

**COURT OF APPEALS OF GEORGIA**  
**DOCUMENT RETURN NOTICE FOR BRIEFS OR MOTIONS**

January 26, 2015

**To:** Paul Hotchkiss, Esq., Weathington Smith, 191 Peachtree Street, N.E., Suite 3900, Atlanta, Georgia  
30303

**Docket Number:**                      **Style:** D.M. v. James Dewayne Colquitt, et al.

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

1.  **Your Application for Leave to Appeal Interlocutory Application is being returned to you. Your firm has agreed to submit the motion via e-fast. Also, enclosed is your check #20300 drawn on Georgia Commerce Bank and payable to the Clerk, Court of Appeals of Georgia in the amount of \$300.**
2.  A Request for Oral Argument must be filed as a separate document. Rule 28 (a) (3)
3.  Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
4.  No Certificate of Service or an improper Certificate of Service accompanied your document(s). Rule 6
5.  Your Certificate of Service did not include the complete name and mailing address of each opposing party. Rules 1(a) and 6. You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
6.  There were an insufficient number of copies of your document. Rule 6.
7.  Your document exceeds page limits. Rules 24 (f) and 27 (a)
8.  Your document was submitted without permission to file (supplemental brief or second motion for reconsideration). Rules 27 (a) and 37 (d)
9.  Letter briefs and letter cites are not permitted. Rule 27 (b)
10.  Your request for court action must be submitted in motion form. Rule 41 (a)
11.  Your motions were submitted in an improper form (joint, compound or alternative motions in one document). Rule 41 (b)
12.  Type was on both sides of the paper; type font was smaller than 10 characters per inch; and/or the type was not double-spaced. Rules 1(c), 37(a) and 41(b).
13.  The pages were not sequentially numbered with arabic numerals. Rule 24 (e)
14.  Case and/or record citations were not made in the proper form. Rules 24 (d) and 25 (c) (2)
15.  Margins were too small or paper size incorrect. Rules 1(c), 24(c), 37 (a) and 41(b)
16.  Your document(s) was (were) not securely bound at the top with staples or round head fasteners. Rule 1 (c)
17.  The Motion to Supplement has not been granted.
18.  Other: \_\_\_\_\_

**WS**  
**WEATHINGTON SMITH**  
ATTORNEYS AT LAW

**PAUL HOTCHKISS**  
photchkiss@weathingtonsmith.com

DIRECT DIAL: 404.523-9553

January 26, 2015

Via Courier

Clerk  
Court of Appeals of Georgia  
47 Trinity Avenue, SW  
Suite 501  
Atlanta, Georgia 30334

RECEIVED IN OFFICE  
2015 JAN 26 AM 10:26  
CLERK/COURT ADMINISTRATOR  
COURT OF APPEALS OF GA

Re: D.M. v. Colquitt, et al.  
Civil Action File No. 13 A 471944

Dear Sir or Madam:

Enclosed please find our firm check number 20300 in the amount of \$300.00 to cover the cost and fees of filing the following document:

(\* ***Defendant-Applicant Piedmont Hospital, Inc.'s Application for Leave to Appeal Interlocutory Order (a copy of the first page is included).***

Please note, we intend to e-file this document later today once this payment has been received and noted in the system by your office.

Should you have questions, please do not hesitate to contact myself or attorney Paul Hotchkiss.

Sincerely,

WEATHINGTON SMITH, P.C.



Karen W. Rush

*Administrative Assistant to Paul I. Hotchkiss*

/kwr  
Enclosures

**COPY**

IN THE COURT OF APPEALS  
STATE OF GEORGIA

D.M.,	:	
	:	
Plaintiff-Respondent,	:	
	:	Appeal Case No. _____
v.	:	
	:	
JAMES DEWAYNE COLQUITT,	:	Civil Action File
M.D., XYZ CORPORATION,	:	No. 13 A 471944
PIEDMONT HOSPITAL, INC.,	:	
and JOHN DOES 1-5,	:	
	:	
Defendants-Applicants.	:	

**DEFENDANT-APPLICANT PIEDMONT HOSPITAL, INC.'S  
APPLICATION FOR LEAVE TO APPEAL INTERLOCUTORY ORDER**

Defendant-Applicant Piedmont Hospital, Inc. ("Piedmont") respectfully seeks leave to file an interlocutory appeal in this action for medical malpractice. See O.C.G.A. § 5-6-34(b) and Court of Appeals Rule 30. Specifically, Piedmont requests that this Court accept interlocutory review of the trial court's Order denying Piedmont's Motion for Summary Judgment. In denying Piedmont's summary judgment motion, the trial court erroneously determined that Plaintiff's remaining claims for "ordinary negligence" and "fraud" against Piedmont do not fall within the definition of "action for medical malpractice" as specified by

**WS WEATHINGTON SMITH, P.C.**  
ATTORNEYS AT LAW

191 PEACHTREE ST NE STE 3900 ATLANTA, GA 30303

PAY

Three hundred and NO/100 Dollars

Clerk, Court of Appeals of Georgia  
47 Trinity Avenue, SW  
Suite 501  
Atlanta, GA 30334

TO THE  
ORDER  
OF

GEORGIA COMMERCE BANK  
ATLANTA, GA 30339

64-2031-610

CHECK NO.

20300

CHECK DATE

01/20/15

VENDOR NO.

CHECK AMOUNT

\$300.00

VOID AFTER 90 DAYS



*Mary Weathington*  
AUTHORIZED SIGNATURE

20300

Security features. Details on back.

HOLD TO LIGHT TO VIEW WATERMARK IN PAPER. HORIZONAL REFERENCE DESIGNS WITH HEAT. DETECTION CIRCLE REVEALS A LOCK WHEN LISTED.

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