

IN THE STATE COURT OF CARROLL COUNTY
STATE OF GEORGIA

FILED
GA. CARROLL COUNTY
CLERK State COURT
2024 OCT 25 PM 12:07

ORDER FOR PEREMPTORY/STATUS CALENDAR

Wm. J. Lee
CLERK SUPERIOR COURT
COUNTY GEORGIA

Pursuant to Uniform State Court Rule 20, the Clerk is instructed to place all “open” cases filed through 2023 on the Court’s specially set **Peremptory/Status Calendar** on

THURSDAY, DECEMBER 5, 2024, at 9:00 a.m.

The entire calendar is available for viewing on the Carroll County Clerk’s website under “STATE COURT CALENDARS”

<https://www.carrollcountyclerk.com/calendars.html>

Attorneys (or the parties themselves, if they are not represented by an attorney) are required to appear at such date and time to announce the status of the case. All parties should read this Order carefully and comply with its provisions.

APPEARANCE: All parties are instructed to appear in person at Carroll County Courthouse, 311 Newnan Street, 3rd Floor, Courtroom A, Carrollton, Georgia.

COMMUNICATION WITH COURT: For all purposes stated in this Order, communication with (or notices to) the Court shall be made via email **only** to Nic Barker (nbarker@carrollcountyga.gov) and Brandi Wigginton (bwigginton@carrollcountyga.gov).

DUE TO THE HIGH VOLUME OF CASES ON THIS CALENDAR NO PHONE CALLS will be taken or voicemails returned on any case placed on this calendar. All communications with the Court shall be via email only, as instructed herein.

FAILURE TO APPEAR: Failure of the plaintiff to appear at the calendar shall result in the dismissal without prejudice of the plaintiff’s action. Failure of the defendant to appear at the calendar shall result in the striking of the defendant’s answer, counterclaim, or crossclaim, along with the entry of a default judgment against the defendant. In cases where a post-judgment has been filed, failure of the movant to appear may result in the striking of the motion for failure to prosecute.

CORPORATIONS: Pursuant to *Eckles v. Atlanta Technology Group, Inc.*, 267 Ga. 801 (1997), corporations must be represented in court by an attorney.

SETTLEMENTS/DISMISSALS: If the case has been settled, dismissed, or otherwise completed, the parties may be excused from appearing *if and only if* the plaintiff and/or counterclaimant file(s) an appropriate **written dismissal** and **final disposition form** with the Clerk's office by 5:00 p.m. on Monday, December 2nd, 2024, and notify(ies) this Court (by email).

NO SERVICE CASES: If service of process has not been effected prior to the call of the calendar, the plaintiff must be prepared to factually demonstrate **at the peremptory/status hearing**, due diligence in attempting service on the defendant(s). Should the Court find that the plaintiff has not adequately demonstrated due diligence in attempting to serve the defendant(s), the case may be dismissed for want of prosecution. Requests for additional time to perfect service will not be considered in advance.

BANKRUPTCY: We do not receive updates from the Bankruptcy Court, so the parties must keep the Court apprised of the status of bankruptcy cases. If the case is currently in bankruptcy, the plaintiff shall notify the Court. If the defendant has been discharged in bankruptcy, the plaintiff must file a dismissal to close out the case.

REMOVAL FROM CALENDAR: Removal from the calendar for reasons other than the following will be by permission of the Judge's office and only for legal cause shown:

1. The case has been dismissed;
2. The case has been set for a trial; or
3. A Consent Scheduling Order is presented to and approved by the Court.

Attorneys and *pro se* parties are required to appear at the calendar call **UNLESS** excused in writing by the Court. Any request must be made by Monday, December 2, 2024, at 5:00 p.m. (by email). No request will be answered after the deadline. If the case has been reset to this calendar from a previous peremptory calendar, no further reset from this calendar will be granted absent extraordinary circumstances. Please do not contact the Clerk's office requesting removal from the calendar.

If a motion is filed in any case after the filing of this Order for Peremptory/Status Calendar, a copy of said motion should be emailed directly to the Judge's office, to the attention of Nic Barker(nbarker@carrollcountyga.gov) and Brandi Wigginton (bwigginton@carrollcountyga.gov). Unless otherwise directed by the Court, the filing of the motion will not excuse the attorneys in any such case from appearing at the calendar call.

CONFLICTS AND LEAVES OF ABSENCE: All attorney conflicts will be resolved as provided in Uniform Superior Court Rule 17.1. All attorney leaves of absence affecting the calendar and filed *after* the calendar is published will require an application and Court approval pursuant to Uniform Superior Court Rule 16.2.

TIMELINE TO FILE DOCUMENTS AFTER CALENDAR: Any party who announces a dismissal, settlement, status, or scheduling order, or any other order to be provided to the Court shall have until January 20, 2025, to file such with the Court. Failure to file any such document (without other written agreement by this Court) shall result in a global order dismissing all cases listed therein for want of prosecution.

SO ORDERED, this 25th day of October, 2024.



Michael L. Hubbard
Judge, State Court of Carroll County, Georgia