

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

ATLANTA, JULY 16, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0358
JOHNNY KEY HOLLIDAY V. THE STATE

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

99040

X98CR0033

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 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.

William R. Martin

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

ATLANTA, JULY 22, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0359
EZ SERVE CONVENIENCE STORES, INC. V. JIMMIE DAVIS CROWELL

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

90040

97VS0130692

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUL 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 R. McIntire

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

ATLANTA, JULY 16, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0360
OMNI H.C., INC., ET AL V. CARRIE FLORENCE, ET AL

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

97040

SU97CV4233

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

Clerk.

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

ATLANTA, JULY 22, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0361
THELBERT L. BLAXTON, ET AL V. ALEX ANDREW TYSON

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.

92041

95CV220

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 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.



Court of Appeals of the State of Georgia

ATLANTA, JUL 16 1998

The Court of Appeals hereby passes the following order:

A98I0362. TOWER FINANCIAL SERVICES, et al. v. LEVENTHAL, et al.

Since it appears that the order from which applicants seek an interlocutory appeal is a directly appealable judgment authorized under OCGA § 5-6-34 (a) (2), and since respondents advise that the applicants have already filed a timely direct appeal from that judgment, the applicants' submission is hereby DISMISSED as superfluous. We therefore do not reach the respondents' motion to transfer the application to the Supreme Court. This dismissal is without prejudice to the respondents' right to file a motion to transfer once the direct appeal is docketed. It is likewise without prejudice to the appellants' right to amend their notice of appeal and statement of jurisdiction therein as they deem appropriate in light of the arguments made in respondents' motion to transfer. See OCGA § 5-6-48 (d).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 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 E. Martin Clerk.

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

ATLANTA, JULY 21, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0363
HARRY'S FARMERS MARKET, INC. V. BETTYE R. SAYLOR

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

94041

E61304

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 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 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. A98I0364
INEZ VARNADOE V. GEORGIA POWER COMPANY

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

98041

95VS0096058

*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 27, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0365

KENTON C. KELLER, ET AL V. THE PATTON-LEGRAW COMPANY, ET AL

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

96041

971900718

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 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.

Clerk.

Will. L. Martin, Jr.

MSX

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

ATLANTA, JULY 24, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0366
HYO KIL YOON, ET AL V. JEE WOOK CHANG, ET AL

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

91041

97A362366

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

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0367
JOHN F. DAUGHTERTY, ET AL V. WYMAN JARRETT

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.

99041
97VS0131286H H

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. A98I0368
VERSICO INCORPORATED V. ENGINEERED FABRICS CORPORATION

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.

90041

96CV246

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 21, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0369
CHUMBLEY CAR COMPANY V. APRIL HEAD

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

97041

97A311703

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 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 R. Martin

Clerk.

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

ATLANTA, JULY 23, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0370
CITY OF CEDARTOWN V. LILLIAN COOPER

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

92042

96CV74911

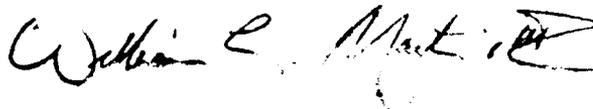
Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 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.



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

ATLANTA, JULY 13, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0371
TONY AND KRISTY CROYA V. MELISSA DOVE, ET AL

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

93042

97MV666B

*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
hereto affixed the day and year last above written.*

William R. Martineau Clerk.

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

ATLANTA, JULY 24, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0372

MICHAEL JEFFERSON WILSON V. GINGER ELIZABETH BALDWIN

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.

94042

97V425

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 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, JULY 23, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0373

WAYNE FRIER HOME CENTER OF MOULTRIE, INC. V. FREDDIE MAE GARDNER

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

98042

97CV561

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 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, JULY 27, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0374

TRAVIS PRUITT AND ASSOCIATES, P.C. V. MICHELLE A. FRANCISCO BOWLING

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.

96042

97A76954

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 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.*

Clerk.

William L. Martin, Jr.

MS

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

ATLANTA, JULY 21, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0375

GEORGIA STATE THEATERS, INC., ET AL V. SARA L. BURGESS, ET AL

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

91042

96VS0119236

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

William R. Martin

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

ATLANTA, JULY 27, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0376
WESLEYAN COLLEGE V. THOMAS WEBER

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.

99042

97CV14333

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 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.*

Clerk.

William L. Martin, Jr.

MG

Court of Appeals
of the State of Georgia

ATLANTA, JULY 29, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0377
DAVID BENNETT a/k/a KELVIN TOLBERT V. THE STATE

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

90042
Z66647

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

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

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

 Clerk.

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

ATLANTA, JULY 22, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0378
AYODEJI KEHINDE 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.

97042

98D13452

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 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 R. Martin

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

ATLANTA, JULY 27, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0379

THE STATE OF GEORGIA V. AZARAT MARKETING GROUP, INC.

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

92043

E61426

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 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.*

Clerk.

Will: L. Martin

99-043

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

ATLANTA, JULY 27, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0380
THOMAS WEBER V. WESLEYAN COLLEGE

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.

99043
97CV14333

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

Clerk.

Will: L. Marti

MS

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

ATLANTA, JUL 29 1998

The Court of Appeals hereby passes the following order:

A98I0381. EUGENE GEORGE SUDOL v. BRENDA ANN SUDOL

Eugene George Sudol brought this application for interlocutory review of the trial court's order denying summary judgment. This case involves construction and enforcement of a provision in the parties' marital settlement agreement relating to the husband's military pension. The settlement agreement was specifically incorporated by reference in the parties' final divorce decree. Because this case involves construction of a settlement agreement incorporated into a divorce decree, the Supreme Court has exclusive jurisdiction over this matter. Ga. Const. of 1983, Art. VI, Sec. VI, Par. III (6); Eickhoff v. Eickhoff, 263 Ga. 498, 499 (1) (435 SE2d 914) (1993). Cf. Holler v. Holler, 257 Ga. 27 (354 SE2d 140) (1987); Quillen v. Quillen, 265 Ga. 779 (462 SE2d 750) (1995). This application is accordingly TRANSFERRED to the Supreme Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 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. McE...
Clerk

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

ATLANTA, JUL 16 1998

The Court of Appeals hereby passes the following order:

A98I0382. CITY OF ALBANY, GEORGIA, et al. v. FRANCES JACKSON CLARK
a/k/a MOLLIE CLARK

Upon consideration of appellee's Motion to Withdraw the above-styled case, said motion is hereby granted.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 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, JULY 28, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0383

THE STATE OF GEORGIA V. AZARAT MARKETING GROUP, INC.

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

92044

E61426

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 28 1998

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

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

Clerk.

Willie L. Martin, Jr.

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

ATLANTA, AUGUST 13, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0384

JOHN DAVID MCNELLEY V. THE STATE

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

98-043
97CR02870E

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

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

ATLANTA, AUGUST 13, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0384

JOHN DAVID MCNELLEY V. THE STATE

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

98-043
97CR02870E

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 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 E. Martin Clerk.

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

ATLANTA, JULY 29, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0385

IN RE: KEITH PAUL

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

90043

CR971075FR

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

JUL 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 S. Martin Clerk.

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

ATLANTA, AUGUST 19, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0385

IN RE: KEITH PAUL

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

90-043
CR971075FR

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 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.*

Clerk.

William R. Martin

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

ATLANTA, JULY 29, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0386
MELISSA DOVE, ET AL V. TONY CROYA, ET AL

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

93044

97MV666B

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

JUL 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 L. Martin Clerk.

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

ATLANTA, AUGUST 03, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0387

DWAYNE HORTON V. THE STATE

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

96043

CR971968

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

William L. Martin

Clerk.

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

ATLANTA, JULY 28, 1998

The Court of Appeals hereby passes the following order:

**A98I0388. CITY OF WILLIAMSON, GEORGIA, et al v. TITAN INDEMNITY
COMPANY**

The City of Williamson, Georgia seeks an interlocutory appeal to this Court from an order denying its motion for summary judgment entered on June 26, 1998. 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 signed a certificate of immediate review in a timely fashion on July 2, 1998, the certificate was not filed with the clerk until July 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 the City of Williamson's application for appeal. Accordingly, the application is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta **JUL 28 1998**

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

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

Clerk.

Willie L. Martin, Jr.

92-044R

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

ATLANTA, JULY 27, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0389
ATLANTA BOARD OF EDUCATION V. MELANIE HUNT

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

92044
97VS122785D

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

JUL 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.*

Clerk.

Willie L. Martin, Jr.

WJ

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

ATLANTA, AUGUST 05, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0390
HERBERT OSTEN COOPER, ET AL V. THE STATE

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

94044
98CR16

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

AUG - 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 R. Martin Clerk.

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

ATLANTA, AUGUST 13, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0391

THE FULTON-DEKALB HOSPITAL AUTHORITY d/b/a/ GRADY MEMORIAL HOSPITAL
V. OLD FASHION FOODS, INC.

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

98-044
E65419

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 13 1998

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

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

Clerk.

William R. Martin

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

ATLANTA, AUGUST 13, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0391

THE FULTON-DEKALB HOSPITAL AUTHORITY d/b/a/ GRADY MEMORIAL HOSPITAL
V. OLD FASHION FOODS, INC.

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

98-044
E65419

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 13 1998

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

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

Clerk.

William R. Martin

Court of Appeals of the State of Georgia

ATLANTA,

AUG -5 1998

The Court of Appeals hereby passes the following order:

A98I0392. LEE, et al. v. FREEMAN, et al.

Applicants filed an application for interlocutory appeal from an order granting plaintiffs' motion for partial summary judgment. By order issued July 14, 1998, this court directed applicants to submit a stamped "filed" copy of the certificate of immediate review within ten days and were further advised that a failure to comply would result in the dismissal of their application. Applicants failed to comply, but instead filed a motion to have the application treated as one for discretionary appeal, stating that "the Application inadvertently cites OCGA § 9-11-34 (b) [sic] as the basis of the appeal, when the appropriate code section would be OCGA § 9-11-35 (b)." [sic] However, applicants' statement of the "nature of appeal and application" on page 4 of the application and the citation referenced therein plainly contradict applicants' assertion that the reference to the interlocutory appeal provision was merely "inadvertent." Moreover, there appears to be no colorable basis for applicants to believe the discretionary appeal procedure is required in this case, and applicants offer none. The applicants' motion to modify application is therefore denied.

The applicants' failure to submit a certificate of immediate review is alone sufficient to subject the applicants' submission to

dismissal under OCGA § 5-6-34 (b) and Court of Appeals Rule 7. It is noted, however, that the judgment at issue appears to be directly appealable under OCGA § 9-11-56 (h). The interlocutory appeal procedure is appropriate only where the order complained of is not otherwise subject to direct appeal. Accord Artis v. Gaither, 199 Ga. App. 114-115 (404 SE2d 322) (1991). For the foregoing reasons, the application is hereby DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG - 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 R. Martin

Clerk.

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

ATLANTA, AUGUST 28, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0393
PLANTATION PROPANE, INC. V. JIMMY L. STRICKLAND, ET AL

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

91044

96CV196

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

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

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

Will. L. Mat, III Clerk.

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

ATLANTA,

JULY

28, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0394
JAMES LAWSON v. SHARON COFIELD

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

99044

SC97CV221

Court of Appeals of the State of Georgia
JUL 28 1998
Clerk's Office, Atlanta

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

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

Clerk.

William R. McIntire

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

ATLANTA, AUGUST 03, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0395
LONNIE BURNS V. THE STATE

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

90044

CR971968BA

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

William R. Martin Clerk.

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

ATLANTA, JULY 16, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0396
GEORGIA DEPARTMENT OF HUMAN RESOURCES V. ROSE HERRING

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

97044

98CV1075

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

JUL 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, August 3, 1998

The Court of Appeals hereby passes the following order:

A98I0397. MARTIN v. MARTIN.

Susan Martin seeks an interlocutory appeal from the order of the superior court vacating and setting aside a decree of divorce. We find the order appealed from to be squarely within the divorce and alimony jurisdiction of the Supreme Court. Ga. Const. of 1983, Art. VI, § VI, ¶ III (6). Martin's application is therefore TRANSFERRED to the Supreme Court for disposition.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG - 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.*

William R. Martin Clerk.

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

ATLANTA, AUGUST 05, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0398
PERLIN A. ALDRIDGE V. WINSOR FRANCLIN

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

93045

95A930611

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG - 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 R. Martin

Clerk.

Court of Appeals of the State of Georgia

AUG - 4 1998

ATLANTA, AUG - 4 1998

The Court of Appeals hereby passes the following order:

A98I0399. IMMEDIATE MED, P. C., et al. v. COTTINGHAM

Immediate Med, P. C., seeks an interlocutory appeal from an order denying summary judgment entered June 22, 1998. The trial court issued a certificate of immediate review signed and filed 14 days later on July 6, 1998. The certificate states that it is entered "nunc pro tunc July 2, 1998." However, "[a] nunc pro tunc entry of certificate for immediate review cannot revive a right of appeal which has expired. [Cit.]" Whitlock v. State, 124 Ga. App. 599, 601 (1) (185 SE2d 90) (1971). Since no certificate of immediate review was filed with the clerk within ten days of the entry of the order complained of as is required under OCGA § 5-6-34 (b), this court is without jurisdiction to consider the application and it is hereby DISMISSED. See generally Turner v. Harper, 231 Ga. 175 (200 SE2d 748) (1973).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG - 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 E. Martin Clerk.

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

ATLANTA, AUGUST 11, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0400
GARY VINCENT V. EDWIN LONGWATER

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

98045

CV950619MO

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 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 L. Martine

Clerk.

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

ATLANTA, AUGUST 11, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0401

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY V. EDWIN LONGWATER

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

98046

CV950619MO

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

AUG 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.*

Clerk.

William R. Martin

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

ATLANTA, AUGUST 03, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0402

KAPLAN-WALKER INSURANCE SERVICES, INC., ET AL V. KUO L. LEE, ET AL

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

96045

95CV6957

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

William L. Martin

Clerk.

Court of Appeals of the State of Georgia

ATLANTA, AUG - 3 1998

The Court of Appeals hereby passes the following order:

A98I0403. KELLETT ET AL V. MACCONOCHIE

Petitioners filed this application seeking an appeal of the trial court's order denying their motion to compel arbitration in this minority shareholder's action. Because there is evidence the petitioners waived or abandoned their right to arbitration, the trial court did not abuse its discretion in denying the motion.

Respondent Francis MacConochie filed suit against the petitioners in September of 1996. Petitioners did not assert in their answer any defense regarding arbitration and, in fact, filed counterclaims. The parties conducted extensive discovery and litigated the merits of a temporary restraining order. In February of 1997, the petitioners moved for summary judgment, subjecting the dispute to a resolution on the merits. The motion was denied. The parties then agreed to mediate in June of 1997, but mediation failed. In early 1998, the parties filed several pre-trial motions. Arbitration was not mentioned. In March of 1998, the case appeared on a trial calendar. Though disputed, there is some evidence that attorneys answering the call announced ready for trial. In May, the court specially set the case for trial on

August 24, 1998. Only after this imminent trial date was set to finally resolve this dispute did petitioners move to compel arbitration.

"An agreement to arbitrate is waived by any action of a party which is inconsistent with the right of arbitration." St. Paul Fire & Marine Ins. Co. v. Barge, 225 Ga. App. 392, 393 (483 SE2d 883) (1997). In this case, the petitioners were not simply defending themselves until they had the opportunity to arbitrate. Rather, they aggressively pursued counterclaims and engaged in a year and a half of discovery. Most importantly, though, by subjecting the suit to resolution on the merits both by filing a motion for summary judgment and by indicating their readiness for trial by filing pre-trial motions and announcing ready for trial, the petitioners indicated they were willing to accept the court's, as opposed to an arbitrator's, judgment. Those actions are inconsistent with the right to arbitrate. Consequently, petitioners either waived or abandoned their right to arbitrate. Id.; Tillman Group, Inc. v. Keith, 201 Ga. App. 681 (411 SE2d 794) (1991); McCormick-Morgan, Inc. v. Whitehead Elec. Co., 179 Ga. App. 10 (345 SE2d 53) (1986). The trial court properly denied the motion.

The application for interlocutory appeal is DENIED.

Court of Appeals of the State of Georgia

AUG - 3 1998

Clerk's Office, Atlanta

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

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

Clerk.

William R. Martin

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

ATLANTA, AUGUST 13, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0404
IN THE INTEREST OF E.J.P., A CHILD

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

99045
15570302

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

AUG 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 S. Martin Clerk.

Court of Appeals of the State of Georgia

ATLANTA, AUG 18 1998

The Court of Appeals hereby passes the following order:

A9810405. RACETRAC PETROLEUM, INC. v. KIMBERLY D. STIGALL

Racetrac Petroleum, Inc. filed this application for interlocutory appeal from the trial court's order denying its motion for summary judgment. The trial court certified its order for immediate review on July 6, 1998, and the application was filed with this Court on July 20, 1998, fourteen days after entry of the certificate for immediate review. OCGA § 5-6-34 (b) requires applications for interlocutory appeal to be filed within ten days of the date of entry of the certificate of immediate review. Accordingly, the application is untimely, which deprives this Court of jurisdiction to consider the appeal. Graves v. Dean, 166 Ga. App. 186 (303 SE2d 751) (1983). The application for interlocutory appeal is thus DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 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, AUGUST 07, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0406
SYNERGY INSURANCE SERVICES, INC., EET AL V. COMMERCIAL CASUALTY
INSURANCE COMPANY OF GEORGIA

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

97045

98A01946

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG -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.

William R. Martin

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

ATLANTA, AUGUST 11, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0407

THE SCRUGGS COMPANY V. RICHARD ROCHETTE, SR., as surviving spouse of
SHERRY JANE ROCHETTE, deceased

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

92046

95SCV396

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 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, AUGUST 17, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0408
THE SCRUGGS COMPANY V. STACY TISON

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

93046

97SCV32

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

Clerk.

William R. Martin

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

ATLANTA, AUGUST 04, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0409

ROBERT W. CUSHNER, D.P.M., ET AL V. NORMA R. SMITH

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

94046

1B96CV112W

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG - 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.

William R. Martin

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

ATLANTA, AUGUST 03, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0410
GARY ASBURY V. RALSTON, SMITHERMAN & SHEPHERD, P.C. d/b/a RALSTON
& ASSOCIATES, CERTIFIED PUBLIC ACCOUNTANTS

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

96046

70109T

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG - 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.*

William R. Martin

Clerk.

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

ATLANTA, AUGUST 20, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0411
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.

91046

96V928

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

Clerk.

William R. Martin

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

ATLANTA, AUGUST 24, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0412

THE STATE V. ANTONIO GLENN

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.

99046

98R080

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 24 1998

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

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

Clerk.

William L. Martin, III

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

ATLANTA, AUGUST 11, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0413

MARIE NEWTON V. CAROL HARRIS

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

90046

97V0482

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 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.*

Clerk.

William R. Martin

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

ATLANTA, AUGUST 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0414
KAY KEELIN HIBBARD V. MICHAEL JOSEPH KLINE

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

97046

E68614

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta AUG 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, AUGUST 26, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0415
POSTON PROPERTIES, INC. V. CITY OF POWDER SPRINGS, GEORGIA ET AL

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

92047

931336828

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

Will. L. Mart, III

Clerk.

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

ATLANTA, AUGUST 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0416
NANCY HAYNES BAUGHAN V. ABDELMAJID MOULAY ALAOU

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.

93047

97VS0135247D

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 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, AUGUST 24, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0417
JAMES H. WOOD, M.D. , ET AL V. SHARON W. TURNER, ET AL

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

94047

97VS134898G

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

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

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

Clerk.

Will. L. Martini, III

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

ATLANTA, AUGUST 28, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0418

TENNISON & ASSOCIATES, INC. ET AL V. SPRADLING PROPERTIES, INC. d/b/a/
CHUCK'S SUPERVALU, ET AL

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

98047

96VS110567D

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

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, AUGUST 25, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0419

JAMES M. CASWELL, JR., ET AL V. HARRY W. ANDERSON, JR., ET AL

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

96047

E58832

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 25 1998

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, AUGUST 14, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0420

INTERSTATE DEVELOPMENT SERVICES OF LAKE PARK, GEORGIA, INC. V. VIJAY
PATEL

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

91047

9257

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

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

ATLANTA, AUGUST 26, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0421
DOROTHY REBHAN, ET AL V. LOUISE B. NAILS

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

99047

1195S1132

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 26 1998

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

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

Clerk.

William L. Martin, III

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

ATLANTA, AUGUST 26, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0422
DOROTHY REBHAN, ET AL V. LOUISE B. NAILS

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

99048

1195S1132

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

Will. L. Martin, III Clerk.

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

ATLANTA, AUGUST 31, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0423
VICTOR RIOS-DELPOTAL V. THE STATE

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

90047
98CR222

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

AUG 31 1998

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, AUGUST 18, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0424

KENNETH CORNWELL, ET AL V. USA WASTE OF GEORGIA, INC., ET AL

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

97047

98VS136991A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 18 1998

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

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

Clerk.

William R. Martin

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

ATLANTA, AUGUST 27, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0425
LOWES HOME CENTER, INC. d/b/a/ LOWES OF SOUTH SAVANNAH #403 V.
WILLIAM DAVIS

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

96049

I962176G

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 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.*

Clerk.

Will. L. Martin, III

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

ATLANTA, SEPTEMBER 02, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0426

TOTAL VENDING SERVICES, ET AL V. TOM'S AMUSEMENT CO., INC.

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

93048

06VS0116144

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

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, AUGUST 28, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0427
AUBREY JOE SMITH, ET AL V. THE STATE

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

94048

97MR163B

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

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

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

Will. L. Martin, III

Clerk.

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

ATLANTA, AUGUST 19, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0428

BEVERLY HEALTH AND REHABILITATION SERVICES, INC., ET AL V. RANDOLPH
JACKSON

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

98048

97V0243

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 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.*

Clerk.

William R. Martin

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

ATLANTA, SEPTEMBER 01, 1998

The Court of Appeals hereby passès the following order:

APPLICATION NO. A98I0429
CITY OF CUTHBERT V. CHARLIE N. SMITH

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

96048

95V101

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

SEP - 1 1998

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, SEPTEMBER 01, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0430
SUSAN DIANNE DENNIS V. THE STATE

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

91048

98D00803

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

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

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

Will. L. Martin, III Clerk.

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

ATLANTA, AUGUST 31, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0431

ANGELA GREEN V. JACK BARTON

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.

90048

98HCV262B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 31 1998

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, SEP - 1 1998

The Court of Appeals hereby passes the following order:

A98I0432. HYMAN v. STATE

Algernon Hyman applied to this Court for interlocutory review of the trial court's order denying his motion to dismiss the indictment in this prosecution for murder. The Supreme Court, however, has directed this Court to transfer to it "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, Hyman's application is ordered TRANSFERRED to the Supreme Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP - 1 1998

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

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

Will. L. Mart,  Clerk.

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

ATLANTA, SEPTEMBER 10, 1998

The Court of Appeals hereby passes the following order:

APPLICATION NO. A98I0433

SIDNEY WHITLEY d/b/a ROADRUNNERS STORE V. E.D. MOORE, ET AL

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

92049

98V122

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 10 1998

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

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

Will. L. Martin, III Clerk.

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

ATLANTA, SEPTEMBER 25, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0434

MARRIOTT INTERNATIONAL, ET AL V. SCHATAR S. WHITE

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

93-049
97VS0128147

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 25 1998

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

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

Will. L. Martin, III

Clerk.

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

ATLANTA,

SEPTEMBER 25, 1998

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A98I0434

MARRIOTT INTERNATIONAL, ET AL V. SCHATAR S. WHITE

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

93-049
97VS0128147

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 25 1998

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

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

Clerk.

Will L. Martin, III