

**IN THE SUPERIOR COURT OF COLQUITT COUNTY, GEORGIA
PRE-TRIAL CALENDAR
AUGUST TERM, 2022**

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

Pre-trial conferences will be held on **October 12, 2022** in room 248 in the Annex Building, located at 101 East Central Avenue, Moultrie, 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 October 5, 2022, 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 October 12, 2022 pre-trial conference, the Court will expect counsel to confer and submit the contentions to the Court prior to the October 5th deadline date.

SO ORDERED, this 9th day of September, 2022.

JUDGE JAMES E. HARDY
SUPERIOR COURTS, SOUTHERN JUDICIAL CIRCUIT

**IN THE SUPERIOR COURT OF COLQUITT COUNTY, GEORGIA
PRE-TRIAL CALENDAR
AUGUST TERM, 2022**

NOTICE

Pre-trial conferences on the within cases will be held on **October 12, 2022, in room 248 in the Annex Building, located at 101 East Central Avenue, Moultrie, 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 JAMES E. HARDY
P.O. BOX 2037
THOMASVILLE, GA 31799
rdd@southernjudicialcircuit.com**

on or before the 5th day of October, 2022. (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 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.

NON-JURY TRIAL CASES

*A pre-trial order will not be required for the cases that are designated as non-jury matters **IF** counsel for each party confers and submits to the court, in writing, no later than January 2, 2018, the contentions of the parties, the time estimated in hours to try the matter, and whether the presence of a court reporter is required.

SO ORDERED, this 9th day of September 2022.

James E. Hardy
HON. JAMES E. HARDY
JUDGE, SUPERIOR COURTS
SOUTHERN JUDICIAL CIRCUIT

IN THE SUPERIOR COURT OF COLOQUITT COUNTY, GEORGIA
CIVIL PRE-TRIAL CONFERENCE CALENDAR
OCTOBER 12, 2022

HONORABLE JAMES E. HARDY, PRESIDING

NOTE: Civil Trials for the following cases are scheduled for the week of November 7, 2022, contingent upon cases having completed mediation. ANY CASES NOT MEDIATED, OR NOT HAVING BEEN PREVIOUSLY MEDIATED, OR NOT HAVING BEEN PREVIOUSLY EXEMPTED FROM MEDIATION, WILL NOT BE TRIED DURING THE TRIAL WEEK OF NOVEMBER 7, 2022.

<u>TIME</u>	<u>CASE NO.</u>	<u>CASE</u>	<u>ATTORNEY</u>
9:30 a.m. (Jury Trial)	2016-CV-0113	Odelia Touchette vs. Agape Health & Rehab of Moultrie, LLC, Olive Leaf Holding Company, LLC, Olive Leaf, LLC, Covenant Dove, LLC, OHI Asset Moultrie, LLC	J. Jeffrey Helms, Jr. Clifford M. Kirbo Curtis J. Roming
9:40 a.m.	2020-CV-0020	David Young vs. Eddie Summerlin	J. Brown Moseley James A. Garland
9:50 a.m.	2020-CVD-0077	Jennifer Beamon vs. Christopher Beamon	Dorothy K. McCranie Megan Lane
10:00 a.m.	2020-CVD-0186	Autumn Roberts vs. Zackery Boyd	Jennifer E. Williams Bree Sullivan-Howell
10:10 a.m.	2020-CV-0213 (Jury Trial)	Edgar Chance, Serrena Chance Colquitt County Hospital Authority, et. al	Paul Phillips vs. Vince Toreno; David Akins; Scott Bailey; David McKenzie; Clay Sewell, Jr.; Anam Justus; Greg Talley; Charles Dorminey
10:20 a.m.	2020-CV-0261 (Jury Trial)	Delores Cooper Spirit Master Funding, et. al	Christopher Rodd vs. Walter Ballew, III
10:30 a.m.	2020-CVD-0345	Martin Taylor vs. Jessica Jarvis	Dorothy K. McCranie Jennifer E. Williams Patricia Cosey (GAL)

10:40 a.m.	2020-CV-0448 (Jury Trial)	Tony Roberts James Hart & Jody Hart d/b/a Hart Farms	Dewey N. Hayes, Jr. vs. James Thagard
10:50 a.m.	2021-CVD-0096	John Blair vs. Abby Parks	Katherine Gonos Dorothy K. McCranie
11:00 a.m.	2021-CVD-0124	Robbie Blaxton vs. Pamela Blaxton	Aurora Kirbo Coleman Brice Hayden Willis (GAL)
11:10 a.m.	2021-CV-0245 (Jury Trial)	Rosa Carroll Amanda Howard	James Kirtlink vs. Sherman Moody
11:20 a.m.	2021-CVD-0276	Lekeshia King vs. Ronald Huckaby	Karla Walker pro se
11:30 a.m.	2021-CVD-0335	Tony Walker vs. Pahola Walker	Hayden Willis Aurora Kirbo
11:40 a.m.	2021-CVD-0413	Michael Sumner vs. Hannah Sumner	Aurora Kirbo pro se
11:50 a.m.	2021-CV-0417	In Re: Estate of Gary Lanier Murphy (Appeal from Probate)	Clifford Kirbo
1:00 p.m.	2021-CV-0475	Buddy Home Furniture vs. Desiree Quintero (Appeal from Magistrate Court)	pro se pro se
1:10 p.m.	2021-CV-0485	Nancy Nodarse vs. Gregory Denesuk	Joseph D. Weathers Shelba Sellers
1:20 p.m.	2021-CVD-0495	Patrick Clayton vs. Shanta Clayton	Judy Varnell pro se
1:30 p.m.	2022-CVD-0108	Veronica Reyes vs. Emmanuel Torres-Cruz	Christopher McCormick pro se

1:40 p.m.	2022-CVD-0127	Jamarcus Peterson vs. Timya Smith	Joseph D. Weathers Hayden L. Willis
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1:50 p.m.	2021-CV-0455	Midland Funding vs. James Cobb	Ashley Bowman-Dumitrascu pro se
	2022-CV-0033	Midland Credit Management vs. Josephine Smith	Ashley Bowman-Dumitrascu pro se
	2022-CV-0037	Midland Credit Management vs. Fred Jefferson	Ashley Bowman-Dumitrascu pro se
	2022-CV-0049	Midland Credit Management vs. Javan Aldridge	Ashley Bowman-Dumitrascu pro se
	2022-CV-0113	Midland Credit Management vs. Felicia Smith	Ashley Bowman-Dumitrascu pro se
	2022-CV-0128	Midland Credit Management vs. Joy Glover	Ashley Bowman-Dumitrascu pro se

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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 September, 2022.

CLERK, COLQUITT COUNTY SUPERIOR COURT