

IN THE SUPERIOR COURT OF BROOKS COUNTY, GEORGIA
PRE-TRIAL CALENDAR
AUGUST TERM, 2023

**ALL COUNSEL ARE TO BE FAMILIAR WITH, AND ADHERE TO,
ALL PROVISIONS OF THIS NOTICE.**

Pre-trial conferences will be held on **WEDNESDAY, FEBRUARY 14, 2024, in the Juror Room of the Courthouse in Quitman, Brooks County, Georgia.**

Jury Trials:


ALL CASES TO BE TRIED BY A JURY WILL BE REQUIRED TO ATTEND THE PRE-TRIAL CONFERENCE and PREPARE A PRE-TRIAL ORDER.

Non-Jury Trials:

A pre-trial order will not be required for the cases that are designated as non-jury matters. Counsel for each party shall confer and submit to the court, in writing, **no later than February 8, 2024**, the contentions of the parties, the time estimated in hours to try the matter, and whether the presence of a court reporter is required.

If counsel fails to confer, then appearance by both counsel will be required at the pre-trial conference. If counsel submits a conflict notice for the **February 14th** pre-trial conference, the Court will expect for counsel to confer and submit the contentions to the Court prior to the **February 8th** deadline date.

SO ORDERED, this 24 day of January, 2024.



HONORABLE BRIAN A. MCDANIEL
SUPERIOR COURTS, SOUTHERN JUDICIAL CIRCUIT

**IN THE SUPERIOR COURT OF BROOKS COUNTY, GEORGIA
PRE-TRIAL CALENDAR
AUGUST TERM, 2023**

NOTICE

Pre-trial conferences on the within cases will be held on **WEDNESDAY, FEBRUARY 14, 2024**, in **the Juror Room** at the Brooks County Courthouse in **Quitman**, Georgia, at the date and time assigned herein for each respective case. **ALL COUNSEL ARE TO BE FAMILIAR WITH, AND ADHERE TO, ALL PROVISIONS OF THIS NOTICE.**

Attention is directed to Uniform Superior Court Rules (U.R.) 7.1, 7.2, and 14, which are by reference incorporated herein. The Uniform Superior Court Rules will be referred to hereinafter as "U.R."

A copy of this order is included by reference in every pre-trial order filed in the Southern Judicial Circuit.

No case will be placed on the trial calendar without a pre-trial order being filed therein in accordance with U.R. 7.2 and this notice, unless otherwise ordered by the Court.

The Court directs that counsel for both parties confer at their earliest convenience to refine the issues, arrive at all possible stipulations, exhibit and exchange documentary evidence, and furnish each other a written statement of their contentions.

After so conferring, counsel for the plaintiff shall prepare a pre-trial order which shall be in compliance with U.R. 7.2 as is applicable to the particular type case. The proposed pre-trial order shall also state:

- (1a) The type of case (Personal Injury, Property Damage, Divorce, Counterclaim, etc.);
- (4a) Whether counsel will agree to waive jury trial, agree to trial by a six person jury, proceed with a lesser number of jurors than selected should any of them be unable to complete the trial for any reason;
- (6a) Plaintiff's contentions of applicable law;
- (7a) Defendant's contentions of applicable law;
- (8a) Issues of law;
- (13a) Facts established by pleadings;
- (14c) Documents to be admitted into evidence without objection;
- (16a) A statement of other ordinances and statutes applicable.

Such proposed pre-trial order shall be presented to the Court, **in duplicate**, at the pretrial conference; **OR** counsel for the parties may sign and deliver the original and one copy of same to:

**JUDGE BRIAN A. MCDANIEL
POST OFFICE BOX 2227
MOULTRIE, GEORGIA 31776-2227
FAX 229-616-7447
EMAIL: bmj@southernjudicialcircuit.com**

on or before the **8th** day of February, **2024**. (U.R. 7.2). **IF A PRE-TRIAL ORDER HAS ALREADY BEEN ENTERED, THIS PROVISION MAY BE COMPLIED WITH BY PROVIDING A COPY TO THE COURT.** Upon reviewing the proposed pre-trial order, the Court may, in its discretion, notify counsel that same is approved and that counsel are excused from the scheduled pre-trial conference.

Unless so notified by the Court, counsel for all parties shall attend the scheduled pre-trial conference.

The Court directs that counsel for all parties in Domestic Relations cases submit to the Court along with the proposed pre-trial order, or at the time of the scheduled pre-trial conference, one list of all assets of the parties which are to be divided by the jury as separate property or separate debt, and one list of marital property and marital debt. Any asset not on one of said lists, will not be submitted to the jury. The list of marital property and debt shall contain a proposed allocation of such asset or debt and shall also contain an indicated space for the awarding of such asset or debt by the jury.

All objections to testimony on file with the Court shall be called to the Court's attention at the time the proposed pre-trial order is submitted or shall be deemed to have been waived; objections to depositions taken after the time of the submission of the pre-trial order shall be called to the Court's attention and disposed of prior to trial week or shall be deemed to have been waived.

No exhibit will be admitted unless submitted to and initialed by opposing counsel, and numbered prior to the selection of the jury.

Any person not listed under the "will have present" or the "may have present" witness list in the pre-trial order, shall not be allowed to testify.

The party intending to call any Expert Witness shall identify the witness by name in its portion of the pre-trial order, shall include a vita sheet, and shall identify the area of expertise and specific questions concerning which the expert will be questioned for expression of opinion. If the expert's testimony is opposed, the party opposing shall file an objection prior to the deadline for pre-trial order, stating with specificity any objections to: 1) credentials of the proposed expert; 2) testing and evaluation procedure, if applicable; 3) underlying facts or additional opinions upon which the expert's opinion is based; 4) scientific theory upon which opinion is based; and 5) legal admissibility of opinion for any reason. Absent such a specific objection, the Court may consider the matter of admissibility, not credibility, stipulated by counsel as to any matters about which such objection is not filed.

The parties shall jointly prepare a proposed verdict form and submit the same to the Court at the time of the pre-trial conference; if the parties are unable to agree on a form, each party shall submit a proposed form to the Court.

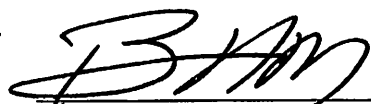
A copy of all proposed requests to charge shall be delivered to the Court at the time of the submission of the proposed pre-trial order or at the pre-trial conference. The original request need not be filed nor copy furnished to opposing counsel until commencement of the trial. (U.R. 10.3)

If no defensive pleadings have been filed and the case is in default, plaintiff's counsel shall bring a proposed default judgment to said conference. If the case is in default and the claim is ex delicto or based upon an unliquidated claim, plaintiff's counsel shall present evidence at said conference on the issue of damages and present a proposed judgment therefor to the Court at said conference.

If the case is to be dismissed, dismissal must be filed with Clerk prior to pre-trial conference and Judge's office notified, or written dismissal should be brought to the pre-trial conference.

If the case is a divorce action and no defensive pleadings have been filed, or there are no issues remaining for trial, counsel for the plaintiff shall present evidence on the issue of divorce and a proposed decree at said conference.

SO ORDERED, this 24 day of January, 2024.



HON. BRIAN A. MCDANIEL
JUDGE, SUPERIOR COURTS
SOUTHERN JUDICIAL CIRCUIT

IN THE SUPERIOR COURT OF BROOKS COUNTY, GEORGIA
CIVIL PRE-TRIAL CONFERENCE CALENDAR

FEBRUARY 14, 2024

HONORABLE BRIAN A. MCDANIEL, PRESIDING

NOTE: Civil Trials for the following cases are scheduled for the week of **March 18-21 2024**, contingent upon cases having completed mediation. Any cases not mediated, or not having been previously exempted from mediation, will not be tried during the trial week of March 18th.

<u>TIME:</u>	<u>CASE NO:</u>	<u>CASE:</u>	<u>ATTORNEY:</u>
9:30 AM	22CV00043	Justic Queen Al-Ameen	Pro Se
		vs. Edward Robinson	Pro Se
	22CV00045	In Re: Mercedes Bustillo	Pro Se
	23CV00143	Sidncy Harris	Pro Se
		vs. Dixie Garrison	Pro Se

STATUS CONFERENCES:

<u>TIME:</u>	<u>CASE NO:</u>	<u>CASE:</u>	<u>ATTORNEY:</u>
9:45 AM	18CV00135	Michael York	Michael Burnham
		vs. Dana York	William Blackburn
	18CV00279	James Grant Viar	William Blackburn
		vs. Crystal Walker	Karla Walker Bree Sullivan-Howell
	19CV00320	Julie Wittmerer	Pro Se
		vs. Frank Leake & Roberta Leake	John D. Holt

21CV00056	Linda Stegall vs. Amber Smith & Timothy Smith	Clifford Kirbo Michele Harris Matthew Lawrence
21CV00103	Lydia Giddens vs. Unknown Heirs	Gerald Spencer James Bivins
21CV00184	John Elliott vs. Eric Doe, et al	John Cotton Eric Collins
21CV00261	Martez Gray vs. Burger King Corp	Jody Peterman Pro Se
21CV00270	Timothy Mobley vs. John Doe	Jay McCurdy G. Mason White
22CV00093	Jill Morris vs. James McMurphy	J. Randall Hicks William Blackburn
22CV00104	Dylan Parnell vs. Audrey Blalock	Coleman Brice Kari Anne Bowden
22CV00159	State of Georgia vs. Dexter Bridges, et al	Michelle Harrison Pro Se
22CV00198	Justin Powell vs. April Powell	Jennifer Williams Coleman Brice
22CV00211	Michael Smallwood vs. Mary Amanda Smallwood	Brendan Mullen Jennifer Williams
22CV00250	Kyle Kemp vs. Ashlee Davis	Gerald Spencer JJ Strickland

22CV00256	Discover Bank vs. James Snow	Karen Lahey Pro Se
23CV00084	Chrissy Shipes vs. Jamic Culpepper	Gerald Spencer Megan Lane
23CV00099	Christina Akins vs. John Akins	Jennifer Williams Michael Burnham

PRE-TRIAL CONFERENCE

<u>TIME:</u>	<u>CASE NO:</u>	<u>CASE:</u>	<u>ATTORNEY:</u>
10:45 AM	19CV00078	David Cook vs. Emily Watkins	Jennifer Williams William Blackburn
	19CV00237	Tammy Reynolds vs. Gregory Simpson	Oliver Register Matthew Lawrence
	21CV00181	Heather Warren vs. Stanley Warren	Gerald Spencer Tommy Thigpen
	22CV00037	Daniel Bates vs. Kayla Farmer	John Holt Jennifer Williams
	22CV00069	Nikki Bradley vs. Joseph Bradley	Jennifer Williams Jason Moon
	22CV00107	Johnny Murray vs. Katie Murray	John Holt Jim Bennett

22CV00127

Matthew Green
vs.
Shelly Robinson

Megan Lane

Dorothy McCranie

22CV00140

Brittney Johns
vs.
Dwuan Gray

Malcolm Warren

Pro se

* * *

CLERK'S CERTIFICATE

This is to certify that I have this date mailed a true and correct copy of the foregoing Pre-Trial Calendar to all attorneys having cases listed thereon, to each Pro Se party listed thereon, and to the Judge scheduled to hold Pre-Trial Conferences.

This ____ day of January, 2024.

CLERK, LOWNDES COUNTY SUPERIOR COURT