martin Clerk.

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

ATLANTA, MAY 07, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0276
SHATA WINSAY V. NOAH THORNTON

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

91031

96A9645

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY - 7 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.

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

ATLANTA, MAY 13, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0277
PROVIDENT INDEMNITY LIFE INSURANCE COMPANY V. DORIS ELAINE JAMES,
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.

99031

SU97CV1893S

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 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.*

William R. Martin

Clerk.

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

ATLANTA, APRIL 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0278

THE VILLAGE OF SAINT JOSEPH, INC. V. DAVID ICENHOUR, a minor child,
b/n/f TAMEKO WOOD, and TAMEKO WOOD, individually

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

98032

E41792

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 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.*

William L. Martin

Clerk.

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

ATLANTA, MAY 04, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0279

METROPOLITAN PROPERTY AND CASUALTY INSURANCE COMPANY V. JOYCE CRUMP,
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.

90031

97G64269

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY - 4 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 R. Martin

Clerk.

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

ATLANTA, MAY 15, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0280

INGLES MARKET, INCORPORATED V. PATRICIA D. MARTIN, 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.

97031

97C01002

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 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.*

William R. Martin, Jr. Clerk.

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

ATLANTA, MAY 08, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0281

DEPARTMENT OF TRANSPORTATION V. VIRGINIA KATE NICKERSON, ET AL

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

92032

E41139

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY - 8 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.*

William R. Martin Clerk.

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

ATLANTA, MAY 08, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0282

BENJAMIN JEST V. SAFECO INSURANCE COMPANY OF AMERICA

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

93032

97A386401

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

MAY - 8 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.*

William R. Martin

Clerk.

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

ATLANTA, MAY 20, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0283
GREEN TREE VENDOR SERVICES CORPORATION V. AMERICAN MARKETING GROUP,
ET AL

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

94032

96VS0116878

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 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.*

Clerk.



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

ATLANTA, MAY 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0284

THOMAS H. BROOME, JR. V. TIDELANDS COMMUNITY SERVICE BOARD

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

96032

CV951120BR

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 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.*

William R. Martin

Clerk.

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

ATLANTA, JUNE 16, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0284

THOMAS H. BROOME, JR. V. TIDELANDS COMMUNITY SERVICE BOARD

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

96-032
CV951120BR

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

JUN 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.

William L. Martin

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

ATLANTA, MAY -7 1998

The Court of Appeals hereby passes the following order:

A98I0285. Kirkland v. Midland Mortgage Co.

Applicant Eliza Kirkland filed this timely interlocutory application seeking review of a decision of the Superior Court of Richmond County. However, on April 23, 1998, Midland Mortgage Co. removed this case to Federal District Court pursuant to 28 USC §§ 1441 and 1446. Therefore, this Court no longer has jurisdiction over this appeal.

If the case is subsequently remanded and Kirkland further desires the issue raised in this application to be considered by this Court, then a new application will need to be filed.

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

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY -7 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.*

William L. Martin Clerk.

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

ATLANTA, MAY 06, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0286
DR. FRANKLIN GOLDWIRE V. ROBERT C. CLARK, 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.

99032

IE98CV017W

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY -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.*

William L. Martin

Clerk.

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

ATLANTA, MAY 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0287
FREDDY S. ARACHI V. THE STATE

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

90032

98CR1059

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 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.*

William R. Marti Clerk.

Court of Appeals of the State of Georgia

ATLANTA,
MAY -6 1998

The Court of Appeals hereby passes the following order:

A98I0269, A98I0288. CITY OF ATLANTA, GEORGIA, et al. v. CROSSROAD HOLDINGS, INC., et al.; and vice versa.

The above styled applications involve a lawsuit brought by numerous marketers and vendors who contracted with or through the City of Atlanta, Atlanta Economic Development Corporation, B. G. Swing Games Management, Inc., Munson Steed and/or Robert Dock, as a means of providing their services to the public during the Centennial Olympic Games held in Atlanta in July, 1996. On March 18, 1998, the trial court entered an order addressing the defendant City's individual motion for partial summary judgment. That order granted the City's motion as to the plaintiffs' constitutional and fraud claims, but denied the motion as to the plaintiffs' claims based on negligence. The trial court certified the matter for immediate review upon request of both the plaintiffs and the City. The City applied to this court for an interlocutory appeal from the denial of summary judgment on the plaintiffs' negligence claims. The plaintiffs applied to the Supreme Court for an interlocutory appeal from the grant of summary judgment to the City on the plaintiffs' constitutional and fraud claims. The Supreme Court transferred the plaintiffs' application to this court for

disposition.

As to the City's application, the Court finds that the unavoidable delay that would result from the grant of an interlocutory appeal is not warranted given the relatively limited yet fact intensive issues presented by the City. Application no. A98I0269 is therefore DENIED. The plaintiffs' application, on the other hand, is not authorized since both rulings complained of therein are subject to direct appeal under OCGA § 9-11-56 (h). The interlocutory appeal procedure is reserved for those rulings that are not otherwise subject to direct appeal. OCGA § 5-6-34 (b); see also Artis v. Gaither, 199 Ga. App. 114 (404 SE2d 322) (1991); compare Southeastern Security Ins. Co. v. Empire Banking Co., 268 Ga. 450 (490 SE2d 372) (1997). Accordingly, Application no. A98I0288 is hereby DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia

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.*

William R. Martin

Clerk. MAY -6 1998

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

ATLANTA, MAY 11, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0289

GLEN D. SILCOCK V. ATLANTIC MEDIA INTERNATIONAL, INC.

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

97032

97SC1185

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 11 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 R. Martin Clerk.

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

ATLANTA, MAY 11, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0290

ST. MARY'S HOSPITAL OF ATHENS, INC., ET AL V. TAMMY S. BERRY, ET AL

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

92033

SU94CV1331S

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAY 11 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 R. Martin Clerk.

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

ATLANTA, MAY 20, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0291

NATIONAL CORPORATION FOR HOUSING PARTNERSHIPS, d/b/a ROBBIE ROBINSON
HOMES V. THE STATE BOARD OF WORKERS' COMPENSATION

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

93033

CV961244FR

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 20 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 R. Martin Clerk.

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

ATLANTA, MAY 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0292

ASSOCIATED ENVIRONMENTAL, INC. V. JOHN SMITHGALL, ET AL

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

94033

96VS0116626

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 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.*

William R. Martin

Clerk.

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

ATLANTA, MAY 11, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0293

NORTHPARK TOWN CENTER, INC., ET AL V. TIMOTHY PARLOR

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

98033

97VS0125902C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 11 1998

*I certify that the above is a true extract from
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, MAY 20, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0294
GLYNN COUNTY, GEORGIA V. LARRY H. WATERS

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

96033

9501528

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta* MAY 20 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 R. Martin Clerk.

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

ATLANTA, MAY 26 1998

The Court of Appeals hereby passes the following order:

A98I0295. RICKY E. BURGESS v. THE STATE

Ricky E. Burgess filed his application for interlocutory review of the court's April 16, 1998 order denying his motion to suppress evidence. The court certified the order for immediate review that same day. Burgess apparently filed his application with the United States Court of Appeals for the Eleventh Circuit on April 28, 1998, and the application was filed with this Court April 29, 1998. OCGA § 5-6-34 (b) requires applications for interlocutory appeal to be filed within ten days of the date the order was certified for immediate review. Burgess' application was filed with this Court three days after the application would have been timely. Because Burgess failed to file the application within the requisite period, this Court is without jurisdiction to consider this appeal. Accordingly, the application is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 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.*

William R. Martin Clerk.

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

ATLANTA, MAY 21, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0296
JUAN ANTONIO GONZALEZ V. SILVIA E. GONZALEZ

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

99033

E58856

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 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.



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

ATLANTA, MAY 28, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0297
NATHAN BILLINGS V. THE STATE

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

97033

97CR699X

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

William L. Martin Clerk.

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

ATLANTA, MAY 28, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0298
MICHAEL HOWARD MOTES V. THE STATE

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

92034

97CR1548C

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta* MAY 28 1998

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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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William R. Martin

Clerk.

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

ATLANTA, MAY 21, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0299

MARK G. PUCKETT V. THE STATE

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

93034

ST97CR1058

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 21 1998

*I certify that the above is a true extract from
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, MAY 12 1998

The Court of Appeals hereby passes the following order:

A98I0300. NELSON TERRELL v. THE STATE

Applicant Nelson Terrell seeks interlocutory review of the trial court's denial of his motion to dismiss or acquit by reason of former jeopardy. The court notes that the "Order" submitted with the application, dated April 30, 1998 and entered May 4, 1998, does not appear to be the order denying the motion, although it refers to such an order. Notwithstanding the issue of the absence of an appealable order in the application, a denial of a motion for a plea in bar on the basis of double jeopardy is directly appealable. Patterson v. State, 248 Ga. 875 (287 SE2d 7) (1982); Miller v. State, 204 Ga. App. 562, 563 (420 SE2d 12) (1992). Because the interlocutory appeal provisions have no application in cases subject to direct appeal, this petition for interlocutory review is hereby DISMISSED for lack of jurisdiction. Artis v. Gaither, 199 Ga. App. 114 (404 SE2d 322) (1991).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 12 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.*

William E. Martin Clerk.

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

ATLANTA, MAY 13, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0301

DORIS ELAINE JAMES, ET AL V. PROVIDENT INDEMNITY LIFE INSURANCE
COMPANY, ET AL

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

99034

SU97CV1893S

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 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.*

William R. Martin Clerk.

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

ATLANTA, MAY 28, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0302

A. MINIS, JR., ET AL V. WILLIAM C. GRIFFIN, ET AL

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

98034

CV951513KA

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 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.*

William R. Martin Clerk.

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

ATLANTA, MAY 28, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0303

A. MINIS, JR., ET AL V. LINDA R. CONSTANTINE

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

98035

CV951126KA

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 28 1998

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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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William R. Martin Clerk.

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

ATLANTA, MAY 26 1998

The Court of Appeals hereby passes the following order:

A98I0304. FRED A W. THOMAS v. SYLVESTER WILEY, JR.

Freda W. Thomas seeks interlocutory review of the trial court's April 17, 1998 order denying her motion for summary judgment, which the court certified for immediate review on April 23, 1998. Thomas submitted an application for interlocutory appeal, which indicates it was executed on May 4, 1998; however, it was not filed with this Court until May 7, 1998, fourteen days after the order appealed from was certified for immediate review by the trial court. 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 Thomas failed to file her 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 MAY 26 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.*

William R. Martin Clerk.

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

ATLANTA, JUNE 01, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0305
FISHMAN & COMPANY, P.C. V. DEJAN S. VOJNOVIC

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

91034
177556

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

JUN - 1 1998 JUN - 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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William R. Martin Clerk.

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

ATLANTA, JUNE 04, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0306

STEVE WILLIAMS d/b/a CHICK-FIL-A AT ROSWELL MALL V. GARY JOHNSON

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

90034

97VS0130539J

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN - 4 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.



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

ATLANTA, MAY 28, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0307
SOUTHERN GUARANTY INSURANCE COMPANY OF GEORGIA V. LAUGHINGHOUSE
WHOLESALE COMPANY, INC.

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

97034

97V0250

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 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.*

William R. Martin Clerk.

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

ATLANTA, JUNE 02, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0308

DANIEL COLEMAN, ET AL V. ARTHUR L. CROWE, JR., ET AL

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

92035

951703635

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN - 2 1998

*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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William R. Martin Clerk.

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

ATLANTA, JUNE 16, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0309

LARRY M. CHAMP V. KENNETH EUGENE WATSON, JR., ET AL

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

93-035
9627684

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUN 16 1998*

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William R. Martin

Clerk.

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

ATLANTA, JUNE 16, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0309

LARRY M. CHAMP V. KENNETH EUGENE WATSON, JR., ET AL

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

93-035
9627684

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 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.



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

ATLANTA, JUNE 09, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0310
FAYE FRENCH, ET AL V. GENEVA WILLIAMS SCOTT

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 Probate Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

94035

26639

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN -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.*

William R. Martin

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, May 22, 1998

The Honorable Court of Appeals hereby passes the following order:

COURT OF APPEALS CASE A98I0311 FREDERICK LOSINSKI V. GRABRIELE
SUMNER, ET AL

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

90-035

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 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.*

William R. Martin Clerk.

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

ATLANTA, JUNE 03, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0312
ROBERT HOWARD ALLEN V. THE STATE

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

96035

98CR00505

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

Clerk.

William L. Martin

91-035

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

ATLANTA, JUNE 02, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0313
ANGELA SALTER GLISSON V. WYETH-AYERST LABORATORIES COMPANY

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

91035
97RCSC1053

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

William R. Martin

Clerk.

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

ATLANTA, JUNE 02, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0314

TRACI DODSON V. WYETH-AYERST LABORATORIES COMPANY

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

91036

97RCSC1054

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN - 2 1998

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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, JUNE 02, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0315

JOHN F. SMITHGALL V. WORTHINGTON CAPITAL GROUP, INC.

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

99035

E61392

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

JUN -2 1998

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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, JUNE 05, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0316
DONALD EUGENE GLOVER V. THE STATE

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

97035

97RCCR1248

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN -5 1998

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*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, JUNE 16, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0317

KIMBERLY LYNN MCCAIN V. RELIANCE NATIONAL INDEMNITY COMPANY

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

92036

97V0901

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 16 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.

William R. Marti

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

ATLANTA, JUNE 15, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0318

INGLES MARKETS, INCORPORATED V. ANGELA M. YARBOROUGH

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

93036

SU97CV1110S

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 15 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.*

William R. Martini

Clerk.

Court of Appeals of the State of Georgia

JUN - 4 1998

ATLANTA,

The Court of Appeals hereby passes the following order:

A98I0319. EARL V. PARRISH, JR. v. THE STATE

Earl V. Parrish, pro se, filed this "interlocutory appeal" from an order denying his motions for substitution of counsel, for an additional evidentiary hearing, and to supplement the record. It is unclear from the application materials whether this is in fact an interlocutory appeal, since it appears that judgment and sentencing have been entered against Parrish. To the extent it is from a directly appealable judgment, Parrish was required to file a Notice of Appeal in the trial court, under OCGA § 5-6-34 (a), which he failed to do. If the order is in fact interlocutory, Parrish was required to obtain a certificate of immediate review from the trial court, which he did not do. OCGA § 5-6-34 (b). It appears the motions may constitute extraordinary motions for new trial, which must be brought by discretionary application. OCGA § 5-6-35 (7). Even if we construe Parrish's application in this regard, he has nonetheless failed to include a file stamped copy of the order appealed from, which this Court ordered him to do on May 19, 1998. See Court of Appeals Rule 32 (b). For any and all of these reasons, this

Court does not have jurisdiction to consider the appeal.
Accordingly, this application is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN - 4 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.*

William L. Martin Clerk.

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

ATLANTA, JUNE 12, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0320
INSITE V. SKB INDUSTRIES, INC.

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

98036

96VS0117563B

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

William L. Martin

Clerk.

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

ATLANTA, JUNE 09, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0321
WADE EDWARD ROBERTSON, 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.

96036
97R163

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

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William R. Martin

Clerk.

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

ATLANTA, JUNE 17, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0322
CHATTAHOOCHEE CHASE CONDOMINIUM ASSOCIATION, INC. V. FRANCINE L.
SPARACINO, ET AL

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

99036

90A193743

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 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.*

William R. Martini

Clerk.

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

ATLANTA, JUNE 12, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0323
SKB INDUSTRIES, INC. V. INSITE

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

98037

96VS0117563B

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

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Clerk.

William L. Martin

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

ATLANTA, JUNE 22, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0324

CALE BLOCKER, ET AL V. SOUTHEAST GEORGIA FARM CREDIT, ACA

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

90-036
98V90

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 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

Court of Appeals of the State of Georgia

ATLANTA, JUN - 9 1998

The Court of Appeals hereby passes the following order:

A98I0325. GRADY HEALTH SYSTEM, ET AL. v. ANNIE L. RHODES

The applicants, defendants in the case below, filed this application for interlocutory appeal of the trial court's May 5, 1998 order denying their motion for summary judgment. The trial court issued a timely certificate of immediate review on May 15, 1998. Thus, taking the Memorial Day holiday into account, the application was due on May 26, 1998. OCGA § 5-6-34 (b). The application was presented for filing after 4:00 p.m. on May 26, 1998 without the filing fee required by Court of Appeals Rule 5. Accordingly, the application was not deemed filed and docketed until the following day, May 27, 1998, when the filing fee was submitted. Court of Appeals Rule 4. Applicants filed a "Motion to Permit Docketing Based Upon Timely Filing" in which they argued that because the failure to submit the filing fee was inadvertent and was promptly corrected this court should exercise its discretion and consider the application on its merits as timely filed and timely docketed. Without a timely filed application, however, this court is without jurisdiction to consider this request for appeal. Fabe v. Floyd, 199 Ga. App. 322 (405 SE2d 265) (1991). It is the responsibility of applicants to ensure that all filing requirements are met. Accordingly, the applicants' motion is denied and their application is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN - 9 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.*

William L. Martin Clerk.

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

ATLANTA, JUNE 22, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0326

PAUL M. DAVIS V. THE STATE

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

92037

CR97187

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 22 1998

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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, JUNE 29, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0327
GEORGE SHERIDAN 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 State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

93037
98S466

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

William R. Martin Clerk.

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

ATLANTA, JUNE 16, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0328
SHARON WINBURN V. LEIGH ANN WALKER

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

94037

96A289381

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUN 16 1998*

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William R. Martini

Clerk.

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

ATLANTA, JUNE 10, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0329

JAMES LARRY HAMBY, ET AL V. DEPARTMENT OF TRANSPORTATION

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

96037

97V58823

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 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

Clerk.

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

ATLANTA, JUNE 23, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0330
DELTA AIRLINES, ET AL V. CHARLETTER P. HARGETT

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

91037

96VS0120704D

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 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.*

William R. Martin

Clerk.

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

ATLANTA, JUNE 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0331
THE FINANCE COMPANY V. DONALD L. WILLIAMS

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

99037

96CV05269B

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

William E. Martin Clerk.

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

ATLANTA, JUNE 16, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0332

MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH V. KEVIN ROTH, ET AL

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

90037

I961842F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 16 1998

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William R. Marti

Clerk.

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

ATLANTA, JUNE 23, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0333
FEDERICK LOSINSKI V. GABRIELE SUMNER, ET AL

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

97037

CV961329MO

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

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

ATLANTA, June 15, 1998

The Honorable Court of Appeals hereby passes the following order:

COURT OF APPEALS CASE A98I0334 KEITH PAUL V. THE STATE

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

92-038

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 15 1998

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the minutes of the Court of Appeals of Georgia.*

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William E. Martin Clerk.

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

ATLANTA, JUNE 22, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0335

JAMES LUCE V. GEORGE OUTLER

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

93038

CV941248KA

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 22 1998

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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, JULY 02, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0336
JAMES T. JOHNSON V. MILES W. RICH

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

94038

98CV000003

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

JUL -2 1998

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William R. Martin

Clerk.

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

ATLANTA, JULY 06, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0337
TANNER'S ROME, INC. V. MAE NELL INGRAM

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.

98038
97CV91723

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

JUL -6 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.*

William R. Martin Clerk.

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

ATLANTA, JULY 02, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0338

ATLANTA GEORGETOWN CONDOMINIUM ASSOCIATION, INC. V. LEON CHAPLIN

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.

96038

96A290531

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL -2 1998

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William R. Martini

Clerk.

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

ATLANTA, JUNE 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0339
OLD REPUBLIC UNION INSURANCE COMPANY V. FLOYD BEASLEY & SONS, INC.
ET AL

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

91038

97CV44

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

JUN 30 1998

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William R. Martin Clerk.

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

ATLANTA, JUNE 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0340

KOETS CORPORATION, ET AL V. PACES MILL CONDOMINIUM ASSOCIATION, INC.

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

99038

941681407

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 30 1998

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Clerk.

William R. Martin

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

ATLANTA, JUNE 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0341

BIBB COUNTY, GEORGIA V. CHARLES L. BEDINGFIELD, ET AL

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

90038

95CV8416

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN 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.

William L. Martin

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

ATLANTA, JUNE 26, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0342
DR. SUE SCHRADER V. KIM KOHOUT

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.

99039

95A156965

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 26 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

Clerk.

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

ATLANTA, JUNE 25, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0343

CHARLES BROWN V. THE STATE

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

97038

98S166

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 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.

William R. Martin

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

ATLANTA, JULY 13, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0344
CITY OF ATLANTA V. JOANNE GIUNTA

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

92039

97VS122877G

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUL 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
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William R. Martin

Clerk.

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

ATLANTA, JULY 10, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0345
MEDFIRST, INC., ET AL V. CHERYL LANCASTER

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

93039

97CV101675

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 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
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William R. Martin

Clerk.

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

ATLANTA, JUNE 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0346
JIMMY GRAY, ET AL V. GARY M. SHAW, ET AL

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

94039

94CV113

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 30 1998

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William L. Martin

Clerk.

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

ATLANTA, JULY 14, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0347
SCOTT WILLIAM HANSON V. THE STATE

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

98039

97B36894

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

Clerk.



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

ATLANTA, JULY 14, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0348

B.E. BENNETT, ET AL V. ADAMS PULPWOOD, ET AL

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

96039

95C81

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUL 14 1998*

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hereto affixed the day and year last above written.*

Clerk.



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

ATLANTA, JULY 02, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0349
HUDSON INGRAM V. WILLIE JAMES RUFF, 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.

91039
97CV0042

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

JUL - 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.

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

ATLANTA, JUL - 1 1998

The Court of Appeals hereby passes the following order:

A98I0350. Paul v. The State

Applicant Keith Paul, a reporter for Southeastern Newspapers Corporation, d/b/a Savannah Morning News, seeks interlocutory review of the trial court's order requiring him to respond to interrogatories posed by the State and by the defendant, Arthur Hill. Hill is charged with murder and felony murder. However, because the case on appeal involved a pre-conviction appeal in a murder case, this application is hereby TRANSFERRED to the Supreme Court as directed by that Court in State v. Thornton, 253 Ga. 524 (1) (322 SE2d 711) (1984).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL - 1 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.*

William R. Martin Clerk.

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

ATLANTA, JULY 10, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0351

RYAN M. ATTAWAY 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 State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

97039

97SR1092

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 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 E. Martin Clerk.

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

ATLANTA, JULY 10, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0352

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY V. ANNIE EDENFIELD

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.

97043

I962476F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 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 S. Martin Clerk.

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

ATLANTA, JULY 02, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0353
CANDYCE GROOM V. KALISTA JOHNSTON

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

93040
96SC317

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

William R. Martin Clerk.

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

ATLANTA, JULY 14, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0354

JOSEPH L. EURE V. CANTRELL PROPERTIES, 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.

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971417134

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

William R. Martin

Clerk.

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

ATLANTA, JULY 14, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0355
THE KROGER COMPANY V. FREDERICK HARRY SNIPES

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

98040
283548

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

Clerk.



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

ATLANTA, JULY 10, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0356

ALLTEL FINANCIAL INFORMATION SERVICES, INC., ET AL V. BARBARA A. JONES

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

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E56166

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 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.

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

ATLANTA, JUNE 30, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0357

STEVEN LEFF, M.D. V. RODERICK HARRIS, R.N.

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

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97A319951

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

William R. Martin