

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

May 21, 2015

To: Ms. Theresa D. Brown-Doonquah, Post Office Box 46064, Rio Rancho, New Mexico 87174

Case Number: _____ Lower Court: _____ County Superior Court

Court of Appeals Case Number and Style: _____

Your document(s) is (are) being returned for the following reason(s).

- There is no case pending in the Court of Appeals of Georgia under your name.
- A Notice of Appeal is filed with the clerk of the trial court and not with the Court of Appeals of Georgia. See OCGA §5-6-37. Once the trial court clerk has received and filed the Notice of Appeal, the trial court clerk will prepare a copy of the record and transcripts as designated by the Notice of Appeal and transmit them to this Court. Once the Notice of Appeal is docketed in the Court of Appeals of Georgia, a Docketing Notice with the Briefing Schedule and other important information is mailed to counsel for the parties or directly to the parties, if the parties are representing themselves. You do not need to provide this Court with a copy of the Notice of Appeal you filed with the superior court.
- The Notice of Appeal must include a proper Certificate of Service. A Certificate of Service must show service to the opposing counsel and contain the counsel's full name and complete mailing address. The opposing counsel must actually be served with a copy of your filing.
- An Application for Writ of Habeas Corpus should be filed in the superior court of the county in which you claim you are illegally detained. An appeal from a denial of an Application for Writ of Habeas Corpus is to the Supreme Court and not the Court of Appeals.
- An Application for Writ of Mandamus should be filed in the superior court of the county official whose conduct you intend to mandate. An appeal from a denial of an Application for Writ of Mandamus is to the Supreme Court and not the Court of Appeals.
- Your appeal was disposed by opinion (order) on _____. The Court of Appeals _____ . The remittitur issued on _____ divesting this Court of jurisdiction. The case decision is therefore final.
- Your mailing/documents indicate that you intended to file your papers in another court rather than the Court of Appeals of Georgia. The address of the Clerk of the _____ is: _____
- If an attorney has been appointed for you and you are concerned with the representation provided by that attorney, you should address that issue to the trial court. As long as you are represented by an attorney, you cannot file pleadings on your own behalf. Your attorney must file a Motion to Withdraw as Counsel and it must be granted, before you can file your own pleadings in this Court.
- A request for an out-of-time appeal should be made to the trial court from which you are appealing. If your motion is denied by the trial court, you can file an appeal of that decision by filing a Notice of Appeal with the clerk of the superior court.

May 18, 2015

IN THE STATE COURT OF BRYAN COUNTY
STATE OF GEORGIA

THERESA D. BROWN-DOONQUAH,

Plaintiff/Appellant

vs

Civil Action No.: 2009-SV-059

ROYAL BROS.CONSTRUCTION,
LLC, a corporation existing under
the laws of Georgia,

Defendant/Appellee

NOTICE OF APPEAL

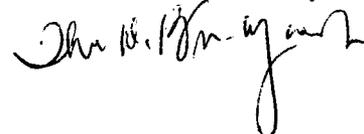
Notice is hereby given that Plaintiff/Appellant, above-named, hereby appeals to the Georgia Court of Appeals from the Trial Court's Denial of Plaintiff's Motion to Set Aside and Re-Enter summary Judgment Order Granting Defendant's Motion for Summary Judgment entered in this action on April 28, 2015. Appellant shows that she did meet the requirements set down by the court and that the documents were submitted in the time allotted by the court.

The clerk will please omit nothing from the record on appeal.

Transcript of evidence and proceedings will be filed for inclusion in the record on appeal. This Court, rather than the Supreme Court has jurisdiction of this case on appeal for the reason that the Georgia Constitution Article VI, Paragraph VI, Clause III does not confer exclusive jurisdiction to the Supreme Court.

Theresa Brown-Doonquah
May 18, 2015

Theresa D. Brown-Doonquah



RECEIVED IN OFFICE
2015 MAY 20 PM 2:31
CLERK OF COURT
COURT OF APPEALS OF GA

IN THE STATE COURT OF BRYAN COUNTY
STATE OF GEORGIA

THERESA D. BROWN-DOONQUAH,

Plaintiff

vs

Civil Action No.: 2009-SV-059

ROYAL BROS.CONSTRUCTION,
LLC, a corporation existing under
the laws of Georgia,

Defendant

CERTIFICATE OF SERVICE

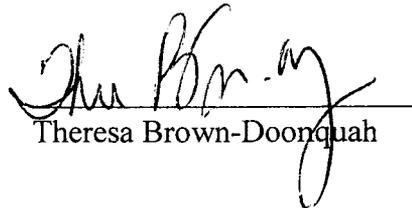
This is to certify that I have this day served the parties listed below with an exact copy of the above by

XXX depositing said copy in the U.S. mail in a properly addressed envelope with adequate postage affixed thereto

_____ hand delivering said copy to

John L. Skelton, Jr.
Moore, Ingram, Johnson & Steele
Attorneys at Law
Emerson Overlook
326 Roswell Street
Marietta, Georgia 30060

This 18th day of May, 2015.


Theresa Brown-Doonquah

P.O. Box 46064
Rio Rancho, New Mexico
505-620-0928

JACK E. CARNEY, JR.
JUDGE, STATE COURT OF BRYAN COUNTY
56 WEST BACON STREET
PEMBROKE, GEORGIA 31321

Reply to:
P.O. BOX 787
PEMBROKE, GEORGIA 31321

(912) 653-4500
Fax (912) 653-3391

January 30, 2015

RECEIVED
FEB 02 2015
JUDICIAL
QUALIFICATIONS
COMMISSION

Judicial Qualifications Commission
P.O. Box 1209
Monroe, GA 30655

Attn: Ronnie Joe Lane

Re: Ms. Theresa Brown-Doonquah complaint

Dear Mr. Lane:

I have again reviewed the file in Mr. Brown-Doonquah's case.

It appears that Ms. Brown-Doonquah attempted to file an appeal some three (3) years after judgment was entered.

The appeal was dismissed as untimely.

I had no notice of any of this.

On November 4, 2013, Ms. Brown-Doonquah filed a "Motion for the Order Granting Defendant's Motion for Summary Judgment Entered January 12, 2010 Be Set Aside And Re-Entered."

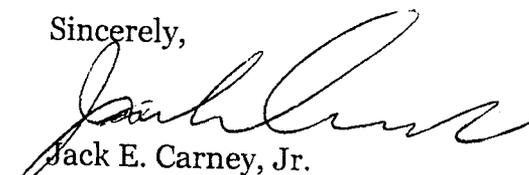
Unfortunately, she did not provide me with a copy of the motion, nor take any steps to bring it on for a hearing.

I guess it is easier to file a J.Q.C. complaint than to request a hearing.

Now that I am aware of the motion, I have set it down for a hearing on April 16, 2015.
(To give Ms. Brown-Doonquah time to make travel arrangements)

If you have further questions, please contact me.

Sincerely,


Jack E. Carney, Jr.
Judge, Bryan County State Court

JECjr/cbm

MERRITT & MERRITT

ATTORNEYS

15 West Main Street, Statesboro, Georgia 30458
P: (912) 764-3434 F: (912) 489-3683
E: wecare@merrittandmerritt.com
www.merrittandmerritt.com

Lorenzo C. Merritt

Minkah C. Merritt

April 22, 2015

Dr. Theresa Brown-Doonquah
605 Waters Road
Chesapeake, Virginia 23322

RE: Theresa D. Brown-Doonquah vs. Royal
Bros. Construction, LLC
Bryan County State Court
Civil Action No.: 2009-SV-059

Dear Dr. Doonquah:

I attended the hearing on your Motion to Set Aside Defendant's Motion for Summary Judgment on Thursday, April 16th, at the State Court of Bryan County. We did not incur the expense of obtaining a transcript of the hearing though we can do that at this time depending on your desires. The transcript will be of particular importance if you intend to appeal the judge's ruling which, incidentally, he indicated would affirm his original Order granting defendant's Motion for Summary Judgment.

According to the Judge, you erroneously undertook to represent yourself not knowing the intricacies of the law and failed to satisfy the conditions precedent to your bringing the action. Further, according to him, it would be a hardship and blatantly unfair to the defendant to allow you to "have another bite at the apple." Consequently, he was letting the original Order stand.

Your options at this point are to accede to the Court's ruling or appeal it within the thirty (30) day window. There are, however, a lot of considerations in the decision to make the time and monetary investment to appeal. I will be happy to speak with you regarding your decision.

Yours truly,

Lorenzo C. Merritt

LCM:lpp

REPLY TO Statesboro:
15 West Main St. | Statesboro, GA 30458
P.O. Box 1130 | Statesboro, GA 30459

Atlanta Office:
1 West Court Square, Suite 750 | Decatur, GA 30030
P: (877) 222-7960 | F: (404) 494-7701

IN THE STATE COURT O BRYAN COUNTY
STATE OF GEORGIA

Filed In Clerk's Office
Time 3:30

JAN 30 2015

Rebecca G. Crowe
Clerk of Courts
Bryan County, Georgia

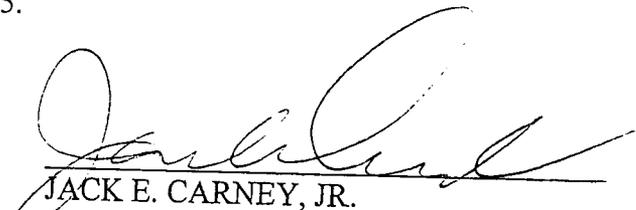
THERESA D. BROWN-DOONQUAH,)
)
 Plaintiff)
)
 Vs.)
)
 ROYAL BROS. CONSTRUCTION)
 LLC, a corporation existing under)
 the laws of Georgia,)
)
 Defendant)

Civil Action
No. 2009-SV-059

SCHEDULING ORDER

The above Motion for the Order Granting Defendant's Motion for Summary Judgment entered January 12, 2010, be set aside and reentered shall come on for a hearing before the Court on Thursday, April 16, 2015, at the Bryan County Courthouse in Pembroke, Georgia at 9 o'clock a.m.

So Ordered, this 30th day of January, 2015.


JACK E. CARNEY, JR.
JUDGE, BRYAN STATE COURT

IN THE STATE COURT OF BRYAN COUNTY
STATE OF GEORGIA

Filed In Clerk's Office
Time 11:20

THERESA D. BROWN-DOONQUAH

Plaintiff,

v.

**ROYAL BROS. CONSTRUCTION,
LLC, a corporation existing
under the laws of Georgia**

Defendant.

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APR 28 2015

Rebecca G. Crowe
Clerk of Courts
Bryan County, Georgia

Civil Action
File No. 2009SV-059

ORDER

Plaintiff has filed a Motion for the Order granting Defendants' Motion for Summary Judgment reduced to writing January 12, 2010, Be Set Aside and Re-Entered. After argument of counsel on the record, citation of authority and a review of the entire record in the case, the Court finds as follows:

In the presence of counsel, on December 17, 2009, this Court granted Defendants' Motion for Summary Judgment in open court, but left the record open until the end of 2009 for Plaintiff to file any evidence that she had complied with an agreed condition precedent in the January 19, 2008, Settlement Agreement she executed while represented by counsel. Plaintiff did not file anything with this Court by the end of 2009. Therefore, on January 12, 2010, this Court reduced the summary judgment to writing and served counsel for both parties.

On January 13, 2010, counsel for Plaintiff mailed documents to the Court, but these documents were dated after Plaintiff filed this action and did not satisfy the condition precedent in the Settlement Agreement executed by Plaintiff. During argument of this motion on April

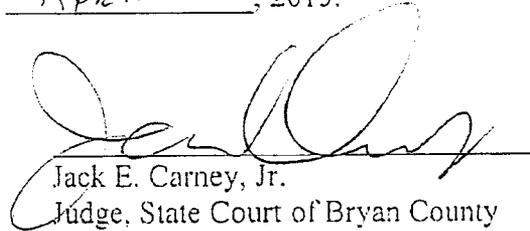
MOORE INGRAM
JOHNSON & STEELE
Limited Liability Partnership
Emerson Overlook
328 Roswell Street
Marietta, GA 30060
(770) 429-1499
FAX (770) 428-8831

16, 2015, counsel for Plaintiff conceded that the materials filed were dated after this action was filed.

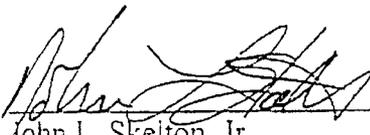
The Court concludes that Plaintiff's counsel received notice of the summary judgment in this action on December 17, 2009. Plaintiff did not supplement the record with anything which created a genuine dispute as to any material issue of fact or law in this action or which supported withdrawal of the Court's December 17, 2009, summary judgment announced from the bench.

The Court denies Plaintiff's Motion to Set Aside and Re-Enter Summary Judgment.

SO ORDERED, this 28th day of April, 2015.


Jack E. Carney, Jr.
Judge, State Court of Bryan County

PREPARED AND PRESENTED BY:


John L. Skelton, Jr.
Georgia Bar No. 649950
Attorney for Defendants
Moore Ingram Johnson & Steele, LLP
Emerson Overlook
326 Roswell Street
Marietta, GA 30060
(770) 429-1499

MERRITT & MERRITT

ATTORNEYS

15 West Main Street, Statesboro, Georgia 30458
P: (912) 764-3434 | F: (912) 489-3683
E: wecare@merrittandmerritt.com
www.merrittandmerritt.com

Lorenzo C. Merritt

Minkah C. Merritt

April 27, 2015

The Honorable Jack E. Carney, Jr.
Bryan County State Court
P.O. Drawer 787
Pembroke, Georgia 31321

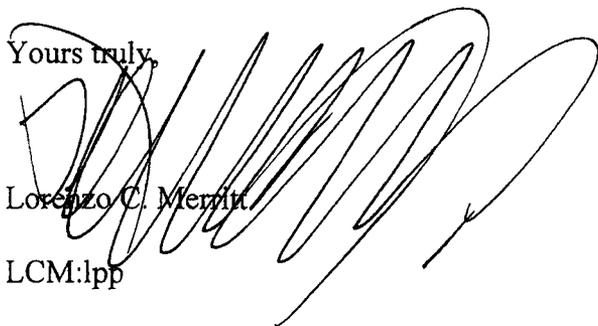
RE: Theresa D. Brown-Doonquah vs.
Royal Bros. Construction, LLC
Bryan County State Court
Civil Action No.: 2009-SV-059

Dear Judge Carney:

We request the Court sign the Abbreviated Order submitted by Mr. Skelton as it more accurately reflects the status of this file. Of course, needless to say, plaintiff has some issues with the grant of judgment, but this can be pursued in another forum.

We are enclosing a copy of the Abbreviated Order. Thank you kindly.

Yours truly,


Lorenzo C. Merritt

LCM:lpp

Enclosure

CC: Dr. Theresa D. Brown-Doonquah
CC: John L. Skelton, Jr.

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IN THE STATE COURT OF BRYAN COUNTY
STATE OF GEORGIA

THERESA D. BROWN-DOONQUAH *

Plaintiff, *

v. *

ROYAL BROS. CONSTRUCTION, *
LLC, a corporation existing *
under the laws of Georgia *

Defendant. *

* Civil Action
* File No. 2009SV-059

ORDER

After argument of law and citation of authority by counsel for both parties in open court, and a review of the entire record, the Court finds Plaintiff had notice of the December 17, 2009, summary judgment in this action and denies Plaintiff's Motion to Set Aside and Re-Enter Summary Judgment.

SO ORDERED, this ____ day of _____, 2015.

Jack E. Carney, Jr.
Judge, State Court of Bryan County

PREPARED AND PRESENTED BY:



John L. Skelton, Jr.
Georgia Bar No. 649950
Attorney for Defendants
Moore Ingram Johnson & Steele, LLP
Emerson Overlook
326 Roswell Street
Marietta, GA 30060
(770) 429-1499

MOORE INGRAM
JOHNSON & STEELE
Limited Liability Partnership
Emerson Overlook
326 Roswell Street
Marietta, GA 30060
(770) 429-1499
FAX (770) 429-3631