

Court of Appeals of the State of Georgia

ATLANTA, February 3, 2004

The Court of Appeals hereby passes the following order:

A04A0680. CYRUS RAMBO v. THE STATE

This case was docketed on November 19, 2003. Appellant's brief was due December 8, 2003. Appellant's attorney, Ellis Ronald Garnett requested an extension of time to file the brief, citing calendar calls, hearings, and the fact that his secretary was in an automobile accident as reasons for his delinquency in filing a brief. An extension was granted, and the brief was due on December 18, 2003. As of this date no brief has yet been filed.

A routine check of this Court's records reveals a pattern of conduct by Ellis Ronald Garnett which raises concerns. In case number A04A0306, Garnett filed five requests for extensions of time, citing computer problems, the fact that he is a sole practitioner, an automobile accident and other hearings as reasons for his delinquency in filing a brief. Case Number A04A0306 was docketed on September 26, 2003, but Garnett's brief was not filed until December 23, 2003. Likewise, in case number A04A0047, Garnett filed three requests for extensions of time, citing calendar calls, hearings and an automobile accident as reasons for his delinquency in filing a brief. The case was docketed on August 21, 2003, an order was ultimately issued by this Court commanding Garnett to file a brief, and Garnett finally filed a brief on December 19, 2003. In case number A04A0678, Garnett again filed a motion for an extension of time, citing hearings and the fact that his secretary was in an automobile accident as reasons for his delinquency in filing a brief. An extension was granted through December 8, 2003. However, no brief was filed, and the case was dismissed on January 27, 2004.

In light of this history, we hereby order Garnett to file a brief in the above-referenced action within ten days of the date of this order. Failure to file a brief within this time will result in a citation of contempt. The Clerk of this Court is hereby directed to send a copy of this order to the trial court.

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta **FEB -3 2004**

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

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

C. Will. L. Martin, Jr., Clerk.