

Court of Appeals of the State of Georgia

ATLANTA, March 10, 2010

The Court of Appeals hereby passes the following order:

A10A0888. GRAPHIC VENTURES, INC. v. L & P PAPER, INC.

This Court has received notice that Appellant, Graphic Ventures, Inc., has filed a petition for bankruptcy. 11 USC § 362 (a) (1) provides for an automatic stay,¹ but the appellate courts in this state are constitutionally required to dispose of every case at the term of court for which it is entered on the court's docket for hearing or at the next term of court.² Accordingly, the Court does not have the power to stay a case in this Court.

Therefore, it is hereby ordered that this case be REMANDED to the trial court until the stay of proceedings under the Bankruptcy Act is lifted. At that time, either party may re-institute the appeal by filing a new Notice of Appeal in the trial court within 30 days of the date of the entry of the order in the bankruptcy court lifting the stay.

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta MAR 10 2010

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

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

Willie L. Mantz, Clerk.

¹ See *Harkleroad & Hermance, P. C. v. Stringer*, 220 Ga. App. 906, 907 (1) (472 SE2d 3080 (1996)).

² 1983 Ga. Const., Art. VI, Sec. IX, Para. II.