

Court of Appeals of the State of Georgia

ATLANTA, OCTOBER 13, 1999

The Court of Appeals hereby passes the following order:

A99A1303. ENGLAND v. SOUTHERN REGIONAL MEDICAL CENTER, INC.

Appellant Danny England's brief contains a suggestion of death of England. The death of a party suspends an action until someone is substituted for the decedent. Ashburn Bank v. Gorday, 189 Ga. App. 565 (377 SE2d 30) (1988). This Court orders that this appeal is SUSPENDED pending the substitution of a personal representative or other appropriate party for England.

The Georgia Constitution requires that the appellate courts dispose of every case by the end of the next term after a case is docketed for hearing. Ga. Const. of 1983, Art. VI, Sec. IX, Par. II. Because of this constitutional requirement, the Court cannot suspend a pending matter indefinitely.

Should a legal representative or other appropriate party be substituted for the deceased appellant, counsel is hereby ordered to notify the clerk of this Court of such action pursuant to Rule 43(d). If the Court does not physically receive such notice within 10 days of the date of this order, this appeal shall be remanded to the trial court until a legal representative can be substituted, and the case may then be re-docketed in this Court.

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. Mart, III

Court of Appeals of the State of Georgia

ATLANTA, June 5, 2001

The Court of Appeals hereby passes the following order:

A01A0462. ASTRO DYE WORKS, INC. et al v. WEST.

On May 9, 2001, this Court issued an order suspending this appeal pending the substitution of a personal representative or other appropriate party for deceased Appellee Frances E. West. That order further provided that if counsel did not notify the clerk of this Court of such substitution within 10 days, this appeal would be remanded to the trial court.

Having received no notice of any substitution, this Court hereby REMANDS this appeal to the trial court. If a legal representative is substituted for Appellee West the case may be re-docketed in this Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta JUN - 5 2001

*I certify that the above is a true extract from
the minutes of 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. Z. Mathis, Jr.
....., Clerk.

Court of Appeals of the State of Georgia

ATLANTA, May 9, 2001

The Court of Appeals hereby passes the following order:

A01A0462. ASTRO DYE WORKS, INC. ET AL. v. WEST.

Counsel for Appellee Frances E. West has filed a suggestion of the death of West. The death of a party suspends an action until someone is substituted for the decedent. *Ashburn Bank v. Gorday*, 189 Ga. App. 565 (377 SE2d 30) (1988). This Court orders that this appeal is SUSPENDED pending the substitution of a personal representative or other appropriate party for West.

The Georgia Constitution requires that the appellate courts dispose of every case by the end of the next term after a case is docketed for hearing. Ga. Const. of 1983, Art. VI, Sec. IX, Par. II. Because of this constitutional requirement, the Court cannot suspend a pending matter indefinitely.

Should a legal representative or other appropriate party be substituted for the deceased appellee, counsel is hereby ordered to notify the clerk of this Court of such action pursuant to Rule 43(d). If the Court does not physically receive such notice within 10 days of the date of this order, this appeal shall be remanded to the trial court

until a legal representative can be substituted, and the case may then be re-docketed in this Court.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta MAY - 9 2001

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

A handwritten signature in black ink, appearing to read "W. Z. Martin, Jr." with a stylized flourish at the end.