



Court of Appeals

To: All Judges
From: Chief Judge M. Yvette Miller *MYM*
Subject: Special Banc Meeting Decision - Senior Judge Service
Date: August 20, 2010

This memorandum is a confirmation of the decision of the judges at the Special Banc Meeting held on Wednesday, August 18, 2010. Thank you again for taking time to come to the meeting on such short notice. Senior Judge Blackburn is authorized to assist the Court for up to five days per week until a successor has been appointed and duly sworn-in as an active judge of this Court or until the end of the September 2010 Term, whichever is earlier.

Senior Judges McMurray and Pope will continue their current arrangement with the Court serving an average of two days per week each until a successor to the late Debra Bernes is appointed and duly sworn-in or until the end of the September 2010 Term, whichever is earlier.

As the Chief, I speak for all the judges on the Court in saying that we truly appreciate the service of all of our senior judges.

cc: Jan Kelley

Holly Sparrow

bcc: Senior Judge Blackburn
Senior Judge McMurray
Senior Judge Pope

AGENDA

Special Banc Meeting
Wednesday, August 18, 2010
at 2:00 p.m.

- I. Utilization of the Senior Judges
- II. Budget Crisis/Senior Judges



Court of Appeals of Georgia

Suite 501, 47 Trinity Avenue

Atlanta, Georgia 30334

August 9, 2010

Press Release

Chief Judge M. Yvette Miller announced today that Senior Appellate Court Judge William LeRoy McMurray, Jr. and Senior Appellate Judge Marion T. Pope, Jr. are returning to the Court of Appeals to provide temporary assistance to the Court as Senior Judges pursuant to OCGA §15-3-1 (g). The Court issued an administrative order August 5, 2010 appointing Senior Judge McMurray to serve and is issuing its order today appointing Senior Judge Pope. Both Senior Judges will serve until the end of the September 2010 Term or until a successor to Judge Debra Bernes is duly qualified and sworn-in as a judge of the Court of Appeals of Georgia whichever occurs first.

Chief Judge Miller stated that she was thankful that such experienced jurists are available and willing to assist the Court. The senior judges will not be working full-time, however, their work is instrumental in keeping the caseload current and helping the Court to meet its Constitutional requirements. Judge Blackburn has been serving as a Senior Judge since his retirement on June 30, 2010.

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For further information, please contact:

Holly K. O. Sparrow
Clerk and Court Administrator
Court of Appeals of Georgia

mym
8/10/10

XVIII. EN BANC MEETINGS

- A. The Court of Appeals will hold en banc meetings as called by the Chief Judge, by written memorandum or by a majority of the judges on the Court by written memorandum. The regular banc sessions shall be held notwithstanding that additional special en banc sessions may be set by the Chief Judge. No en banc meetings shall interfere with the setting of oral arguments. (Source: September 1999 Banc Meeting.)

The regular Administrative Banc Meeting shall be held on the third Wednesday of each month, excepting the months of August and December, commencing at 10:30 a.m., unless otherwise directed by the Chief Judge. (Source: October 2008 Banc Meeting.)

- B. A quorum of seven judges is necessary for the holding of banc. Subject to the rule requiring ten days' notice or the required consent of at least nine judges, an affirmative vote of seven judges will always be necessary in passing or adopting any motion, resolution or official action of the court. (Source: September 1999 Banc Meeting.)
- C. Effective January 1, 1967, all motions or resolutions acted upon or other official actions taken in banc sessions shall be reduced to writing and entered upon the minutes, indicating thereupon how each judge voted. The vote of each judge shall be cast by him/her in person while attending the banc session and not otherwise. No judge shall be allowed to vote by proxy.
- D. The clerk/court administrator shall serve as the secretary of the court for the purpose of effectuating this rule.
- E. Once a motion, resolution or proposition is acted upon, no motion, resolution or other proposal calling for a change in the action taken shall be considered or acted upon unless ten days written notice of the proposed change shall have been given to each judge of the court, provided, however, this rule may be waived by the consent of ten of the judges. (Source: September 1999 Banc Meeting.)



Court of Appeals

Memorandum

To: All Judges
From: Holly Sparrow
Subject: April Term Status of Cases (Preliminary Distress List)
Date: August 17, 2010

This is a preliminary report of how each Division stands in disposing of April 2010 Term cases. These figures are as of today at about 1:30 p.m. There has been no request for the Administrative Assistants to update their records, so the reports may not be totally current.

The First Division has 90 remaining cases; 62 of which are not drafted.
Presiding Judge Andrews has 21 cases remaining; 9 not drafted.
Judge Ellington has 15 cases remaining; 9 not drafted.
Judge Doyle has 54 cases remaining; 44 not drafted.

The Second Division has 105 remaining cases; 64 of which are not drafted.
Presiding Judge Phipps has 55 cases remaining; 43 not drafted.
Judge Johnson has 9 cases remaining; all drafted.
Chief Judge Miller has 41 cases remaining; 21 not drafted.

The Third Division has 117 remaining cases; 76 of which are not drafted.
Presiding Judge Barnes has 53 cases remaining; 41 not drafted
Senior Judge Blackburn has 8 cases remaining; all drafted.
Judge 99 (Senior Judges McMurray/Pope) 56 cases remaining; 35 not drafted.

The Fourth Division has 131 remaining cases; 79 of which are not drafted.
Presiding Judge J. D. Smith has 52 cases remaining; 38 not drafted.
Judge Mikell has 32 cases remaining; 4 not drafted.
Judge Adams has 47 cases remaining; 37 not drafted.

There are six cases as well that were transferred to another current judge in lieu of the late Judge

Bernes or returned from the Supreme Court which are due out with the April Term cases.

There is a total of 449 remaining cases; 29 of which are not drafted with about three and one-half months remaining until decision distress December 1, 2010.

JUDGE: Miller

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A09A0449	JUL	ALPHONZO CANTY V. THE STATE	71017C		C	

TOTALS: THIS JUDGE: (1) ND: (000) D: 000 C: 001 W7: 000 W12: 000

JUDGE: Ellington

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
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A10A0939	MAY	JAMAAL BOYKINS-WHITE V. THE STA	91036C		ND	
A10A1147	MAY	ROBERT BALDWIN V. JOHN ADAMS	91054		C	
A10A1230	JUN	VITO BRUSCATO V. DEREK JOHNSON	91057		ND	
A10A1268	JUN	A. M. BUCKLER & ASSOCIATES, INC	91059		C	
A10A1280	JUN	THE STATE V. OLIVER EDWARDS	91048C		ND	
A10A1289	JUN	LARRY SMITH V. CSX TRANSPORTATI	91060		C	
A10A1359	JUL	MICHAEL WARD V. THE STATE	91051C		C	
A10A1378	JUL	MYRA BROWN V. RADINE BROWN	91064		C	
A10A1406	JUL	L. P. GAS INDUSTRIAL EQUIPMENT	91065		W7	
A10A1411	JUL	BYRON GONZALEZ V. THE STATE	91053C		ND	
A10A1450	JUL	JOSEPH WILLIAMS V. THE STATE	91055C		C	
A10A1452	JUL	CATHERINE KESTERSON V. WALTER J	91067		ND	
A10A1555	JUL	JAMES SNOWDEN V. BRENDA REEVES	91071		D	
A10A1573	JUL	NEWTON'S CREST HOMEOWNERS V. DO	91072		ND	
A10A1600	JUL	THE STATE V. ANTINION CORHEN	91061C		ND	

TOTALS: THIS JUDGE: (15) ND: (007) D: 001 C: 006 W7: 001 W12: 000

JUDGE: Andrews

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
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A10A0808	APR	LESLIE WEBB V. THE STATE	95032C		C	
A10A0889	APR	EUGENE WATTS V. THE STATE	95035C		ND	
A10A0898	APR	ROBERT LEE V. CITIBANK	95041		D	
A10A0986	MAY	BETTY MEDER V. THE STATE	95038C		C	
A10A1015	MAY	RODNEY GRESHAM V. THE STATE	95039C		D	
A10A1041	MAY	MICHAEL WESTMORELAND V. JORDAN	95048		ND	
A10A1042	MAY	JORDAN PARTNERS V. MICHAEL WEST	95049		ND	
A10A1075	MAY	ISMAEL LOPEZ V. THE STATE	95041C		ND	
A10A1117	MAY	IN THE INTEREST OF: R. D.	95042C		D	
A10A1123	MAY	GRANT GREEN V. CAVALRY PORTFOLI	95053		ND	
A10A1187	JUN	RONNIE DONALD V. THE STATE	95045C		D	
A10A1216	JUN	IMERYS KAOLIN V. J. W. BLACKSHE	95057		D	
A10A1297	JUN	KAY WILKEY V. THE STATE	95049C		D	
A10A1354	JUN	THE STATE V. BRANDON PETTIS	95051C		ND	
A10A1373	JUL	MARTIN LARISCY V. NANCY ESCHETT	95064		ND	
A10A1424	JUL	KURK CONKLIN V. ACCEPTANCE INDE	95066		D	
A10A1425	JUL	ACCEPTANCE INDEMNITY INSURANCE	95067		ND	
A10A1478	JUL	TONY KITCHENS V. MELVYN HARRIS	95068		D	
A10A1518	JUL	LAJARVIS ARNOLD V. THE STATE	95058C		D	
A10A1595	JUL	JEFFERY JACKSON V. THE STATE	95061C		D	
A10A1607	JUL	EDNA RAMCKE V. GEORGIA POWER CO	95074		ND	

TOTALS: THIS JUDGE: (21) ND: (009) D: 010 C: 002 W7: 000 W12: 000

JUDGE: Doyle

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
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A10A0800	APR	DESMOND HUNTER V. THE STATE	97031C		ND	
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JUDGE: Doyle

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A0830	APR	JAMES FOSSELMAN V. THE STATE	97032C		D	
A10A0838	APR	BOB KOWALCZYK V. TRAVELERS PROP	97038		D	
A10A0851	APR	WILLIE QUARTERMAN V. THE STATE	97033C		C	
A10A0869	APR	LINDA PENDLEY V. SOUTHERN REGIO	97039		ND	
A10A0878	APR	VADIS FRONE V. THE STATE	97034C		ND	
A10A0906	APR	DEBRA STUBBS V. TIFFANY DUBOIS	97041		D	
A10A0918	APR	EDDIE THORNTON V. THE STATE	97035C		C	
A10A0782	MAY	CHERYL BRIDGES V. DAVID WOOTEN	97035		C	
A10A0954	MAY	THE STATE V. NICHOLAS CARTER	97036C		D	
A10A0982	MAY	THE STATE V. ALBERTO RAMIREZ-HE	97037C		ND	
A10A1002	MAY	MATTHEW SMITH V. HILLTOP POOLS	97046		ND	
A10A1010	MAY	THOMAS MESSICK V. THE STATE	97038C		ND	
A10A1027	MAY	EZRA SHIMSHI V. KAREN HANDEL	97047		ND	
A10A1038	MAY	TONY MOCK V. THE STATE	97039C		ND	
A10A1047	MAY	MARY JOHNSON V. STEVEN K. LEIBE	97048		ND	
A10A1048	MAY	STEVEN LEIBEL V. MARY JOHNSON	97049		ND	
A10A1070	MAY	TRAVIS NESMITH V. THE STATE	97040C		ND	
A10A1080	MAY	RICHARD JONES V. SHELLEY MURPHY	97050		ND	
A10A1096	MAY	A & G TRUCKING, INC. V. LILLIAN	97051		ND	
A10A1109	MAY	IN RE: ESTATE OF MRS. HELEN B.	97052		ND	
A10A1113	MAY	ROBERT TROTTER V. THE STATE	97041C		ND	
A10A1135	MAY	JESUS CHAVEZ V. THE STATE	97042C		ND	
A10A1151	MAY	MICHAEL KING V. CLAYTON COUNTY	97054		ND	
A10A1183	JUN	SAMUEL BROWN V. THE STATE	97044C		ND	
A10A1192	JUN	DONNIE SCOTT V. LILLIAN WAITS	97055		ND	
A10A1210	JUN	STACY RIVERS V. H. S. BEAUTY QU	97056		ND	
A10A1229	JUN	TONY GERALD V. THE STATE	97046C		ND	
A10A1254	JUN	DONNA STEPHENSON V. JOHN GATELL	97058		ND	
A10A1256	JUN	JAMES JAFFRAY V. THE STATE	97047C		ND	
A10A1276	JUN	JESSIE WILLARD V. U. S. DISCOUN	97059		ND	
A10A1291	JUN	CURTIS WATSON V. THE STATE	97048C		ND	
A10A1295	JUN	HARLEYSVILLE MUTUAL INSURANCE C	97060		ND	
A10A1311	JUN	ANTONIO ROBERTSON V. THE STATE	97049C		ND	
A10A1317	JUN	DOCTORS HOSPITAL SURGERY CENTER	97061		ND	
A10A1340	JUN	WILLIAM AMICA V. THE STATE	97050C		ND	
A08A1823	JUL	GEORGIA PINES COMMUNITY V. MARI	97084		C	RK
A10A1362	JUL	DANIEL DOVER V. THE STATE	97051C		ND	
A10A1364	JUL	TAJUDIN JARALLAH V. WINFORD MCL	97063		ND	
A10A1403	JUL	MICHAEL GILBERT V. THE STATE	97053C		ND	
A10A1432	JUL	DAMIAN RAMSEY V. THE STATE	97054C		ND	
A10A1440	JUL	BARRETT WILSON V. M & TBANK	97066		C	
A10A1456	JUL	JON CHARLES V. THE STATE	97055C		ND	
A10A1475	JUL	EARL THIGPEN V. THE STATE	97056C		C	
A10A1494	JUL	SCOTT NESBITT V. J. KEITH WILDE	97068		ND	
A10A1499	JUL	CURTIS GROVES V. THE STATE	97057C		ND	
A10A1510	JUL	MUNDY MILL DEVELOPMENT V. ACR P	97068		ND	

DATE: AUG 17, 2010

COURT OF APPEALS
DISTRESS REPORT OPINION
APRIL TERM
FIRST DIVISION

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JUDGE: Doyle

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A1537	JUL	R & R INSULATION SERVICES V. RO	97070		ND	
A10A1538	JUL	R & R INSULATION SERVICES V. RO	97071		ND	
A10A1539	JUL	CRANE COMPANY V. ROYAL INDEMNIT	97072		ND	
A10A1540	JUL	ROYAL INDEMNITY COMPANY V. R &	97073		ND	
A10A1556	JUL	JOHNNY DAVIS V. THE STATE	97059C		ND	
A10A1582	JUL	THE STATE V. TYLER BETHEA	97060C		ND	
A10A1605	JUL	JUDY PARKER V. THE STATE	97061C		ND	

TOTALS: THIS JUDGE: 54 ND: 044 D: 004 C: 006 W7: 000 W12: 000

JUDGE: Phipps

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A0801	APR	ARNOLD RELAFORD V. THE STATE	70031C		ND	VM
A10A0802	APR	MCKENDREE PARK HOMEOWNERS V. KE	70036		ND	VM
A10A0817	APR	RAPHAEL SANDERS V. CSX TRANSPOR	70037		ND	KI
A10A0870	APR	DAVID BOWEN V. GILMER COUNTY BA	70039		ND	VM
A10A0871	APR	DAVID BOWEN V. CHESTATEE STATE	70040		ND	VM
A10A0879	APR	SIDNEY AUTRY V. THE STATE	70034C		ND	VM
A10A0907	APR	JACKIE CUMMINGS V. FADY WANNA	70041		ND	KI
A10A0908	APR	JACKIE CUMMINGS V. FADY WANNA	70042		ND	KI
A10A0919	APR	CARLOS RICHARDSON V. THE STATE	70035C		ND	PK
A10A0935	APR	ANTHONY RUCKER V. COLUMBIA NATI	70043		ND	PK
A10A0936	APR	AMERICAN HOME SHIELD CORP. V. C	70044		ND	PK
A10A0955	MAY	PERRY STEELE V. THE STATE	70036C		ND	KI
A10A0979	MAY	IN THE INTEREST OF: R. J. D. B.	70045		D	VM
A10A0983	MAY	MICHAEL BURNETTE V. THE STATE	70037C		D	VM
A10A1011	MAY	DEMARIO WHITE V. THE STATE	70038C		ND	PK
A10A1039	MAY	JOSHUA BAKER V. THE STATE	70039C		D	KI
A10A1064	MAY	INTERNATION GREETINGS USA V. F.	70049		ND	KI
A10A1065	MAY	INTERNATIONAL GREETINGS USA V.	70050		ND	KI
A10A1072	MAY	WAYNE EDWARDS V. THE STATE	70040C		ND	VM
A10A1097	MAY	JULIANNA MCCONNELL V. HOSPITAL	70051		ND	PK
A10A1110	MAY	IN THE INTEREST OF: D. B.	70052		ND	VM
A10A1114	MAY	LARRY BODIFORD V. THE STATE	70041C		C	PK
A10A1136	MAY	THOMAS BUSH V. THE STATE	70042C		C	KI
A10A1137	MAY	THE MARTHA K. WAYT TRUST V. CIT	70053		ND	KI
A10A1152	MAY	SAVANNAH CEMETERY GROUP V. DEPU	70054		ND	PK
A10A1184	JUN	JAMAL MURRAY V. THE STATE	70044C		D	PK
A10A1193	JUN	CAPITOL INFRASTRUCTURE V. THE P	70055		ND	VM
A10A1203	JUN	TWANE MILLER V. THE STATE	70045C		C	KI
A10A1211	JUN	BRUCE BAKER V. ROBERT LANKFORD	70056		D	PK
A10A1234	JUN	CAROLYN REYNOLDS V. THE STATE	70046C		D	VM
A10A1239	JUN	IN THE INTEREST OF: C. O.	70057		ND	PK
A10A1255	JUN	JAMES PAXTON V. CITIZENS BANK A	70058		ND	VM
A10A1257	JUN	JOSEPH RAINLY V. THE STATE	70047C		ND	PK
A10A1258	JUN	PHYLICIA EVERETTE V. THE STATE	70048C		ND	PK
A10A1259	JUN	MICHAEL ROBINSON V. THE STATE	70049C		ND	PK
A10A1277	JUN	GOWEN OIL COMPANY V. GEORGIA DE	70059		ND	KI
A10A1296	JUN	GEORGIA DOT V. CHERYL HERRON	70060		ND	PK
A10A1339	JUN	TOM GARNSEY V. ZACHARY BUICE	70062		ND	KI
A10A1343	JUN	DANA MILLIGAN V. THE STATE	70050C		D	KI
A08A2030	JUL	MEADOW SPRINGS V. IH RIVERDALE	70093		D	KI
A10A1388	JUL	VERNON WORTHY V. THE STATE	70052C		ND	PK
A10A1389	JUL	VERNON WORTHY V. THE STATE	70053C		ND	PK
A10A1417	JUL	MASISA USA, INC V. EMILIA GARCI	70065		ND	VM
A10A1434	JUL	ABRAHAM REED V. THE STATE	70054C		C	KI
A10A1465	JUL	SARA HALL V. KERRY ROCKFORD ENT	70066		ND	VM
A10A1466	JUL	MARCOS ALEMAN ET AL V. UHS-PRUI	70067		ND	KI

JUDGE: Phipps

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A1476	JUL	GARY STEED V. THE STATE	70056C		ND	PK
A10A1495	JUL	SIMMONS FAMILY PROPERTIES V. DO	70068		ND	PK
A10A1501	JUL	TREVON WALLACE V. THE STATE	70057C		ND	KI
A10A1506	JUL	FALBERT JONES V. THE STATE	70058C		ND	KI
A10A1541	JUL	CHELSEA BOOTH V. SIGMA CHI CORP	70070		ND	VM
A10A1542	JUL	FORREST SYLVESTER V. CHELSEA BO	70071		ND	VM
A10A1583	JUL	ONTIVEROS COX V. THE STATE	70060C		ND	PK
A10A1584	JUL	VINCENT SOWERBY V. MARSHA DOYAL	70072		ND	KI
A10A1606	JUL	ANTOINE WALKER V. THE STATE	70061C		ND	KI

TOTALS: THIS JUDGE: 55 ND: 043 D: 008 C: 004 W7: 000 W12: 000

JUDGE: Miller

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A0812	APR	JOE GREEN V. BRIDGETTE GREEN	71037		D	
A10A0820	APR	SHANTANTA FULLER V. THE STATE	71032C		C	
A10A0862	APR	BHAUGPATTIE NARAIN V. CITY OF	71038		ND	
A10A0883	APR	IN THE INTEREST OF: A. M.	71039		D	
A10A0895	APR	ROBENS RAYMOND V. THE STATE	71035C		D	
A10A0915	APR	HIGHLAND ACRES V. FEDERAL DEPOS	71042		C	
A10A0940	MAY	OUSMAN NYANE V. THE STATE	71036C		ND	
A10A0941	MAY	STATE OF GEORGIA V. SHENETTE HU	71043		ND	
A10A0952	MAY	REMAX GREATER ATLANTA BROKERAGE	71044		ND	
A10A0972	MAY	DAVID SARIF V. NOVARE GROUP	71045		ND	
A10A0975	MAY	ROSA CUVAS V. THE STATE	71037C		ND	
A10A1033	MAY	PAUL TAYLOR V. THE STATE	71039C		ND	
A10A1045	MAY	THOMAS NOONS V. HOLIDAY HOSPITA	71048		ND	
A10A1078	MAY	SOUTHERN MUTUAL CHURCH V. ARS M	71050		ND	
A10A1092	MAY	BRENDA BARNES V. MORGANTON BAPT	71051		ND	
A10A1093	MAY	BRENDA BARNES V. WILLIAM TANKER	71052		ND	
A10A1101	MAY	GABRIEL JONES V. THE STATE	71041C		D	
A10A1130	MAY	QUINTON MALLORY V. THE STATE	71042C		ND	
A10A1133	MAY	GEORGIA CASH AMERICA V. JAMES G	71053		ND	
A10A1177	JUN	GRADY WALLIN V. THE STATE	71044C		C	
A10A1199	JUN	CHRISTOPHER ANDERSON V. THE STA	71045C		ND	
A10A1206	JUN	GENEVA SUMNER V. STATE OF GEORG	71056		D	
A10A1223	JUN	BRADDICK SMITH V. THE STATE	71046C		D	
A10A1245	JUN	BLAKE LEE V. THE STATE	71047C		ND	
A10A1281	JUN	TRAVIS MCKINNON V. THE STATE	71048C		D	
A10A1290	JUN	CAGLE CONSTRUCTION V. THE TRAVE	71060		C	
A10A1302	JUN	ANGELA DAVIS V. THE STATE	71049C		D	
A10A1313	JUN	PATRICK SWINDALL V. ST. IVES CO	71061		ND	
A10A1351	JUN	TRACY RESCIGNO V. BIZHAN VESALI	71063		ND	
A10A1352	JUN	BIZHAN VESALI V. TRACY L. RESCI	71064		ND	
A10A1360	JUL	KEITH HOUSE V. THE STATE	71051C		D	
A10A1381	JUL	MIGUEL HERRERA V. THE STATE	71052C		ND	
A10A1407	JUL	GEORGIA INVESTMENTS INTERNATION	71065		C	

JUDGE: Miller

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A1412	JUL	SARANN TAUCH V. THE STATE	71053C		C	
A10A1427	JUL	MATTHEW SCOGGINS V. THE STATE	71054C		D	
A10A1453	JUL	ALFRED BURGEST V. THE STATE	71055C		ND	
A10A1472	JUL	CHRISTOPHER POLK V. THE STATE	71056C		C	
A10A1490	JUL	ANAXI RODRIGUEZ V. THE STATE	71057C		D	
A10A1524	JUL	JOHNNY CUMMINGS V. THE STATE	71058C		D	
A10A1575	JUL	HALEY HAWKINS V. THE STATE	71060C		ND	
A10A1601	JUL	ANTONIO CROWDER V. THE STATE	71061C		C	

TOTALS: THIS JUDGE: 41 ND: 021 D: 012 C: 008 W7: 000 W12: 000

JUDGE: Johnson

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A1397	JUL	GAZI AYDIN V. MUSA CAN	96065		C	JE
A10A1429	JUL	DARREN ALEXANDER V. HULSEY ENVI	96066		C	MC
A10A1430	JUL	LHR FARMS, INC. V. DARREN ALEXA	96067		C	MC
A10A1479	JUL	WILLIAM ROY V. PSICHOMETRICS IN	96068		C	LG
A10A1516	JUL	FRANCISCO CABRERA V. NATIONWIDE	96070		C	JE
A10A1519	JUL	ANTHONY CALLAHAM V. THE STATE	96058C		C	MC
A10A1569	JUL	GREGORY RUSHING V. THE STATE	96060C		C	LG
A10A1596	JUL	EZEKIEL APPLING V. THE STATE	96061C		C	MC
A10A1608	JUL	WAYNE CLEMANS V. CHARLES PETERS	96074		C	MC

TOTALS: THIS JUDGE: 9 ND: 000 D: 000 C: 009 W7: 000 W12: 000

JUDGE: Mikell

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A1610	JUL	BRUCE MCBRYAR V. BRANCH BANKING	92	98	C	ID

TOTALS: THIS JUDGE: 1 ND: 000 D: 000 C: 001 W7: 000 W12: 000

JUDGE: Barnes

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A0833	APR	MAJOR FORTSON V. CLIFFORD HARDW	93038		D	
A10A0847	APR	ARMANDO ROMERO V. THE STATE	93033C		ND	
A10A0848	APR	HARRY TORRES V. THE STATE	93034C		ND	
A10A0866	APR	MANHEIM AUTOMOTIVE FINANCIAL V.	93039		ND	
A10A0886	APR	NATIONAL CITY MORTGAGE V. POINT	93040		ND	
A10A0896	APR	WILLIAM ESCOE V. THE STATE	93035C		ND	
A10A0916	APR	TINA WOMACK V. OASIS GOODTIME E	93042		ND	
A10A0942	MAY	VERONE MYERS V. DANIEL CYPHERT	93043		D	
A10A0945	MAY	JESSE TINDELL V. THE STATE	93036C		ND	
A10A0974	MAY	IN RE: ROBERT A. WHITE	93045		ND	
A10A0977	MAY	DIANE MARTIN V. THE STATE	93037C		D	
A10A1008	MAY	IRVIN MACK V. THE STATE	93038C		C	
A10A1036	MAY	MARK BATES V. THE STATE	93039C		ND	
A10A1046	MAY	ELIZABETH CHANCEY V. PEACHTREE	93048		ND	
A10A1063	MAY	ALFRED FREDRICK V. GEICO INDEMN	93049		ND	
A10A1106	MAY	RICHARD BORING V. STATE BANK AN	93052		ND	
A10A1111	MAY	DONNIE CHENEY V. THE STATE	93041C		ND	
A10A1131	MAY	WILLIE HOLMES V. THE STATE	93042C		D	
A10A1134	MAY	ATLANTIC STATION V. VRATINAS C	93053		ND	
A10A1176	JUN	CAROL WALKER V. AMERIREACH.COM	93055		ND	
A10A1178	JUN	CALVIN HILL V. THE STATE	93044C		ND	
A10A1200	JUN	RUBEN ORTIZ V. THE STATE	93045C		ND	
A10A1207	JUN	MARK VOGEL P. A. V. BELLSOUTH A	93056		ND	
A10A1224	JUN	RICHARD KAY V. THE STATE	93046C		ND	
A10A1231	JUN	PACIFIC INSURANCE COMPANY V. RE	93057		ND	
A10A1232	JUN	REGENCY SAVINGS BANK V. JENKINS	93058		ND	
A10A1249	JUN	KENAN DANIELS V. THE STATE	93047C		D	
A10A1272	JUN	CAMBRIDGE HOME BUILDERS V. BRAN	93059		ND	
A10A1273	JUN	CAMBRIDGE HOME BUILDERS V. BRAN	93060		ND	
A10A1287	JUN	DERYL PRINCE V. THE STATE	93048C		ND	
A10A1305	JUN	KAREN FORD V. THE STATE	93049C		D	
A10A1314	JUN	SHARRON SHAW V. LARRY ROBERTSON	93061		ND	
A10A1332	JUN	AUBREY CLARK V. THE STATE	93050C		D	
A10A1336	JUN	IN THE INTEREST OF: D. Q.	93062		ND	
A10A1356	JUL	DANE NESBIT V. ANN HERRERA	93063		ND	
A10A1361	JUL	DERRICK FERGUSON V. THE STATE	93051C		ND	
A10A1379	JUL	JOSEPH WRIGHT V. SAFARI CLUB	93064		ND	
A10A1408	JUL	THE HOME DEPOT V. CATHY MCCREAR	93065		ND	
A10A1415	JUL	WILLIAM LUTHER CUZZORT V. THE S	93053C		ND	
A10A1428	JUL	BRIAN FRASIER V. THE STATE	93054C		ND	
A10A1439	JUL	ADVENTURE OUTDOORS V. MICHAEL B	93066		ND	

JUDGE: Barnes

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A1454	JUL	DANIEL OLIVER V. THE STATE	93055C		D	
A10A1459	JUL	GARY BRANNON V. DANIEL GARCIA	93067		ND	
A10A1473	JUL	IN THE INTEREST OF: J. W.	93056C		ND	
A10A1491	JUL	SHEDRICK MCCOMBS V. THE STATE	93057C		D	
A10A1493	JUL	RONALD CONNERS V. WILLIAM BROS.	93068		ND	
A10A1509	JUL	DEUTSCHE BANK NATIONAL TRUST V.	93069		ND	
A10A1525	JUL	QUENTIN FREEMAN V. THE STATE	93058C		ND	
A10A1551	JUL	JOHNNY THOMAS V. THE STATE	93059C		D	
A10A1577	JUL	APRIL LAVENDAR V. THE STATE	93060C		D	
A10A1579	JUL	A. A. PROFESSIONAL BAIL V. SONN	93072		ND	
A10A1593	JUL	INNOVATUM, INC. V. GREAT AMERIC	93073		ND	
A10A1603	JUL	STEVEN REGENT V. THE STATE	93061C		ND	

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JUDGE: Blackburn

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A1326	JUN	MICHAEL CROSBY V. DAVID PITTMAN	98062		C	ID
A10A1162	JUL	GINA HELMS V. FRANKLIN BUILDERS	98055		C	RE
A10A1399	JUL	JOSE CRUZ V. THE STATE	98053C		C	RE
A10A1400	JUL	JUAN RODRIGUEZ V. THE STATE	98054C		C	RE
A10A1401	JUL	GASPAR SYLVESTER V. THE STATE	98055C		C	RE
A10A1469	JUL	FRANCISCO GUTIERREZ V. THE STAT	98056C		C	ID
A10A1486	JUL	DERRICK JACKSON V. THE STATE	98057C		C	DC
A10A1517	JUL	CHRISTINE ALEXANDER V. WACHOVIA	98070		C	ID

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JUDGE: Judge

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A0803	APR	HARRY WALKER V. THE STATE	99031C		C	PO
A10A0821	APR	BMV PROPERTIES V. LEGACY STATE	99037		ND	
A10A0839	APR	JEFFERY HARRIS V. C. PRESTON TU	99038		ND	
A10A0853	APR	CEDRIC FAVORS V. THE STATE	99033C		ND	
A10A0882	APR	GARIN DANIEL V. THE STATE	99034C		C	PO
A10A0909	APR	MID-ROC, LLC V. FIRST SOUTHERN	99041		ND	PO
A10A0921	APR	ZWADIE MCSWINE V. OWNER BUILDER	99042		C	MM
A10A0944	MAY	ROBERT NASH V. WILLIAM BROTHERS	99042		ND	
A10A0964	MAY	CHARLES CARMICHAEL V. THE STATE	99036C		C	MM
A10A0984	MAY	MARK CORBIN V. THE STATE	99037C		C	MM
A10A0988	MAY	TRIPLE EAGLE ASSOCIATES V. PBK,	99045		ND	
A10A1013	MAY	RYAN MAYS V. THE STATE	99038C		ND	
A10A1029	MAY	PARRIS PROPERTIES V. DENNIS NIC	99047		C	MM
A10A1030	MAY	PARRIS PROPERTIES V. DENNIS NIC	99048		C	MM
A10A1031	MAY	DENNIS NICHOLS V. PARRIS PROPER	99049		C	MM
A10A1049	MAY	DWIGHT MASSEY V. THE STATE	99039C		ND	PO
A10A1073	MAY	CHRISTOPHER REYNOLDS V. THE STA	99040C		C	PO
A10A1081	MAY	NORMAN SCHWARTZ V. KEITH BRANCH	99050		ND	

99 JUDGE: Judge

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A1098	MAY	HUGHSTON ORTHOPEDIC HOSPITAL V.	99051		ND	PO
A10A1115	MAY	BILLY TOTH V. THE STATE	99041C		ND	
A10A1138	MAY	LN WEST PACES FERRY ASSOC. V. J	99053		ND	PO
A10A1154	JUN	ERIC BLAZI V. GREGG RICH	99054		ND	
A10A1167	JUN	JAMES TAYLOR V. THE STATE	99043C		C	MM
A10A1194	JUN	HAMPTON ISLAND V. HAOP	99055		ND	
A10A1208	JUN	VINSON SIMS V. THE STATE	99045C		ND	
A10A1213	JUN	LOWNDES COUNTY BOARD OF COMM V.	99056		C	PO
A10A1214	JUN	PERRY CONNELL V. LOWNDES COUNTY	99057		C	PO
A10A1236	JUN	MELVIN JACKSON V. THE STATE	99046C		C	MM
A10A1261	JUN	IN THE INTEREST OF: Q. A.	99058		ND	
A10A1278	JUN	JAMES NELSON V. BOARD OF REGENT	99059		ND	
A10A1293	JUN	GERRY JOHNSON V. THE STATE	99048C		ND	
A10A1299	JUN	STEPHEN BARNETT V. ANDREW FULLA	99060		ND	
A10A1312	JUN	JONATHAN HARPER V. THE STATE	99049C		C	MM
A10A1320	JUN	IN THE INTEREST OF: J. N. F.	99061		ND	
A10A1341	JUN	GOTTFRIED KAPPELMEIER V. PRUDEN	99062		C	MM
A10A1348	JUN	JENNIFER WATERS V. THE STATE	99050C		ND	
A10A1366	JUL	JOHN HERRON V. THE STATE	99051C		ND	
A10A1387	JUL	TRACY WILLIS V. COLUMBUS MEDICA	99064		D	MM
A10A1392	JUL	THE STATE V. OCTAVIUS SARDEN	99052C		C	PO
A10A1416	JUL	COLLINS CHINONYE AMAECHI V. THE	99053C		ND	
A10A1420	JUL	JEFFREY M. PRINCE V. BAILEY DAV	99065		C	MM
A10A1438	JUL	SEAN RICHARDSON V. THE STATE	99054C		ND	
A10A1442	JUL	JOHN TIMBERLAKE V. ATLANTA HOUS	99066		ND	
A10A1460	JUL	KRISTI RAPPLEY V. THE STATE	99055C		ND	
A10A1467	JUL	SCSJ ENTERPRISES V. HANSEN & HA	99067		ND	
A10A1480	JUL	RICHARD BRINT V. THE STATE	99056C		ND	
A10A1496	JUL	JEFFREY MAUER V. PARKER FIBERNE	99068		ND	
A10A1512	JUL	REESE DEVELOPERS V. FIRST STATE	99069		D	MM
A10A1514	JUL	JOE SNELL V. THE STATE	99057C		ND	
A10A1534	JUL	ANTONE JOHNSON V. THE STATE	99058C		ND	PO
A10A1543	JUL	R. JERRY MCLEOD V. STAN CLEMENT	99070		ND	
A10A1558	JUL	BRANDON COLEMAN V. THE STATE	99059C		C	PO
A10A1564	JUL	MICHAEL AFFATATO V. CECILY CONS	99071		ND	PO
A10A1585	JUL	LEON BOOKER V. LUCY BROWN	99072		ND	
A10A1598	JUL	MARK TURNAGE V. CHRISTINE KASPE	99073		ND	
A10A1609	JUL	LEON SCOTT V. THE STATE	99061C		C	MM

TOTALS: THIS JUDGE: 56 ND: 035 D: 002 C: 019 W7: 000 W12: 000

JUDGE: Phipps

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A09A0979	JUL	MICHAEL MCCHESENEY V. IH RIVERDA	70046		D	KI
A09A1552	JUL	CANDACE RADER V. THE STATE	70059C		ND	KI
A09A1553	JUL	VALERIE COOKE V. THE STATE	70060C		ND	KI

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JUDGE: Smith

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A0792	APR	TONY JOHNSON V. GRANGE INSURANC	90036		ND	
A10A0818	APR	CHARLES FARRIS V. THE STATE	90032C		ND	
A10A0827	APR	CHARLOTTE KITCHEN V. R. JONATHA	90038		ND	
A10A0844	APR	WAYNE JONES V. THE STATE	90033C		D	
A10A0863	APR	ANTHONY WILSON V. THE STATE	90034C		ND	
A10A0864	APR	CEDRIC ROCKAMORE V. THE STATE	90035C		ND	
A10A0880	APR	DOROTHEA CORNELIUS V. SAND CANY	90040		C	
A10A0902	APR	MARK ABRAHAM V. JANELL HANNAH	90041		ND	
A10A0934	APR	CORINE MARCUS V. BAC HOME LOANS	90043		ND	
A10A0630	MAY	AMERICAN BENEFIT CORPORATION V.	90056		ND	
A10A0938	MAY	KILO FREEMAN V. THE STATE	90036C		D	
A10A0950	MAY	PETER MANCUSO V. GMAC MORTGAGE	90044		C	
A10A0965	MAY	WILLIAM HIX V. THE HERTZ CORPOR	90045		ND	
A10A0971	MAY	JONATHAN DAVIS V. THE STATE	90037C		ND	
A10A0991	MAY	BRENDAN HILBERT V. ERICA BROUDY	90046		ND	
A10A1018	MAY	TERRY STEPHENSON V. JACK GALARD	90047		ND	
A10A1056	MAY	PHILLIP NAYLOR V. THE STATE	90040C		ND	
A10A1060	MAY	MERRITT DIXON V. RICHARD EICHHO	90049		ND	
A10A1071	MAY	SONNY WILCHER V. WAY ACCEPTANCE	90050		ND	
A10A1089	MAY	JOHN KILGORE V. GRANT STEWART	90051		ND	
A10A1128	MAY	JUSTIN GREER V. THE STATE	90042C		D	
A10A1156	JUN	CAMPANELLA D'ANGELO V. THE STAT	90043C		ND	
A10A1165	JUN	CHETAN GOUD V. PONCE SPRINGS CO	90055		ND	
A10A1174	JUN	BRIAN STOKES V. THE STATE	90044C		D	
A10A1204	JUN	RNW FAMILY PARTNERSHIP, LTD. V.	90056		ND	
A10A1218	JUN	THOMAS JOHNSON V. THE STATE	90046C		ND	
A10A1243	JUN	WALTER FLOYD V. THE STATE	90047C		ND	
A10A1250	JUN	VIDALIA OUTDOOR PRODUCTS V. SCO	90058		D	
A10A1267	JUN	PIONEER CONSTRUCTION, INC. V. T	90059		ND	
A10A1279	JUN	TRENELL TURNER V. THE STATE	90048C		ND	
A10A1286	JUN	MADISON WALK, LLC V. SEARS, ROE	90060		ND	
A10A1300	JUN	ACTAVIOUS LANGSTON V. THE STATE	90049C		C	
A10A1328	JUN	WILLIE MCGRUDER V. THE STATE	90050C		ND	
A10A1329	JUN	MICHAEL HEINY V. STAMBAUGH AVIA	90062		D	
A10A1347	JUN	KERNAGHAN PAINT AND BODY V. ROB	90063		D	
A10A1357	JUL	DUDLEY SCOTT V. THE STATE	90051C		ND	
A10A1374	JUL	BRUSHAWN FLETCHER V. THE STATE	90052C		ND	
A10A1377	JUL	NANCY SLAICK V. EMMETT ARNOLD	90064		ND	
A10A1405	JUL	MICHAEL KORSUNSKIY V. DAVID DIL	90065		ND	

JUDGE: Smith

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A1423	JUL	MICHAEL BUNN V. THE STATE	90054C		ND	
A10A1449	JUL	MAURICE WHISBY V. THE STATE	90055C		ND	
A10A1470	JUL	MATTHEW CROWDER V. THE STATE	90056C		C	
A10A1481	JUL	TARA TARGOVNIK V. CITY OF DUNWO	90068		ND	
A10A1521	JUL	LORENZO CALDWELL V. THE STATE	90058C		ND	
A10A1526	JUL	C. BROWN TRUCKING V. CHARLES HE	90070		ND	
A10A1545	JUL	IN THE INTEREST OF: C. H.	90059C		D	
A10A1546	JUL	IN THE INTEREST OF: C. H.	90060C		D	
A10A1554	JUL	FRED'S STORES OF TENNESSEE V. B	90071		ND	
A10A1571	JUL	ROCKY MILLWOOD V. ART FACTORY,	90072		D	
A10A1588	JUL	WILLIAM COCHRAN V. KATHRYN KENN	90073		ND	
A10A1611	JUL	TIMBERRIDGE PRESBYTERIAN CHURCH	90074		ND	
A10A1612	JUL	TIMBERRIDGE PRESBYTERIAN CHURCH	90075		ND	

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JUDGE: Mikell

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A0876	APR	IN THE INTEREST OF: J. L.	92034C		D	PS
A10A0905	APR	STONE MOUNTAIN COLLISION V. GEN	92041		D	LB
A10A0953	MAY	KENNETH CHATMAN V. THE STATE	92036C		D	LB
A10A0997	MAY	CITY OF ATLANTA V. CLAYTON COUN	92046		D	PS
A10A0998	MAY	CITY OF ATLANTA V. CLAYTON COUN	92047		D	PS
A10A0999	MAY	CITY OF ATLANTA V. CLAYTON COUN	92048		D	PS
A10A1000	MAY	CITY OF ATLANTA V. CLAYTON COUN	92049		D	PS
A10A1001	MAY	CITY OF ATLANTA V. CLAYTON COUN	92050		D	PS
A10A1095	MAY	PRONVEST, INC. V. CRAIG LEVY	92051		ND	JW
A10A1107	MAY	NATHAN BAXTER V. FAIRFIELD FINA	92052		ND	LB
A10A1108	MAY	FAIRFIELD FINANCIAL SERVICES V.	92053		ND	LB
A10A1182	JUN	REGINALD BOYKINS V. THE STATE	92044C		C	PS
A10A1201	JUN	BILLY BLACK V. THE STATE	92045C		C	JW
A10A1228	JUN	CHARLES GRAHAM V. THE STATE	92046C		C	LB
A10A1253	JUN	DAN MOSERA V. MICHAEL DAVIS	92058		D	JW
A10A1274	JUN	GRANGE MUTUAL CASUALTY V. TONY	92059		C	LB
A10A1292	JUN	ASHLEY MCLAUGHLIN V. JEFF BANKS	92060		C	PS
A10A1316	JUN	PAYLESS CAR RENTAL SYSTEM V. AN	92061		D	CF
A10A1335	JUN	RAUL PRADO V. THE STATE	92050C		C	PS
A08A1685	JUL	ALI NEJAD V. THE STATE	92064C		D	LB
A10A1358	JUL	IN THE INTEREST OF: K. P., A C	92063		C	PS
A10A1368	JUL	RAUL PRADO V. THE STATE	92053C		C	PS
A10A1385	JUL	MARY PATTMAN V. LORRAINE MANN	92064		D	JW
A10A1463	JUL	MARK GREENE V. ALLA GREENE	92067		D	LB
A10A1464	JUL	ALLA GREENE V. MARK GREENE	92068		D	LB
A10A1492	JUL	WILLIAM RITTER V. THE STATE	92057C		C	LB
A10A1502	JUL	R. CHRIS BELANS V. BANK OF AMER	92069		D	LB
A10A1528	JUL	MARIO SILVERIO V. THE STATE	92058C		D	PS
A10A1533	JUL	CINDY BARNARD V. TURNER COUNTY,	92070		D	PS

JUDGE: Mikell

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A1563	JUL	ALSTON & BYRD V. MELLON VENTURE	92071		ND	JW
A10A1580	JUL	NYE LAVALLE V. EDWARD JARRETT	92072		D	LB
A10A1581	JUL	NYE LAVALLE V. JOSEPH GRENUK	92073		D	LB

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JUDGE: Barnes

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A1308	JUN	ILENE FARLEY V. MICHAEL BOTHWEL	93077		ND	

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JUDGE: Adams

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A0284	APR	SHIRLEY JOHNSON V. LEE WILLIAMS	94011		ND	
A10A0806	APR	BOBBY LANKFORD V. STATE FARM MU	94036		ND	
A10A0837	APR	JOSEPH TEASLEY V. THE STATE	94032C		ND	
A10A0841	APR	FOSTER LAKE V. APH ENTERPRISES	94038		ND	
A10A0854	APR	THE STATE V. AUBREY FLOYD	94033C		ND	
A10A0887	APR	RANDALL BINGHAM V. THE STATE	94034C		ND	
A10A0910	APR	SARKIS AGASARKISIAN V. JAY CHIT	94041		ND	
A10A0923	APR	KENDRICK WILSON V. THE STATE	94035C		D	
A10A0927	APR	ROBERT FORSTER V. STATE FARM FI	94042		ND	
A10A0947	MAY	HOOTERS AIR V. GARY JET CENTER	94043		ND	
A10A0966	MAY	KENNETH BLACK V. THE STATE	94036C		ND	
A10A0989	MAY	ROBERT GOLDSMITH V. JOHN PETERS	94045		ND	
A10A1005	MAY	GRADY ANDERSON V. MOUNTAIN MANA	94046		ND	
A10A1014	MAY	BRAJA SMITH V. THE STATE	94038C		ND	
A10A1032	MAY	SHEILA HEARD V. CITY OF VILLA R	94047		ND	
A10A1050	MAY	THE STATE V. MARQUEZ HOOD	94039C		ND	
A10A1066	MAY	EMMA SHERRINGTON V. AARON HOLME	94049		ND	
A10A1074	MAY	WILLIE GARRETT V. THE STATE	94040C		D	
A10A1083	MAY	NOAHA, LLC V. VISTA ANTIQUES AN	94051		ND	
A10A1116	MAY	ORLANDO LUKE V. THE STATE	94041C		ND	
A10A1155	JUN	CARMEN MCREYNOLDS V. LISA KREBS	94054		ND	
A10A1168	JUN	IN THE INTEREST OF: T. H.	94043C		C	
A10A1186	JUN	DEXTER HANSON V. THE STATE	94044C		D	
A10A1195	JUN	LAN NGUYEN V. ORIX FINANCIAL	94055		C	
A10A1209	JUN	ROBERT LEONARD V. THE STATE	94045C		ND	
A10A1215	JUN	TRAVIS CREWS V. ADVANCED FLUID	94056		ND	
A10A1237	JUN	LUIS SANTANA V. THE STATE	94046C		D	
A10A1241	JUN	NANCY EHRHARDT V. PATRICIA MANU	94057		C	
A10A1263	JUN	DAVID FIFE V. THE STATE	94047C		ND	
A10A1294	JUN	GARRY GARRETT V. THE STATE	94048C		ND	
A10A1315	JUN	JOHN CARTER V. THE STATE	94049C		C	
A10A1323	JUN	ANTHONY ELLIS V. SYLVESTER MCRA	94061		C	
A10A1342	JUN	REGIONS BANK V. GOLDEN GATE, LL	94062		ND	
A10A1349	JUN	JASON HOPSON V. THE STATE	94050C		ND	

JUDGE: Adams

CASE#	CAL DATE	STYLE	ASG CODE	(FROM)	STATUS	LC
A10A1367	JUL	MARIO THOMAS V. THE STATE	94051C		C	
A10A1372	JUL	VFH CAPTIVE INSURANCE COMPANY V	94063		ND	
A10A1390	JUL	SHERRY JOHNSON V. THE BANK OF N	94062		ND	
A10A1393	JUL	RICHARD GARDNER V. THE STATE	94052C		ND	
A10A1395	JUL	GEORGE LUMSDEN V. STEPHEN WILLI	94064		ND	
A10A1461	JUL	MARIO SULLIVAN V. THE STATE	94055C		ND	
A10A1477	JUL	RAMESH MADESIAH V. AMIN SOHANI	94067		ND	
A10A1497	JUL	HUGH MCINNIS V. COMMUNITY BANK	94068		ND	
A10A1498	JUL	MCIBIO INVESTMENTS V. COMMUNITY	94069		ND	
A10A1515	JUL	DALTHAN MAJOR V. THE STATE	94057C		ND	
A10A1559	JUL	CARLOS RAMIREZ V. THE STATE	94059C		ND	
A10A1565	JUL	EARL CARTER V. COUNTRY CLUB OF	94071		ND	
A10A1591	JUL	JOSEPH SIMMONS V. THE STATE	94060C		ND	

TOTALS: THIS JUDGE: 47 ND: 037 D: 004 C: 006 W7: 000 W12: 000
TOTAL CASES THIS TERM: 449

Amount of "Yes"

Senior Judge McMurray - 17
Senior Judge Pope - 14

Difference of 3

Remaining Orders -

Senior Judge McMurray - 4
Senior Judge Pope - 7

Totals -

Senior Judge McMurray - 21
Senior Judge Pope - 21

Banc Meet next week
 Sr. Judges pay per diem mileage

A

distress report
 Part: salary
 Div 3

API

10% Judge salary w benefits \$234,969
 4 days sr Judge = 80% 20% = \$47,000

JUDGE COMPENATION

S/M

\$ 6,924.43

MO

\$ 13,848.87

YR

\$ 166,186.38

DAYS

SENIOR JUDGE PER DIEM RATE

235

\$ 707.18

PLUS: CURRENT PER DIEM RATE OR REIMB-
 ACTUAL EXP.

\$ 105

\$ 105.00

\$ 812.18

MILEAGE (IF RESIDES OUTSIDE OF FULTON COUNTY)

\$ 0.50

IF MOST ADVANTAGEOUS TRANSPORTATION (I.E.
 COURT CAR/CAR RENTAL) NOT USED

\$0.285

P/MILE

Judge Salary w/ Benefits
 $\$234,969 \div 235 = \$999.86 / \text{day}$

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Source: Legal > /.../ > GA - Official Code of Georgia Annotated ⓘ

TOC: Official Code of Georgia Annotated > /.../ > CHAPTER 3A. SENIOR APPELLATE COURT JUSTICES AND JUDGES > § 15-3A-4. Travel, per diem, and pay allowances

O.C.G.A. § 15-3A-4

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*** Current Through the 2010 Regular Session ***
*** Annotations Current Through April 30, 2010 ***

TITLE 15. COURTS
CHAPTER 3A. SENIOR APPELLATE COURT JUSTICES AND JUDGES

Go to the Georgia Code Archive Directory

O.C.G.A. § 15-3A-4 (2010)

§ 15-3A-4. Travel, per diem, and pay allowances

A Senior Appellate Court Justice or Judge while serving in any of the courts provided for in Code Section 15-3A-3 shall be entitled to receive the same travel, per diem, and pay allowances now or hereafter authorized to be paid to senior judges of the superior court when called. Such compensation, expenses, and mileage shall be paid from state funds appropriated or otherwise available for the operation for any of such courts, upon a certificate by the Senior Appellate Court Justice or Judge as to the number of days served or the expenses and mileage incurred. Such compensation shall not affect, diminish, or otherwise impair the payment or receipt of any retirement or pension benefits of such Senior Appellate Court Justice or Judge.

HISTORY: Code 1981, § 15-3A-4, enacted by Ga. L. 1987, p. 291, § 2.

[Title Note](#)
[Chapter Note](#)

Source: Legal > /.../ > GA - Official Code of Georgia Annotated ⓘ

TOC: Official Code of Georgia Annotated > /.../ > CHAPTER 3A. SENIOR APPELLATE COURT JUSTICES AND JUDGES > § 15-3A-4. Travel, per diem, and pay allowances

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O.C.G.A. § 15-3A-5

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*** Current Through the 2010 Regular Session ***
*** Annotations Current Through April 30, 2010 ***

TITLE 15. COURTS
CHAPTER 3A. SENIOR APPELLATE COURT JUSTICES AND JUDGES

[Go to the Georgia Code Archive Directory](#)

O.C.G.A. § 15-3A-5 (2010)

§ 15-3A-5. Basis for resignation

If a Senior Appellate Court Justice or Judge determines to seek nonjudicial elective public office, accepts appointment to a public office, practices law, or for any reason determines that senior status provided for in this chapter is no longer desirable, such Justice or Judge shall resign such Justice's or Judge's office and submit such Justice's or Judge's resignation to the Governor. Such resignation shall not affect or impair such Justice's or Judge's retirement pay and benefits.

HISTORY: Code 1981, [§ 15-3A-5](#), enacted by Ga. L. 1987, p. 291, § 2.

[Title Note](#)

[Chapter Note](#)

Source: [Legal](#) > /.../ > [GA - Official Code of Georgia Annotated](#) ⓘ

TOC: [Official Code of Georgia Annotated](#) > /.../ > [CHAPTER 3A. SENIOR APPELLATE COURT JUSTICES AND JUDGES](#) > [§ 15-3A-5. Basis for resignation](#)

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 Advanced...Source: [Legal > /.../ > GA - Georgia Code, Constitution, Court Rules & ALS, Combined](#) [\[i\]](#)TOC: [Georgia Code, Constitution, Court Rules & ALS, Combined > /.../ > Rule 18. Rules for service of senior judges > Rule 18.8. Election of ineligibility.](#)*Ga. Unif. Super. Ct. R. 18.8*[Retrieve State Legislative Impact® \(\\$\)](#)

GEORGIA RULES OF COURT ANNOTATED
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*** CURRENT THROUGH CHANGES RECEIVED THROUGH NOVEMBER 16, 2009 ***
 *** ANNOTATIONS CURRENT THROUGH OCTOBER 9, 2009 ***

UNIFORM RULES FOR THE SUPERIOR COURTS
 Rule 18. Rules for service of senior judges

Ga. Unif. Super. Ct. R. 18.8 (2009)[Review Court Orders which may amend this Rule.](#)

Rule 18.8. Election of ineligibility.

In view of the foregoing limitations upon service and compensation of senior judges, senior judges may elect to declare themselves ineligible to serve as judges and may engage in the private practice of law if and when authorized by law. Such election shall be made in writing delivered to the Supreme Court. Senior judges electing to practice law shall be entitled to draw their earned retirement pay but shall not be entitled to additional compensation for serving as judges. A senior judge who has elected to practice law shall not thereafter be eligible to serve as a judge except upon petition showing good cause to and with the approval of the Supreme Court. Having once been reinstated as eligible to serve as judge by the Supreme Court, no second such petition shall be granted.

No judge shall call upon any senior judge to serve who is exercising the right to practice law and no senior judge who is exercising the right to practice law shall agree to serve as a judge.

The practice of law as described in this section shall not include service as an arbitrator, mediator, or any other neutral in an alternative dispute process. This is true whether or not senior judges are compensated for their services as neutrals.

NOTES: Editor's Note. -- This rule was amended effective November 12, 1992.

OPINIONS OF THE ATTORNEY GENERAL

Compensation of senior judges electing to practice law. -- Senior judges electing to practice law, including acting as arbitrators, are entitled to draw their retirement pay but are not entitled to additional compensation for serving as judges. 1987 Op. Att'y Gen. No. U87-25.

Source: [Legal > /.../ > GA - Georgia Code, Constitution, Court Rules & ALS, Combined](#) [\[i\]](#)TOC: [Georgia Code, Constitution, Court Rules & ALS, Combined > /.../ > Rule 18. Rules for service of senior judges > Rule 18.8. Election of ineligibility.](#)

View: Full

Date/Time: Tuesday, August 10, 2010 - 1:22 PM EDT



From: Jan Kelley
To: Bill Martin; Holly Sparrow; Yvette Miller
CC: Tracey Parker
Date: 7/29/2010 12:38 PM
Subject: Senior Judge Pay

In accordance with OCGA 15-1-9.2 Senior Judges serving as judges of an appellate or superior court shall receive compensation for each day of service, in the amount of annual salary of a judge of the applicable court, divided by 235. In addition to such compensation, suchh dare paid the annual state salary of a judge divided by 235. They also receive their actual expenses, or at the judge's option, in the event of service outside the county of the judge's residence, the same per diem expense authorized by law for members of the General Assembly and shall receive mileage at the same rate as state employees for such services. Such compensation, expenses, and mileage shall be paid from funds appropriated or otherwise available for the operation of the applicable court, upon a certificate by the senior judge as to the number of days served or the expenses and mileage. Such compensation shall not affect, diminish, or otherwise impair the payment or receipt of any retirement or pension benefits, when applicable, of such judge.

An appellate judges salary is currently \$166,186.32 divided by 235 = \$707.1758 per day plusif they live out of county they receive \$105 per diem per day and mileage expense which equates to \$812.18 p/day + mileage at the rate of \$.50 p/day.

I called the HR department for the Council of Superior Court Judges and asked about senior judges working per bono. I was told that when they ran out of money in 2008 they told senior judges that they would have to work pro bono but then they found some money to pay them but they put a cap on how much they could bill. I was told that if a senior judge starts working again now they would have to be pro bono since they don't have any funds. The individual I spoke with didn't know if they had any senior judges working now. The Director of the Department is at a conference and not available to confirm their current policy.

To all of the judges

It has been my pleasure to serve on this Court for almost 18 years, as a judge, a presiding judge & as chief judge.

I have a great staff and we have managed to stay a term ahead for most of that time.

We have managed that through their hard work and my supervision.

Those who think a judge's office can be properly run with the judge being available for two days or few days a week are leaving themselves open to the question of why do they need to work five days a week or have a full staff.

I hope those who cannot stay a term ahead think carefully about the limitations they wish to place on those

who do function at such
a pace, I will be gone
at some time soon
in any event, and I
hope that none of you
have to justify the
limitations you wish to
impose on others.

All judge offices
must be measured by
the same standard of
performance and work week.
If you seek to limit
certain judges, then who
knows who will be next
to be limited.

Best wishes,
Alan Blakemore

To all of the judges

It has been my pleasure to serve on this Court for almost 18 years, as a judge, a presiding judge & as chief judge.

I have a great staff and we have managed to stay a term ahead for most of that time.

We have managed that through their hard work and my supervision.

Those who think a judge's office can be properly run with the judge being available for two days or four days a week are leaving themselves open to the question of why do they need to work five days a week or have a full staff.

I hope those who cannot stay a term ahead think carefully about the limitations they wish to place on those

who do function at such
a pace. I will be gone
at some time soon
in any event, and I
hope that none of you
have to justify the
limitations you wish to
impose on others.

All judge offices
must be measured by
the same standard of
performance and work week.
If you seek to limit
certain judges, then who
knows who will be next
to be limited.

Best wishes,
Alan Blakemore

Special Banc Meet 8/18/2010

• no Ellington

8/18/2010

CJ say budget meet, Ellington, Doyle, Phipps, CJ Miller, Jan Kelly
Gov. 4% cut + other items

take nothing further, only deal
then discuss Sr. J. M & P take Barnes case
mention Black doing his cases, almost complete
W Apr Term M P B
agreed by group 2, 2, 2 days

going forward get PJ together before so to Blackburn
John, Phipps, Miller, Smith

lot of thought not my idea alone, passed by 6 judges
~~ask Johnson go to Black~~

did best interest of Ct

Now can do whatever pleasure of court

quorum

Andrews disagree - staff offices equally so Black 4 days
as P/M
no much money involved ~~the~~ really

CJ not vote unless tie, no platform

A - logical staff equally
Smith - missing - was Black approached until last
wk - no writing about decision

~~Bill~~ Bill mentioned proposal before left
Blackburn not agree in prin. - miscommun.
Ct Action & Agree by J. Blackburn

Smith - need agreement or let have 5 days

Barnes - util of sr j in province of CJ (sole
perogative)

Doyle - clerk's office meet idea

Bill ^{Martin} come up w it - Sounds reasonable
& because ^{Blackburn} ahead

Doyle spoke w Black - offered to Black & Barnes

Black no want Ct bus in Paper

Miller on club organ days

Staff atty CS using float staff atty
AA AA

need better than floater / need hire my own people

Bill Martin / leave, salary

Smith meeting Club organ date?

discussion about

Part come & understand 2 days wk on ave
B expect continue as is, not accord to B. Martin

Barnes - sv j polit unpopular - retired ^{on} double salary
Andrew - Gov created prob could have appt someone now

Johnson problem officially enacted
if no significant savings not worth fighting
over
no worse off

Mikell m

Johnson not 5 days / 11 & P days ea
Smith 2nd

~~Johnson is that~~

Andrews 4 days / 4 days Johnson accept
A, ^W S, ^{OH} S, A, D, D

~~A memo not again up to 5 days~~

John

Smith motion
Black up to 5 days
Keep arrange

and ~~John~~ Johnson
vote all but

Barnes only favored
CJ not vote

And Tom
and

Memo to All Judges
 - Confidential Envelope
 CJ sig
 morning
 go by every office

All Judges

Special

At the Banc Meeting today the ~~Co Banc~~ the following motion regarding Senior Judge Service of judges B, P & M was adopted.

Senior Judge Blackburn's ~~assistance~~ ^{will provide continue to provide assistance to Court} for up to five days a week ^{assigned to} to handle handling the ~~cases~~ ^{for} Judge B until a successor is appointed or the end of Sept 2010 Term

Senior Judges M & P will continue the current arrangement of ~~2~~ on average of up to 2 days service a week until a successor is

Orientation Smith Johnson & Phepps after labor day
 don't ~~include~~ ^{include} Blackburn ~~have~~

**COURT OF APPEALS OF GEORGIA
ADMINISTRATIVE BANC MEETING**

Wednesday, September 15, 2010

10:30 A.M.

Court Banc Room • Suite 501 • 47 Trinity Avenue, S.W.
Atlanta, Georgia 30334

AGENDA

- | | | |
|-------|---|---|
| I. | Call Meeting to Order - Ascertainment of Quorum | Chief Judge Miller |
| II. | Approval of Banc Meeting Minutes of August 18, 2010 | Chief Judge Miller/
Judge Ellington |
| III. | Budgets - FY2010 - FY2011 | Chief Judge Miller/Jan Kelley |
| IV. | IT Report | Chief Judge Miller/
Judge Phipps, John Ruggeri |
| V. | Screening Applicants for Clerk/Court Administrator | Chief Judge Miller |
| VI. | Plan for Judicial Office Moves | Judge Ellington/Jan Kelley |
| VII. | Minor Amendment to Internal Operations Manual
- Recusal Policy | Judge Smith/Holly Sparrow |
| VIII. | Impact of Record Appendix on Court | Judge Ellington/Holly Sparrow |
| IX. | Old Business | Chief Judge Miller |
| X. | New Business | Chief Judge Miller |
| X. | Announcements | Chief Judge Miller |
| XI. | Adjournment | Chief Judge Miller |

**MINUTES OF THE SPECIAL BANC MEETING
OF THE COURT OF APPEALS OF GEORGIA**

Wednesday, August 18, 2010

A special Banc Meeting of the Court of Appeals was called and held in the Court of Appeals Banc Room, Suite 501, 47 Trinity Avenue, S. W., Atlanta, Georgia at 2:00 p.m. on Wednesday, August 18, 2010. Those present were:

Chief Judge M. Yvette Miller
Presiding Judge Gary B. Andrews
Presiding Judge J. D. Smith
Presiding Judge Anne Elizabeth Barnes
Presiding Judge Herbert E. Phipps
Judge Edward H. Johnson
Judge Charles B. Mikell
Judge A. Harris Adams
Judge Sara L. Doyle
Ms. Holly Sparrow, Clerk and Court Administrator

* Judge Charles B. Mikell participated by conference telephone.

I. **CALL MEETING TO ORDER:**

Chief Judge Miller called the meeting to order at 2:00 p.m.

II. **ASCERTAINMENT OF QUORUM:**

Chief Judge Miller announced a quorum was present.

III. **UTILIZATION OF THE SENIOR JUDGES AND EFFECT ON THE BUDGET:**

Chief Judge Miller set out the current service arrangement with Senior Judges Blackburn, McMurray and Pope, the current status of the Third Division cases and the effect of senior judge service on the current budget. A discussion of these issues followed and a written statement by Senior Judge Blackburn was read. A motion by Presiding Judge Andrews was made to: (1) Authorize Senior Judge Blackburn to serve up to five days per week for the purpose of handling the cases assigned to his former active position on the Court until his successor is appointed and duly sworn-in or the end of the September 2010 Term, whichever first occurs and (2) Authorize Senior Judges McMurray and Pope to continue their current arrangement with the Court of an average of

two days of service each per week until a successor is appointed and duly sworn-in to the position of the late Judge Debra Bernes or the end of the September 2010 Term, whichever first occurs. Judge Johnson seconded the motion and it was adopted with eight judges voting in favor of the motion and one judge opposed.

There being no further business, Chief Judge Miller adjourned the specially called Banc Meeting at 3:00 p.m.

Respectfully submitted,

Special Minutes approved by the
Court En Banc on the _____ day of
_____, 2010


HOLLY K.O. SPARROW
Clerk/Court Administrator
Court of Appeals of Georgia

Georgia Court of Appeals Docket Project Summary

Task	Start	End	2010				2011							
			September	October	November	December	January	February	March	April	May			
Kick Off Meeting	9/8/2010	9/8/2010	◆											
Completing Outstanding Current Items	9/8/2010	9/25/2010	█											
Initial Database Design	9/27/2010	10/13/2010		█										
Database Migration Process	9/29/2010	10/29/2010		█										
Complete Acceptance Criteria Document	9/20/2010	10/18/2010		█										
Functionality Documentation Completed	10/18/2010	10/19/2010		◆										
Estimates and Delivery Schedule - First Cut	10/18/2010	10/22/2010		█										
Estimate and Delivery Schedule - Final Cut	10/18/2010	11/1/2010		█										
First Solid Estimate of Completion Date	11/1/2010	11/2/2010			◆									
Pivot Release Iterations	10/22/2010	1/31/2011			█	█	█	█						
Pivot Release Deployment	1/31/2011	2/1/2011						◆						
Final Release Iterations	2/1/2011	6/15/2011							█	█	█	█	█	
Final Production Deployment	6/15/2011	6/16/2011												◆
Docket Cut Over and Project Completion	6/15/2011	6/16/2011												◆

It should be noted that several consultants will be working on the project and that some tasks will be conducted concurrently.

A couple of the key dates to note. The Complete Acceptance Criteria Document task scheduled to finish on 10/18/2010 has the most significant impact on the completion of the project. We will begin working on the Pivot Release right after this task is completed.

The Estimate and Delivery Schedule set for 11/2/2010 is really where we get the first good, solid estimate on the completion date of the project. By this date we have gathered, documented, and engineered all of the functionality of the system and can start to make good estimates on how long it will take to implement.

The following sections outline in more detail each of the tasks in the table above.



Court of Appeals

Memorandum

To: All Judges

From: Chief Judge M. Yvette Miller *mym*

Subject: Screening Applicants for Clerk/Court Administrator Position

Date: September 10, 2010

The members of the Committee for Hiring a new Clerk/Court Administrator have met several times to discuss the selection procedures. The committee consists of Judges Ellington, Phipps, Doyle and me. Since the task of replacing Bill Martin is so important to the future of the Court, I would like input from all the judges on all aspects of this project. In this regard, please review the attached resumes of the applicants and come prepared to the September Banc Meeting with the names of the candidates you would like to see interviewed.

The schedule for the interviews of the applicants has not been set; however, it will be provided to each of you. You are cordially invited to attend and participate in the interviews with the Committee, if you wish to do so.

Obviously the selection of the new Clerk/Court Administrator is a matter for all judges of this Court to decide in Banc. For this reason, after the interviews are conducted recommendations will be presented to the Judges before an offer is extended to anyone.

Thank you for your assistance.

8/24/10

CLERK/COURT ADMINISTRATOR POSITION
Applicants

1. Ms. Deborah Craytor
2. Mr. Michael B. Shapiro
3. Mrs. Holly Sparrow
4. Ms. Chlora Lindley-Myers
5. Ms. Julie Monaghan
6. Mrs. Ann Kelley
7. Mr. Rob McNiff
8. Mr. Byron Branch
9. Miguel Cortez
10. James Bodie
11. Andrew L. Gurvey
12. Wendy Jerkins

COURT OF APPEALS OF GEORGIA

JUDGE	CURRENT OFFICE	MOVING TO	SPECIAL REQUESTS
GARY ANDREWS	424	SAME	
J.D. SMITH	337	420	
ANNE ELIZABETH BARNES	408	412	KEEP 610 STAFF ATTORNEY OFFICES
YVETTE MILLER	416	SAME	
JOHN ELLINGTON	407	338	
HERBERT PHIPPS	340	SAME	
CHARLES MIKELL	434	SAME	NEW OFFICE GIVE UP ROOM 413
HARRIS ADAMS	402	407	GIVE UP ROOM 411 FOR STAFF OFC ROOM 614-D
SARA DOYLE	435	337	
NEW JUDGE		402	
NEW JUDGE		407	
NEW JUDGE		435	

IOM DRAFT AMENDMENT SEE A, 2 below.

A. DISQUALIFICATIONS

Whenever a judge disqualifies or recuses, that judge shall notify the Clerk's Office by memorandum with a copy to the other judges of the disqualification and that the case is to be transferred to another judge. If the case is to be reassigned, all records, transcripts, exhibits, briefs, motions, etc. are to be attached and given to the Clerk, Deputy Clerk or Deputy Administrator. The procedures for transfer shall be as follows.

1. The Clerk shall maintain two containers with twelve balls or lots in each. One container will be used to reassign cases for the purpose of authoring the opinion. The second container will be used to reassign cases for voting purposes. The twelve balls or lots will be numbered one through 12. The numbers 1 through 12 will represent the judges of the Court starting with the most senior judge as number 1 to the least senior judge as number 12.
2. Upon receipt of a memorandum of a disqualifying or recusing judge, the Clerk shall draw a ball or lot to designate the judge to whom the case will be transferred. The draw must be made in the presence of three persons, at least one of whom shall be the Chief Judge or a Presiding Judge, but not the recused or disqualified judge, and at least one of the following persons, the Clerk of Court, Deputy Clerk or Deputy Administrator. If neither the Chief Judge nor any of the Presiding Judges are available to witness the draw, any judge may do so so long as that judge is not the recused or disqualified judge. If no judge is available, at least two one of the following persons must be present and one must draw the lot or ball: the Clerk of Court, Deputy Clerk and Deputy Administrator. Should the ball or lot drawn be the number of the judge who is disqualifying or recusing, another ball or lot will be drawn, and, thereafter, the first ball drawn will be replaced in the container. (Source: April 22, 2008 Banc Meeting)
3. Once a number is drawn from the container, unless it is the ball of the disqualifying or recusing judge, it will not be replaced until all the numbers have been drawn from the container. After the last number is drawn, the container will be re-filled with all the numbers 1-12.
4. The Clerk shall inform the judge whose number was drawn of the transfer of the case to that judge immediately. If the transfer was for the purpose of designating a judge to author the opinion, that judge's office shall designate within 24 hours a case assigned that judge's office from either the current or the next term to be transferred



Court of Appeals

Memorandum

To: Judge Ellington
From: Holly Sparrow *HS*
Subject: Record Appendix Impact on Clerk's Office
Date: September 8, 2010

This memorandum is to alert you to the impact on the Clerk's office of the Supreme Court Rules concerning record appendices which were adopted by the Court of Appeals. The Front Desk and the Deputy Clerk who docket direct appeals has been inundated with telephone inquiries from attorneys, pro se litigants and clerks of court about the Record Appendix.

Appeals cannot be always be docketed as soon as we receive the trial court record, because we must wait for the Record Appendix to arrive. In other instances, we receive the Record appendix and have to hold it for the Notice of Appeal and transcripts to arrive from trial court. Also, parties and the clerks of the trial courts are not strictly abiding by the Supreme Court rules which this Court adopted. This results in the Clerk's office spending

more time than usual docketing direct appeals. This is a major strain on the office which has been reduced in staff over the last two fiscal years due to budget reductions.

The Clerk's office has been dealing with the parties' failure to follow the Supreme Court rules on record appendices. Examples of the problems we are having are listed below.

1. When the Clerk's office receives the Record Appendix there is no indication that parties have agreed on designation. The parties' verification, required by the Supreme Court rule, merely states that the party filing the Record Appendix verifies that the records submitted were a part of the trial court record. It does not indicate agreement on the record designation by the parties. Currently, the Clerk's office is accepting record appendices with the verification of only one party. Perhaps, the Court should add to the verification a statement of agreement on the record designated.

2. In some cases the Clerk's office has received a record appendix that does not even contain at least one party verification. In these cases, I have asked the Deputy Clerk to return the record appendix for the verification to be completed.

3. The Clerk's office is also receiving supplements to the record appendix from one or

more of parties. This appears to be a result of the record appendix being sent without the agreement of all parties or that counsel was in a hurry to meet the deadline set in the Supreme Court rule. This means that the Clerk's office is constantly adding these supplements to the record and then sending them to the assigned judge. It makes it difficult to determine when the appeal is really ready for consideration by the Court. There is nothing dealing with supplements in the Supreme Court Rules so it is up to the Court to determine if these supplements should be considered in its decision.

4. The Clerk's office receives Records Appendices in which some or all of the documents do not contain the trial court clerk's filed stamp as required by the Court of Appeals of Georgia instructions posted on the Court's web page. The Clerk's office is not sending the record appendix back for this fault, but is proceeding to docket the appeal as soon as we have received the trial court portion of the record.

5. Parties have been amending previously filed Notices of Appeal to permit them to submit a record appendix rather than have the trial clerk send the whole record to us. This has caused some disputes between the parties and the clerk of the trial court. We have advised the parties who complain about these disputes that they must be resolved by the trial court.

Another aspect of these amendments to the Notice of Appeal is that the transcript is

usually already filed or about to be filed when the amended Notice of Appeal is filed. That leaves the party with only five days under the Supreme Court Rules to prepare the record appendix. The party then seeks an extension to file the Record Appendix. To file an extension in this Court, requires an emergency motion to be filed since there is no appeal docketed and the party must pay the regular filing fee to file the motion. The Supreme Court is receiving such motions without a filing fee and without an appeal to which to docket the motion.

6. Occasionally both the trial court clerk and the parties send the transcript(s). The Supreme Court rule requires the trial court clerk to transmit the transcript(s) of a case. If the Clerk's office receives a transcript from both the Clerk and party, we are placing the trial court submitted transcript with the record. The party submitted transcript is being placed with the case file folder in the Clerk's office and is not be sent to the assigned judge's office.

Sometimes, the transcript is not sent by trial court clerk at all. It is sent only by a party. In this situation, the Clerk's office calls the trial court clerk and requests that clerk to send the transcript. When the transcript is received from the trial court clerk, it is sent with the record to the assigned judge's office. The attorney-delivered transcript is placed with the appeal case file folder.

7. We are now receiving questions about exhibits to depositions such as CDs that have not been transcribed. Previously, the trial court clerk would submit those with the record. Should we allow the parties to submit these items themselves with no certification from the trial court clerk? If we do not, then the parties want to submit the deposition to save cost and then have the trial court clerk send only the exhibit separately. This seems like it will be more confusing to marry the exhibit to the deposition than to just accept the CD from the parties. Since the parties are verifying that everything in the Record Appendix is in the trial court record we could accept the CD from them.

It may be useful to discuss these problems at the next Banc Meeting.

From: Holly Sparrow
To: Yvette Miller
CC: Herbert Phipps; J Ellington
Date: 8/30/2010 1:11 PM
Subject: State Bar Legislative Committee - Practice Subcommittee

Dear Chief Judge Miller:

I was contacted by Paul Kaplan calling on behalf of the Practice Subcommittee of the State Bar's Legislative Committee for the 2011 legislative session. He would like the Court's input on how best to correct the situation caused by HB1055 (which increased the appellate record preparation cost to \$10 a page). He wanted to know whether the court: (1) supported a simple return to a more reasonable record preparation fee, (2) would be willing to consider continuing Record Appendices, (3) would consider transmission of the original record from local trial courts, or (4) is supporting the creation of electronic records and their transmission to the appellate courts.

He also would like to know of any other practice initiatives of the appellate courts which might be of interest to the State Bar legislative committee. I indicated that you should be the one to discuss what the Court's views are. Would you please contact him when you return to your office next week?

As you know, I am concerned with the current Record Appendix process and its effect on the Clerk's office and the chambers. I have sent a memorandum on this issue to Judge Ellington, Judge In Charge of the Clerk's office. (I am placing a copy of this memorandum in your mail today.)

Also, in my memorandum to you last week I informed you that John Ruggeri and I have been invited to participate in an IT group developing a plan for electronic transmission of records from the lower courts to the appellate courts. Electronic transmission of the trial court record ties in with the State Bar's Inquiry and attorneys' interest in speedier and easier access to the lower court records during the appellate process.

After speaking with Mr. Kaplan, you may wish to put the above issues on the Banc Meeting agenda for the judges' discussion. Mr. Kaplan's telephone number is: 404-687- 9603.

Holly K. O. Sparrow

From: "Mike Cuccaro" <mike.cuccaro@gaaoc.us>
To: "Tia Milton" <MiltonT@gasupreme.us>, "Holly Sparrow" <SPARROWH@appeals.c...>
CC: "Marla Moore" <marla.moore@gaaoc.us>
Date: 9/1/2010 5:07 PM
Subject: Interim Rules, HB 1055

Tia, Holly:

The legislators (and HBO) are asking what the judicial branch wants to do about the HB 1055 \$10/page fee that resulted in the interim rules established by the appellate courts this summer. I ended up volunteering to see if everyone can agree on a single solution, and certainly we are looking to our appellate courts for leadership. My goal is to determine if there is a consensus, since I think the legislators would appreciate a single answer from "us."

That said, do your courts have a particular outcome in mind? Most of what I've heard is that undoing the \$10/page fee would be the easiest solution. Would like to talk to you about it when you have a chance. Please let me know or give me a call to discuss!

Mike

Mike Cuccaro

Special Assistant to the Director

Administrative Office of the Courts of Georgia

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Court of Appeals

Memorandum

To: Presiding Judge Phipps
From: Holly Sparrow *HS*
Subject: Judicial Branch - IT Group
Date: September 8, 2010

I received a telephone call from Justice Harold Melton of the Georgia Supreme Court who said that you had suggested he call me concerning the above group. He indicated that the group had been prioritizing judicial branch IT projects and that the electronic transmission of records from the trial court to the appellate courts was selected as the highest priority of the group. Justice Melton said trial court and appellate court clerks' offices, court IT offices and judges were going collaborate on a plan for electronic transmission of trial court records to the appellate courts. He noted that Tee Barnes, Clerk, and Bob McAteer, IT Director, were participating on behalf of his Court.

He then stated that the two of you were requesting the Clerk and the IT Director of the Court of Appeals to participate. I promised that John Ruggeri and I would participate in the

planning group with your approval and the approval of Chief Judge Miller. I believe achieving the goal of the group would be very beneficial to both appellate and trial courts and the attorneys and parties. With your permission and that of Chief Judge Miller, John and I will participate in the discussions of the planning group.

cc: Chief Judge M. Yvette Miller
John Ruggeri