

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

ATLANTA, SEPTEMBER 08, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0001

THE TERRY-RICHARDS COMPANY V. BOB E. NEAL, ET AL

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

92001

95CV164

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP - 8 1999

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, SEPTEMBER 10, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0002

PATRICK FLORENCE V. THE STATE

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

94001

99R077

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 10 1999

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Clerk.

Will. L. Mart, III

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

ATLANTA, SEPTEMBER 15, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0003
CRAIG PAULINUS CLAY V. THE STATE

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

95001

98CR135C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 15 1999

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Clerk.

Will L. Martin, III

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

ATLANTA, SEPTEMBER 15, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0004
CRAIG PAULINUS CLAY V. THE STATE

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

95002

98CR137C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 15 1999

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hereto affixed the day and year last above written.*

Clerk.

Will L. Martin, III

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

ATLANTA, SEPTEMBER 03, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0005

MICHAEL TAYLOR 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.

98001

99CR208

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP - 3 1999

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will. L. Martin, III

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

ATLANTA, SEPTEMBER 10, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0006
ADRIAN DIRK WILSON V. THE STATE

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

96001

CR99004081

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 10 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, SEPTEMBER 13, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0007
WALTER W. ULLENGREN V. THE STATE

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

90001
99SR213

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 13 1999

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Clerk.

Will L. Martin, III

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

ATLANTA, SEPTEMBER 14, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0008

J.H. HARVEY COMPANY, INC. V. RUTH T. WATERS

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.

97001

S97V051

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 14 1999

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will. L. Martin, III

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

ATLANTA, SEPTEMBER 10, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0009

SWASCO CORPORATION, D/B/A METROPOLITAN CLUB V. CARMEN JOHNSON, ET AL

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

99001

98A481913

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 10 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, AUG 30 1999

The Court of Appeals hereby passes the following order:

A00I0010. Canberg v. City of Toccoa, Georgia

Robert and Kay Canberg filed this application for interlocutory appeal following the trial court's grant of partial summary judgment to the City of Toccoa, Georgia. However, grants of partial summary judgment are directly appealable under OCGA § 9-11-56 (h). The interlocutory appeal requirements apply only for orders not otherwise subject to direct appeal. OCGA § 5-6-34 (b). It follows that the only appropriate method of appeal is by filing a notice of direct appeal in the superior court. Accordingly, this application for interlocutory appeal is DISMISSED.

The Canbergs may directly appeal the partial grant of summary judgment if a notice of direct appeal is filed with the trial court within 30 days of the entry of the order they seek to appeal.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 30 1999

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

W. L. Martin, III
Clerk.

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

ATLANTA, SEPTEMBER 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0011
ROOSEVELT DOTSON V. THE STATE

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

71001
99CR208

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 22 1999

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will L. Martin, III

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

ATLANTA, SEPTEMBER 15, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0012

JOHN F. PERRY, EXECUTOR OF THE ESTATE OF RICHARD C. PERRY V.
SELF-REALIZATION FELLOWSHIP

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

91001

169476

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 15 1999

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Clerk.

Will L. Mart, III

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

ATLANTA, SEPTEMBER 15, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0013

DEREK BRANTLEY V. THE STATE

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

93001

99CR218

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 15 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, SEPTEMBER 24, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0014

SGB CONSTRUCTION SERVICES, INC. V. LEON STALEY, JR.

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

92002

97VS0130973

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 24 1999

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, SEPTEMBER 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0015

EDWIN C. POSS, INC., D/B/A CENTURY 21 POSS REALTY V. C. LLOYD CLAY

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

94002

98CV292W

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 22 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, SEPTEMBER 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0016

C. LLOYD CLAY V. EDWIN C. POSS, INC. D/B/A CENTURY 21 POSS REALTY

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

94003

98CV292W

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 22 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, SEPTEMBER 29, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0017

GRIFFIN DEALERSHIP GROUP, INC. D/B/A GRIFFIN HONDA/TOYOTA, ET AL V.
CHARLES ROUNTREE

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

98002

98SV282

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 29 1999

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Clerk.

Will. L. Mart, III

Court of Appeals of the State of Georgia

ATLANTA, SEP 22 1999

The Court of Appeals hereby passes the following order:

**A00I0018. IN THE MATTER OF: THE ESTATE OF KATRINA v. WILLIAMS,
DECEASED**

Applicant Bobby Goolsby, Director Income Tax Division, Georgia Department of Revenue, filed both an application for interlocutory review and a notice of direct appeal of the order denying his motion to quash a subpoena duces tecum in the above-captioned case. Goolsby informed this court that he filed the application out of an abundance of caution and that he is entitled to a direct appeal under the holding of In Re Keith Paul, 270 Ga. 680 (513 SE2d 219) (1999).

The facts relevant to the denial of his motion to quash are as follows. After the death of Katrina Williams, Mack Lester filed an application to appoint himself as administrator of her estate. Lester claimed that he was Williams' surviving common law husband. Williams' mother filed a caveat to his application and caused a subpoena duces tecum to be served on Goolsby directing him to appear in court with several of Williams' state income tax returns. Goolsby filed a motion to quash the subpoena. He argued that the returns were privileged under § 48-7-60 and not subject to disclosure. He also argued that a probate court can not issue a proper judicial order directing the release of a state income tax return unless the information sought to be disclosed is directly in issue in the case. See Garrett v. State, 242 Ga. 322, 324 (2) (253 SE2d 741) (1979). The trial court denied the motion to quash.

Because of the collateral nature of the motion to quash, Goolsby who is not a party to the underlying action should not have to wait until the case is concluded before appealing the order denying his motion to quash. The order denying the motion, which by implication rejects Goolsby's claim of privilege, is a final order that is not directed toward any party to the underlying action. The issue of whether Goolsby should be compelled to disclose the state income tax returns in compliance with the subpoena is separate from the principle issue in the underlying suit. The legislative purpose of OCGA § 48-7-60 is to encourage voluntary and truthful reporting of income by insuring confidentiality. See Garrett, supra. This significant public interest would be irreparably harmed if review of the order denying the motion to quash had to await the conclusion of the trial. By that time, either the information in the return would have been disclosed or the public official would have risked being held in contempt to protect it. In re Keith Paul, supra, is controlling and Goolsby is entitled to proceed with his direct appeal under the collateral order exception to the final judgment rule. See *id.* at 683. Because Goolsby is entitled to directly appeal the order denying his motion to quash, this application is dismissed. See Artis v. Gaither, 199 Ga. App. 114 (404 SE2d 322) (1991).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 22 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, SEPTEMBER 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0019

LA PETITE ACADEMY, INC., ET AL V. FREDERICK TURNER, 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.

90002

98VS0139913C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 23 1999

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will. L. Martin, III

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

ATLANTA, SEPTEMBER 28, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0020
SAMUEL KEVIN DENNARD 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.

97002
98C24961L

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 28 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, SEPTEMBER 16, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0021

JORDAN B. KIMMEL V. THE STATE

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

99002

99F170

99F171

99M408

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 16 1999

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will. L. Martin, III

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

ATLANTA, NOVEMBER 03, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A00I0022

RED TOP MOUNTAIN ASSOCIATES, L.P. V. GEORGIA POWER COMPANY

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

70-002
CV991312

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV - 3 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, SEPTEMBER 29, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0023

ALFRED HARRIS V. THE STATE

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

71002

98CR39503

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 29 1999

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Clerk.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, SEP 24 1999

The Court of Appeals hereby passes the following order:

A00I0024. THE HOME PLACE, INC. v. LEROY ADKINSON, ET AL.

The Home Place, Inc. filed an application for interlocutory review of the trial court's order granting a motion to stay arbitration and for preliminary injunctive relief submitted by respondents LeRoy Adkison and Gloria Adkison. The superior court entered the order, and granted a certificate of immediate review on August 11, 1999. The Home Place, Inc.'s application for appeal was filed 21 days later on September 1, 1999.

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

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 24 1999

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

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

ATLANTA, OCTOBER 04, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0025

SKY SHOTS AERIAL PHOTOGRAPHY, INC. V. MICHAEL WALLS, D/B/A
STUDIO BY DESIGNS, ET AL

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

93002

96VS0121646J

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT - 4 1999

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will. L. Martin, III

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

ATLANTA, SEPTEMBER 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0026

BP EXPLORATION & OIL, INC. V. CAL-GEO INVESTMENT COMPANY, INC., ET AL

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

92003

98C04233

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 23 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, SEPTEMBER 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0027

ALLTEL MOBILE COMMUNICATIONS OF GEORGIA, INC. V. WILL D. WARE

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

95003

1999CV08584

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 23 1999

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hereto affixed the day and year last above written.*

Clerk.

Will D. Ware, III

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

ATLANTA, SEPTEMBER 29, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0028

THE KROGER COMPANY V. ELLIOT E. THOMPSON, ET AL

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

98003

1E99CV105W

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 29 1999

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

Clerk.

Will. L. Mart, III

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

ATLANTA, SEPTEMBER 29, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0029

ELIZABETH ARMSTRONG CRAWFORD, ET AL V. MELIEKA LEAN LEWIS, 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.

96003

98A416932

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 29 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, OCTOBER 06, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0030

HABERSHAM INVESTMENT & DEVELOPMENT CORP. V. COWART LAKE VENTURES, L.P.

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

90003

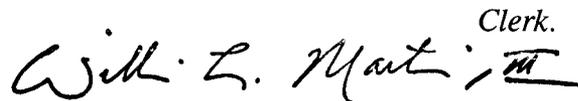
96VS0115124E

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT - 6 1999

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Will L. Mart ^{Clerk.} 

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

ATLANTA, SEPTEMBER 28, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0031
RICHARD P. EWELL V. CHEROKEE COUNTY

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.

97003

NONE

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta SEP 28 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, OCTOBER 01, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0032

HOLIDAY INNS, INC., D/B/A CROWNE PLAZA RAVINIA V. MARY JOAN SIMS, ET
AL

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

99003

97A402115

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT - 1 1999

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

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

ATLANTA, OCTOBER 05, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0033

M.J.E. CORP., ET AL V. GEORGIA POWER COMPANY

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

70003

98A74683

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT -5 1999

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Mat, III

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

ATLANTA, OCTOBER 06, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0034
MCCONNELL HOMES, INC. V. ALBERT FERIA

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.

71003
98VS0146420D

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT -6 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, OCTOBER 07, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0035

TRAVELERS CASUALTY & SURETY COMPANY V. TRIATEK, INC., ET AL

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

91003

E47781

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT -7 1999

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Clerk.

Will. L. Mart, III

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

ATLANTA, OCTOBER 05, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0036

LEASEWAY MOTORCAR TRANSPORT, ET AL V. ZANE BOGENSHUTZ, ET AL

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

93003

97VS0126931F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT -5 1999

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

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

Clerk.

Will. L. Mart, III

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

ATLANTA, SEPTEMBER 30, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0037
EDWIN H. MORGAN, JR. V. ELLEN T. PETRY

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

92004

E1998CV02932

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

SEP 30 1999

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, OCTOBER 07, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0038
AMY JAMES V. SAFARI ENTERPRISES, 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.

94004

98CV69314 S99I1739

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT -7 1999

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

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Clerk.

Will. L. Martin, III

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

ATLANTA, OCTOBER 13, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0039
JOSEPH M. HART V. DONNA JOANN CONNER

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

95004

99A01442 S99I1770

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

OCT 13 1999

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, OCTOBER 08, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0040

CANDLER HOSPITAL, INC., ET AL V. DONALD WILSON, ET AL

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

98004

CV971072BR

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT - 8 1999

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, OCTOBER 05, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0041
PEGGY MAY WILLIAMS, AS ADMINSTRATOR OF THE ESTATE OF, JOHN S.
WILLIAMS V. JEREMY W. JOHNSON, ET AL

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

96004

98VS01437650

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT - 5 1999

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, OCTOBER 14, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0042
WILLIAM L. BONNER V. THE STATE

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

90004

99M1559

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 14 1999

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, OCT -6 1999

The Court of Appeals hereby passes the following order:

A00I0043. TRAVIS L. ENMON v. THE STATE.

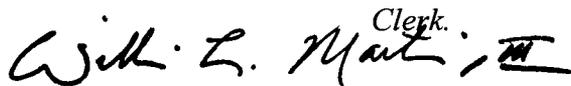
Under the provision of OCGA § 5-6-34 (b), a certificate of immediate review must be entered within ten days of the date of entry of the order sought to be appealed. The order sought to be appealed in this case was entered on August 24, 1999 but the certificate of immediate review was not duly entered until it was filed on September 13, 1999. Thus, this court does not have jurisdiction to grant this application and it is hereby dismissed. Turner v. Harper, 231 Ga. 175, 176 (200 SE2d 748) (1973); accord Von Waldner v. Baldwin/Cheshire, Inc., 133 Ga. App. 23, 24 (2) (1974).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT -6 1999

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Will. L. Mart, ^{Clerk.} 

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

ATLANTA, OCTOBER 15, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0044

TERON, INC., D/B/A HAIR REPLACEMENT SYSTEMS OF ATLANTA, ET AL V.
ROBERT REGARD

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

99004

98VS0136699A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 15 1999

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, OCTOBER 14, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0045

AMERICAN MEDICAL TRANSPORT GROUP, INC. V. GLO-AN, INC.

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

70004

96VS0110757D

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 14 1999

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Mart, III

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

ATLANTA, OCTOBER 06, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0046

WILLIAM WESLEY HENRY, ET AL V. JAMES SAMUEL PARK, II, ET AL

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

71004

98A458655

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT -6 1999

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Mart

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

ATLANTA, OCTOBER 18, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0047

STEPHEN LARI, M.D. V. ELAINE KENNEDY, M.D.

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

91004

E43887

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 18 1999

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

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

Will. L. Mart, III

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

ATLANTA, OCTOBER 14, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0048

BRENDA S. DEAN, AS ADMINSTRATRIX AND AS SURVIVING SPOUSE OF CHARLES
E. DEAN V. TABSUM, 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.

93004

99SUCV51

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 14 1999

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the minutes of the Court of Appeals of Georgia.*

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

Will L. Martin, III

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

ATLANTA, OCTOBER 15, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0049
ALLSTATE INSURANCE COMPANY V. LORETTA HAMLER

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

92005

97VS0131242A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 15 1999

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, OCTOBER 20, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0050
TONY LESTER SANDERS V. THE STATE

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

94005

99B016237

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 20 1999

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, OCTOBER 15, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0051

ELAINE L. JACKSON, AS ADMINISTRATRIX OF THE ESTATE OF JAMES EDWIN
JACKSON, DECEASED, ET AL V. GARY BURGESS, 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.

95005

96A27374

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 15 1999

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will. L. Martin, III

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

ATLANTA, OCT -8 1999

The Court of Appeals hereby passes the following order:

A00I0052. BRET A. TILLMAN v. THE STATE

Bret A. Tillman filed an application for interlocutory review of the trial court's order denying his motion to suppress evidence. The superior court entered the order on August 10, 1999, and granted a certificate of immediate review on August 20, 1999. Tillman's application for appeal was filed 28 days later on September 17, 1999.

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

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT -8 1999

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the minutes of the Court of Appeals of Georgia.*

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

Will. L. Martini, III
Clerk.

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

ATLANTA, OCT -5 1999

The Court of Appeals hereby passes the following order:

A00I0053. COLUMBUS ALLEN, JR. v. GAIL WATSON BLAND.

Under the provision of OCGA § 5-6-34 (b), a certificate of immediate review must be entered within ten days of the date of entry of the order sought to be appealed. The order sought to be appealed in this case was entered on June 23, 1999 but the certificate of immediate review was not entered until it was filed on September 8, 1999. Thus, this court does not have jurisdiction to grant this application and it is hereby dismissed. Turner v. Harper, 231 Ga. 175, 176 (200 SE2d 748) (1973); accord Von Waldner v. Baldwin/Cheshire, Inc., 133 Ga. App. 23, 24 (2) (1974).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT -5 1999

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Will. L. Mart, ^{Clerk.} 

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

ATLANTA, OCTOBER 14, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0054

DOUGLAS S. LEMAN, ET AL V. JACKY JONES FORD OF BLUE RIDGE, INC.

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

90005

98V469

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 14 1999

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, OCTOBER 21, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0055
ARTURO H. SANCHEZ V. MARY WOOTEN

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

97005

99A573005

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 21 1999

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, OCT -5 1999

The Court of Appeals hereby passes the following order:

A00I0056. Collins v. Torres

Wilson D. Collins and Kristi T. Collins filed this application for interlocutory review of the trial court's dismissal of one count of a multi-count complaint against J. Joseph Kennedy. The order Collins seeks review of was entered by the trial court on September 3, 1999. A certificate of immediate review was obtained by order entered September 10, 1999. This application was filed on September 23, 1999. However, an application for interlocutory review must be filed within 10 days after the grant of a certificate of immediate review. OCGA § 5-6-34 (b). In this case, Collins did not file this application until 13 days after the grant of the certificate of immediate review. Thus, this application is untimely and this Court lacks jurisdiction to consider it. Accordingly, this application is ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT -5 1999

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the minutes of the Court of Appeals of Georgia.*

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

William L. Martin Clerk.

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

ATLANTA, OCTOBER 14, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0057

SAFECO INSURANCE COMPANY OF AMERICA, INC. V. SERGE D. SELLEM, ET AL

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

70005

98VS0145967

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 14 1999

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will. L. Martin, III

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

ATLANTA, OCTOBER 19, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0058
ACE TREE SURGERY, INC. V. TERRY PHILLIPS D/B/A ACE TREE SERVICE

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

71005

98CV1055

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 19 1999

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martini, III

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

ATLANTA, OCTOBER 25, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0059

GEORGIA DEPARTMENT OF TRANSPORTATION V. JAMIE BISHOP

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

91005

96A223542

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 25 1999

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

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

Clerk.

Will L. Mont, III

Court of Appeals of the State of Georgia

ATLANTA, OCT 15 1999

The Court of Appeals hereby passes the following order:

A00I0060, A00I0062. STINSON v. THE STATE, and vice versa.

In application no. A00I0060, James Terry Stinson seeks interlocutory review of an order denying consideration of his motion in limine. Because the trial court has an absolute right to refuse to reach the merits of a motion in limine before trial, Stinson's application for appeal is DENIED. Accord State v. Johnston, 249 Ga. 413, 415 (3) (291 SE2d 543) (1982).

In application no. A00I0062, the State seeks immediate review of an order granting Stinson's motion to suppress two videotaped statements on the ground that the statements were illegally obtained. The State's application was not timely filed within ten days from the filing of the certificate of immediate review as required under OCGA § 5-6-34 (b). We therefore lack jurisdiction to consider it. Furthermore, an order granting a motion to suppress evidence as illegally obtained is directly appealable by the State. OCGA § 5-7-2; State v. Blossfield, 165 Ga. App. 111 (1) (299 SE2d 588) (1983). Therefore the interlocutory appeal procedure is not applicable here. State v. Medley, 205 Ga. App.

427 (422 SE2d 677) (1992). For the foregoing reasons, the State's application is hereby DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 15 1999

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

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

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

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

ATLANTA, OCTOBER 12, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0061
WILLIAM JACKSON GILBERT V. THE STATE

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

92006

99C25492

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 12 1999

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

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

Clerk.

Will. L. Martini, III

Court of Appeals of the State of Georgia

ATLANTA, OCT 15 1999

The Court of Appeals hereby passes the following order:

A00I0060, A00I0062. STINSON v. THE STATE, and vice versa.

In application no. A00I0060, James Terry Stinson seeks interlocutory review of an order denying consideration of his motion in limine. Because the trial court has an absolute right to refuse to reach the merits of a motion in limine before trial, Stinson's application for appeal is DENIED. Accord State v. Johnston, 249 Ga. 413, 415 (3) (291 SE2d 543) (1982).

In application no. A00I0062, the State seeks immediate review of an order granting Stinson's motion to suppress two videotaped statements on the ground that the statements were illegally obtained. The State's application was not timely filed within ten days from the filing of the certificate of immediate review as required under OCGA § 5-6-34 (b). We therefore lack jurisdiction to consider it. Furthermore, an order granting a motion to suppress evidence as illegally obtained is directly appealable by the State. OCGA § 5-7-2; State v. Blossfield, 165 Ga. App. 111 (1) (299 SE2d 588) (1983). Therefore the interlocutory appeal procedure is not applicable here. State v. Medley, 205 Ga. App.

427 (422 SE2d 677) (1992). For the foregoing reasons, the State's application is hereby DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 15 1999

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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, OCT 19 1999

The Court of Appeals hereby passes the following order:

A00I0063. TOMMY C. JANES v. JOYCE V. JANES

Tommy C. Janes, the defendant in this divorce action, filed this application for interlocutory appeal seeking review of the superior court's order denying his application to reinstate demand for jury trial.

Under the state constitution, the Supreme Court has exclusive jurisdiction over all divorce and alimony cases. Ga. Const. Art. 6, Sec. 6, Par. III (6). See Griffin v. Griffin, 243 Ga. 149 (253 SE2d 80) (1979). Accordingly, this case is ordered TRANSFERRED to the Supreme Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 19 1999

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the minutes of the Court of Appeals of Georgia.*

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

Will. L. Mart ^{Clerk.} 

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

ATLANTA, OCTOBER 21, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0064

MARK A. PALMER V. STEVEN M. DUNBAR, ET AL

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

95006

991090135

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 21 1999

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

Clerk.

Will. L. Mont, III

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

ATLANTA, OCTOBER 25, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0065
ANGEL SAMUEL MONTERO 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.

98006
CR98304

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 25 1999

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, OCTOBER 26, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0066

HERITAGE BAPTIST CHURCH V. CHRISTOPHER KEVIN HAYNES

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

96006

97V205

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 26 1999

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, OCT 13 1999

The Court of Appeals hereby passes the following order:

A00I0067. Duffie v. Social, Inc.

Hubert W. Duffie and Gail Duffie Stebbins, as guardian of Eleanor Watkins Duffie, seek an interlocutory appeal from an order denying their motion for summary judgment entered September 10, 1999. A certificate of immediate review was entered on September 21, 1999. To be effective, a certificate of immediate review must be signed and filed within 10 days of the entry of the order to which the certificate refers. Turner v. Harper, 231 Ga. 175 (200 SE2d 748) (1973). In this case, the certificate was not entered until 11 days after entry of the order to which it refers. Thus, the certificate is untimely and this Court lacks jurisdiction to consider this application. Accordingly, this application is ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 13 1999

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

Clerk.

Will. L. Martin, III

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

ATLANTA, OCTOBER 28, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0068

HOMEGOLD, INC. V. HARLEYSVILLE-ATLANTIC MUTUAL INSURANCE COMPANY

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

97006

971011410

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 28 1999

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, OCTOBER 25, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0069
KELLY SUE CLECKNER, ET AL V. THE STATE

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

99006

99R0411

99R0416

99R0419

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

OCT 25 1999

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

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

Clerk.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, OCT 29 1999

The Court of Appeals hereby passes the following order:

A00I0070. DEPARTMENT OF CORRECTIONS v. JANE DOE #14

The plaintiff in this case brought suit against the Georgia Department of Corrections and its commissioner, as well as James Philyaw, for claims arising out of Philyaw's alleged sexual abuse of plaintiff while Philyaw was a corrections lieutenant. An order has been entered in this case which allows plaintiff to go forward with a claim against the commissioner and the Department under 42 USC § 1983 even though the United States Supreme Court and the Georgia Supreme Court have stated clearly and unambiguously that such claims cannot be maintained against state agencies. State Bd. of Ed. v. Drury, 263 Ga. 429, 434 (2) (437 SE2d 290) (1993); Will v. Michigan Dept. of State Police, 491 U. S. 58 (109 SC 2304, 105 LE2d 45) (1989). The matter is now before this court on application for interlocutory appeal.

Assuming, without deciding, that the trial court erred in applying a mode of reasoning in a 1984 decision¹ that has since

¹City of Cave Spring v. Mason, 252 Ga. 3, 4-5 (310 SE2d 892) (1984); compare Mattox v. Bailey, 221 Ga. App. 546, 547 (2) (472

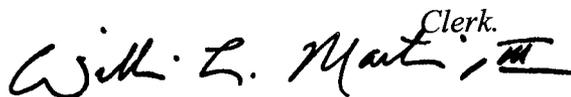
been rendered inapplicable to 42 USC § 1983 cases involving state agencies and their principals under Drury, supra, it does not necessarily follow that the defendants' application for appeal should be granted. Although the applicants anticipate our concern by arguing that allowing plaintiff to proceed on her 1983 claims against the applicants will so infect the trial with error that a retrial could not be avoided, we are not persuaded that such a danger exists. Because the order complained of is not dispositive of the case and it does not otherwise appear that any alleged error is of a type that would necessitate a retrial, the application for interlocutory appeal is hereby DENIED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 29 1999

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

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

Will. L. Mart, ^{Clerk.} 

SE2d 130) (1996) (reduces the Mason analysis to mere dicta as applied to an action against the Department of Corrections in light of the Supreme Court's later decision in Drury, supra).

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

ATLANTA, NOVEMBER 04, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0071
RICHARD E. BROWN, III V. THE STATE

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

71006

99C87534

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV - 4 1999

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

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

Will. L. Mont, III

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

ATLANTA, OCTOBER 21, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0072
DRY STORAGE CORPORATION, ET AL V. MARTHA PISCOPO

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.

91006

98VS0139481

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta OCT 21 1999

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, October 29, 1999

The Court of Appeals hereby passes the following order:

A00I0073. JAY DOUGLAS TANKERSLY v. THE STATE

Jay Douglas Tankersly filed this application for interlocutory appeal from the superior court's September 24, 1999 order denying his motion to suppress evidence. The court certified the order for immediate review that same day. Tankersly's application was sent by certified mail and was date stamped October 6, 1999. OCGA § 5-6-34 (b) and Court of Appeals Rule 32 (a) require applications for interlocutory appeal to be filed within ten days of the date the order was certified for immediate review. Tankersly's application was deemed filed with this Court by certified mail two days after the application would have been timely. See Court of Appeals Rule 4. Because Tankersly 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 OCT 29 1999

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hereto affixed the day and year last above written.*

W. L. Martin, III
Clerk.

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

ATLANTA, NOVEMBER 09, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0074
ALON JAMAL BOYD V. THE STATE

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

94007

1B99CR223M

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV -9 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, NOVEMBER 03, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0075
LYNDA COCHRAN V. THE STATE

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

95007

ST99CR0492

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV - 3 1999

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

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

ATLANTA, NOVEMBER 17, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0076

MONAMI COMPANY, LTD., ET AL V. KENNETH JUDE GALE, INDIVIDUALLY AND AS
ADMINISTRATOR OF THE ESTATE OF HYUN-SOOK ALEXIS GALE

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

98007

E47563

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 17 1999

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, NOVEMBER 03, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0077
ROBERT GRISWELL, ET AL V. GARY BAXTER, ET AL

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

96007

98CV234

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV -3 1999

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Clerk.

Will. L. Mont, III

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

ATLANTA,

NOV 12 1999

The Court of Appeals hereby passes the following order:

A00I0078. WALTER SLADE ENSLEY, et al v. NATALIE L. CARTER

Walter Slade Ensley filed this application for interlocutory appeal from the trial court's order denying his motion for stay of proceedings under the Soldiers' and Sailors' Civil Relief Act, 50 App. USCA § 521. The grant or denial of a stay under this Act, however, "is a final judgment on the collateral matter of stay and is [directly] appealable." [Cit.]" Underhill v. Barnes, 161 Ga. App. 776 (288 SE2d 905) (1982). Because the order appealed from is subject to direct appeal and because the interlocutory appeal procedures apply only to rulings that are not otherwise subject to direct appeal (OCGA § 5-6-34 (b)), this application must be DISMISSED for lack of jurisdiction. See Artis v. Gaither, 199 Ga. App. 114 (404 SE2d 322) (1991).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 12 1999

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the minutes of the Court of Appeals of Georgia.*

Witness my signature and the seal of said court

hereto affixed the day and year last above written.

Will L. Martin

Clerk.

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

ATLANTA, NOVEMBER 03, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0079
DAVID U. CROSBY V. PATRICIA A. KENDALL, ET AL

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

97007

9699527

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV - 3 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, NOVEMBER 16, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0080
SHERRIE SHEPPARD V. STACY TARVER, ET AL

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

99007

97A64704

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 16 1999

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, NOV 15 1999

The Court of Appeals hereby passes the following order:

A00I0081. McCLARTY v. JRO GROUP, INC., et al.

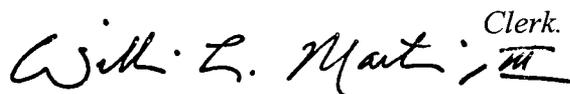
Plaintiff Gary McClarty seeks an interlocutory appeal from an order granting defendants' motion for summary judgment as to McClarty's claims. Defendants' counterclaims remain pending in the trial court. A grant of partial summary judgment is directly appealable pursuant to OCGA § 9-11-56 (h). "The interlocutory appeal procedure is applicable to those rulings which are not otherwise subject to direct appeal." Southeastern Security Insurance Co. v. Empire Banking Co., 268 Ga. 450, 451 (490 SE2d 372) (1997). Artis v. Gaither, 199 Ga. App. 114-115 (404 SE2d 322) (1991). Because the order sought to be appealed is subject to direct appeal, the interlocutory appeal provisions of OCGA § 5-6-34 (b) are inapplicable. Accordingly, McClarty's application for appeal is hereby DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 15 1999

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Will. L. Mart, ^{Clerk.} 

Court of Appeals
of the State of Georgia

ATLANTA, DECEMBER 06, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A00I0081

GARY MCCLARTY V. JRO GROUP INC., ET AL

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

70-007
98VS0146355D

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

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Mart, III

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

ATLANTA, NOVEMBER 04, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0082

ROBERT H. OLLINS, M.D., ET AL V. LORRAINE H. WALTON, ET AL

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

71007

93VS0077814E

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV - 4 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, NOVEMBER 09, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0083
ATHENS-CLARKE COUNTY, GEORGIA V. VALENTINA ALVARADO TORRES, BY AND
THROUGH HER GUARDIAN, FILEMON ALVARADO TORRES

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.

91007

SU99CV0744G

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV - 9 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, NOVEMBER 16, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0084
RICHARD JEWELL V. COX ENTERPRISES, 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.

93007

97VS0122804

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 16 1999

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

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

ATLANTA, NOVEMBER 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0085

TRANS WASTE SERVICES, INC. V. GERALDINE MOORE, ET AL

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

92008

98S080638

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 22 1999

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the minutes of the Court of Appeals of Georgia.*

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

Will. L. Mart, III Clerk.

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

ATLANTA, NOVEMBER 29, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0086
NATHANIEL HAUGABROOK, ET AL V. PLEZY NELSON

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

94008

98V495

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 29 1999

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

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

ATLANTA, NOVEMBER 17, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0087

ANGELA MICHELLE PARKER, ET AL V. DOROTHY A. JESTER

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

95008

98VS305

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 17 1999

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

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

ATLANTA, DECEMBER 17, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A00I0088

KENNETH RICHARD WHITWORTH V. THE STATE

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

98-008
99D37501

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DECEMBER 17, 1999

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will L. Mart, III

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

ATLANTA, NOVEMBER 10, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0089

NANCY M. GALLOWAY, ET AL V. LORETTA SEARS, ET AL

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

96008

M99CV0617

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 10 1999

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, NOVEMBER 10, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0090
NANCY M. GALLOWAY, ET AL V. MYRA A. BRIDGES

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

96009

M99CV0618

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 10 1999

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hereto affixed the day and year last above written.*

Clerk.

Will L. Martin, III

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

ATLANTA, NOVEMBER 24, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0091
DEKALB REGIONAL JUVENILE DETENTION CENTER V. PATRICE RUCKER

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

90008

96CV104828

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 24 1999

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martini, III

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

ATLANTA, NOVEMBER 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0092

LA COSECHA, INC. D/B/A LA PARRILLA V. JULIE M. HALL

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

97008 TO 95

981679118

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 23 1999

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, NOVEMBER 19, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0093
HERBERT LAMAR HAMRICK V. THE STATE

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

99008

98B42544

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 19 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, NOVEMBER 19, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0094
ERIC KRUG V. BHARAT BUSINESS SYSTEMS, INC., ET AL

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

70008

9935297

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 19 1999

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

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

Will. L. Martin, III

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

ATLANTA, NOVEMBER 19, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0095
ROBERT BRADY SIMMONS V. THE STATE

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

71008

99B20652Q

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 19 1999

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

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

ATLANTA, DECEMBER 20, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A00I0096

AFC ENTERPRISES, ET AL V. CARL M. CRUTISON, ET AL

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

91-008
98VS0136398D

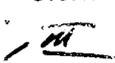
Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 20 1999

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

Clerk.

Will L. Mart, 

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

ATLANTA, DECEMBER 20, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A00I0096

AFC ENTERPRISES, ET AL V. CARL M. CRUTISON, ET AL

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

91-008
98VS0136398D

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 20 1999

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

Clerk.

Will L. Mart

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

ATLANTA, January 6, 2000

The Court of Appeals hereby passes the following order:

A00I0096. AFC ENTERPRISES ET AL v. CARL M. CRUTISON

Upon consideration of the MOTION FOR FRIVOLOUS APPEAL in the above styled case, it is ordered that it hereby be denied.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN - 6 2000

*I certify that the above is a true extract
from the minutes of 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. Martini, III

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

ATLANTA, DECEMBER 01, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0097

CITY OF ATLANTA, ET AL V. JAMES MILTON HEARD, D/B/A MILTON AUTO, 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.

93008

E59168 S00I0176

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC - 1 1999

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, NOVEMBER 17, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0098
MILLARD J. WARNER, ET AL V. THE STATE

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

92009

99CR3784

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 17 1999

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, DECEMBER 03, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0099
JESSICA SKY HATCH, ET AL V. THE STATE

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

94009
41660F

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

DEC - 3 1999

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Clerk.

Will L. Martin, III

Court of Appeals
of the State of Georgia

ATLANTA, DECEMBER 21, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A00I0099

JESSICA SKY HATCH, ET AL V. THE STATE

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

94-009
41660F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 21 1999

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Clerk.

Will L. Mart, III

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

ATLANTA, NOVEMBER 18, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0100
TAMMY KIMSEY V. WILLIAM KIMSEY

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

95009

99CV5852

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 18 1999

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

Clerk.

Will. L. Martin, III

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

ATLANTA, DECEMBER 02, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0101
HOME DEPOT U.S.A., INC. V. NAP CHESTERFIELD, L.P., 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.

98009

99VS0151211D

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC -2 1999

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

Will L. Martin, III

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

ATLANTA, DECEMBER 03, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0102
RAIFORD L. ENNIS V. BENJAMIN F. CRUDUP, ET AL

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

90009

CV970454BA

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

DEC - 3 1999

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

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Clerk.

Will. L. Martin, III

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

ATLANTA, DECEMBER 03, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0103
NORMTEX, INC. V. GOTTFRIED A. KAPPELMEIER

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

97009

98C45062

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC - 3 1999

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will. L. Martin, III

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

ATLANTA, DECEMBER 08, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0104

ESTATE OF BRIAN J. BREITBARD, BY ANTONIA M. HALL, ADMINISTRATRIX V.
RWG & ASSOCIATES, INC.

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

99009

99VS151882F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC - 8 1999

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Clerk.

William L. Mont, III

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

ATLANTA, NOVEMBER 19, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0105

GREGORY V. SAPP, ET AL V. BILLY G. COSHATT

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.

70009

CV991228BA

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 19 1999

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will. L. Martin, III

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

ATLANTA, NOVEMBER 18, 1999

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A00I0106. NORBERT H. SIEVERS v. PATRICIA LEE GAINES SIEVERS.

Applicant's attorney has filed a voluntary dismissal of the interlocutory application to appeal in the above styled matter. Since it is the province of this Court to dismiss applications and not the parties, the Court will treat the voluntary dismissal as a motion to withdraw the application and the same hereby granted.

71-009

98CV2348

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 18 1999

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Will. L. Mart ^{Clerk.} 

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

ATLANTA, DECEMBER 07, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0107
FRANKLIN DELANO WALKER V. THE STATE

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

91009
98T5010

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta DEC -7 1999*

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will L. Martin, III

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

ATLANTA, NOVEMBER 24, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0108

EMMETT WHATLEY V. THE STATE

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

93009

99CR15637

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

NOV 24 1999

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

Clerk.

Will. L. Martin, III

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

ATLANTA, DECEMBER 09, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0109
NED B. MAJORS V. LYNN G. FEATHERLY

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

92010

1998CV03450

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC - 9 1999

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will L. Martin, III

Court of Appeals
of the State of Georgia

ATLANTA, JANUARY 07, 2000

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A00I0109

NED B. MAJORS V. LYNN G. FEATHERLY

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

92-010
1998CV03450

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN -7 2000

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will L. Martin, III

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

ATLANTA, NOVEMBER 23, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0110
FULWOOD MANAGEMENT CORPORATION D/B/A REGENCY APARTMENTS V. DORIS
MARCHANT

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.

94010
98CV25

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

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, DECEMBER 13, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0111

WILLIAM E. KROPP, M.D. V. GWENDOLYN S. ROBERTS, 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.

98012

I990827G

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 13 1999

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, DECEMBER 13, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0112

HOUSING AUTHORITY OF COLUMBUS, GEORIGIA, ET AL V. BRENDA ANDREWS

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

98010

SC98CV615

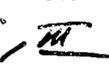
Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 13 1999

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Mart, 

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

ATLANTA, NOV 19 1999

The Court of Appeals hereby passes the following order:

A00I0113. Roebuck v. State

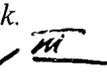
Gregory Roebuck applied to this Court for interlocutory review of the trial court's order denying his motion to dismiss the indictment in this prosecution for murder. The Supreme Court, however, has directed this Court to transfer to it "all cases in which either a sentence of death or of life imprisonment 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. 524 (322 SE2d 711) (1984). Accordingly, Roebuck's application is ordered TRANSFERRED to the Supreme Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta NOV 19 1999

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

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hereto affixed the day and year last above written.*

Will L. Mart, ^{Clerk.} 

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

ATLANTA, DECEMBER 15, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0114
TOMMY LADALE MCNEECE V. THE STATE

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

90010

99CR084

Court of Appeals of the State of Georgia

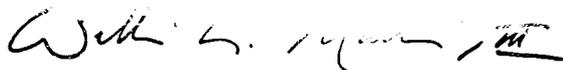
Clerk's Office, Atlanta

DEC 15 1999

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.



Court of Appeals
of the State of Georgia

ATLANTA, DECEMBER 13, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0115

MARGO LAND CORP. DEFINED BENEFIT PENSION PLAN, ET AL V. CECIL PHILLIPS

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

97010

E67613

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 13 1999

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, DEC 16 1999

The Court of Appeals hereby passes the following order:

A00I0116. BEVERLY S. STRIPLING v. WENDELL E. PHILLIPS, M. D., ET AL.

Plaintiff Beverly S. Stripling filed this application for interlocutory appeal of the superior court's November 1, 1999 order granting partial summary judgment in favor of defendants on all issues relating to any causation by defendants of plaintiff's alleged chronic coughing and hoarseness of voice. 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 Insurance Co. v. Empire Banking Co., 268 Ga. 450 (490 SE2d 372) (1997). Therefore, the application for interlocutory review is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 16 1999

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the minutes of the Court of Appeals of Georgia.*

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Will. L. ^{Clerk} Martin, III

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

ATLANTA, DECEMBER 15, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0117

PHOEBE PUTNEY MEMORIAL HOSPITAL, INC. V. CLARA WILLIAMS

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

70010

96SCV0785

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 15 1999

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

Will L. Martin, ^{Clerk.} 

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

ATLANTA, DECEMBER 02, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0118

CHRISTOPHER D. GARDNER, ET AL V. THE STATE

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

71010

99CR126

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC -2 1999

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

Clerk.

Will. L. Mart, III

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

ATLANTA, DECEMBER 17, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0119

CHARLES G. DUGGAN, II V. STEPHANIE ANN DUGGAN-SCHLITZ

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.

91010

SU99CV0881

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 17 1999

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will L. Martin, III

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

ATLANTA, DECEMBER 20, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0120
MELISSA BROOKE JOHNSON 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.

93010

99T14466

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 20 1999

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hereto affixed the day and year last above written.*

Clerk.

Will L. Martin, III

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

ATLANTA, DECEMBER 22, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0121

SUNTRUST BANK, ATLANTA V. ATLANTA CLASSIC CARS, 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 State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

92011

99VS0149410

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 22 1999

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

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

Will. L. Mart, ^{Clerk.} 

Court of Appeals of the State of Georgia

ATLANTA,

DEC 21 1999

The Court of Appeals hereby passes the following order:

A00I0122. Cross, et al. v. The State

Billy W. Cross, Alvin D. Jones and John W. Bush seek an interlocutory appeal from an order denying their motions to suppress entered November 22, 1999. This Court issued an order on December 2, 1999, directing that applicants supplement their application for appeal with a stamped "filed" copy of the certificate of immediate review within ten days or the application would be dismissed. The document was not received in this Court within the 10 days required by this Court's order. Accordingly, this application is ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 21 1999

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

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

A. J. L. M. C. L. Clerk. M

Court of Appeals of the State of Georgia

ATLANTA, JAN 27 2000

The Court of Appeals hereby passes the following order:

A00I0122. Cross, et al. v. The State.

Billy W. Cross, Alvin D. Jones and John W. Bush sought an interlocutory appeal from an order denying their motion to suppress entered November 22, 1999. This Court issued an order on December 2, 1999, directing that applicants supplement their application for appeal with a stamped "filed" copy of the certificate of immediate review within ten days or the application would be dismissed. After the document was not received in this Court within the required 10 days, this application was dismissed.

Via documents submitted in support of their motion for reconsideration, applicants have shown that the fact that the stamped "filed" copy of the certificate of immediate review was received two days late may be attributed to the slowness of the United States Postal Service. The fact that applicants mailed the document by certified mail six days before the time expired was satisfactory compliance with this Court's order.

Therefore, the motion for reconsideration is granted and this Court's order dismissing the application is hereby VACATED and the application is reinstated.

Having considered Cross, Jones, and Bush's application for interlocutory appeal on its merits, the application is DENIED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 27 2000

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Will. L. Mart, ^{Clerk.}

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

ATLANTA, DECEMBER 17, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0123

GENERAL MOTORS ACCEPTANCE CORPORATION V. CHAD C. MICHAEL

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

95011

98A474911

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 17 1999

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will L. Martin, III

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

ATLANTA, DECEMBER 16, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0124

ERICA JONES V. THE STATE

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

98011

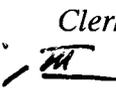
99CR01497

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 16 1999

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Will L. Mart,  Clerk.

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

ATLANTA, DECEMBER 20, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0125

FIELDALE FARMS CORPORATION V. ROBERT HOWARD COMBS, ET AL

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

96011

96CV575C 96CV576C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 20 1999

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

William L. Mat, III

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

ATLANTA, JANUARY 03, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0126

SCOTTISH RITE CHILDREN'S MEDICAL CENTER, INC. V. ALFRED JAMES
PROCTOR, ET AL

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

90011

1999CV11880

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN - 3 2000

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, DEC 22 1999

The Court of Appeals hereby passes the following order:

A00I0127. XENA PROPERTIES, INC. v. MSD MANAGEMENT, INC. ET AL.

This case involves a petition to recover possession of land and remove a cloud on title. With respect to the various matters of injunctive relief denied or granted by the trial court, this is a case in equity. See Electronic Data Sys. Corp. v. Heinemann, 268 Ga. 755, 756 (1) (493 SE2d 132) (1997). If the injunctive relief is viewed as ancillary to the underlying action (see Beauchamp v. Knight, 261 Ga. 608, 609 (2) (409 S.E.2d 208) (1991)), this is a case "involving title to land" in which a non possessing party sues to recover possession of land based on title. See Bond v. Ray, 207 Ga. 559 (63 SE2d 399) (1961).

Actions in equity and those involving title to land fall under the appellate jurisdiction of the Supreme Court of Georgia, see

Art. 6, Para. 6, Sec. 3, of the Georgia Constitution. Accordingly,
this case is TRANSFERRED to the Supreme Court of Georgia.

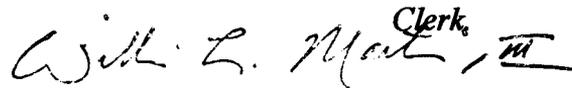
Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 22 1999

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the minutes of the Court of Appeals of Georgia.*

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

Will. L. Mart^{Clerk,} 

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

ATLANTA, DECEMBER 17, 1999

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0128

THE STATE V. MARK ALAN REDD

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.

99011

99R0102

99R0103

99R0104

99R0105

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

DEC 17 1999

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Clerk.

Will. L. Martin, III

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

ATLANTA, DEC 14 1999

The Court of Appeals hereby passes the following order:

A0010129. STEWART PULLIN v. THE STATE

Stewart Pullin filed this application for interlocutory appeal from the trial court's order denying his "motion to prohibit the prosecution from offering cellular phone testimony." 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); but see Weatherbed v. State, Case No. S99A1222 (Decided November 22, 1999) (Benham, C. J., specially concurring). Accordingly, Pullin's application is ordered TRANSFERRED to the Supreme Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta DEC 14 1999

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

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

Will. L. Mart ^{Clerk.} 

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

ATLANTA, JANUARY 11, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0130

RELIANCE INSURANCE COMPANY OF ILLINOIS V. EQUIMED, INC.

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

71011

1999CV11588

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 11 2000

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, JANUARY 06, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0131
MELISSA DAWN BYRD V. THE STATE

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

91011

98CR08709

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN - 6 2000

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

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

Clerk.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, JAN -6 2000

The Court of Appeals hereby passes the following order:

A00D0147, A00I0132. DeCLUE v. CITY OF CLAYTON (two applications).

Plaintiff Jeffrey DeClue filed an action pursuant to 42 USC § 1983 against his former employer, the City of Clayton. DeClue contends that he had a vested property interest in his employment with the City, which was terminated without cause in 1997. He later amended his complaint by adding a claim for impairment of contract. The superior court entered an order granting the City's motion for summary judgment and denying DeClue's cross motion for summary judgment on November 8, 1999. The court entered a supplemental order denying DeClue's motion for summary judgment as to his impairment of contract claim on November 23, 1999. The City's motion did not address this claim and the trial court determined that the issue remained pending for trial.

DeClue thereafter filed both a direct appeal and an application for discretionary appeal from the order entered November 8, as well as a timely and proper application for interlocutory appeal from the supplemental order entered November 23. Because we find the discretionary appeal procedure to be inapplicable under the circumstances presented and because a

direct appeal from the same order referenced therein has already been filed, Application No. A00D0147 is hereby DISMISSED. Moreover, because DeClue is already authorized to enumerate errors related to the supplemental order entered November 23 as part of his direct appeal, Application No. A00I0132 is hereby DISMISSED as superfluous. See Southeast Ceramics v. Klem, 246 Ga. 294-296 (1) (271 SE2d 199) (1980).¹

The clerk of superior court is hereby directed to supplement the record in DeClue's direct appeal (docketed in this court as Appeal No. A00A0958) with a copy of this order.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN -6 2000

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Will L. Maut, III
Clerk.

¹Note that this result is unaffected by DeClue's failure to enumerate the November 23 order as part of his notice of appeal from the order entered November 8. See OCGA § 5-6-37.

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

ATLANTA, JANUARY 12, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0133

WILLIAM L. OGBURN V. AGL RESOURCES, INC. D/B/A ATLANTA GAS LIGHT
COMPANY, ET AL

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

93011

1999CV12902

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 12 2000

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

William L. Martin, III

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

ATLANTA, JANUARY 10, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0134

ROBERT M. PATTON, M.D. V. ST. FRANCIS HOSPITAL, 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.

90012

SU96CV2189

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 10 2000

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

William L. Martin, III

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

ATLANTA, JANUARY 06, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0135

GMAC COMMERCIAL CREDIT LLC, ET AL V. JERED INDUSTRIES, INC.

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

94012

99C55713

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN -6 2000

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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. [Signature]

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

ATLANTA, JAN -6 2000

The Court of Appeals hereby passes the following order:

A0010136. THOMAS LYNN JACKSON v. THE STATE

Thomas Lynn Jackson filed an application for interlocutory appeal on December 17, 1999, from the superior court's order denying his motion to suppress evidence. Although Jackson obtained a timely certificate of immediate review on November 30, 1999, from the order denying his motion to suppress, he failed to file his application for interlocutory appeal with this Court within ten days after the certificate of immediate review was issued, as required by OCGA § 5-6-34 (b). Because Jackson has failed to follow these procedures, this Court is without jurisdiction to consider his application, and it is thus hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN -6 2000

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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.*

W. L. Martin, III
Clerk.

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

ATLANTA, FEBRUARY 10, 2000

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A00I0136

THOMAS LYNN JACKSON V. THE STATE

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

95-012
99CR19322

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 10 2000

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hereto affixed the day and year last above written.*

Will. L. Martin, III
Clerk.

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

ATLANTA, JANUARY 03, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0137
MATTHEW RYAN JOEL 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.

96012
99M2149

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN -3 2000

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, JANUARY 18, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0138
MACY'S EAST, INC. V. DOROTHY KING, 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.

71012

98VS140925G

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 13 2000

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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. ...

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

ATLANTA, JANUARY 06, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0139

FRANCIS PATRICK INGRAHAM, ET AL V. CHARLES E. MARR, 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.

97012

98C65042

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN -6 2000

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

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

ATLANTA, JANUARY 13, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0140

THE GEORGIA DEPARTMENT OF HUMAN RESOURCES V. PATRICIA COLEY

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

99012

98CV34886C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 13 2000

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, FEB 11 2000

The Court of Appeals hereby passes the following order:

**A00I0140. THE GEORGIA DEPARTMENT OF HUMAN RESOURCES v. PATRICIA
COLEY**

Upon consideration of the Joint Motion for Reconsideration filed on January 24, 2000, the same is hereby GRANTED. Upon the grant of Motion for Reconsideration, the application for interlocutory appeal is hereby GRANTED. The applicant has ten (10) days from the date of this order to file a Notice of Appeal in the Superior Court of Baldwin County. The clerk of the trial court shall include a copy of this order in the record on appeal.

~~99-012~~ To 93

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.*

Will L. Mart ^{Clerk.} *in*

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

ATLANTA, JANUARY 20, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0141
SYNCONI GOLDWIRE V. THE STATE

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

70012

1E98CR217W

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 20 2000

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Mat, III

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

ATLANTA, JANUARY 18, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0142

CAFFREY CONSTRUCTION COMPANY, INC. V. MICHAEL J. MCCOY, ET AL

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

92012

98A15924

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 18 2000

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, JANUARY 24, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0143

WESTCHASE APARTMENTS, LTD. V. ROBIN R. JUSTINIANO

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

91012

1999CV04631

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 24 2000

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

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

ATLANTA, JANUARY 06, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0144

MARY S. MULLEN V. CAMRAN NEZHAT, M.D., ET AL

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

93012

E23339

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN - 6 - 2000

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will L. Martin, III

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

ATLANTA, JANUARY 20, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0145

MARTHA BOWMAN MEMORIAL UNITED METHODIST CHURCH V. MARGARET H. NEAL
ET AL

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

90013

98CV878

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 20 2000

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Clerk.

Will L. Martin, III

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

ATLANTA, JANUARY 20, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0146
QUALITY ASSIST, INC. V. MARGARET H. NEAL

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

90014

98CV878

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 20 2000

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Clerk.

Will. L. Martin, III

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

ATLANTA, JANUARY 26, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0147

JAN L. YANG, ET AL V. RONALD A. WILLIAMSON

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

94013

98A68232

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 26 2000

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, JANUARY 18, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0148
MICHAEL DAVID WYRICK V. THE STATE

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

95013

98B42554

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 18 2000

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

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

ATLANTA, JAN 21 2000

The Court of Appeals hereby passes the following order:

A00I0149. EDGE, et al. v. ALTAMAHA E.M.C.

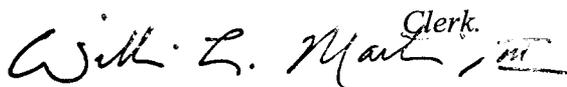
Plaintiffs Kyle and Rhonda Edge seek an interlocutory appeal from an order denying their motion for summary judgment. The order was entered on December 7, 1999, and a certificate of immediate review from the trial court was filed on December 10. An application for interlocutory appeal must be filed within ten days of the entry of the certificate of immediate review and must be accompanied by payment of costs. OCGA §§ 5-6-4 and 5-6-34 (b); see Graves v. Dean, 166 Ga. App. 186 (303 SE2d 751) (1983). The applicants' submission was not properly filed in this court until December 29, 1999, 19 days after entry of the certificate of immediate review. Accordingly, this application is hereby DISMISSED as untimely filed.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 21 2000

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Will L. Martin, ^{Clerk.} 

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

ATLANTA, JAN -7 2000

The Court of Appeals hereby passes the following order:

A00I0150. Caffrey Construction Company, Inc. v. McHugh

Caffrey Construction Company, Inc. seeks interlocutory review of the trial court's order denying its motion for summary judgment. The order denying summary judgment was entered on June 7, 1999. A certificate of immediate review was entered on December 9, 1999. By statute this Court has jurisdiction to consider interlocutory orders only when a certificate of immediate review is obtained and entered within ten days of entry of the order sought to be reviewed. OCGA § 5-6-34 (b). In this case, more than six months elapsed between entry of the order denying summary judgment and entry of the certificate of immediate review. Thus, this Court lacks jurisdiction to consider this application, and it is hereby ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN -7 2000

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Will L. Martin Clerk. 

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

ATLANTA, JANUARY 28, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0151

VALENTINA ALVARADO TORRES V. LEAH CHRISTINE RAFFIELD

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

91015

SU99CV0744G

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 28 2000

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the minutes of the Court of Appeals of Georgia.*

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

Will. L. Martin, III

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

ATLANTA, JANUARY 27, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0152

MARK W. MERK V. THE STATE

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

97013

99CR3635

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 27 2000

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Mart, III

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

ATLANTA, JANUARY 26, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0153
STUART FRANKLIN FLOYD V. THE STATE

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

99013

99T3941

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 26 2000

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will. L. McIntire, III

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

ATLANTA, JANUARY 31, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0154

THE SPANOS CORPORATION, ET AL V. ELJAH ABDURAHMAN

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

70013

98VS014643

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 31 2000

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

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

ATLANTA, JANUARY 27, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0155
WINKAT ENTERPRISES, INC. V. JOHNNIE SMITH, ET AL

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

92013

97C59272

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 27 2000

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

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

ATLANTA, JANUARY 20, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0156
JOSEPH KUEHN, ET AL V. MARGARET H. NEAL, ET AL

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

90015

98CV0878

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 20 2000

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will L. Martin, III

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

ATLANTA, JANUARY 24, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0157

ANTHEM CASUALTY INSURANCE COMPANY V. BARRY MURRAY, ET AL

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

91013

98V0876

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 24 2000

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

Clerk.

Will L. Martin, III

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

ATLANTA, JANUARY 31, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0158
JEFFREY WILLIAM MEEKS V. THE STATE

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

93013

99045MM

99371MM

99370MM

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 31 2000

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, JAN 22 2000

The Court of Appeals hereby passes the following order:

A00I0159. KARIM DOSSO v. THE STATE.

Karim Dosso filed an application for interlocutory appeal on January 3, 2000, from the superior court's order denying his motion to suppress evidence. Although Dosso obtained a certificate of immediate review on December 15, 1999, from the order denying his motion to suppress, he failed to file his application for interlocutory appeal with this Court within ten days after the certificate of immediate review was issued, as required by OCGA § 5-6-34 (b). Because Dosso has failed to follow these procedures, this Court is without jurisdiction to consider his application. Therefore, the application for interlocutory appeal is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 28 2011

*I certify that the above is a true extract from
the minutes of 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. McIntosh ^{Clerk.}

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

ATLANTA, JANUARY 27, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0160
HERMAN HOMES, INC. V. JOHNNIE SMITH, 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.

92014

97C59272

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 27 2000

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the minutes of the Court of Appeals of Georgia.*

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

Will. L. Martin, III

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

ATLANTA, FEBRUARY 02, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0161

JOSEPH KILGORE V. THE STATE

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

95014

98SR3322

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB -2 2000

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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. Mat... III

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

ATLANTA, JANUARY 21, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0162
WILLIAM C. SCHROEDER V. BENNIE A. SLAY, 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.

98014

98VS0147205E

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 21 2000

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, JANUARY 19, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0163

NEW YORK DIAMOND CORPORATION V. CROWN DIAMOND COMPANY

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

93014

93VS0077895

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN 19 2000

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

Clerk.

Will. L. Mart, III

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

ATLANTA, January 7, 2000

The Honorable Court of Appeals hereby passes the following order:

A00I0163. NEW YORK DIAMOND CORPORATION V. CROWN DIAMOND COMPANY.

It appearing the DISCRETIONARY application A00D0174 was incorrectly filed, it is hereby ordered that said application is hereby changed to an INTERLOCUTORY application with the case number A00I0163 as stated above.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JAN -7 2000

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hereto affixed the day and year last above written.*

Will L. Mart ^{Clerk.} 

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

ATLANTA, FEBRUARY 02, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0164
THE STATE V. SAMUEL WOOTEN, ET AL

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

96014

99CV190

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta FEB -2 2000*

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, FEBRUARY 07, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0165

ENVIROMEDIATION SERVICES, L.L.C. V. RUTH LILLIAN BOATWRIGHT, ET AL

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

71014

98VS0146636E

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB -7 2000

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, FEBRUARY 02, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0166
WILLIAM VIRGIL SANDERS, III V. THE STATE

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

97014

1999SR563

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB -2 2000

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

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

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

ATLANTA, FEBRUARY 10, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0167

LANCE M. JACKSON, ET AL V. ALLSTATE INDEMNITY COMPANY

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

99014

96A40844

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 10 2000

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, FEBRUARY 03, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0168

THE DORCHESTER CORPORATION V. SENA WHITLOW

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

70014

99CV0814

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB -3 2000

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, FEBRUARY 14, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0169

DENNIS J. TAYLOR, ET AL V. WILLIAM D. DENNIS

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

91014

98CV15543

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 14 2000

*I certify that the above is a true extract from
the minutes of 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, JAN 25 2000

The Court of Appeals hereby passes the following order:

A00I0170. STANLEY EDWARDS v. THE STATE.

Stanley Edwards filed an application for interlocutory appeal on January 18, 2000, from the superior court's order denying his motion to dismiss an indictment charging him with a violation of OCGA § 16-10-97. The issues raised by Edwards and ruled on by the superior court includes challenges on several grounds to the constitutionality of OCGA § 16-10-97. These issues as to the constitutionality of the statute are again submitted in this application.

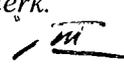
The application lies within the Supreme Court's exclusive jurisdiction to rule on the constitutionality of statutes. Ga. Const. of 1983, Art. VI, Sec. VI, Par. II (1), Doe v. Department of Corrections, 224 Ga. App. 494 (481 SE2d 837) (1997). Therefore, this application for interlocutory appeal must be transferred to the Supreme Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JAN 25 2006

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

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

Will. L. Mant^{Clerk.} 

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

ATLANTA, FEBRUARY 14, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0171

AMERICAN PROFESSIONAL RISK SERVICES, INC., ET AL V. TOMMY FOX

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.

95015

98VS0143713E

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 14 2000

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Clerk.

Will. L. Martin, III

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

ATLANTA, FEBRUARY 01, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0172

PETER D. DURHAM, ET AL V. E. BARRY DURHAM

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

98015

981866224

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB - 1 2000

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hereto affixed the day and year last above written.*

Clerk.

Will. L. Mant, III

Court of Appeals of the State of Georgia

ATLANTA, FEB 16 2000

The Court of Appeals hereby passes the following order:

**A00I0174. ZOHREH MIRALIAKBARI, INDIVIDUALLY AND AS NEXT FRIEND OF
SHAMIM MOHAMMAD JAFAR TABRIZI, A MINOR v. RITA PENNICOOKE, ET
AL.**

The certificate of immediate review in the above-captioned application for interlocutory review certifies for immediate review an order granting the motion for summary judgment of defendants Rita Pennicooke, et al. Neither the certificate of immediate review nor the certified order pertains to any ruling purporting to dismiss a motion for summary judgment.

An order granting either a final or a partial summary judgment can be directly appealed under OCGA § 9-11-56 (h). Cherokee County v. Hause, 229 Ga. App. 578 (1) (494 SE2d 234) (1997). Because a grant of final or partial summary judgment is subject to direct appeal and because under OCGA § 5-6-34 (b), the interlocutory review procedure is applicable only to those orders, decisions, and judgments which are not otherwise subject to direct appeal, this application is hereby dismissed. See Artis v. Gaither, 199 Ga. App. 114 (404 SE2d 322) (1991).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 16 2000

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

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

ATLANTA, FEBRUARY 11, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0175

ALLSTATE INDEMNITY COMPANY V. LANCE M. JACKSON, ET AL

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

99015

96A40844

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 11 2000

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, FEBRUARY 18, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0176
LYNN BROCK V. DANA L. WEDINCAMP, 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.

71015
CV9702130

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta FEB 18 2000*

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

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

W. L. Mont, ^{Clerk.}

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

ATLANTA, FEBRUARY 23, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0177

NATIONAL DATA & COMMUNICATIONS, INC. V. H.B. FULLER, ET AL

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

97015

98CV93158

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 23 2000

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

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

Will. L. Martin, ^{Clerk.}

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

ATLANTA, FEBRUARY 10, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0178

ASSOCIATION SERVICES, INC. V. BOBBIE SMITH

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.

70015

98VS0137679A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 10 2000

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, FEBRUARY 18, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0179
ASSOCIATION SERVICES, INC. V. JOANN PIERCE

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.

92015 to 70
98VS0137677A

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta FEB 18 2000

*I certify that the above is a true extract from
the minutes of 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. Mout, III

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

ATLANTA, FEBRUARY 23, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0180

H.B. FULLER COMPANY, ET AL V. NATIONAL DATA & COMMUNICATIONS, INC.

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

97016

98CV93158

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 23 2000

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

W. L. Mont, III

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

ATLANTA, FEBRUARY 16, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0181
JONATHAN D. GARY, JR. 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.

~~93015~~ To 99

99CR909

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 16 2000

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, FEBRUARY 08, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0182

MIDDLE GEORGIA MUTUAL INSURANCE COMPANY V. TERRY VINING, ET AL

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

90016

98V1108

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB - 8 2000

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Clerk.

Will L. Martin, III

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

ATLANTA, FEBRUARY 21, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0183

GERALD CLARK, D/B/A C&S BUILDERS V. PATRICIA DIANNE WARD, ET AL

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

94016

98CV917

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 21 2000

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

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

Clerk.

Will L. Mart, III

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

ATLANTA, FEB -3 2000

The Court of Appeals hereby passes the following order:

A00I0184. STRICKLAND v. STRICKLAND

Harry Wayne Strickland filed this application for interlocutory appeal to this Court from the trial court's denial of his motion to dismiss Judy Elizabeth Strickland's divorce action for lack of jurisdiction. Jurisdiction of appeals in divorce cases is vested exclusively in the Supreme Court. Ga. Const. of 1983, Art. VI, Sec. VI, Par. III (6). This application is therefore TRANSFERRED to the Supreme Court for disposition. See Eickhoff v. Eickhoff, 263 Ga. 498, 499 (1) (435 SE2d 914) (1993).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB -3 2000

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hereto affixed the day and year last above written.*

Will L. Martin, III
Clerk.

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

ATLANTA, FEBRUARY 22, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0185

C.W. MATTHEWS CONTRACTING CO., INC. V. YOUNG HEE HUBBARD, ET AL

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

98016

961628635

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 22 2000

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

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

Clerk.

Will. L. Mart, III

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

ATLANTA, FEBRUARY 15, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0186
BRANDON MCCAFFERTY V. THE STATE

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

96016

99C91738

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 15 2000

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will L. Mc...

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

ATLANTA, FEBRUARY 22, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0187

GEORGIA DEPARTMENT OF TRANSPORTATION V. YOUNG HEE HUBBARD, ET AL

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

98017

961628635

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 22 2000

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Will L. Mart,  Clerk.

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

ATLANTA, FEBRUARY 18, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0189
DANA L. WEDINCAMP V. LYNN BROCK

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.

71017
CV9702130

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 18 2000

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hereto affixed the day and year last above written.*

Will. L. Martin, III Clerk.

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

ATLANTA, FEBRUARY 14, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0190

GEORGIA INTERLOCAL RISK MANAGEMENT AGENCY, ET AL V. LEE GREEN, ET AL

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

70016

95V170

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 14 2000

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

Will. L. Martin, III

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

ATLANTA, MARCH 01, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0191

R. RANDALL ROLLINS, ET AL V. JAMES H. SELLERS D/B/A ELLIJAY REAL
ESTATE COMPANY, ET AL

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

92016

99VS150073A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR - 1 2000

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

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

Clerk.

Will. L. Mart, III

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

ATLANTA, FEBRUARY 17, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0192

GEORGIA DEPARTMENT OF TRANSPORTATION V. ELIZABETH C. COX

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.

91016

98V186

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 17 2000

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, FEBRUARY 17, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0193

GEORGIA DEPARTMENT OF TRANSPORTATION V. MICHAEL CAMERON

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.

91017

98V187

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 17 2000

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the minutes of the Court of Appeals of Georgia.*

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

Clerk.

Will. L. Martin, III

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

ATLANTA, FEBRUARY 23, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0194
CRA TRAILERS, INC. V. VENUS CAROL WOOD

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

93016

99VS0157687A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 23 2000

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, MARCH 10, 2000

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A00I0194

CRA TRAILERS, INC. V. VENUS CAROL WOOD

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

93-016
99VS0157687A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 10 2000

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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. Mart,  Clerk.

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

ATLANTA, FEBRUARY 28, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0195
JONATHAN MCBRIDE V. ANTHONY KEITH BROWN

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.

90017
I980661G

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 28 2000

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, FEBRUARY 16, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0196
JOYCE ELAINE LEDFORD V. THE STATE

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

94017

99CR615C

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 16 2000

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

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

Clerk.

Will L. Mart, 

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

ATLANTA, MARCH 02, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0197

MARRIOTT INTERNATIONAL, INC., ET AL V. ASOK K. RAY, M.D.

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

95017

98VS0136091B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR -2 2000

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

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

Will. L. Martin, III

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

ATLANTA, FEBRUARY 15, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0198

THELMA WALKER MALLORY V. CENTRAL GEORGIA ELECTRIC MEMBERSHIP
CORPORATION

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

96017

99CV461

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 15 2000

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, FEBRUARY 22, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0199

SHEPHERD CONSTRUCTION COMPANY, INC. V. YOUNG LEE HUBBARD, ET AL

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

98018

961628635

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 22 2000

*I certify that the above is a true extract from
the minutes of 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, FEBRUARY 17, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0200
FRANCIS HENRY BATES V. THE STATE

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

97017

99C952306

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 17 2000

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

Clerk.

W. L. Martin, III

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

ATLANTA, FEBRUARY 17, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0201
ROBERT E. LEE V. JAMES F. COLLINS

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

99016

99V598

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 17 2000

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

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

Clerk.

Will. L. Mart, III

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

ATLANTA, FEBRUARY 24, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0202

TESTAMENTARY TRUST OF T.H. MOSELEY, SR., ET AL V. DALE BARNES

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.

~~99017~~ To 93

98SCV845

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 24 2000

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, FEBRUARY 29, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0203

CROWN ANDERSEN INC., ET AL V. GEORGIA GULF CORPORATION

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

70017

99VS0150983A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 29 2000

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Clerk.

Will. L. Martin, III

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

ATLANTA, FEBRUARY 29, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0204

UPSON COUNTY HOSPITAL, INC., D/B/A UPSON REGIONAL MEDICAL CENTER V.
CAROLYN HEAD

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.

92017

95V540

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

FEB 29 2000

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Clerk.

Will. L. Martin, III

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

ATLANTA, FEBRUARY 29, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0205

GEORGIA PORTS AUTHORITY V. THE SCOULAR COMPANY

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

93017

CV991550BA

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 29 2000

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the minutes of the Court of Appeals of Georgia.*

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hereto affixed the day and year last above written.*

Will. L. Mont, ^{Clerk.} 

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

ATLANTA, MARCH 06, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0206

DONNA BISKUP V. THE STATE

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

90018

99D46282

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR -6 2000

*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.

G. J. L. Martin, III

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

ATLANTA, MARCH 02, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0207

STEVEN J. CITRON, MD, ET AL V. TONY GHAFARI, 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.

94018

99A567371

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR -2 2000

*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 L. Mouton, III

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

ATLANTA, MAR - 3 2000

The Court of Appeals hereby passes the following order:

A0010208. FOX RIVER REAL ESTATE INVESTORS, INC. v. SAVANNAH HOTEL ASSOCIATES, L.L.C.

Fox River Real Estate Investors, Inc. filed this application for interlocutory appeal seeking review of the trial court's order granting partial summary judgment to Savannah Hotel Associates, L.L.C. An order granting partial summary judgment, however, is directly appealable. OCGA § 9-11-56 (h). Because a grant of partial summary judgment is subject to direct appeal, and because under OCGA § 5-6-34 (b) the interlocutory appeal procedure is applicable only to those orders, decisions, and judgments which are not otherwise subject to direct appeal, this application is hereby DISMISSED. Artis v. Gaither, 199 Ga. App. 114 (404 SE2d 322) (1991).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR - 3 2000

*I certify that the above is a true extract from
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hereto affixed the day and year last above written.*

Will L. McCall, III
Clerk.

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

ATLANTA, MARCH 13, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0210

DARNELL PHILLIPS KELLER, ET AL V. FRANKLIN HENDERSON ,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.

71018

98A35576

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 13 2000

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

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

Clerk.

Will. L. Mont, III

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

ATLANTA, MARCH 15, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0211

ANNIE BELL STONE, ET AL V. WILLIE J. HOWARD, SR.

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

97018

99CV6399 99CV6400

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 15 2000

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

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Clerk.

Will. L. Mont, III

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

ATLANTA, FEBRUARY 29, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0212
THE RIDGEVIEW INSTITUTE, INC. V. GERI E. MAGUIRE

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

99018

96VS01196265

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta FEB 29 2000*

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, MARCH 09, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0213

WAL-MART STORES, INC. V. FULTON COUNTY BOARD OF TAX ASSESSORS

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

70018

1999CV09254

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR - 9 2000

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

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

Will. L. Mart, III

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

ATLANTA, MARCH 16, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0214

WHISKER'S FOOD & SPIRITS, INC. V. RENE F. MOLINA, SR.

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

92018

99C43022

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 16 2000

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Clerk.

Will. L. Martin, III

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

ATLANTA, MARCH 15, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0215
CLELIA M. HICKEY V. CHARLES HICKEY, 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.

91018

99A18 S00D0786

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 15 2000

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the minutes of the Court of Appeals of Georgia.*

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Clerk.

William L. Martin, III

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

ATLANTA, MARCH 16, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0216

RACHEL ELAINE ALLISON F/K/A RACHEL ELAINE PINYAN V. RANDY DIGGLEMAN,
ET AL

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

93018

99A79097

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 16 2000

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

Will. L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, FEB 22 2000

The Court of Appeals hereby passes the following order:

A00I0217. Harold Bridges d/b/a H.M.S.B. Enterprises, Inc. v. Mann

Harold Bridges d/b/a H.M.S.B. Enterprises, Inc. filed this application for interlocutory appeal seeking review of the trial court's grant of partial summary judgment to John Mann individually & d/b/a J.B.M. Construction, Martha Denise Hair, and Willard Hair, Jr., individually & d/b/a Willard Hair Center. However, an order granting partial summary judgment is directly appealable. OCGA § 9-11-56 (h). Because a grant of partial summary judgment is subject to direct appeal, and because under OCGA § 5-6-34 (b) the interlocutory appeal procedure is applicable only to those orders, decisions, and judgments which are not otherwise subject to direct appeal, this application is hereby DISMISSED. Artis v. Gaither, 199 Ga. App. 114 (404 SE2d 322) (1991).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta FEB 22 2000

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Will. L. Mant, ^{Clerk.} 

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

ATLANTA, MARCH 17, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0218

UPSON COUNTY HOSPITAL, INC., D/B/A UPSON REGIONAL MEDICAL CENTER V.
CAROLYN HEAD

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

92019

95V540

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 17 2000

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*Witness my signature and the seal of said court
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Will L. Mart, ^{Clerk.} 

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

ATLANTA, MARCH 15, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0219
CLAUDE TURNER, ET AL V. PUTNAM COUNTY

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
99CV11

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAR 15 2000*

*I certify that the above is a true extract from
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hereto affixed the day and year last above written.*

Clerk.

William L. Martin, III

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

ATLANTA, MARCH 10, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0220

BARBARA J. HAMMOCK V. STEPHEN L. MASINGILL, SR., ET AL

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

94019

99CV00679

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 10 2000

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the minutes of the Court of Appeals of Georgia.*

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

Will L. Martin, III

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

ATLANTA, MARCH 23, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0222

FULTON COUNTY, GEORGIA V. AMERICAN FACTORS OF NASHVILLE, INC.

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

95019

1998CV02370

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 23 2000

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

Will L. Martin, III

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

ATLANTA, MARCH 27, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0223
LONNIE DAVID CLARK V. THE STATE

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

98019

99CR520

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAR 27 2000*

*I certify that the above is a true extract from
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hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

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

ATLANTA, MARCH 15, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0224

HUGH H. SCOTT, JR. V. CUSHMAN & WAKEFIELD OF GEORGIA, 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 State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

96019

99VS0150334B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 15 2000

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*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, MARCH 24, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0225
RICHARD MARVIN MALONE, JR. 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.

71019

99CR50715

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAR 24 2000

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Clerk.

Will. L. Mont, III

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

ATLANTA, MARCH 27, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0226

DANIEL KATZ, M.D. V. HOSPITAL AUTHORITY OF RABUN COUNTY, GEORGIA

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

97019

99CV280W

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 27 2000

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Clerk.

Will L. Mat...

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

ATLANTA, MARCH 27, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0227
ERIC D. POWELL V. THE STATE

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

99019
99CR506

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAR 27 2000*

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Will. L. Martin, III Clerk.

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

ATLANTA, MARCH 16, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0228
DONALD AUGUSTUS COWART, SR., ET AL V. THE STATE

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

70019

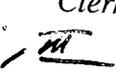
CR991671KA

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAR 16 2000*

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Clerk.

Will. L. Mart, 

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

ATLANTA, MARCH 29, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0229

COOK REAL ESTATE HOLDINGS, L.L.C. V. P.E. ATLANTA, INC.

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

93019

99DD0003706

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 29 2000

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

Clerk.

Will L. ...

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

ATLANTA, MARCH 17, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0230

JAMES R. ALLEN V. THE STATE

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

90020

95263 96115

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 17 2000

*I certify that the above is a true extract from
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hereto affixed the day and year last above written.*

Clerk.

Will L. [Signature]

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

ATLANTA, APR - 4 2000

The Court of Appeals hereby passes the following order:

A00I0230. ALLEN v. THE STATE.

Upon consideration of the motion for reconsideration of this court's denial of the application for interlocutory appeal, it is ordered that the motion for reconsideration and the application be hereby GRANTED.

The appellant may file a Notice of Appeal within ten (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.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR - 4 2000

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the minutes of the Court of Appeals of Georgia.*

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Will L. Martin, Clerk

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

ATLANTA, MARCH 24, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0231
ROGER C. CAUDELL V. TOCCOA INN, INC.

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

94020

99CV641W

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 24 2000

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Clerk.

William L. Mast, III

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

ATLANTA, MARCH 24, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0232

RALPH D. SEALS, ET AL V. HYGRADE DISTRIBUTION AND DELIVERY SYSTEMS,
INC.

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

95020

98VS0143207A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 24 2000

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Clerk.

Will L. Martin, III

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

ATLANTA, MARCH 16, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0233
JAMES TRACOFF, ET AL V. SUSAN B. WITHERS

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.

98020

99356010

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 16 2000

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Clerk.

William L. Martin, III

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

ATLANTA, MARCH 30, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0234

BP EXPLORATION & OIL, INC. V. ULRICA JONES

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.

96020

98VS0142174A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 30 2000

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

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

ATLANTA, MARCH 17, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0235

E.R. HART, JR. V. CHARLES H. HART

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.

71020

950V13G

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 17 2000

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

Will. L. Martin, III

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

ATLANTA, MAR 23 2000

The Court of Appeals hereby passes the following order:

A00I0237. Physicians' Specialty Corp., et al. v. Wellstar Health System, Inc. d/b/a Wellstar Physicians Group

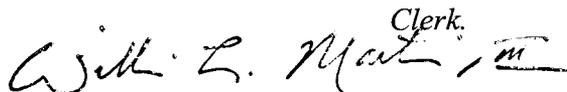
Physicians' Speciality Corp., PSC Management Corp., and New Atlanta Ear, Nose & Throat Associates, P.C. filed this application for interlocutory appeal following the trial court's order on Wellstar Health System, Inc.'s declaratory judgment action. In this application, applicants claim that the "declaratory judgment entered on February 14, 2000 is directly and immediately appealable as a final judgment under OCGA § 5-6-34 (a) (1) and OCGA § 9-4-2 (a) and have filed a Notice of Appeal below." We agree. Sunstates Refrigerated Services, Inc. v. Griffin, 215 Ga. App. 61 (449 SE2d 858) (1994). Accordingly, this application is ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 23 2000

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

Wilk. L. Mat, ^{Clerk.} 

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

ATLANTA, FEBRUARY 22, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0238

TONY SCHLOMER 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.

70020

99S2501

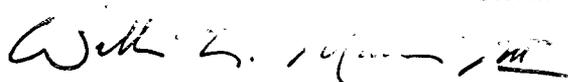
Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 22 2000

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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, MARCH 31, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0239

GEORGIA FARM BUREAU MUTUAL INSURANCE COMPANY V. JIMMY MEYERS, ET AL

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

91020

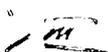
1J98CV040

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 31 2000

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

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

Will. L. Mat,  Clerk.

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

ATLANTA, MARCH 31, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0240

CORPORATE PROPERTY INVESTORS D/B/A LENOX SQUARE MALL, ET AL V. RONALD
C. MILON

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.

93020

98VS0135995J

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 31 2000

*I certify that the above is a true extract from
the minutes of 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, MARCH 31, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0241
BRIAN K. MATTHEWS V. THE STATE

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

90021

99CR392

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 31 2000

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, APRIL 07, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0242
PROGRESSIVE INSURANCE COMPANY V. PAMELA LAWRENCE

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

94021

98VS143965B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR -7 2000

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, MARCH 31, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0243
CONSTANCE A. LOCKE V. RONALD C. MILON

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.

93021

98VS0135995J

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 31 2000

*I certify that the above is a true extract from
the minutes of 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 R. Moore, III

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

ATLANTA, MARCH 29, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0244

SSC SERVICE SOLUTIONS V. MARGARET JOAN LEWIS

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

95021

I991678F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 29 2000

*I certify that the above is a true extract from
the minutes of 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. Hunt, III

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

ATLANTA, APR -3 2000

The Court of Appeals hereby passes the following order:

A00I0245. KMART, INC. v. GRACE FIELDS

Kmart, Inc. filed this interlocutory application seeking review of the state court's order denying its motion to dismiss complaint and granting Grace Fields's motion to correct clerical error. The order was entered on February 14, 2000. The certificate of immediate review, however, was not entered until March 6, 2000, 21 days after entry of the order. OCGA § 5-6-34 (b) requires the trial court to enter a certificate of immediate review within ten days of entry of the interlocutory order appealed from. If the certificate of immediate review is not entered within the ten day period, it is untimely. Turner v. Harper, 231 Ga. 175 (200 SE2d 748) (1973). Failure of the applicant to timely submit a certificate of immediate review deprives this Court of jurisdiction to consider the interlocutory appeal. Id. This application is thus DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR -3 2000

*I certify that the above is a true extract from
the minutes of 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. McClinton, Clerk

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

ATLANTA, MARCH 27, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0246

JEFFREY CURTIS JOHNSTON V. TRISHA ANNETTE JOHNSTON

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

96021

99CVD2553

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 27 2000

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, APRIL 17, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0247

ANNIE C. HOLLIE, AS THE ADMINISTRATRIX OF THE ESTATE OF OLEAN COATES
V. FULTON-DEKALB HOSPITAL AUTHORITY D/B/A GRADY HOSPITAL

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

71021

99VS0152963B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 17 2000

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

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

Will L. Martin, Clerk.

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

ATLANTA, APRIL 19, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0248

THE CITY OF ATLANTA, GEORGIA V. GARY K. PALMER, ET AL

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

97021

1999CV6938

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 19 2000

*I certify that the above is a true extract from
the minutes of 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, MARCH 27, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0249
CARTER & ASSOCIATES V. JOANNA TAYLOR

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

99021

98VS0147674

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 27 2000

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

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

Clerk.

Will. L. Mart

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

ATLANTA, MARCH 30, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0250
HENRY LORENZO BERRY 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.

70021

99CV1629I

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAR 30 2000

*I certify that the above is a true extract from
the minutes of 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. McTigue, III

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

ATLANTA, APRIL 12, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0251
HOLIDAY HOSPITALITY FRANCHISING, INC. V. DELTA MANAGEMENT
INTERNATIONAL L.C., ET AL

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

92021

9999421

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 12 2000

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

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

Clerk.

Will. L. Mart

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

ATLANTA, APRIL 25, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0252
CHEMFREE CORPORATION V. JAMES C. MCCLURE

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

91021

99A19695

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 25 2000

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, APRIL 25, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0253

ZYMO INTERNATIONAL, INC. V. JAMES C. MCCLURE

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

91022

99A19695

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta APR 25 2000*

*I certify that the above is a true extract from
the minutes of 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, APR 13 2000

The Court of Appeals hereby passes the following order:

A00I0254. PREFERRED RISK MUTUAL INSURANCE COMPANY v. ALLISON.

Applicant Preferred Risk Mutual Insurance Company has filed a motion to dismiss the above styled application. The motion is based on a subsequent order of the trial court vacating and re-entering the order that is the subject of the insurer's application. Applicant's motion to dismiss is GRANTED and the application is hereby DISMISSED as moot.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 13 2000

*I certify that the above is a true extract from
the minutes of 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. ^{Clerk} [Signature]

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

ATLANTA, APRIL 14, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0255
PATRICK ROY DAWSON V. THE STATE

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

94022

41704T

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 14 2000

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

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

Will. L. Mont,  Clerk.

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

ATLANTA, APRIL 14, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0256

RAGSDALE HEATING & AIR CONDITIONING, INC. V. LYNDON TERRELL

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.

95022

99CV1438

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

APR 14 2000

*I certify that the above is a true extract from
the minutes of 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. McEachern, Clerk.

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

ATLANTA, APR 11 2000

The Court of Appeals hereby passes the following order:

**A00I0257. JAMES BENJAMIN BAGGARLY, JR. ET AL v. BARKO HYDRAULICS,
L.L.C.**

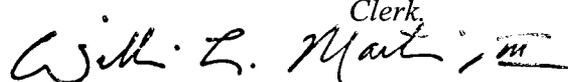
James Benjamin Baggarly, Jr., and Beverly T. Baggarly filed this application for interlocutory review of the order of the Superior Court of Fulton County granting partial summary judgment to Barko Hydraulics, L.L.C. An order granting partial summary judgment, however, is directly appealable. OCGA § 9-11-56 (h). Because a grant of partial summary judgment is subject to direct appeal, and because under OCGA § 5-6-34 (b), the interlocutory review procedure is applicable only to those orders, decisions, and judgments which are not otherwise subject to direct appeal, this application is hereby dismissed. See Artis v. Gaither, 199 Ga. App. 114 (404 SE2d 322) (1991).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 11 2000

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

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

Wilk. L. Mart, ^{Clerk.} 

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

ATLANTA, APRIL 13, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0258

W. J. HALL CONSTRUCTION, INC. ET AL V. JAY BROWNLEE ET AL

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

96022

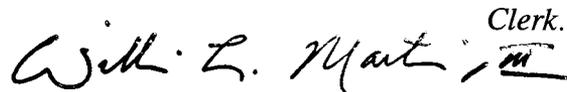
990505BA

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 13 2000

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

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

Will L. Mart, ^{Clerk.} 

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

ATLANTA, APRIL 27, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0259

WEST PACES FERRY HOSPITAL, INC. V. SONJA HARDE WELLS

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

71022

98VS0147366A

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 27 2000

*I certify that the above is a true extract from
the minutes of 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. McIntosh, Clerk.

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

ATLANTA, APRIL 21, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0260

SUMTER REGIONAL HOSPITAL, INC., ET AL V. SUMTER FREE PRESS, 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.

97022

98V515

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 21 2000

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

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

Clerk.

William L. Martin, III

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

ATLANTA, MAY 02, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0261
CLYDE BRUTUS 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.

99022

99CR29604

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAY -2 2000*

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

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

Clerk.

Will L. Mat...

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

ATLANTA, MAY 01, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0262
FULTON-DEKALB HOSPITAL AUTHORITY V. THOMAS E. BALL

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

70022

1998CV02376

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY - 1 2000

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

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hereto affixed the day and year last above written.*

Clerk.

Will L. Mat...

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

ATLANTA, APRIL 28, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0263
GEORGE R. VITO, DPM V. DEBORAH DIX

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

92022

99CV5397

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta APR 28 2000*

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

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

Will L. Martin, III
Clerk.

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

ATLANTA, MAY 03, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0264
PATRICK L. SWINDALL, ET AL V. JOSEPH HARRIS

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.

93022

97VS0134426C

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAY - 3 2000

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

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

Will. L. Mant, ^{Clerk.} 

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

ATLANTA, APR 18 2000

The Court of Appeals hereby passes the following order:

A00I0265. Benedit v. Sod & Turf, Inc.

Applicants Robert Bedit, Individually and as Administrator of the Estate of Nancy Bedit, and Virginia Bedit seek interlocutory review of the trial court's order which granted the Georgia Department of Transportation's motion to transfer this case to the State Court of Gwinnett County. At issue is the construction of the joint tortfeasor provision of the Georgia Constitution. Ga. Const. of 1983, Art. VI, Sec. II, Par. IV. However, because the Supreme Court has exclusive jurisdiction over "[a]ll cases involving the construction . . . of the Constitution of the State of Georgia," Ga. Const. of 1983, Art. VI, Sec. VI, Par. II (1), this case is transferred to the Supreme Court. See Kolker v. State, 260 Ga. 240 (391 SE2d 391) (1990); Pruitt v. State, 230 Ga. App. 334, 335 (4) (496 SE2d 324) (1998).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 18 2000

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

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

Wilk. L. Martin, Clerk

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

ATLANTA, APRIL 27, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0266
FORD CLINIC, INC., D/B/A NORTHEAST GEORGIA MEDICAL ASSOCIATES V.
DR. WILLIAM W. POTTER, 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.

94023

97FCV290H

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 27 2000

*I certify that the above is a true extract from
the minutes of 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 W. Potter, III

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

ATLANTA, APRIL 21, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0267

J.H. HARVEY COMPANY, D/B/A HARVEY'S SUPERMARKET V. CAROLYN ANN
VINCENT

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.

95023

98VS252

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 21 2000

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, MAY 02, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0268
HUMBERTO GIRALDO 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.

99023

99CR29604

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY -2 2000

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, MAY 01, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0269

C.W. MATTHEWS CONTRACTING CO., INC. V. JERRY FRAKER, ET AL

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

98023

97VS0129146J

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY - 1 2000

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

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

Will L. Mat... Clerk.

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

ATLANTA, MAY 05, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0270

J.H. HARVEY COMPANY, D/B/A HARVEY'S SUPERMARKET V. BRENDA SCOTT

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

96023

99CV371

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY -5 2000

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

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

Clerk.

Will. L. Mart, 

Court of Appeals of the State of Georgia

ATLANTA, APR 12 2000

The Court of Appeals hereby passes the following order:

A00I0271. Clark v. Clark

Linda Jo Clark filed this application for interlocutory review of the trial court's order, in a divorce action, which declined to exercise jurisdiction as to the custody proceedings, but retained jurisdiction over the divorce proceeding. OCGA § 19-9-47. However, because the issues Clark seeks to have reviewed arise out of an action for divorce, this Court lacks jurisdiction to consider this application. Ga. Const. of 1983, Art. VI, Sec. VI, Par. III (6); Holtsclaw v. Holtsclaw, 269 Ga. 163 (496 SE2d 262) (1998); Norowski v. Norowski, 267 Ga. 841 (483 SE2d 577) (1997). Accordingly, this application is transferred to the Supreme Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 12 2000

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

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

Will L. Martin, III
Clerk

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

ATLANTA, MAY 03, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0272

GEORGIA FARM BUREAU MUTUAL INSURANCE COMPANY V. BENJAMIN F. FUTCH,
ET AL

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

97023

99CV2250

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY -3 2000

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, April 19, 2000

The Honorable Court of Appeals hereby passes the following order:

A00I0273. CHICAGO TITLE INSURANCE COMPANY v. TERRACE MORTGAGE
COMPANY, ET AL.

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

70-023

1999CV15134

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta APR 19 2000

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

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

W. L. [Signature]
Clerk.

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

ATLANTA, MAY 02, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0274
VICKIE D. BROUGHTON V. LENORRIS JOHNSON

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.

92023

98CV41722

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY - 2 2000

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

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

Will. L. Martin, ^{Clerk.}

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

ATLANTA, MAY 10, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0275
ROBERT CLAYTON SCOGGINS 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.

91023

99CR492

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 10 2000

*I certify that the above is a true extract from
the minutes of 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. Mant, III

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

ATLANTA, MAY 01, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0276

CITY OF TOCCOA, GEORGIA V. ROBERT CANBERG, ET AL

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

70024

99CV229W

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY - 1 2000

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

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

Will. L. Martin, III Clerk.

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

ATLANTA, MAY 12, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0277
ALLIEDSIGNAL, INC. V. FRANK OWENS, ET AL

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

93023

9700233 S00I1058

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 12 2000

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

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

Clerk.

Will. L. Mart

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

ATLANTA, MAY 15, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0278

CHARLES F. BARFIELD & ASSOCI. INC. D/B/A THE BARFIELD AGENCY, ET AL
V. BOBBIE ALLISON

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

90024

981208934

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 15 2000

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

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

Will L. Martin, ^{Clerk.} 

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

ATLANTA, MAY 11, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0279
ETHEL LAVERN GARRETT V. HOWARD WARD RICE

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

94024

99CV152681

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 11 2000

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

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

Will L. Martin Clerk.

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

ATLANTA, MAY 15, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0280

PREFERRED RISK MUTUAL INSURANCE COMPANY V. BOBBIE ALLISON

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

90025

981208934

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAY 15 2000*

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

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

Will L. Mart,  Clerk.

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

ATLANTA, MAY 11 2000

The Court of Appeals hereby passes the following order:

A00I0281. VARGAS v. THE STATE.

Eduardo Vargas seeks an interlocutory appeal from an order entered April 3, 2000, denying in part his motion to suppress. A certificate of immediate review signed by the trial court on April 5, 2000, was filed with the clerk on April 17, 2000. To be effective, however, a certificate of immediate review must be signed and filed within ten days of the entry of the order to which the certificate refers. Turner v. Harper, 231 Ga. 175, 176 (200 SE2d 748) (1973). Because the order complained from was not certified for immediate review within ten days as required under OCGA § 5-6-34 (b) and Turner v. Harper, supra, Vargas's application is hereby DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 11 2000

*I certify that the above is a true extract from
the minutes of 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 17, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0282

HOLIDAY NETWORK INTERNATIONAL, INC., ET AL V. WORLD CONNECTIONS, 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.

98024

99A61981

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 17 2000

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

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

Clerk.

William L. Martin, III

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

ATLANTA, MAY 22, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0283

DOSTER WAREHOUSE, INC., D/B/A DOSTER FARM SUPPLY V. JOHN B. GORDON

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

71024

97CV043

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 22 2000

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

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

Will L. Mart,  Clerk.

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

ATLANTA, MAY 18, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0284

CAREMASTER MEDICAL SERVICES V. JANICE DIXON FLEMISTER, ET AL

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

97024

99A523745

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAY 18 2000*

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

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

Clerk.

Will. L. Mart, III

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

ATLANTA, MAY 23, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0285
ITALIAN GRILL, INC., ET AL V. GARY BRASWELL

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

99024

99A05901

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAY 23 2000*

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

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

ATLANTA, MAY 19, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0286
DONNA J. PRESCOTT V. BUILDERS TRANSPORT, INC.

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

96024

95CS203

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 19 2000

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

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

Clerk.

Will L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, May 3, 2000

The Court of Appeals hereby passes the following order:

A00I0287. Stephens v. Greensboro Properties, Ltd., L.P.

Linda L. Stephens (both individually and as Administratrix of the Estate of Jeremiah Martricial Stephens) and Freddie Stephens ("the Stephenses") filed this application for interlocutory appeal following the trial court's grant of summary judgment to Greensboro Properties, Ltd., L.P., Greensboro Properties, L.P., Phase II, and Investors Management Co. of Valdosta, Inc. However, grants of summary judgment are directly appealable under OCGA § 9-11-56 (h). Cherokee County v. Hause, 229 Ga. App. 578 (1) (494 SE2d 234) (1997).

The interlocutory appeal requirements apply only for orders not otherwise subject to direct appeal. OCGA § 5-6-34 (b). It follows that the only appropriate method of appeal is by filing a notice of direct appeal in the superior court. Accordingly, this Court lacks jurisdiction to consider this application, and the application is ordered DISMISSED.

The Stephenses may directly appeal the grant of summary judgment if a notice of direct appeal is filed with the trial court within 30 days of the entry of the order they seek to appeal.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY - 3 2000

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

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

Will L. Martin, ^{Clerk.} III

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

ATLANTA, MAY 23, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0288

JAMES A. MOORE V. CHARLES M. STAFFORD, ET AL

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

91024

99V223

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 23 2000

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, MAY 23, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0289

CHARLES M. STAFFORD, ET AL V. JAMES A. MOORE

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

91025

99V0223

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 23 2000

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, MAY 18, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0290
THERADYNE CORP., ET AL V. CORNELIUS BUSH, ET AL

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

93024

CV980922MI

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAY 18 2000*

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

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

Will L. Mart,  Clerk.

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

ATLANTA, MAY 18 2000

The Court of Appeals hereby passes the following order:

A00I0291. CARLA DEAN MESSIC v. THE STATE.

Carla Dean Messic seeks an interlocutory appeal from orders denying a motion to dismiss and a motion to suppress evidence, both entered on March 28, 2000. A certificate of immediate review was entered on April 17, 2000. To be effective, a certificate of immediate review must be signed and filed within 10 days of the entry of the order, or orders, to which the certificate refers. Turner v. Harper, 231 Ga. 175 (200 SE2d 748) (1973). In this case the certificate was not entered until 20 days after entry of the orders to which it refers. Thus, the certificate is untimely and

this Court lacks jurisdiction to consider this application.

Therefore, this application is ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 18 2000

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

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

Will L. Martin ^{Clerk} *WLM*

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

ATLANTA, MAY 25, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0292
HARDEE'S FOOD SYSTEMS, INC. V. SHIRLEY HIGHNOTE

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.

95025

98CV000654

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 25 2000

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

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

Clerk.

William L. Martin, III

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

ATLANTA, MAY 17, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0293

LARCO GEORGIA-CARROLLTON L.L.C. D/B/A SONIC DRIVE-IN, ET AL V. KEVIN
KEHELEY

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

98025

99V01045

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAY 17 2000*

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

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

Will L. Mart Clerk.

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

ATLANTA, MAY 25, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0294

NATIONWIDE MUTUAL FIRE INSURANCE COMPANY V. MAI BACH LAM, 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.

71025

99SV201D

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 25 2000

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

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

Will L. Martin Clerk.

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

ATLANTA, MAY 31, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0295

THE CATO CORPORATION D/B/A IT'S FASHION, ET AL V. SABRINA HUGHES

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

97025

990575T

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 31 2000

*I certify that the above is a true extract from
the minutes of 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. Moore, III

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

ATLANTA, JUNE 05, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0296

JOHN H. PURCELL, M.D., ET AL V. JANET BREESE, 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.

99025

97A54714

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN -5 2000

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

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

William L. Martin, III Clerk.

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

ATLANTA, JUNE 02, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0297
EDWARD BERNARD DOLE V. THE STATE

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

96025

99B06684

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUN -2 2000*

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, MAY 25, 2000

The Honorable Court of Appeals met pursuant to adjournment.

The following order was passed:

A00I0298. NETEFFECT CORPORATION, ET AL v. PREDICTIVE SYSTEMS, INC.

Applicant's attorney has filed a voluntary dismissal of the discretionary application to appeal in the above styled matter. Since it is the province of this Court to dismiss applications and not the parties, the Court will treat the voluntary dismissal as a motion to withdraw the application and the same hereby granted.

92-025

1999CV16177

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

MAY 25 2000

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

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

W. L. Martin, III
Clerk.

Court of Appeals of the State of Georgia

ATLANTA, MAY 31 2000

The Court of Appeals hereby passes the following order:

**A00I0299. MOUNTAINVIEW DEVELOPMENT COMPANY, INC. v. JERRY
LOTHRIDGE, et al**

Mountainview Development Company, Inc. seeks interlocutory review of an order granting in part the motion for summary judgment of Jerry and Shirley Lothridge. "The interlocutory appeal procedure is applicable to those rulings which are not otherwise subject to direct appeal." Southeastern Security Insurance Co. v. Empire Banking Co., 268 Ga. 450 (490 SE2d 372) (1997). A grant of partial summary judgment is directly appealable pursuant to OCGA § 9-11-56 (h). Whiddon v. Stargell, 192 Ga. App. 826, 828 (386 SE2d 884) (1989). Because the order sought to be appealed is subject to direct appeal, the interlocutory appeal provisions of OCGA § 5-6-34 (b) are inapplicable. Artis v. Gaither, 199 Ga. App. 114 (404 SE2d 322) (1991). The application for appeal is hereby DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 31 2000

*I certify that the above is a true extract from
the minutes of 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. Maitland, Clerk

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

ATLANTA, JUN -5 2000

The Court of Appeals hereby passes the following order:

A00I0300. WILEY CURRY v. GEORGIA-PACIFIC CORPORATION, ET AL.

On April 21, 2000, an order was entered by the superior court denying plaintiff Wiley Curry's motion for summary judgment and granting defendant Georgia-Pacific Corporation's cross-motion for summary judgment. On Tuesday, May 2, 2000, a certificate of immediate review was filed in the superior court. On May 11, 2000, Curry filed an application for interlocutory review of the order entered on April 21, 2000. Curry did not contemporaneously file a direct appeal, under OCGA § 5-6-34 (a) and OCGA § 9-11-56 (h), of the grant of Georgia-Pacific Corporation's cross-motion for summary judgment.

A certificate for immediate review must be filed with the clerk of the trial court within ten days of the entry of the order sought to be reviewed in order to secure immediate review. Turner v. Harper, 231 Ga. 175, 176 (200 SE2d 748) (1973); see OCGA § 5-6-34 (b). As the certificate of review was not filed within the 10-day time period, this application for interlocutory review is hereby dismissed.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN -5 2000

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

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

Will. L. Martin, Clerk.

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

ATLANTA, JUNE 22, 2000

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A00I0300

WILEY CURRY V. GEORGIA-PACIFIC CORPORATION, ET AL

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

70-025
1999CV17573

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUN 22 2000

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

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

Clerk.

Will L. Mart, III

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

ATLANTA, MAY 26, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0301
HARRY WAYNE MCBRIDE 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.

94026

00R8721

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 26 2000

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

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

William L. Martin, III
Clerk.

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

ATLANTA, JUNE 12, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0302

BRYAN COUNTY V. YATES PAVING AND GRADING COMPANY, INC.

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

95026

CV000087MO

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUN 12 2000*

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

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

Will. L. Mant, III
Clerk.

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

ATLANTA, MAY 24, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0303

MICHAEL TEAL V. THE STATE

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

98026

00R004

00R005

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 24 2000

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

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

Clerk.

Will. L. Mart, III

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

ATLANTA, JUNE 06, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0304

TREESOURCE, LLLP V. MCINTOSH COUNTY BOARD OF EDUCATION

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

90026

00V020

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN -6 2000

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

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

Clerk.

Will. L. Martin, III

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

ATLANTA, JUNE 09, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0305
MIMICK MOTOR COMPANY V. WILLIE MOORE

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

71026

CV990537

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUN -9 2000*

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

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

Will. L. Martin, ^{Clerk.}

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

ATLANTA, MAY 31 2000

The Court of Appeals hereby passes the following order:

A00I0306. CRYSTAL ANN THOMASON v. THE STATE.

Crystal Ann Thomason seeks an interlocutory appeal from the state court's order, denying her motion to suppress evidence and motion in limine, entered May 5, 2000. A certificate of immediate review was entered on May 16, 2000. To be effective, a certificate of immediate review must be signed and filed within 10 days of the entry of the order to which the certificate refers. Turner v. Harper, 231 Ga. App. 175 (200 SE2d 748) (1973). In this case the certificate was not entered until 11 days after entry of the order to which it refers. Thus, the certificate is untimely and this

Court lacks jurisdiction to consider this application. Therefore,
this application is ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY 31 2011

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

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

Will L. Martin, ^{Clerk}

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

ATLANTA, JUNE 13, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0309
MACON HOUSING AUTHORITY V. WANDA PATRICK

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

92026

46634

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 13 2000

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, JUN 26 2000

The Court of Appeals hereby passes the following order:

A00I0309. MACON HOUSING AUTHORITY v. WANDA PATRICK

Upon consideration of respondent's motion for frivolous appeal penalty pursuant to Court of Appeals Rule 15 (b), the motion is hereby DENIED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 26 2000

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

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

Will L. Martin^{Clerk}

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

ATLANTA, JUNE 22, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0310

TERRACES CONDOMINIUM ASSOCIATION, INC., ET AL V. BEVERLY PROFFIT

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

91026

98VS0145177B

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 22 2000

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

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

Clerk.

Will. L. Mat...

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

ATLANTA, JUNE 30, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0311
DAVID WENDELL DEAN 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.

93026

99B24297

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 30 2000

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, JUNE 28, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0312

DAVID HUBBS, ET AL V. CHELESE LOPEZ, A MINOR, BY FLORENCE N. LOPEZ,
AS NEXT FRIEND

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

70026

98CVS0132

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 28 2000

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, JUNE 20, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0313

HOSPITAL AUTHORITY OF DOOLY COUNTY, GEORGIA, D/B/A DOOLY MEDICAL
CENTER, ET AL V. SAMUEL LOCKERMAN, ET AL

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

94027

97CV17189

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 20 2000

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, JUNE 22, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0314

BARBARA BAKER, ET AL V. CHARLES E. MILLS, 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.

95027

1998SCV597

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 22 2000

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

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

ATLANTA, JUNE 22, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0315

WAYNE FANN, ET AL V. CHARLES E. MILLS, 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.

95028

1998SCV597

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 22 2000

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

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

William L. Martin, III
Clerk.

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

ATLANTA, JUNE 26, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0316
J.D. SIMPSON, ET AL V. THE STATE

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

98027

1B00CR005

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUN 26 2000*

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

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

William L. Martin, III Clerk.

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

ATLANTA, JUNE 28, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0317

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

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.

90027

E52873

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 28 2000

*I certify that the above is a true extract from
the minutes of 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, JUL -5 2000

The Court of Appeals hereby passes the following order:

A00I0318, A00I0319. ROWELL v. SOUTHWEST GEORGIA AREA HEALTH EDUCATION CENTER, INC.; and vice versa.

The above styled applications for interlocutory appeal are from an order granting in part and denying in part the motion for summary judgment filed by plaintiff Southwest Georgia Area Health Education Center ("SOWEGA-AHEC"). The trial court ruled that while defendant William Scott Rowell is liable to SOWEGA-AHEC under the contract for refusing to practice as a physician's assistant within its service area, a material issue of fact remains as to whether Rowell is entitled to a setoff for the cost of textbooks he purchased in light of a provision in the contract obligating plaintiff to provide Rowell "assistance in arranging use of required textbooks."

In Application No. A00I0318, Rowell seeks an appeal from that portion of the trial court's order granting in part the plaintiff's motion for summary judgment. Because a grant of partial summary judgment is directly appealable under OCGA § 9-11-56 (h), the interlocutory appeal procedure does not apply as to that portion of

the order addressed in Rowell's application. Accordingly, Application No. A00I0318 is hereby DISMISSED for lack of jurisdiction. Artis v. Gaither, 199 Ga. App. 114 (404 SE2d 322) (1991).

In Application No. A00I0319, SOWEGA-AHEC seeks immediate review of the partial denial of its motion for summary judgment. Because only a relatively minor issue involving a potential setoff remains pending for trial, it does appear that pretrial appellate review of the issues presented in both¹ applications is appropriate at this time. Accordingly, SOWEGA-AHEC's application for interlocutory appeal is hereby GRANTED. SOWEGA-AHEC shall have ten days from the date of this order to file its notice of appeal. The clerk of superior court is directed to include a copy of this order in the record transmitted to this court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL -5 2000

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the minutes of the Court of Appeals of Georgia.*

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Will. L. Martin, Clerk

¹For the sake of clarity, we note that neither the dismissal of Rowell's application for interlocutory appeal nor Rowell's failure to file a direct appeal as allowed under OCGA § 9-11-56 (h) serves to prejudice his right to file a timely cross appeal subsequent to the filing of SOWEGA-AHEC's notice of appeal.

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

ATLANTA, JUNE 21, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0320
WILEY JORDAN V. TRI COUNTY AG, INC.

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

97027

99CV07331

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUN 21 2000*

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

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

Clerk.

Will L. Martin, III

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

ATLANTA, JUNE 29, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0321

PETER ULBRICH V. CHRISTINE M. STADLER, ESQ., ET AL

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

99027

E71184

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 29 2000

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

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

Clerk.

Will. L. Mart

Court of Appeals of the State of Georgia

ATLANTA, JUN 22 2000

The Court of Appeals hereby passes the following order:

A00I0322. EZ CASH, INCORPORATED, F/K/A CASH COW, INCORPORATED, ET AL v. THE INDUSTRIAL LOAN COMMISSIONER.

EZ Cash, Incorporated, f/k/a Cash Cow, Incorporated, et al. have filed an application for review of the interlocutory order of the superior court denying its application for leave to submit new evidence in support of reversal of agency's decision and seeking to remand this matter to the Industrial Loan Commissioner under OCGA § 50-13-19 (f), or, in the alternative, to either stay the superior court's consideration of the application for leave to submit new evidence or to stay the appeal of the Commissioner's order pending the outcome of an allegedly related criminal prosecution underway in Florida.

Because OCGA § 50-13-20 authorizes the appellate courts of this state to review only final judgments in appeals brought under the Administrative Procedures Act, this court lacks jurisdiction to review this interlocutory order even though a certificate of immediate review has been issued under OCGA § 5-6-34 (b). See Georgia Public Svc. Commission v. Southern Bell, 254 Ga. 244, 247

(327 SE2d 726) (1985); Howell v. Harden, 231 Ga. 594, 595 (203 SE2d 206) (1974); State Health Planning Review Bd. v. Piedmont Hosp., Inc., 173 Ga. App. 450 (326 SE2d 814) (1985); Hardison v. Booth, 160 Ga. 69 (286 SE2d 60) (1981); Georgia State Bd. of Pharmacy v. Purvis, 155 Ga. App. 597 (271 SE2d 870) (1980).

Accordingly, this application is hereby dismissed.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 22 2000

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

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Will. L. Maut, ^{Clerk.} 

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 11, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0323
MCKESSON HBOC, INC. V. MELVIN ADLER

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92027

99C79803

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 11 2000

*I certify that the above is a true extract from
the minutes of 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

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 11, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0324
ALBERT BERGONZI V. MELVIN ADLER

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92028

99C79803

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUL 11 2000*

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 11, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0325
ALBERT J. BERGONZI V. MELVIN ADLER

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92029

99C79803

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUL 11 2000*

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Will. L. Maut Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 11, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0326
JAY P. GILBERTSON V. MELVIN ADLER

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

92030

99C79803

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUL 11 2000*

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Will. L. Martin, ^{Clerk.}

**Court of Appeals
of the State of Georgia**

ATLANTA, JUL 10 2000

The Court of Appeals hereby passes the following order:

A00I0327. IN YOUR DREAMS FARM, INC., et al. v. WELLS.

Applicants seek an interlocutory appeal from an order denying their motion to dismiss for failure to state a claim based on the exclusive remedy provision of the Workers' Compensation Act, OCGA § 34-9-11. The order complained of was entered on May 24, 2000. The trial court timely signed a certificate of immediate review on June 2, but the certificate was not filed with the clerk until the following Tuesday, June 6. Because the certificate of immediate review was not timely filed with the clerk as required under Turner v. Harper, 231 Ga. 175, 176 (200 SE2d 748) (1973), the application is hereby DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 10 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Will L. Mart, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 21, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0328
BENNIE MITCHELL V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

93027

99S289

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 21 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 05, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0329

JEKYLL ISLAND STATE PARK AUTHORITY V. KIMBERLY MACHURICK

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.

70027

9801200

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL -5 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Will. L. Martin, Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 29, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0330

FULTON COUNTY BOARD OF EDUCATION, ET AL V. CITIZENS FOR EDUCATION
AND THE ENVIROMENT, 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.

94028

2000CV17913

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 29 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUN 23 2000

The Court of Appeals hereby passes the following order:

A00I0331. McDonald v. Sadler

James McDonald filed this application for interlocutory review of the trial court's denial of his motion to amend his complaint and correct the name of the defendant. The order McDonald seeks to appeal was entered by the trial court on May 16, 2000. McDonald obtained a certificate of immediate review on May 30, 2000, 14 days after entry of the order he seeks to appeal. However, a certificate of immediate review must be obtained within 10 days of entry of the order sought to be reviewed. OCGA § 5-6-34 (b). McDonald's failure to obtain a timely certificate of immediate review deprives this Court of jurisdiction to consider this application. Accordingly, this application is ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 23 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Will. L. Mant ^{Clerk.} 

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 14, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0332

C.E. HALL CONSTRUCTION, INC. V. NASSER MALEKI, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

90028

CV990233MI

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 14 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will L. Martin, III

Court of Appeals of the State of Georgia

ATLANTA, JUN 22 2000

The Court of Appeals hereby passes the following order:

A00I0333. Stewart Enterprises, Inc. v. Yeager

In this interlocutory application, Stewart Enterprises, Inc. and Continental Casualty, Co. seek review of the trial court's grant of Hubert Monroe Yeager, Jr.'s motion to dismiss. The order was filed by the clerk of court on June 1, 2000. Although it was signed by the trial court on June 9, 2000, the certificate of immediate review included in the application was not stamped "filed" by the clerk of court until June 19, 2000, 19 days after entry of the order appealed.

If a certificate of immediate review is not obtained within ten days after entry of the interlocutory judgment appealed, it is untimely and the party must wait until a final judgment is entered before appealing the interlocutory judgment rendered in the case. OCGA § 5-6-34 (b); Turner v. Harper, 231 Ga. 175, 176 (200 SE2d 748) (1973). "[A] certificate of immediate review of a nonfinal or interlocutory judgment is ineffective unless entered, i.e., filed with the clerk, within ten days after entry of the judgment appealed from." Van Schallern v. Stanco, 130 Ga. App. 687 (204

SE2d 317) (1974). Here the certificate of immediate review was not timely filed, and this Court is without jurisdiction to consider the application. Graves v. Dean, 166 Ga. App. 186 (303 SE2d 751) (1983). Accordingly, this application is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN 22 2000

I certify that the above is a true extract from the minutes of the Court of Appeals of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

Will. L. Martin, III
Clerk

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 14, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0334
JOHNNY BONDS V. MARK ALAN HARDIN, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99028
72703D

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUL 14 2000*

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JUNE 30, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0335
WILLIE LEWIS THURMAN, III V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96028

99CR8803

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUN 30 2000*

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 17, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0336

WALTER WILLIAM BLAIR, ET AL V. DEANN BLAIR STAPLES

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91028

98CV2147

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 17 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Will. L. Martin, III Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 17, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0337

PHOENIX CRANE SERVICE, INC., ET AL V. BARBARA ECHOLS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

93028

99A68836

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 17 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 07, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0338

MARK S. MARANI, ET AL V. FULTON COUNTY BOARD OF TAX ASSESSORS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

70028

1999CV10391

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL -7 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 19, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0339

THOMAS G. STATHAM, AS PERSONAL REPRESENTATIVE FOR THE ESTATE OF
PEARL STATHAM GOBER V. GEORGIA TRANSMISSION CORPORATION

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

94029

99CV0209 99CV0213

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 19 2000

*I certify that the above is a true extract from
the minutes of 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 30, 2000

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A00I0339

THOMAS G. STATHAM, AS PERSONAL REPRESENTATIVE FOR THE ESTATE OF
PEARL STATHAM GOBER V. GEORGIA TRANSMISSION CORPORATION

Upon consideration of the motion for reconsideration filed
in this case, it is ordered that it be hereby denied.

94-029
99CV0209 99CV0213

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta AUG 30 2000*

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Will. L. Mart,  Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 11, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0340

EDWARD B. WEISER, M.D., ET AL V. SHAWN WERT, 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.

95029

99VS0155245D

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 11 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 24, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0341

TECUMSEH PRODUCTS COMPANY, INC. V. WANDA FAYE RIGDON

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

98029

99S030296

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUL 24 2000*

*I certify that the above is a true extract from
the minutes of 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, JULY 24, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0342

ENGINEERED FABRICS CORPORATION V. VERSICO, INCORPORATED

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

90029

96CV246

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 24 2000

*I certify that the above is a true extract from
the minutes of 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. Maut, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 25, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0343

GEORGIA DEPARTMENT OF TRANSPORTATION V. ALIDA CRAFT, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

71029

46040

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 25 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 24, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0344

VERSICO INCORPORATED V. ENGINEERED FABRICS CORPORATION

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

90030

96CV246

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 24 2000

*I certify that the above is a true extract from
the minutes of 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

Application deleted

COURT OF APPEALS OF GEORGIA

334 STATE JUDICIAL BUILDING

ATLANTA, GEORGIA 30334

(404) 656-2450

Changed to Disc. A00D0400

per KID

**A P P L I C A T I O N F O R
I N T E R L O C U T O R Y A P P E A L**

APPLICATION NUMBER: A00I0345 DATE OF DOCKETING: JUNE 24, 2000
STYLE: IDA NELL DEVINE, ET AL V. RICHARD A. BRYANT, ET AL

ASSIGN TO: 97-029

FILED: JUNE 24, 2000

RESPONSE BY: JULY 05, 2000

FINAL ORDER DUE BY: JULY 24, 2000

DIVISION: 2

GRANT: _____, _____, _____

DENY : _____, _____, _____

DISMISS: _____, _____, _____

TRANSFER: _____, _____, _____

RETURNED TO CLERK:

TRIAL COURT NUM:
97CV340S

DIVISION 2 CIRCULATING PATH: [95, 97, 91].

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 13, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0346

CAMERON ALEXANDER HAWKINS V. ELIZABETH JOY WILBANKS, 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.

99029

99CV10151

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 13 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, July 24, 2000

The Honorable Court of Appeals hereby passes the following order:

A00I0347. IN RE: ESTATE OF MARK O. BARTON.

Upon consideration of the motion for withdrawal of the above styled interlocutory application, it is hereby ordered that said motion be GRANTED.

96-029

99355

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 24 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

W. L. Martin, III
Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 26, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0348

DESIGN SPACE, INC. V. TRAVIS E. URSREY, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

91029

99S040367

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUL 26 2000*

*I certify that the above is a true extract from
the minutes of 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, JULY 17, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0349

GRIMES BROTHERS GRANITE COMPANY, INC. V. BOBBY GARRETT

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

93029

99EV556J

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 17 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 24, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0350
ANDREA HARDIN, ET AL V. DAVID J. PHILLIPS

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.

70029
99B486

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUL 24 2000*

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 25, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0351

REEVES CONSTRUCTION CO. V. ALIDA CRAFT, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

71030

46040

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 25 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 02, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0352
SITE COLLECTION, INC. V. KEITH A. PECK

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

94030

99VS0156608H

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG -2 2000

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the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will. L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 24, 2000

The Honorable Court of Appeals met pursuant to adjournment.

The Following order was passed:

Case No. A00I0352

SITE COLLECTION, INC. V. KEITH A. PECK

Upon consideration of the motion for reconsideration filed in this case, it is ordered that it be hereby denied.

94-030
99VS0156608H

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta AUG 24 2000

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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. Mart,  Clerk.

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 07, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0353
SUNBEAM TRADING CO., INC. V. RAYMOND FOWLER 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.

95030

981414999

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG -7 2000

*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 L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 07, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0354

JAMES WHEELER V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

98030

99R131

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG -7 2000

I certify that the above is a true extract from the minutes of 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 01, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0355
JORGE ANTONIO PEREZ 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.

97030

00CR006258

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG -1 2000

*I certify that the above is a true extract from
the minutes of 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, JULY 26, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0356

EMPIRE BUSINESS BROKERS SOUTH INC., ET AL V. DAVID LALONDE ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

99030

I991508F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 26 2000

*I certify that the above is a true extract from
the minutes of 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, JULY 25, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0357
ARMSTEAD WILLIAMS V. JIMMY L. AIKENS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96030

99A574605

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta JUL 25 2000*

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the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will. L. Mart, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 08, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0358

RICHARD ORA RANDALL V. JOHN LAWLER, III, 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.

91030

99VS154856

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG -8 2000

*I certify that the above is a true extract from
the minutes of 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. Martini, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 27, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0360
JASON MARK MORGAN V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

70030

2000SR000022 8

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

JUL 27 2000

I certify that the above is a true extract from the minutes of 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, JUL 26 2000

The Court of Appeals hereby passes the following order:

A00I0361. GEORGIA PIPE COMPANY v. LAWLER, III, et al.

Georgia Pipe Company seeks an interlocutory appeal from an order denying its motion for summary judgment and motion for partial summary judgment. The order was entered on June 23, 2000. The trial court issued a certificate of immediate review on July 12, 2000, nunc pro tunc "as of July 3, 2000." However, "[a] nunc pro tunc entry of a certificate for immediate review cannot revive a right of appeal which has expired." Whitlock v. State, 124 Ga. App. 599, 601 (185 SE2d 90) (1971). Even if the certificate of immediate review upon which Georgia Pipe Company relies is treated as having been signed by the trial court on July 3 with the intent that the certificate be filed on the same day, the fact remains that the certificate was not actually filed with the clerk of the trial court until July 12, 2000. A certificate of immediate review is effective only if it is filed with the clerk of the trial court within ten days of the filing date of the order certified for review. Turner v. Harper, 231 Ga. 175, 176 (200 SE2d 748) (1973).

Because we find that Georgia Pipe Company's application for interlocutory appeal is not authorized in the manner required under OCGA § 5-6-34 (b), it is hereby DISMISSED for lack of jurisdiction.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 26 2000

*I certify that the above is a true extract from
the minutes of 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 03, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0362
VINCENT B. WILLIAMS V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

94031

99R1265

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta AUG -3 2000*

*I certify that the above is a true extract from
the minutes of 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, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0363
BOLZIE LEE SHEPPARD, ET AL V. THE STATE

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

95031

99R960

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta AUG 14 2000*

*I certify that the above is a true extract from
the minutes of 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 14, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0364

HUEY'S OF SAVANNAH, INC., ET AL V. DOROTHY B. SHUMAN

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

98031

I982232F

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 14 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, JULY 27, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0365
DEMARKEO APPLEBY V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

90031

SU00CR0040S SU00CR0039S

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUL 27 2000

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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, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 17, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0366

EVERETT LESLIE V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

71031

2000S889

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 17 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will. L. Mart, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 21, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0367

MICHAEL JOHNSON V. THE STATE

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

97031

99B34346

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 21 2000

*I certify that the above is a true extract from
the minutes of 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 15, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0368

RACHEL MOON RUTLEDGE, ET AL V. AUTO-OWNERS INSURANCE COMPANY

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

98A28595

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 15 2000

*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 L. Martin, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 22, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0369
JERRY GARLINGTON V. JAMESEE DICKERSON

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

96031

00A670005

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta AUG 22 2000*

*I certify that the above is a true extract from
the minutes of 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, AUG 16 2000

The Court of Appeals hereby passes the following order:

A00I0370. Ridgehaven Homes, Inc. v. Walnut Mountain Property Owners' Association, Inc.

Ridgehaven Homes, Inc. filed this application for interlocutory appeal following the entry of an order on its "amendment to [its] complaint for damages and for a declaration of rights." In the order, the superior court ruled that Ridgehaven's property in the Walnut Mountain Subdivision is subject to the declaration of covenants, conditions and restrictions for Walnut Mountain.

OCGA § 9-4-2 (b) states that:

the respective superior courts of this state shall have power, upon petition or other appropriate pleading, to declare rights and other legal relations of any interested party petitioning for the declaration, whether or not further relief is or could be prayed, in any civil case in which it appears to the court that the ends of justice require that the declaration should be made; and the declaration shall have the force and effect of a final judgment or decree and be reviewable as such.

Under this statute, the superior court's order is directly appealable. Ridgehaven should have filed a notice of direct appeal even though other issues may be pending before the superior court. Sunstates Refrigerated Servs. v. Griffin, 215 Ga. App. 61 (449 SE2d 858) (1994). Accordingly, this application is DISMISSED.

The superior court entered its order July 21, 2000. Therefore, Ridgehaven still has time in which to file a notice of appeal. OCGA § 5-6-38 (a).

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 16 2000

I certify that the above is a true extract from the minutes of the Court of Appeals of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

Clerk.

Will. L. Mart, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 29, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0371
JOY R. ROBINSON V. FRED HUNTER, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

93031

99CV1407

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 29 2000

*I certify that the above is a true extract from
the minutes of 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 22, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0372
PICCADILLY CAFETERIAS, INC. V. NANCY S. HEERTS

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

70031

98VS141700E

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 22 2000

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court
hereto affixed the day and year last above written.*

Clerk.

Will L. Mat, III

**Court of Appeals
of the State of Georgia**

ATLANTA, AUGUST 24, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0373

TONGNAN FA CORPORATION, D/B/A TONGNAN FA RESTAURANT SUPPLIES V.
JAMES Z. WANG, ET AL

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby GRANTED. The Appellant may file a Notice of Appeal within 10 days of the date of this order. The Clerk of State Court is directed to include a copy of this order in the record transmitted to the Court of Appeals.

94032

98C23422

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta

AUG 24 2000

*I certify that the above is a true extract from
the minutes of 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 30, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0374

GEORGIA PORTS AUTHORITY V. JUANITA COLLIER, AS ADMINISTRATRIX OF THE
ESTATE OF ROSBY DAVIS, II, DECEASED

Upon consideration of the Application for Interlocutory
Appeal, it is ordered that it be hereby DENIED.

95032

I000899G

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 30 2000

*I certify that the above is a true extract from
the minutes of 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, AUG 17 2000

The Court of Appeals hereby passes the following order:

A00I0375. Dolive v. Distinctive Builders, Inc.

Earl Dolive, the Trust u/w of Katie Allen Harris and Charles Loudermilk ("Donlive") filed this application for interlocutory review of the trial court's denial of their motion for summary judgment. The order Donlive seeks review of was entered by the trial court on July 21, 2000. A certificate of immediate review was obtained 12 days later by order entered on August 2, 2000. However, to confer jurisdiction on this court, a certificate of immediate review must be obtained and entered within ten days of entry of the order sought to be reviewed. OCGA § 5-6-34 (b). Dolive's failure to obtain a timely certificate of immediate review deprives this Court of jurisdiction to consider this application. Accordingly, this application is ordered DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 17 2000

*I certify that the above is a true extract from
the minutes of 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, SEPTEMBER 08, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0376
REICO NORTH 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.

90032
98CR065

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta SEP - 8 2000

*I certify that the above is a true extract from
the minutes of 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 30, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0377

W.J. PLEMONS INSURANCE AGENCY, INC. V. CARRIAGE INDUSTRIES, INC.

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

71032

95CV1132

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta AUG 30 2000

*I certify that the above is a true extract from
the minutes of 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 07, 2000

The Court of Appeals hereby passes the following order:

APPLICATION NO. A00I0378
MICHELE MICHELINE V. EMORY UNIVERSITY

Upon consideration of the Application for Interlocutory Appeal, it is ordered that it be hereby DENIED.

97032

00CV17587

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta SEP -7 2000*

*I certify that the above is a true extract from
the minutes of 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